



Enquiries: Sofia Boranga
File: A/3300-04

24 April 2019

Gail McGowan
Director General
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Department of Planning, Lands and Heritage Received	
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G-McGowan

Dear Ms McGowan

SUBMISSION ON ABORIGINAL HERITAGE ACT DISCUSSION PAPER

Reference is made to your correspondence dated 11 March 2019 outlining the opportunity to comment on the proposals for new legislation to recognise, protect and promote Western Australia's Aboriginal heritage outlined in the Discussion Paper.

The City of Subiaco (the City) is generally supportive of the proposals outlined in the consultation paper and submits the following comments relating to specific aspects of certain proposals outlined in the Discussion Paper:

1. Appropriate guidance should be developed in relation to membership of the Aboriginal Heritage Council to ensure diversity and that the broader interests of the Aboriginal community are represented. This should include representation of different local groups, promotion of gender balance and a suitable term of appointment.
2. The delegation of functions and decision types by the Minister to the Aboriginal Heritage Council should be clearly described in legislation and regulations as deemed appropriate.
3. In regards to measures to enable the efficient operation of the Department of Planning Lands and Heritage in functions to support the Minister and Aboriginal Heritage Council the role of the Department should be clearly defined in legislation and regulations as deemed appropriate.
4. Measures to improve the accuracy and usefulness of the Aboriginal Heritage Register should clearly detail the form and content of the Register.
5. The referral mechanism and tiered assessment approach should be clearly defined in the legislation, including relevant triggers for referral, timeframes and delegation of decision making to different bodies.
6. Increased transparency and an appeals process in the new legislation are positive measures, ensuring fairness and the removal of perceptions of bias in decision making. Clear timeframes for decision making and appeals should be specified in legislation, in addition to the reasons for decisions being made publicly available.

I trust these comments are of assistance. If you require any further information please contact Sofia Boranga, Coordinator Heritage & projects on 9237 9222 or email sofiab@subiaco.wa.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Alexander Petrovski'. The signature is fluid and cursive, with a horizontal line crossing through the middle of the letters.

ALEXANDER PETROVSKI
MANAGER PLANNING SERVICES