

ENQUIRIES: Renata Paliskis – 08 6552 4424
OUR REF: A00001-18 A10538925
YOUR REF: PLH0415-2017A/01

Mr Vaughan Davies
Assistant Director General, Heritage Services
Department of Planning, Lands and Heritage
Locked bag 2506 Perth WA 6001

By email: Vaughan.Davies@dplh.wa.gov.au

Dear Mr ~~Davies~~ *Vaughan.*

REVIEW OF THE ABORIGINAL HERITAGE ACT 1972

I refer to correspondence from Gail McGowan, Director General Department of Planning, Lands and Heritage dated 11 March 2019, inviting the Aboriginal Lands Trust (the Board) to share its views on the proposals outlined in the Discussion Paper on the Review of the *Aboriginal Heritage Act 1972* (the review). The Board has requested that I provide feedback from the Members on its behalf.

Thank you for your comprehensive and informative presentation to the Board on Phase Two of the review as its 226th Meeting on 4 April 2019. The Board is supportive of the reform proposals that seek to give Aboriginal people a greater role in decisions that affect their heritage, seeks local input from the owners of the heritage, and focuses on agreement making that avoids or minimises impact on their heritage.

The Board discussed its concerns about the potential misrepresentation or 'watering down' of cultural information if the right people are not consulted. The Board is also concerned that Aboriginal youth may not be in a position to ask the right questions and note it is important to ensure that appropriate consultations also foster Aboriginal youth involvement in the current and future preservation of Aboriginal cultural heritage.

The Board accepts that Proposals 1 and 2 aim to protect and extend the scope of Aboriginal cultural heritage, provide best practice management and recognises the significance to communities so its preservation is valued. It agrees with the note that heritage places may have a range of values for different individuals or groups, and requests that Aboriginal youth also be acknowledged in this regard.

As noted in the Board's feedback to Phase One, identifying the most appropriate Aboriginal groups to engage is important, but it is also essential that those who disagree with the general consensus can be heard and given appropriate level of recognition in the discussion.

The Board recognises that Proposal 3 providing for the appointment of Local Aboriginal Heritage Services (LAHA), is aimed at ensuring that there is active involvement of traditional owners and knowledge holders, and that local communities determine who the right people to speak for the relevant cultural heritage area are and what is important to them. In developing the framework for the LAHA the Board requests that it's concerns be taken into account and that mechanisms factor in appropriate and sufficient consultation with communities, including how dissenting views may be dealt with to ensure inclusivity of views.

Thank you for considering this additional comment on Phase Two of the review, and the Board looks forward to the opportunity for further consultation and feedback during Stage Four.

Yours sincerely



Renata Paliskis
ALT SECRETARY

30 May 2019