



Esperance Nyungar Government Standard Heritage Agreement (ENGSHA) Esperance Nyungar Indigenous Land Use Agreement

On the 14th March 2014, the Federal Court made a Determination of non-exclusive Native Title in respect of the Esperance Nyungar claim encompassing the Shires of Esperance and Ravensthorpe.

On the same day, the Esperance Nyungar Indigenous Land Use Agreement (ENILUA), and the Esperance Nyungar Government Standard Heritage Agreement (ENGSHA), were each executed between the Esperance Nyungar Native Title Group, the State of Western Australia and each of the Government Parties. The ENGSHA area (agreement area) covers approximately 29,000 square kilometres in the area surrounding Esperance.

Since 14 April 2014, WA Government Departments and Agencies are bound to follow the ENGSHA when seeking to undertake on-ground activities in the Esperance Nyungar native title determination area. A formal review of the ENGSHA resulted in a Variation Agreement which came into effect on 5 October 2020. The Variation Agreement amends particular terms of the ENGSHA. All who were bound by the ENGSHA continue to be bound by the ENGSHA as varied by the Variation Agreement from 5 October 2020.

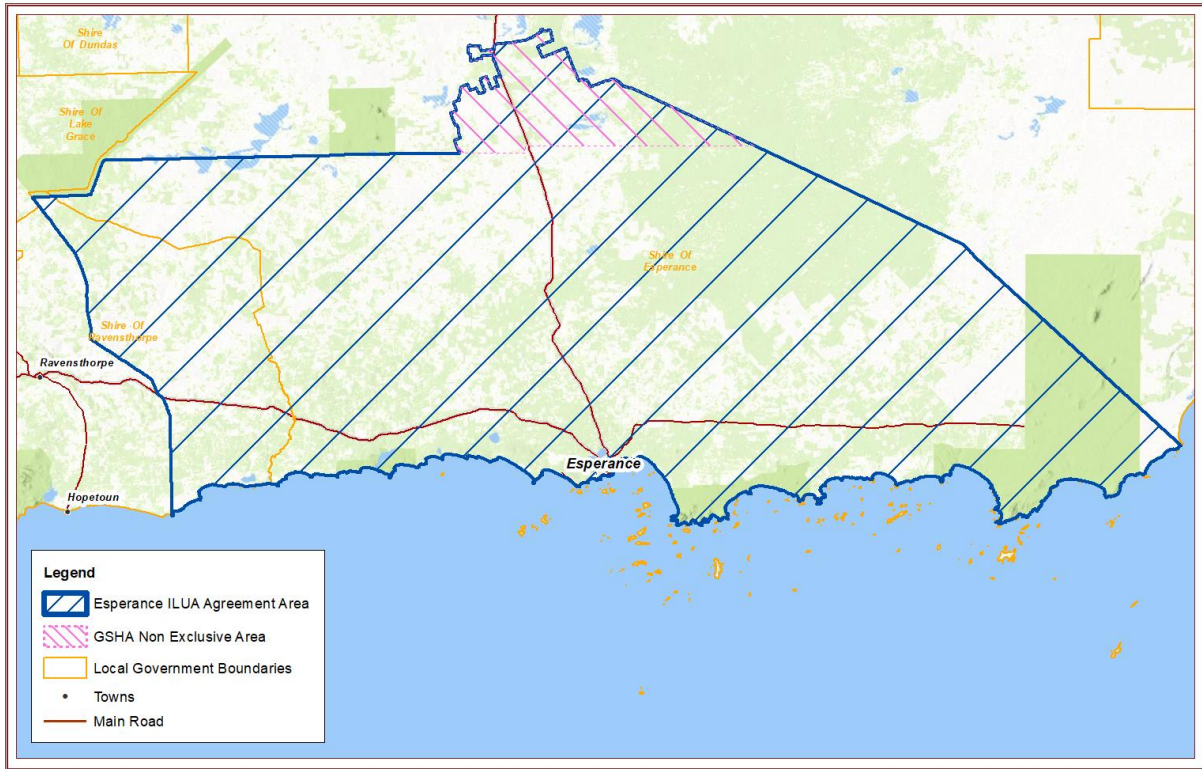
The ENGSHA provides a uniform and efficient approach to Aboriginal Heritage Surveys over the agreement area, in compliance with the *Aboriginal Heritage Act 1972*. The ENGSHA provides all Parties with a clear, timetabled framework about their various Aboriginal heritage obligations. The ENGSHA also delivers a process for improving the quality of data on the WA Government’s Aboriginal Heritage Inquiry System (AHIS), which in turn enhances protection of Aboriginal heritage through the identification of sites that are important to the Esperance Nyungar people.

DPLH will provide general oversight on the implementation of the Esperance Nyungar Government Standard Heritage Agreements (ENGSHA) that all State Government Departments and Agencies are bound to follow when undertaking Activity in the Agreement Area.

Proponents are encouraged in the first instance to contact the Department of Planning, Lands and Heritage (DPLH) Aboriginal Heritage Directorate to discuss the general application of the ENGSHA. Proponents should always obtain independent advice about their particular circumstances.

For more information: heritageagreements@dplh.wa.gov.au

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Map of the Esperance Nyungar Indigenous Land Use Agreement Area.