

Response ID ANON-8EBD-41YP-H

Submitted to **Review of the Aboriginal Heritage Act 1972**

Submitted on **2018-05-31 21:51:51**

About You

Are you submitting a response as an individual, or on behalf of your organisation?

Individual

Individual details

Are you of Aboriginal or Torres Strait Islander descent?

No

What is your name?

Optional:

Robyn

Do you give permission for your name to be published with your feedback?

Yes

Purpose of the Act

Question 1

Yes

If not, what changes should be made?:

Roles under the Act

Question 2

2 - who should be consulted?:

Old Aboriginal people should be consulted, as the most likely knowledge carriers.

Question 3

Ineffective

How can the provision to appoint honorary wardens be improved?:

Although I do not work in Native Title or an Aboriginal Corporation that deals with the Act and protects sites, I've never been aware of any wardens so that is why I believe inspection powers are not exercised. Previous Ministers would seem to me to have been unlikely to encourage inspection. So the provision to appoint honorary wardens could be made more widely known.

Question 4

No opinion

Role and functions - Minister:

No opinion

Role and functions - Registrar:

No opinion

Role and functions - Committee:

No opinion

Role and functions - DPLH:

What is Protected?

Question 5

Yes

5. How can section 5 be improved?:

Question 6

No

6. How can section 6 / Part VI be improved?:

... any purpose connected with the traditional cultural and working life of the Aboriginal people past or present. I suggest this because I'm thinking of sheep yards made from straightened 44 gallon drums and houses in the Pilbara made of tin and wire.

Question 7

No opinion

Additional comments:

I think this sounds good but what if outstandingly important areas are not within country owned or managed by Indigenous groups because native title has been extinguished.

Question 8

Yes

8. what needs to be considered?:

Protection and Enforcement

Question 9

9. Activities that should require consent or authorisation:

Mining, quarrying, visiting, burning.

Question 10

No opinion

10. Criteria to evaluate activities that may affect a site:

Question 11

11. What is an impact in relation to sacred sites?:

Ask the old people.

Question 12

12. consent / authorisation for proposals that will affect sites:

The old people.

Question 13

No opinion

No opinion

13. How s18 can be improved?:

As I understand it, it's very effective but the argument is that it is expensive for those making applications.

Question 14

No opinion

14. provisions for long-term protection of sites:

Question 15

No

15. How can enforcement provisions be improved?:

Rangers, wardens, and the will to enforce.

Question 16

No

16. How can penalties be improved?:

Higher penalties for Body Corporates.

Site Assessment and Registration

Question 17

Yes

17. Why shouldn't a defence be provided?:

Question 18

Yes

18. What should the criteria be?:

Question 19

19. Steps to report place or object:

Land users could approach traditional owners to see if they have sites on their land. E.g. station managers in the Pilbara. Together they could identify locations to the Register.

No opinion

19. Steps to nominate a place or object:

No opinion

19. Steps to assess a place or object:

No opinion

19. Steps to enter a place or object on the Register:

No opinion

19. Steps to amend a place or object on Register:

19. Steps to remove place or object from Register:

Proper consultation with the traditional owners.

Other Parts of the Act

Question 20

No opinion

20. What's missing from the Act?:

Question 21

No opinion

21. Sections to be removed from Act?:

Any other comments

Any other comments: