



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON ENVIRONMENT AND TRANSPORT AND CITY SERVICES
SUZANNE ORR MLA (CHAIR), CANDICE BURCH MLA (DEPUTY CHAIR), JAMES MILLIGAN MLA

Inquiry into referred 2017–18 Annual and Financial Reports
ANSWER TO QUESTION ON NOTICE

Asked by NICOLE LAWDER: To ask the Minister for the Environment and Heritage

[Ref: EPSDD, Heritage, 3.1]

In relation to: Registered Aboriginal Organisations

- 1) What discussions have been had with the Minister and by members of the Directorate in relation to reviewing the current Registered Aboriginal Organisations?
- 2) Has the Minister received any correspondence from any other Minister requesting that the directorate reviews the current RAO's?
 - a. What advice did the Minister provide?
- 3) Has the Minister received any correspondence from any other Member of the Legislative Assembly?
 - a. What advice did the minister provide?
- 4) Has the Minister received any requests from anyone in the Aboriginal community requesting that the directorate review the current RAO's?
 - a. What advice did the Minister provide?
- 5) Has the Minister received any expression of interests from any Aboriginal organisations or elders who wish to be included as an RAO?
- 6) What advice has the Minister provided to those organisations?
- 7) How many organisations have expressed interest in becoming an RAO?
- 8) Why has the Minister decided against reviewing the current RAO's
- 9) How does the decision by the Minister to not review the RAO since 2004 comply with strategic indicator 3 .1?

MICK GENTLEMAN: The answer to the Member's question is as follows:–

1. Personnel from the Environment, Planning and Sustainable Development Directorate (the Directorate) attended one meeting on 15 March 2018 between the Minister and Minister Rachel Stephen-Smith. The meeting was requested by Minister Stephen-Smith, who was seeking to gain a greater understanding of the current Representative Aboriginal Organisation (RAO) system and whether opportunity existed to declare additional RAOs. At this meeting, the Minister and Directorate staff expressed the ACT Government's view that the current RAO system is working well; and the Minister advised that no review of declared RAOs was planned.

2. The Minister received correspondence from Minister Rachel Stephen-Smith in August 2017; regarding the RAO system; noting knowledge of two local Aboriginal organisations who have strong traditional connections to the region who wish to be declared as RAOs.
 - a. In response, the Minister advised that the ACT Government considered this issue as part of the review of the *Heritage Act 2004* (the Act) in 2014, and considers that the current RAO system is working well; on which basis, no review of declared RAOs is planned at this time. The Minister also advised that records are maintained of all approaches by those wishing to be declared as RAOs, and that those records would be considered as part of any future review of the RAO system.
3. The Minister received correspondence from Mr James Milligan, Member for Yerrabi, in June 2018; requesting that the Minister consider updating the declaration of RAOs.
 - a. In response, the Minister advised that the ACT Government considered this issue as part of the review of the Act in 2014, and considers that the current RAO system is working well; on which basis, no review of declared RAOs is planned at this time.
4. Since the 2006 declaration of RAOs, 21 Aboriginal individuals and organisations have approached the Minister's office or the Directorate expressing their interest in being declared as RAOs; which would require a review of the RAO system. Seven of these approaches were written submissions and 14 of these approaches were verbal expressions of interest. It is also noted that of these approaches, nine have been made by individuals who are members of existing RAOs.
 - a. In response to approaches made prior to 2014, the Minister advised that the RAO system would be reviewed as part of the 2014 review of the Act. In response to approaches made following the 2014 review of the Act, the Minister advised that the ACT Government considers that the current RAO system is working well; on which basis, no review of declared RAOs is planned at this time.

More recent advice has also outlined the range of opportunities for Aboriginal individuals and organisations to comment on applications that may affect Aboriginal places and objects in the ACT, for example:

- The ACT Heritage Council has a four week public consultation period for all provisional registration decisions for Aboriginal places and objects;
 - The Directorate has a three week public consultation period for Territory Plan Variations, which relate to (for example) zone changes that would allow for new suburbs to be built;
 - The Directorate has a four week public consultation period for Environmental Impact Statements, which relate to (for example) major development and infrastructure projects; and
 - All Development Applications made to the ACT planning and land authority are publically notified, including those which may affect Aboriginal places and objects.
5. Refer to the answer provided to Question 4 above.
 6. Refer to the answer provided to Question 4 above.
 7. Refer to the answer provided to Question 4 above.

8. As noted above, the Minister and the Directorate have maintained a view that the current RAO system is working well; on which basis, no review of declared RAOs is planned.
9. As noted above, the ACT Government considered this issue as part of the review of the *Heritage Act 2004* in 2014.

Approved for circulation to the Standing Committee on Environment and Transport and City Services

Signature:



Date: 31/2/18

By the Minister for the Environment and Heritage, Mick Gentleman MLA

