



Department of **Planning,  
Lands and Heritage**

*PROPOSALS FOR NEW  
ABORIGINAL HERITAGE  
LEGISLATION*

*ONSLOW  
COMMUNITY WORKSHOP  
23 May 2019*

MEETING RECORD



Department of **Planning,  
Lands and Heritage**



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 – ONLSOW (23 MAY 2019)

23/5/19 ONLSOW ①

PROPOSALS 1 & 2 - DEFINITIONS & SCOPE

- A new Act is needed, in the last 47 Years a lot has happened and the changes to the Act need to happen.

PROPOSAL 3(A) LOCAL ABORIGINAL HERITAGE SERVICES

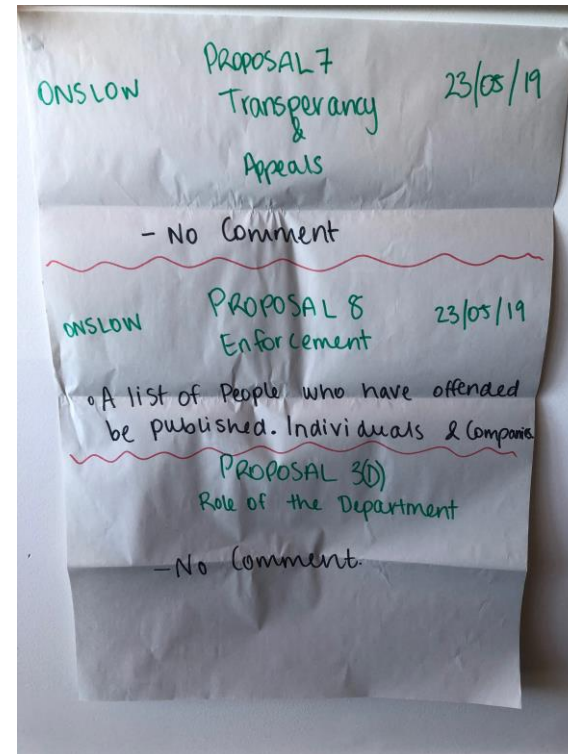
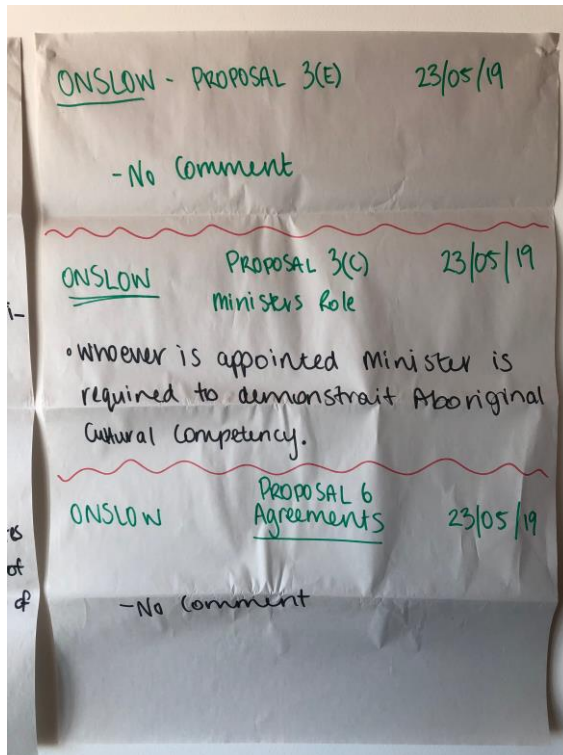
- Local Aboriginal Heritage Board put (LAHS) together in the form of the LAHS.
- would make sense that the PBC take on the role of the LAHS.

23/5/19 ONLSOW ②

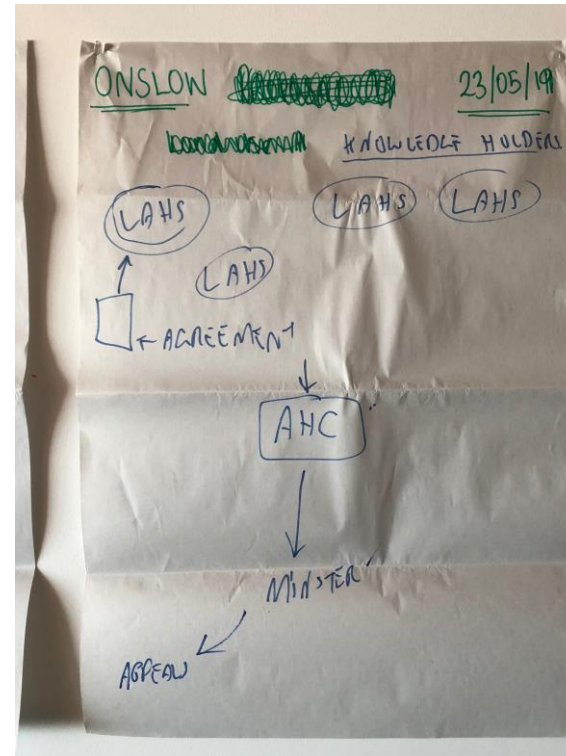
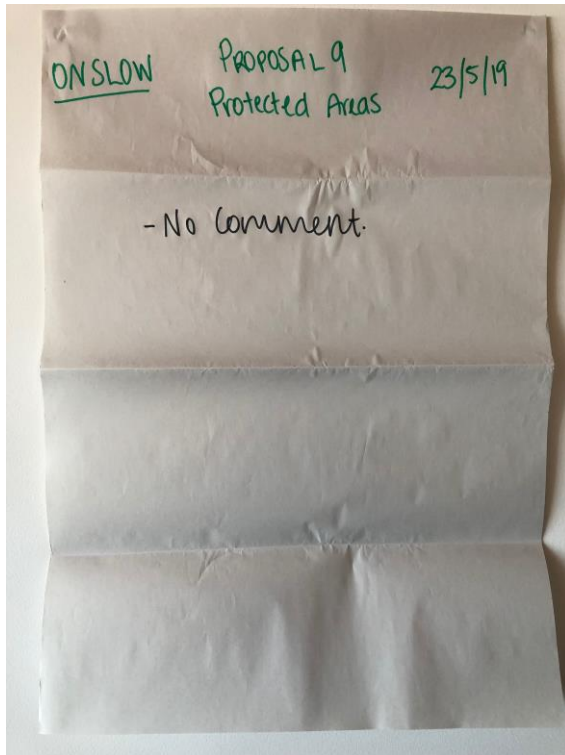
PROPOSAL 3 (B) ABORIGINAL HERITAGE COUNCIL

- More Aboriginal People need to be a requirement for the AHC. At least a 50% representation of Aboriginal People, as well as the Anthropologists etc.
- Aboriginal People registering a site because it is important to them and with the new Act the proposal that sites are automatically registered because of their importance to the Aboriginal People of that area is a good thing.
- The ACMC needs to be changed.

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