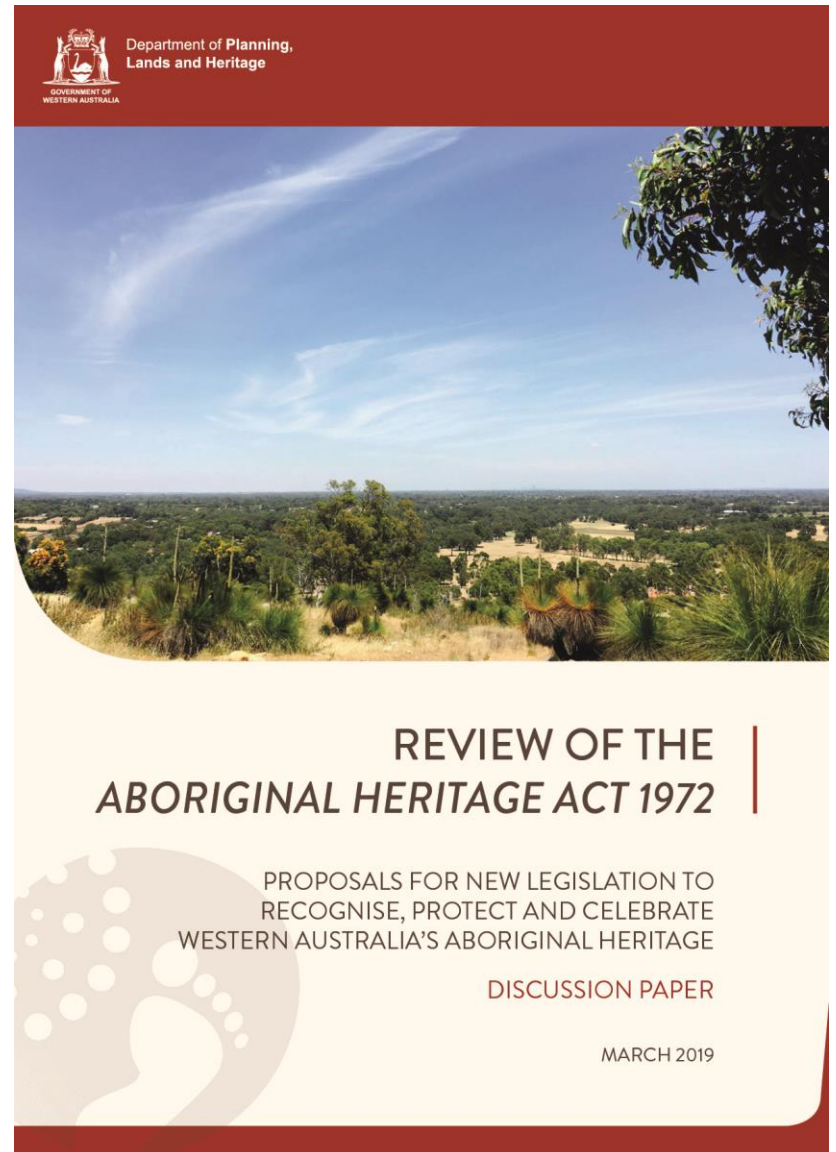


*PROPOSALS FOR NEW
ABORIGINAL HERITAGE
LEGISLATION*

*KATANNING
COMMUNITY WORKSHOP
16 April 2019*

MEETING RECORD



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 – KATANNING (16 APRIL 2019)

Katanning 16/4/19

(2)

Proposal 1+2 New Act + Scope

- Not enough community knowledge of the Act, how it protects sites and how to find information on sites
- Support for a new Act
- Support to include Ancestral remains + cultural landscapes

Katanning 16/4/19

(3)

Proposal 3A Local Aboriginal/
Heritage Services (LAHS)

- How will LAHS interact with other Aboriginal Organisations ie when more than one group in an area
- How are they resourced + run
- How are disputes within LAHS ie as to who may speak for different areas
- What other things could LAHS do such as tourism, economic development etc

MEETING NOTES - KATANNING (16 APRIL 2019)

Katanning 16/4/19 (4)

Proposal 3B Aboriginal Heritage Council
AHC

- Better to have majority of Aboriginal people
- What will be the required skills + experience
- How will AHC be different from the new ATC.
 - ATC - will be oversight
 - not assess sites
 - allow LAHS to make agreements
 - Aboriginal Chair
 - Expert members

Katanning 16/4/19 (5)

Proposal 5 - Land Use Assessments

- How will LAHS resolve disputes about who to consult with when there is dispute amongst knowledge holders

MEETING NOTES - KATANNING (16 APRIL 2019)

Katanning 16/4/19 (6)

Proposal 4 Aboriginal Heritage Register

- Support for new Register
- How will this new register overcome a reluctance to put site into into register
- Need education program about access + use
- How do we build trust in whats on the register

Katanning 16/4/19 (7)

Proposal 3E Heritage Professionals

- Agree that tertiary skills are not the only criteria but Aboriginal people with knowledge + experience should qualify
- Will require capacity building of LATHS so they can become the heritage professionals
- Need to run courses + education to build skills
- Need draft survey report signed off by participants.

MEETING NOTES - KATANNING (16 APRIL 2019)

Katanning 16/4/19 (8)

Proposal 3C Ministers Role

- Support for LAHS agreement making for some impacts
- Must be evidence that Minister has consulted when required to do. (documented)
- Support publishing reasons for decisions

Katanning 16/4/19 (9)

Proposal 6 Agreements

- Support principles of agreement making for certain impacts
- Fits in better with Native Title agreements

MEETING NOTES - KATANNING (16 APRIL 2019)

Katanning 16/4/19 (10)

Proposal 7 Transparency + Appeals

- Support for Aboriginal people to appeal at SAT
- Appeals process should be without cost

Katanning 16/4/19 (11)

Proposal 8 Enforcement

- Support for extending statute of limitations
- Support increased penalties
- Support range of penalties or remediation

MEETING NOTES - KATANNING (16 APRIL 2019)

Katanning 16/4/19 (12)

Proposal 3D Role of DPLH

- Support for oversight
- Difficulties when there is no clear LAHS + how this is managed

Katanning 16/4/19 (13)

Proposal 9 Protected Areas

- Support to allow Aboriginal people to manage PA's
- Need resources + funding to manage + protect PA's

MEETING NOTES - KATANNING (16 APRIL 2019)

