

**MY HERITAGE, MY VOICE WORKSHOP  
GERALDTON - 22 MAY 2018**

**MEETING RECORD**

- ① - SUPPORT FOR WORKERS TO BE INVOLVED IN ABORIGINAL CONSULTATIONS / HERITAGE PROTECTION UNDER ACT
- NEEDS STRENGTHENING
  - MINISTERS ROLE SHOULD BE LOOKED AT
  - RESOURCES - LACK OF PLACES TO GO SUCH AS DIA, ATSIK,
  - DISAPPOINTMENT WITH YMAC REPRESENTATION TODAY AT THIS MEETING.
  - HIGH SCHOOLERS NEED YOUNG PEOPLE BETTER PREPARED FOR HERITAGE PROTECTION

\* ENGAGE ABORIGINAL ENGAGEMENT  
OFFICERS TO WORK WITH SCHOOLS  
ON HERITAGE + CULTURE  
MATTERS.

③ WHAT LEGISLATION NEEDS TO PROTECT.

\* SAND DUNES → MODERN CULTURAL SIGNIFICANCE + ALSO BURIALS + OTHER SITE TYPES

\* COASTLINE

\* RIVERS + WATERWAYS + SPRINGS

\* MIDDENS

\* THINGS PROTECTED UNDER CURRENT SECTION 5 NEED TO CONTINUE TO BE PROTECTED

\* NEED SIGNAGE

\* NEED RESOURCES TO PROTECT HERITAGE

\* NEED TO EMPLOY ABORIGINAL PEOPLE TO PROTECT HERITAGE

\* REEFS

Q WHAT NEEDS LEGISLATION TO PROTECT IT?

\* SITES OF SIGNIFICANCE

\* TREES + PLANT SPECIES OF CULTURAL SIGNIFICANCE

\* BUSH FOODS + BUSH MEDICINE

\* NEED ~~THE~~ BUFFERS AROUND SITES

\* GROUND UNDER SITES

\* BUFFERS WILL VARY FOR DIFFERENT SITE TYPES AND SHOULD BE CONSULTATION REGARDING THE BUFFER.

\* ACCESS TO SITES NEEDS TO BE PROTECTED INCLUDING ON PASTORAL LANDS + FREEHOLD

\* HUNTING + FISHING

\* INTELLECTUAL PROPERTY

\* ACCESS TO INFORMATION

\* HERITAGE PROFESSIONALS NEED TO BE ACCREDITED AND ~~HAVE~~ CULTURALLY COMPETENT.

\* LANDUSERS NEED TO BE CULTURALLY COMPETENT

⑥  
\* ARTIFACTS THAT HAVE BEEN REMOVED FROM COUNTRY NEED TO BE REPATRIATED + PENALTY FOR REMOVING ARTIFACTS.

\* PLACES WHERE IN THE PAST ABORIGINAL PEOPLE WERE EXECUTED.

\* MISSIONS

↓ RETURN OF REMAINS OF ABORIGINAL TAKEN FROM COUNTRY + ARE BURIED ELSEWHERE.

↓ BURIALS NEED TO BE PROTECTED

\* NEW ACT SHOULD INCLUDE PROVISIONS FOR PERIODIC REVIEW

\* MAINTAIN FOOD SOURCES.

\* INTELLECTUAL PROPERTY FOR ARTWORK, MEDICINAL PLANTS, CULTURAL KNOWLEDGE, SEED HARVESTING, PLANT USE

\* ABORIGINAL PEOPLE SHOULD CONTROL ACCESS TO ABORIGINAL SITES  
↓ PERMIT SYSTEM TO CONTROL ACCESS



## ⑦ ROLES + RESPONSIBILITIES

\* NEED ABORIGINAL MANAGERS TO MANAGE HERITAGE → PROTECT + MANAGE.

## \* DECISIONS ABOUT WHAT SITES

ARE PROTECTED UNDER THE ACT NEED TO BE MADE BY ABORIGINAL PEOPLE AT THE LOCAL LEVEL.

\* CURRENT ACME SYSTEM IS CULTURALLY INAPPROPRIATE.

\* NEED TO BE AWARE OF GENDER SENSITIVITIES AND WHO SHOULD BE MAKING DECISIONS.

\* ACME POSITIONS ADVERTISED MORE WIDELY.

\* ABORIGINAL PEOPLE SHOULD BE THE ONES TO MAKE A DECISION REGARDING APPLICATIONS TO IMPACT SITES.

\* SHIRES SHOULD BE IN PARTNERSHIP WITH LOCAL TRADITIONAL OWNERS TO MANAGE HERITAGE.

\* ROLE FOR ABORIGINAL PEOPLE IN SETTING FINES

⑧ \* TRADITIONAL OWNERS HAVE A  
ROLE IN MAKING SURE PEOPLE  
WHO COME ON COUNTRY ARE CULTURALLY COMPETENT

## ④ WHO NEEDS TO BE CONSULTED

\* SHOULD BE MANDATORY TO CONSULT ABORIGINAL PEOPLE WHEN SITES ARE GOING TO BE IMPACTED.

\* BROAD CONSULTATION WITH ABORIGINAL GROUPS TO BE AFFECTED → TRADITIONAL OWNERS, PBCS COMMUNITY...

\* PROPER STRUCTURED CONSULTATION PROTOCOLS AND GREATER TRANSPARENCY

\* WORK IN PARTNERSHIP WITH GOVT AGENCIES RESPONSIBLE FOR NATURAL RESOURCES MANAGEMENT eg. FISHERIES

\* WORKING WITH FISHERIES TO MANAGE STOCKS + FOOD SOURCE



## ① - WHAT ACTIVITIES REQUIRE APPROVAL?

\* SURVEYS NEED TO BE CONDUCTED THROUGH THE RIGHT GROUP AND INCLUDE THE RIGHT PEOPLE → RATHER THAN THROUGH INDIVIDUALS.

\* SECTION 18 NEEDS TO BE MORE SPECIFIC + LIST ACTIVITIES REQUIRING APPROVAL + INCLUDE DEFINITIONS

\* NEEDS TO HAVE GREATER CRITERIA OF WHAT NEEDS APPROVAL.

\* SECTION 18 NEEDS TO BE CLEARER.

\* IMPACTS TO ALL SITE TYPES REQUIRE AN APPROVAL

\* DECISIONS ABOUT IMPACTS TO SITES SHOULD BE MADE BY TOS NOT MINISTER.

\* IF MINISTER IS TO BE DECISION MAKER NEEDS TO CONSULT WITH TOS

10.

\* TRADITIONAL OWNERS TO BE INFORMED  
AT ALL STAGES OF AN APPLICATION PROCESS  
\* GREATER TRANSPARENCY.

\* TRADITIONAL OWNERS MUST BE ADVISED  
OF APPLICATION OUTCOMES.

\* TRANSPARENCY LEADS TO TRUST  
AND SENSE OF OWNERSHIP.

\* ABORIGINAL PEOPLE ARE LOOKING FOR  
A GREATER SENSE OF OWNERSHIP OF HERITAGE  
PROCESS UNDER NEW LEGISLATION.

\* IMPROVE PROCESS OF ADVERTISING APPLICATIONS  
+ INCLUDING LOCAL ABORIGINAL RADIO, NOTICES  
IN LOCAL NEWSLETTERS

\* LOCAL NEWSPAPERS → MULSA MAIL

\* SITES NEED BUFFERS TO PROTECT  
THEIR INTEGRITY.

\* BUFFER SIZE RELATIVE TO SITE TYPE, VULNERABILITY  
+ VIEWS OF TOS

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**What needs Legislation to protect it?**

- Sand dunes – modern cultural significance and also burials and other site types.
- Coastlines.
- Rivers and waterways.
- Middens.
- Things protected under current section 5 to continue to be protected.
- Signage.
- Need resources to protect heritage.
- Need to employ Aboriginal people to protect heritage.
- Reefs.
- Sites of significance.
- Trees and plants species of cultural significance.
- Bush food and Bush medicine.
- Need buffers around sites.
- Ground under sites.
- Buffer will vary for different site types and should be consultation regarding the buffer.
- Access to sites need to be protected including pastoral lands and freehold.
- Hunting and fishing.
- Access to information.
- Heritage professionals need to be accredited and culturally competent.
- Artefacts that have been removed from country needs to be repatriated and penalty for removal of artefacts.
- Places where in the past Aboriginal people were executed.
- Missions.
- Return of remains of Aboriginal people taken from country and are buried elsewhere.
- Burials need to be protected.
- New act should include provisions for periodic review.
- Intellectual Property for:
  - Artwork.
  - Medical plants.
  - Cultural knowledge.
  - Seed harvesting.
  - Plant use.
- Aboriginal people should control access to Aboriginal sites.
- Permits system to control access.
- Maintain food sources.

**Who needs to be consulted?**

- Should be mandatory to consult Aboriginal people when sites are going to be impacted.
- Broad consultation with Aboriginal groups to be affected:
  - Traditional Owners (TO's)
  - Prescribed Body Corporates
  - Community
- Proper structured consultation and greater transparency.

- Work in partnership with Government agencies responsible for natural resource management e.g. fisheries.
- Working with fisheries to manage stocks and food sources.

### **Roles and Responsibilities**

- Need Aboriginal rangers to manage heritage – protect and manage.
- Decisions about what sites are protected under the Act need to be made by Aboriginal people at the local level.
- Current ACMC system is cultural inappropriate.
- Needs to be aware of gender activities and who should be making decisions.
- ACMC positions advertising more widely.
- Aboriginal people should be the ones to make decision regarding application to impact sites.
- Shires should be in partnership with local traditional owners to manage heritage.
- Roles for Aboriginal people to have role in setting fines.
- Traditional owners have role in making sure people who come on country are culturally competent.

### **What actions require approval?**

- Survey needs to be conducted through the right group and include the right people, rather than through individuals.
- Section 18 needs to be more specific and list activities requiring approval and include definitions.
- Needs to have greater criteria of needs approval.
- Section 18 needs to be clear.
- Impacts to all site types require an approval.
- Decisions about impacts to sites should be made by TO's and not the Minister.
- If Minister is to be decision maker needs to consult with Traditional Owners (TO's).
- TO's to be informed at all stages of an application process.
- Greater transparency.
- TO's must be advised of application outcomes.
- Transparency leads to trust and sense of ownership.
- Aboriginal people are looking for greater sense of ownership of heritage process under new Legislation.
- Improve process advertising application and including local Aboriginal radio, notices in local newsletter.
- Local newspaper.
- Sites need buffers to protect their integrity.
- Buffers sites relative to site types, vulnerability and views of TO's.

### **Enforcement**

- Fines for breaches should be paid to community that's affected.
- Heavier penalties.
- Extend statute of limitations period (at least 7 years).
- Multiple offenders receive:
  - Higher penalties.
  - License and permits revoked.
- The courts to consult with TO's regarding penalties and fines.

- TO's play role in educating developers.

**Additional points raised**

- Support for workers to be involved in Aboriginal consultation/heritage.
- Protection under the act need strengthening Ministers role should be looked at.
- Resources – lack of places to go such as Department of Indigenous Affairs and ATSIC.
- Disappointed with Yamatji Marlpa Aboriginal Corporation representation at today's meeting.
- High schools need to engage young people to be better prepared for heritage protection. Engage Aboriginal enforcement officer to work with schools on heritage and culture matters.