

DPC14D03863

Rec'd	20 AUG 2014
Reg. No.	14 AAR
File No.	
Ack.	
Action Officers	NR / SC
Response due	



Government
of South Australia

Department of
State Development

18 August 2014

Hon Ian Hunter MLC
Minister for Aboriginal Affairs and Reconciliation
C/-DSD-AAR
GPO Box 340
Adelaide SA 5000

Dear Minister,

I am responding to a letter received from Premier Jay Weatherill on 10 July 2014 which advised of the abolition of every government board and committee unless it can be demonstrated it has an essential purpose that cannot be met through other means.

For many years the State Aboriginal Heritage Committee has provided a unique and critical forum for the discussion of difficult issues facing the Minister for Aboriginal Affairs and Reconciliation under the *Aboriginal Heritage Act 1988*. I request that you recommend an exemption from abolition for the State Aboriginal Heritage Committee for the following reasons:

- The State Aboriginal Heritage Committee provides a perspective on the administration of the *Aboriginal Heritage Act 1988* that, by the nature of its composition, is uniquely grounded in traditional Aboriginal knowledge.
- The expertise held by the Committee members is beyond the expertise of Government and other boards or committees.
- The abolition of the State Aboriginal Heritage Committee will have a negative impact on community confidence. Specifically, it will result in negative community views of the transparency, impartiality and accountability of government decision making.

The State Aboriginal Heritage Committee is statutorily constituted entirely of Aboriginal members who are representative of each regional area of the State. The Committee currently comprises of representatives from the Adelaide, Murray and Riverland, South East, Far North, Rangelands and West Coast regions of South Australia.

As Aboriginal people and custodians of traditional Aboriginal sites and knowledge spanning across South Australia, the Committee's advice to government on Aboriginal heritage matters is drawn from traditional perspectives and experience of contemporary Aboriginal heritage issues. In this way, the perspective offered by the Committee can be considered as an impartial contribution to the Minister's overall considerations in relation to the administration of the *Aboriginal Heritage Act 1988*.

It is unlikely that other boards or committees that are not fully comprised of Aboriginal members or who have broader remits than Aboriginal heritage could remain focused on this perspective. The Committee provides a unique and essential perspective in government decision making particularly when the Minister is considering the tensions of development or mining for example, in association with their impact on Aboriginal heritage.

Aboriginal Affairs and Reconciliation

Level 7, 11 Waymouth Street | GPO Box 320 Adelaide SA 5001

Tel (+61) 08 8226 8900 | Fax (+61) 08 8226 8999 | www.statedevelopment.sa.gov.au | ABN 83 524 915 929



The traditional knowledge held by the all-Aboriginal committee is essential in the provision of advice to the Minister and Department which is consistent with Aboriginal cultural protocols and relevant to contemporary Aboriginal issues. A deep understanding of these cultural protocols is often beyond the expertise of departmental staff and the Minister for Aboriginal Affairs and Reconciliation. For example, throughout 2013 the Committee's advice to the Aboriginal Affairs and Reconciliation Division included:

- development of minimum standards for the collection of Aboriginal site information held in the Central Archive;
- development of Departmental policy governing public access to Aboriginal records held in the Central Archive and Register of Aboriginal Sites and Objects; and
- development of protocols for the discovery of Aboriginal ancestral remains during ground disturbing works.

The Committee has also facilitated regional Aboriginal community consultation for the Minister for Aboriginal Affairs and Reconciliation throughout the Review of the Aboriginal Heritage Act and provided their expert comments on the Draft Bill for the reform of the *Aboriginal Heritage Act 1988*.

Abolition of the State Aboriginal Heritage Committee is likely to be perceived in a negative light by Aboriginal communities. The government's agenda for State economic development may be perceived as taking priority over the protection and preservation of Aboriginal heritage. Communities are likely to voice dissatisfaction with the abolition of this representative Aboriginal voice that provides expert advice to the Minister for Aboriginal Affairs and Reconciliation. The abolition of the all-Aboriginal, heritage focused advisory committee could be viewed as diminishing the importance of expert traditional Aboriginal knowledge as a significant consideration in the decision making processes under the *Aboriginal Heritage Act 1988*.

I trust this information will assist you in making a recommendation to the Premier for the exemption of the Aboriginal Heritage Committee.

Yours sincerely



Mr Syd Sparrow
Chair
State Aboriginal Heritage Committee