



Department of **Planning,
Lands and Heritage**

*PROPOSALS FOR NEW
ABORIGINAL HERITAGE
LEGISLATION*

*KUNUNURRA
COMMUNITY WORKSHOP
22 May 2019*

MEETING RECORD

Department of **Planning,
Lands and Heritage**

GOVERNMENT OF
WESTERN AUSTRALIA

**REVIEW OF THE
ABORIGINAL HERITAGE ACT 1972**

PROPOSALS FOR NEW LEGISLATION TO
RECOGNISE, PROTECT AND CELEBRATE
WESTERN AUSTRALIA'S ABORIGINAL HERITAGE

DISCUSSION PAPER

MARCH 2019

DISCUSSION PAPER PROPOSALS

1. A New Aboriginal Heritage Act

PROPOSAL 1: *Repeal the Aboriginal Heritage Act 1972 and deliver new Aboriginal heritage legislation*

2. What new legislation will cover: Aboriginal heritage places, objects, ancestral remains

PROPOSAL 2: *Update definitions and scope of new Aboriginal heritage legislation*

3. Key roles in Aboriginal heritage: Proposed local and central bodies – Functions and selection

PROPOSAL 3(a): *Local Aboriginal Heritage Services*

PROPOSAL 3(b): *The Aboriginal Heritage Council*

PROPOSAL 3(c): *The Minister's role*

PROPOSAL 3(d): *The role of the Department of Planning, Lands and Heritage*

PROPOSAL 3(e): *Heritage professionals – aiding selection of those with appropriate qualifications and experience and improving standards*

4. How heritage information will be managed: The Aboriginal heritage register

PROPOSAL 4: *Retain the current form and function of the register of Aboriginal Places and Objects but rename it the Aboriginal Heritage Register*

DISCUSSION PAPER PROPOSALS (cont.)

4. How heritage information will be managed: The Aboriginal heritage register

PROPOSAL 4: Retain the current form and function of the Register of Aboriginal Places and Objects but rename it the Aboriginal Heritage Register

5. Managing land use proposals that may impact on Aboriginal heritage

PROPOSAL 5: Introduce a referral mechanism to facilitate tiered assessments and approvals of proposed land uses

6. Agreements between Aboriginal people and land users

PROPOSAL 6: Encourage and recognise agreement making

7. Transparency of decision making

PROPOSAL 7: Transparency and appeals

8. Enforcement: Offences and penalties

PROPOSAL 8: A modernised enforcement regime

9. Protecting places of outstanding importance

PROPOSAL 9: Protected Areas



MEETING NOTES – KUNUNURRA (22 MAY 2019)

Local Aboriginal Heritage Service

- Aboriginal controlled, managed + operated 100%
- Native title holders to control + run this service
- Sacred means sacred - ~~to~~ respect it.
- No means No.

Aboriginal Heritage Council

- 100% Aboriginal members on Council.
- Use of interpreters when getting information/story back from Traditional Owners.

MEETING NOTES – KUNUNURRA (22 MAY 2019)

Land use Assessments

Aboriginal Heritage Register

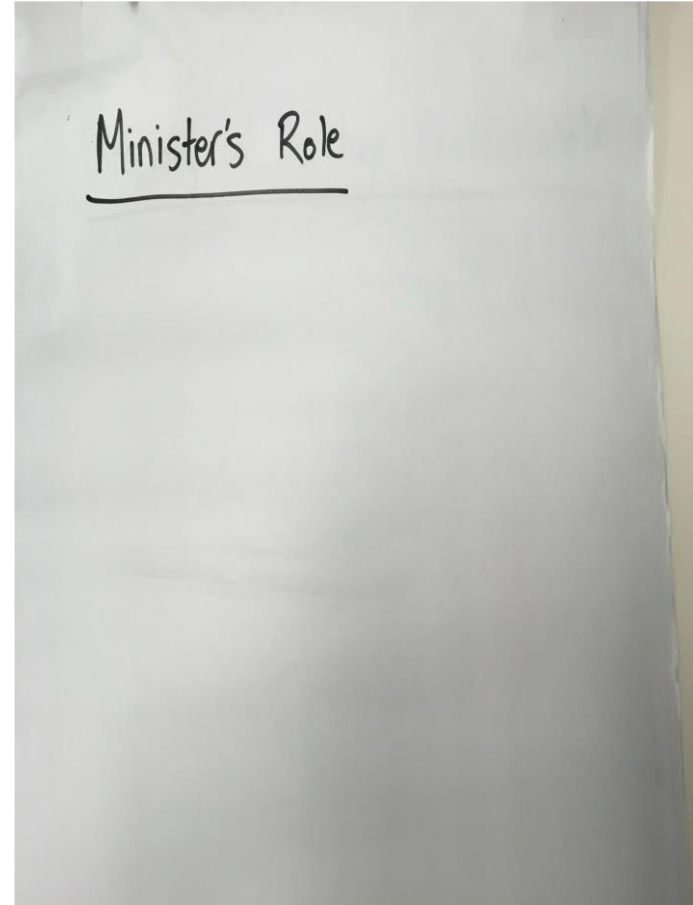
- Sites are interconnected - not single "dots on maps"
- Some stories are too important to give to govt → to record.
 - ↳ Cultural structures ←
- All waterways to be protected.
- If approvals are given for destruction/^{disturbance} artefacts, scatters etc should be salvaged + returned.

MEETING NOTES – KUNUNURRA (22 MAY 2019)

Directory of Heritage Professionals

- Sites are...
• Some sites are...
• go to...
• Cultural structures
• All... to be protected
• If approval is given for destruction,
artifacts... should be
collected + returned

Minister's Role



MEETING NOTES – KUNUNURRA (22 MAY 2019)

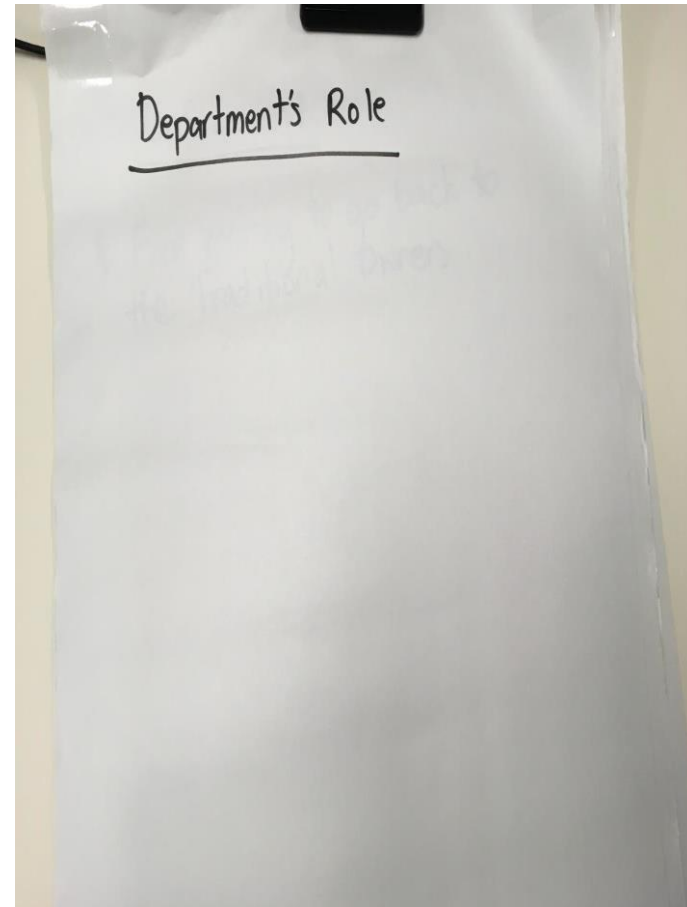
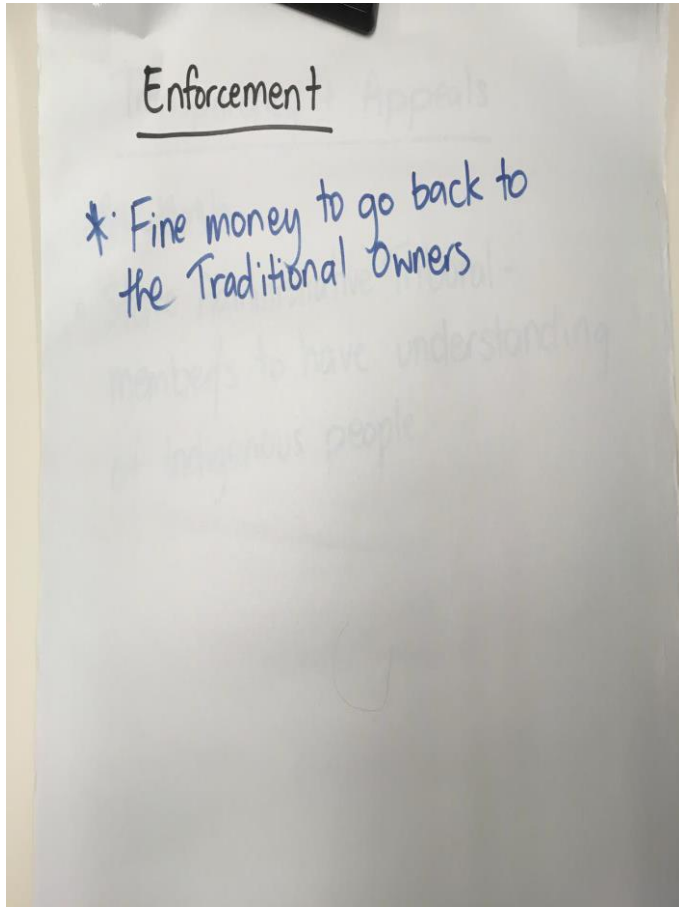
Agreements

- Monitors to assist in helping to avoid or minimise impact on heritage sites

Transparency + Appeals

- ~~At least~~
- State Administrative Tribunal - members to have understanding of Indigenous people.

MEETING NOTES – KUNUNURRA (22 MAY 2019)



MEETING NOTES – KUNUNURRA (22 MAY 2019)

Protected Areas

General

- Use of interpreters is important and should be included in the New Act.
 - specifically with Anthropologists to get the meaning & story right
 - Also for information given to AHC.
- Aboriginal People are as important as the land itself.
- Aboriginal Heritage Council should be meeting on Country - various places