

## Response ID ANON-X4AN-M619-8

Submitted to **Review of the Aboriginal Heritage Act 1972 - Phase Two consultation**  
Submitted on **2019-05-30 08:56:59**

### Introduction

**What is your name?**

**Name:**

West Australian

**What is your email address?**

**Email:**

**What is your organisation?**

**Organisation:**

**Submissions will be published as part of the consultation process. Do you wish to have your name removed from your submission?**

Yes

### Proposal 1

**Will the proposal deliver the desired outcome?**

Yes

**If no, why not?:**

**What changes would you suggest and why?:**

### Proposal 2

**Will the proposal deliver the desired outcome?**

Yes

**If no, why not?:**

**What changes would you suggest and why?:**

### Proposal 3a

**Will the proposal deliver the desired outcome?**

Yes

**If no, why not?:**

**What changes would you suggest and why?:**

The Department of Planning, Lands and Heritage needs to administer how these groups are consulted and adequately fund this otherwise it will fail. DPLH also needs to put parameters on consultation and timings so that disagreements do not become protracted and have mechanisms for resolution.

### Proposal 3b

**Will the proposal deliver the desired outcome?**

Yes

**If no, why not?:**

**What changes would you suggest and why?:**

The Minister needs power to manage the council, just like the Minister for Heritage with the Heritage Council.

### Proposal 3c

**Will the proposal deliver the desired outcome?**

Yes

**If no, why not?:**

**What changes would you suggest and why?:**

### **Proposal 3d**

**Will the proposal deliver the desired outcome?**

Yes

**If no, why not?:**

**What changes would you suggest and why?:**

The Department needs more funding to actively find and register sites and remove the backlog. More history is destroyed through inaction by the Department. When the Department has acted well great things have been achieved in preserving history.

### **Proposal 3e**

**Will the proposal deliver the desired outcome?**

Yes

**If no, why not?:**

**What changes would you suggest and why?:**

The Department should have a register and fees be known and clearly defined for people to choose.

### **Proposal 4**

**Will the proposal deliver the desired outcome?**

Yes

**If no, why not?:**

**What changes would you suggest and why?:**

All Aboriginal Heritage MUST be registered for this act to work. Trying to protect unregistered sites will not work and only leads to community distrust in Aboriginal Heritage.

### **Proposal 5**

**Will the proposal deliver the desired outcome?**

Yes

**If no, why not?:**

**What changes would you suggest and why?:**

### **Proposal 6**

**Will the proposal deliver the desired outcome?**

Yes

**If no, why not?:**

**What changes would you suggest and why?:**

### **Proposal 7**

**Will the proposal deliver the desired outcome?**

Yes

**If no, why not?:**

**What changes would you suggest and why?:**

## **Proposal 8**

**Will the proposal deliver the desired outcome?**

Yes

**If no, why not?:**

**What changes would you suggest and why?:**

Remediation should be the first course of action before fines are activated with meaningful reconciliation with the affected parties/mob. This will help to build trust within the community.

Only registered sites should be covered by the penalties. Further registered sites also need to be categorized as is done in the Heritage Act 2018 and fines meted out according "NOT one size fits all". One of the other States has a tiered fines system that should be used. Unregistered sites should have remediation conditions first off paid by the offender then a monetary fine only to the value of the current AHA Act.

More education to the public is required and that can only be achieved through registered sites. The Public do not need to know the details of sacred sites, however do need to know where they are and that they are significant. This can only be achieved through registration that is up to date (without fail) and is resourced and financed properly. The current registration process lacks rigor, funding and resourcing.

## **Proposal 9**

**Will the proposal deliver the desired outcome?**

Yes

**If no, why not?:**

**What changes would you suggest and why?:**