

Response ID ANON-8EBD-41PW-F

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

Submitted on **2018-05-17 13:43:36**

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:

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

No

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?:

There should be an agreed group responsible for all areas - this is critical, as breakaway groups have been known to cause huge problems in the Pilbara where major mining companies have opted to take the easier route, dealing with the group who are easier to appease. This causes conflict within communities and also means that big business are being given the opportunity to operate in areas that they perhaps should not. Setting up a database which contains the groups and contact details of members (with appropriate supporting information regarding the right to speak for their country) may assist in preventing some of these more underhand activities.

Question 3

No opinion

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

Question 4

No opinion

Role and functions - Minister:

Yes

Role and functions - Registrar:

Yes

Role and functions - Committee:

Yes

Role and functions - DPLH:

What is Protected?

Question 5

Yes

5. How can section 5 be improved?:

Question 6

Yes

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

Question 7

Yes

Additional comments:

Question 8

Yes

8. what needs to be considered?:

Preservation of the area - protection through fencing or signage

Protection and Enforcement

Question 9

9. Activities that should require consent or authorisation:

Any activity.

Question 10

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

I think all sites should be protected, even from tourism (walking through/over). In my experience, Aboriginal people are very connected to these places and even having non-Indigenous people visiting these sites can cause distress to the elders and community members. I believe all Australians should learn to respect and protect these areas of significance. Consultation with appropriate members of the community will help to determine the level of significance that whether development of any kind can be permitted. In general, all areas should be off-limits to development.

Question 11

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

I don't think that is important. If the site is held as an important place for the community, then it's "value" should not be ranked, but accepted and the community wishes with regard to protection or permission to develop should be respected.

Question 12

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

Only the people to whom the site is sacred to. No approval should be given without consent of the Aboriginal groups registered as belonging to that area.

Question 13

Effective

13. How s18 can be improved?:

Inclusion of provision to negotiate/consult with Aboriginal people who hold an interest in the land due to sites of significance, particular with regard to mining and petroleum licenses that occur over the land.

Question 14

No opinion

14. provisions for long-term protection of sites:

Question 15

Yes

15. How can enforcement provisions be improved?:

Question 16

Yes

16. How can penalties be improved?:

Site Assessment and Registration

Question 17

No opinion

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

Question 18

Yes

18. What should the criteria be?:

Question 19

No opinion

19. Steps to report place or object:

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:

No opinion

19. Steps to remove place or object from Register:

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: