



AUSTRALIAN INDUSTRY
GROUP

5 November 2009

Ms Catherine Skippington
First Assistant Secretary
Department of the Environment Water
Heritage and the Arts
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H M Ridout
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Dear Ms Skippington,

Thank you for your letter dated 3 August and the opportunity to comment on the proposed changes to the *Aboriginal and Torres Strait Island Heritage Protection Act 1984* (the Act).

The Australian Industry Group supports the efforts of the Government to identify ways to make the Act more effective in its protection of traditional areas and objects significant to Indigenous Australians.

It is critical that Indigenous Australia have the best opportunities to protect their heritage. One important measure in support of this objective is to ensure improved, and early, consultation between all stakeholders, including business, when planning activities which may affect Indigenous heritage areas and objects. It is also important that governments maintain their important role as mediators, to ensure that balanced decisions are made, and that appeals processes are as simple and effective as possible.

Another measure which would assist to improve the effectiveness of the Act is to reduce the red-tape duplication and inconsistencies of approach across jurisdictions. It would not only benefit business to have a nationally consistent approach to protecting Indigenous heritage, it would also benefit Indigenous Australians in their efforts to protect their heritage. Nationally consistent model legislation will provide States and Territories with best practice knowledge, reduce complexity and improve transparency across jurisdictions.

A national approach to the legislation would create certainty about Indigenous heritage protection, clarify and streamline application processes (including implementing time limits for decisions), illuminate consistent regulatory requirements which would improve compliance, and elucidate where other legislation may also be relevant. If implemented effectively, this approach would also reduce costs and deliver early decisions which would benefit all stakeholders.

Ai Group encourages all governments to support this important reform initiative.

Yours sincerely

Heather Ridout
Chief Executive