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Department of Primary Industries, Parks, Water & Environment

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Damian Mackey
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Dear Damian Mackey,

Further to our discussion regarding the proposed Specific Area Plan at Lake Meadowbank, I am pleased to offer my in-principal support for the initiative. The proposal provides an opportunity to improve the recognition and protection of significant Aboriginal heritage in the area.

As we discussed, the application of the plan could perhaps most simply be directed toward s21A Guidelines of the *Aboriginal Heritage Act 1975* (the Act). Through several tools and process, Aboriginal Heritage Tasmania essentially provides services to the public that can be used to demonstrate due diligence in addressing the requirements of the Act. The process is detailed in the Aboriginal Heritage Standards and Procedures, a document formally adopted by the Minister under the s21A Guidelines.

The services aid the public in understanding their likely risk of impacting Aboriginal heritage, catering for low risk activities and high risk activities. For activities determined to be low risk, Aboriginal Heritage Tasmania issue a Certificate accompanied by an Unanticipated Discovery Plan to guide works. As a first step, online self-help tools enable the public to secure a Certificate where the risk is known to be low. The self-help tools provide for increased engagement with staff at Aboriginal Heritage Tasmania when further information is needed, to guide the public through a more rigorous assessment process, and provide for what is essentially an Assessment Result that may include conditions or terms to ensure the activity does not impact Aboriginal heritage. For high risk activities that impact known Aboriginal heritage, the public must secure an approved Permit under s14 of the Act before proceeding with their activities. The Minister for Aboriginal Affairs is responsible for considering and approving a permit application under s14 of the Act.

From our discussion, a Certificate and Unanticipated Discovery Plan, Assessment Result and an Approved Permit align with the proposed Acceptable Solutions and Performance Criteria, the objective being that Aboriginal heritage is not impacted otherwise than in accord with the terms of a permit granted by the Minister under s14 of the Act. The approach may provide Council officers with a clear product for applications that trigger concern for the preservation of Aboriginal heritage covered

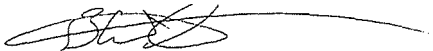
by the Specific Area Plan; that is, rather than trigger a referral immediately to an external body such as Aboriginal Heritage Tasmania, applicants could supply supporting documentation such as a certificate, result or permit.

In any plan, the capturing of Aboriginal heritage protection early in the development process will be an important consideration, which has a bearing on what activities should trigger the clause.

In support of the application of a Specific Area Plan, I will provide further information on the Aboriginal heritage at Lake Meadowbank within the next couple of weeks. As discussed, the area includes a wealth of Aboriginal heritage, including hand stencils sites.

I also note the Aboriginal land on the shores of the lake, and the significant Aboriginal cultural values afforded the area by the Aboriginal community. Although outside the parameters of current legislation, the importance of direct engagement with Aboriginal people on the cultural values of the area cannot be overstated.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Brett Noble', with a long horizontal flourish extending to the right.

Brett Noble

Manager OCMG
Aboriginal Heritage Tasmania