



Mayor's Office

5 November 2009

Indigenous Heritage Law Reform  
Heritage Division  
Department of the Environment, Water, Heritage and the Arts  
GPO Box 787  
CANBERRA ACT 2601  
Email – [atsihpa@environment.gov.au](mailto:atsihpa@environment.gov.au)

Dear Sir / Madam

**RE: INDIGENOUS HERITAGE LAW REFORM**

Council refers to the release of a discussion paper (August 2009) by your Department, titled "Indigenous Heritage Law Reform".

The said discussion paper relates to possible reforms to the legislative arrangements for protecting traditional areas and objects and there are two specific aims mentioned in the 'paper'. These aims are as follows:

- *"Ensure that Indigenous Australians will have the best opportunities to protect their heritage.*
- *Cut duplication and red tape."*

It is the latter mentioned aim that Council makes comment on, i.e. "cut duplication and red tape".

Council brings to the attention of your Department, the role and function of the Lhere Artepe Aboriginal Corporation Inc. The Lhere Artepe Aboriginal Corporation was incorporated in 2002 to represent the Native Title holders for the Municipality of Alice Springs. The Alice Springs Native Title Determination in 1999 by the Federal Court of Australia determined that the High Court recognised the Common Law rights and interest of the ancestors of the three estate groups of the Mparntwe, Antulye and Irlpme family groups. It is these three estate groups who have responsibility for sacred sites within the Municipality of Alice Springs.

Given these facts, Council questions why the Aboriginal Areas Protection Authority (AAPA) is deemed to be the most appropriate body to protect sacred sites in Alice Springs given the role and function of Lhere Artepe.

AAPA appears to duplicate what Lhere Artepe could undertake as the latter mentioned Corporation is well established with its own administration centre and permanent staff, including a very professional and knowledgeable Chief Executive Officer.

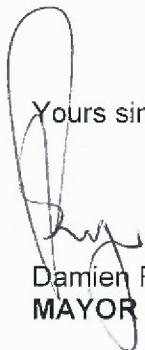
Despite its best intentions, Council has struggled to maintain a good relationship with AAPA. Council has been frustrated at the lack of communication and information from AAPA regarding sacred sites, to assist it (i.e. Council) in its local government of the Municipality of Alice Springs.

On the other hand, Council considers that Lhere Artepe demonstrates a genuine spirit of cooperation. Lhere Artepe is very approachable and has more of a 'community good' attitude in communicating and resolving matters with Council, unlike the very bureaucratic and sometimes confrontational stance taken by AAPA.

Council therefore requests your Department accept this letter, not only as a formal response to your *'Indigenous Heritage Law Reform'* discussion paper but also view it as an opportunity to further strengthen the role and function of Lhere Artepe Aboriginal Corporation, particularly given the purpose for the establishment of the said Corporation and acknowledgement of the Federal Court of Australia decision that was the first to recognise Native Title in an urban area (i.e. Alice Springs) in Australia. In doing this, an Aboriginal Corporation would replace, in Alice Springs, a Northern Territory statutory organisation and in this particular instance (i.e. the protection of sacred sites), Council encourages such a change.

In making this request, Council affirms its full support for the legislative protection of sacred sites and recognises from its own perspective, the value of protecting sacred sites to the township of Alice Springs and to the Central Arrernte people.

Yours sincerely



Damien Ryan  
**MAYOR**



Rex Mooney  
**CHIEF EXECUTIVE OFFICER**