



**Hon Peter Collier MLC**  
**Minister for Education; Aboriginal Affairs; Electoral Affairs**  
**Leader of the Government in the Legislative Council**

---

Our Ref: 34-62175

Mr Mark Warner  
Committee Clerk  
Standing Committee on Estimates and Financial Operations  
Parliament House  
WEST PERTH WA 6000

Dear Mr Warner

I refer to the appearance of the Department of Aboriginal Affairs before the Estimates and Financial Operations Committee for the 2015-16 Annual Budget Estimates Hearing on Tuesday, 23 June 2015.

Please find attached answers to the Additional Questions and Supplementary Information requested by Legislative Council Members.

Kind regards

Hon Peter Collier MLC  
**MINISTER FOR ABORIGINAL AFFAIRS**

24 JUL 2015

Public / Internet

28 JUL 2015



STANDING COMMITTEE ON ESTIMATES AND FINANCIAL OPERATIONS  
SUPPLEMENTARY INFORMATION TO HEARING FOR THE 2015/16 BUDGET  
ESTIMATES HEARING

Tuesday 23 June 2015

**Department of Aboriginal Affairs**

*Question No D1: Hon Stephen Dawson MLC asked -*

*Please provide a list of the 37 places to be reassessed which were affected by the Chaney decision.*

**Answer:**

The initial estimate of 37 places has now been refined to 35. Justice Chaney's decision was only in relation to the interpretation of section 5 (b) of the Aboriginal Heritage Act 1972.

No	ID	NAME
1	30274	LSC11
2	32446	Gardarlagun
3	32448	Gundandu
4	21243	DL01 Two Trees (DL02 & DL05) SAO
5	21245	DL03-Creek Tributary
6	21246	DL04-Rocks (Waugyl)
7	21248	Dunsborough Lakes Paperbark Trees (DL06) SAO
8	23323	Burru Peninsula, Murujuga
9	21905	Harris River
10	32696	Djilba

Public / Internet

28/17/15

11	32691	Maari Jaardi
12	32793	Maramutingana 13-12E
13	32767	Kangeenarina Creek
14	33280	IOHBS-ET 12-01/Bungaroo Creek
15	33291	WAETH 06-01
16	30602	Lake Yindarlgooda <i>SAO</i>
17	3537	Murray River
18	16713	Collie River Waugal
19	22874	Marapikurrinya Yintha
20	17353	Sabina River
21	21526	Robe River (Gadjiwura)
22	28326	Minyulo Brook (Bilya)
23	6540	Ashburton River
24	15914	Burswood Island Burial
25	27935	Hotham River
26	17476	Railways Football Club
27	27109	White Ochre Source - Red Hill
28	3714	Neerigen Brook 1
29	30599	Yin09-16
30	24380	Mongers Lake Waterway
31	1739	Mt Germatong (near)
32	17849	Robertson Park ( <i>Portion only</i> )
33	3762	Lake Claremont ( <i>Portion only</i> )
34	467	Mynyitjitan Pika
35	3536	Swan River ( <i>Portion only</i> )



STANDING COMMITTEE ON ESTIMATES AND FINANCIAL OPERATIONS  
 SUPPLEMENTARY INFORMATION TO HEARING FOR THE 2015/16 BUDGET  
 ESTIMATES HEARING

Tuesday 23 June 2015

**Department of Aboriginal Affairs**

*Question No D2: Hon Stephen Dawson MLC asked -*

*Please provide a list of the organisations and individuals who were consulted on the Aboriginal Heritage Amendment Bill 2014.*

Answer:

List of organisations and individuals consulted in relation to the *Aboriginal Heritage Amendment Bill 2014*.

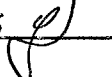
Aboriginal Cultural Material Committee (ACMC)	Direct Meeting
Aboriginal Heritage and Native Title Industry Liaison Committee (AHNTILC)	Direct Meeting
Adele Millard Consultancy Services	Submission
Amergin Consulting (Australia) Pty Ltd	Submission
Anglican Social Responsibilities Commission	Submission
Anthropological Society of Western Australia	Submission & Direct Meeting
Anthropos Australis	Submission
APA Group	Submission
Archaeological & Heritage Management Solutions	Submission
Association of Mining and Exploration Companies	Submission & Direct Meeting
Australia ICOMOS	Submission
Australian Archaeological Association Inc.	Submission & Direct Meeting
Australian Association of Consulting Archaeologists Inc.	Submission & Direct Meeting
Australian Mining and Petroleum Law Association (AMPLA)	Submission
Badimia Lands	Direct Meeting
Ballardong Group	Direct Meeting
BHP Billiton Ltd	Direct Meeting
Cameco Australia Pty Ltd	Direct Meeting
Carnarvon Men's Shed	Direct Meeting
Central Desert Native Title Services	Submission
Chalk & Fitzgerald Lawyers & Consultants	Submission

Public / Internet

*28/7/15 Ry*

Chamber of Minerals and Energy of Western Australia	Submission & Direct Meeting
Chapple MLC, Office of Hon Robin	Submission & Direct Meeting
Circosts, Ms Roberta	Submission
City of Swan	Submission & Direct Meeting
Colbung, Mr Glen	Direct Meeting
Cullen, Mr Paddy	Submission
Dambimangari Aboriginal Corporation	Direct Meeting
Davidson, Mr Iain	Submission
Davies, Ms Sharon	Submission
Department of Lands	Direct Meeting
Department of Mines and Petroleum	Direct Meeting
Department of the Premier and Cabinet	Direct Meeting
Dortch and Cuthbert	Submission
Dr Thor Kerr; Dr Shaphan Cox; Dr Robert Briggs from Curtin University	Submission
Earth Creations - Environmental Art Research and Training	Submission
Fortescue Metals Group Ltd	Direct Meeting
Friends of Australian Rock Art	Submission
Garston, Mr Tyrone	Direct Meeting
Gascoyne Aboriginal Heritage and Cultural Centre	Direct Meeting
Gavin Jackson Cultural Resource Management	Submission
Gelganyem Ltd	Direct Meeting
Gnaala Karla Booja Group	Direct Meeting
Gnulli Group	Direct Meeting
Goldfields Land and Sea Council	Submission & Direct Meeting
Goolarabooloo Millibinyarri Indigenous Corporation	Submission
Harris, Mr Darcy	Direct Meeting
Hayward-Jackson, Mr Iva	Submission
Herriman, Mr Nicholas	Submission
Horizon Power	Submission
IBN Group (Yinhawangka, Banyjima and Nyiyaparli)	Direct Meeting
Iron Ore Holdings Ltd	Submission
Johnston MLA, Mr Bill	Direct Meeting
Karika Nyiyaparli Aboriginal Corporation	Submission
Katanning LCDC	Submission
Kelly, Ms Sandra	Submission
Kimberley Aboriginal Law and Culture Centre	Submission
Kimberley Foundation	Direct Meeting
Kimberley Land Council	Submission & Direct Meeting
KRED Enterprises Pty Ltd	Submission
Kulyamba Aboriginal Corporation	Submission
Kulyamba Aboriginal Corporation (Thudgari)	Direct Meeting
Kulyamba AC (previously) Wyamba AC	Direct Meeting
Kuruma Marthudunera Aboriginal Corporation	Submission & Direct Meeting
LandCorp	Direct Meeting
Larsen, Mr Justin	Submission
Law Society of Western Australia	Submission
Logan, Ms Betty JP and other signees	Submission
Marra Worra Worra Aboriginal Corporation	Submission

Public / Internet

28/7/15 

Mid West Aboriginal Organisations Alliance	Direct Meeting
Milroy, Ms Talila	Submission
Miriuwung Gajerrong Aboriginal Corporation	Direct Meeting
Mullewa Wadjari People	Submission
Murujuga Aboriginal Corporation	Direct Meeting
Murujuga Circle of Elders (Ngarluma, Yaburara/Mardudhunera, Yindjibarndi)	Direct Meeting
Musulin, Ms Kathleen	Direct Meeting
National Native Title Council	Submission
National Trust of Australia (WA)	Submission & Direct Meeting
Ngaanyatjarra Lands	Direct Meeting
Ngadju Group	Direct Meeting
Ngarluma Aboriginal Corporation	Submission & Direct Meeting
Northover, Mr Joe	Direct Meeting
NT Aboriginal Areas Protection Authority	Submission
Nyamba Buru Yamuru Ltd	Direct Meeting
Nyangumarta Karajarri AC	Direct Meeting
Nyangumarta Warrarn AC	Direct Meeting
Pilbara Ports Authority	Submission
Polygon Archaeology Heritage Services	Submission
Rhoads Bird Associates	Submission
Rio Tinto Ltd	Submission & Direct Meeting
Shire of Broome	Submission & Direct Meeting
Shire of Wyndham-East Kimberley	Direct Meeting
SJC Heritage Consultants	Submission
South West Aboriginal Land and Sea Council	Submission & Direct Meeting
South West Boojarah Group	Direct Meeting
Stevens Heritage Services	Submission
Stevens, Ms Dianne	Submission
Swan River People (Albert Corunna; Kathy Penny; Richard Wilkes; Greg Garlett; Bella Bropho)	Submission
Swan Valley Nyungah Community Aboriginal Corporation	Submission
Terra Rosa Cultural Resource Management	Submission
Thomas, Mr Lawrence	Direct Meeting
University of Western Australia	Direct Meeting
Vaughan, Ms Elizabeth	Submission
WA Aboriginal Advisory Committee	Direct Meeting
WA Local Government Association	Submission & Direct Meeting
Wagyl Kaip Group	Direct Meeting
Walker, Mr Stephen	Submission
Walley, Ms Charmaine	Direct Meeting
Watson, Mr Paul	Submission
Western Desert Lands Aboriginal Corporation	Submission & Direct Meeting
Wilson, Ms Melinda	Submission
Wintawari Guruma Aboriginal Corporation	Submission & Direct Meeting
Winun Ngari Aboriginal Corporation	Direct Meeting
Wongatha Group	Direct Meeting
Wunan Foundation	Direct Meeting
Wyatt MLA, Mr Ben	Submission & Direct Meeting

Public / Internet

28/7/15

Yaburara and Coastal Mardudhunera Aboriginal Corporation	Submission & Direct Meeting
Yamatji Marlpa Aboriginal Corporation	Submission & Direct Meeting
Yawuru Native Title Holders Aboriginal Corporation	Submission & Direct Meeting
Yued Group	Direct Meeting

Note: Submissions were lodged in the same or closely similar terms by Laura Thomas, Kree Eyre, Christin Kohler, Shanice Smyth, Danny Carter, Candice Veitch, Skye Wilson, Amy Rorke, Kathryn Black, Joanne Walshaw, Caroline Seawright, Todd Beaton, Clare Presser, Caycia Byars, Margaret Hope, Mengar Thomas, Richard Erickson, Alex Herewane, Helen Russo, Angela Weekes, Glen Risk, Brydie Naismith, Brecon Walsh, Georgiana Ologeanu, Geoffrey Hill, Kristen Day, Janette Rhodes, Ayla Erken, Elizabeth Owen, Hollice Rundle, Susan Chalcraft, Debra Williams, Catherine Menzies, Tara Blackman, Beverley Slater, Lisa Owen, Phylis Read, S.K. Riley, Stephen Franzini, Ailsa Turrell, Laurel Alexander, Megan Porter, Catherine Harburn, Richard Lanyon, Dani Rosendorff, Cheryl Bell, Jesse Holly, Tracey Ashmore, Doreen Anderson, Kim Seater, Kylie Farmer, Lee West, Patrick Greechan, Simon Golley, Ines Portugal, David Joseph, Mia Madsen, Ann Kennedy, Breony Carbines, Heidi Mippy, Jessica Fairbairn, Rita Gyorffy, Clare Kennedy, Tyson Mowarin, Jayne Alexander, Craig Heading, Jan Rock, Vickey Hill, Mark Ditcham, Lorene Stewart, Walter McGuire, Irene Gale, Dan Musil, Liz Mackie, Therese Quinland, Andrea Hilton, John Terry, Simone Watson, Darren Irwin, Spider Redgold, Cindylee Smallman, George Theodoridis, Patrick Hudson, Chris Osborn, Julie Dowling, Marjan Kiewiet, Lisa Kitney, Bronwyn Evans, Sandra Hill, Genevieve Murphy, Marcella Maloney, Peter Zuvela, Alie Arjaans, Anne-Marie Smith and Brenda Hill.

Public / Internet

28/1/15 *[Signature]*



STANDING COMMITTEE ON ESTIMATES AND FINANCIAL OPERATIONS  
SUPPLEMENTARY INFORMATION TO HEARING FOR THE 2015/16 BUDGET  
ESTIMATES HEARING

Tuesday 23 June 2015

**Department of Aboriginal Affairs**

*Question No D3 : Hon Robin Chapple MLC asked -*

*1. I refer to Services and Key Efficiency Indicators on page 300*

*a. Who is the dedicated project team looking after the places to be reassessed by APMC as a result of the Chaney decision?*

Answer:

The team is comprised of Mr John MacDonald, Project Manager, Ms Sally McGann, Senior Advice and Approvals Officer, Mr Simon Keenan, Senior Advice and Approvals Officer, and Mr Andrew Murphy, Project Officer. Other members of staff are available to supplement the team when required.

*b. Has the team formally met?*

Answer:

Yes.

*c. What exactly will the team be looking at?*

Answer:

The team is gathering information from representative groups and Aboriginal informants on the places that are being reassessed by the Aboriginal Cultural Material Committee. It is also safeguarding the method and operation of procedural fairness and developing summaries of the information available on each place.

*d. Will the actions or findings of the project team be made available to the public?*

Answer:

The Department of Aboriginal Affairs will update the public Register as and when the Aboriginal Cultural Material Committee makes decisions.

Public / Internet

28/7/15 *[Signature]*





STANDING COMMITTEE ON ESTIMATES AND FINANCIAL OPERATIONS  
SUPPLEMENTARY INFORMATION TO HEARING FOR THE 2015/16 BUDGET  
ESTIMATES HEARING

Tuesday 23 June 2015

**Department of Aboriginal Affairs**

*Question No D4: Hon Alanna Clohesy MLC asked -*

1. I refer to the table under "Spending Changes" on page 297 and "Workforce Renewal Policy".

a. Please provide a list of the 21 positions that were cut to meet the Workforce Renewal Policy by position level, location and title.

Answer:

None of the identified positions had substantive occupants so no permanent staff have been impacted. The contract for the Aboriginal Affairs Coordinating Committee Chief Operating Officer position ends in 2016-17.

Position Title	Location	Level
Administrative Officer	East Perth	L4
Executive Assistant	East Perth	L2
Deputy Director General	East Perth	CL3
Director Mid-West Regional Services Delivery	Geraldton	L8
Director Priority Projects	East Perth	L8
Executive Manager	East Perth	L7
Executive Manager	East Perth	L7
Senior Project Officer	East Perth	L6
General Counsel	East Perth	SCL6
Project Officer	East Perth	L5
Management Support Officer	Broome	L2
Executive Assistant	East Perth	L2
Manager Office of the Director General	East Perth	L7
Operations Services Manager	Kalgoorlie	L7
Policy & Program Analyst	East Perth	L5
Senior Project Officer	Albany	L6
Aboriginal Affairs Coordinating Committee Chief Operating Officer	East Perth	CL1
Senior Project Officer	East Perth	L6
Project Officer	East Perth	L4
Senior Policy Officer	East Perth	L6
Land Operations Officer	East Perth	L5

Public / Internet

28/7/15 *[Signature]*

*b. How is the Department fulfilling the responsibilities and functions of the previous 21 positions that have been cut?*

Answer:

The Department has focused largely on administrative rather than operational positions. Management has re-evaluated tasks and determined that some are no longer core business and has also prioritised the most critical tasks. This means that some critical tasks have been reallocated to other officers whose duties have been reduced.


The regional Management Support Officers' administrative tasks have been mostly centralised in the East Perth office. The Accountable Government staff were appointed in 2014 with a view to centralise policy and projects. This has been a transitional process and regional vacancies have been managed by the work being centralised and performed by the new team structure.

*c. Please provide a list of the substantive positions in the Department for 2013–14, 2014–15 and 2015–16 by position level and position title and location.*

Answer:

Please see information provided in tabular form.


Public / Internet

28 17 115 

**Attachment 1.**

<b>Year 2013</b>		
<b>Position Title</b>	<b>Classification</b>	<b>Location</b>
Chief Finance Officer	L8	East Perth
Program Management and Dev Director	L8	East Perth
Senior Heritage Officer	L6	Albany
Heritage and Family Information Manager	L7	East Perth
Senior Heritage Officer	L6	East Perth
Senior Heritage Officer	L6	East Perth
Senior Heritage Officer	L6	East Perth
Heritage Approvals and Advice Officer	L4	East Perth
Heritage Mapping Officer	L3	East Perth
Heritage Information Officer	L2	East Perth
Heritage Mapping Officer	L3	East Perth
Heritage Catalogue Officer	L2	East Perth
Heritage Project Officer	L5	East Perth
Aboriginal History Research Officer	L5	East Perth
Senior Project Officer	L6	Kununurra
Senior Planning Officer	L6	East Perth
Management Support Officer	L2	Kununurra
Senior Project Officer	L6	Broome
Project Officer Heritage	L5	Broome
Project Officer	L5	Broome
Management Support Officer	L2	Broome
Senior Heritage Project Officer	L6	Hedland
Regional Lands Officer	L5	Hedland
Management Support Officer	L2	Hedland
Senior Project Officer	L6	Geraldton
Heritage Project Officer	L5	Geraldton
Project Officer	L4	Geraldton
Management Support Officer	L2	Geraldton
Operations Services Manager	L7	East Perth
Management Support Officer	L2	East Perth
Senior Project Officer	L6	Albany
Heritage Project Officer	L5	Albany
Management Support Officer	L2	Albany
Senior Project Officer	L6	East Perth
Heritage Project Officer	L5	Kalgoorlie
Management Support Officer	L2	Kalgoorlie
Senior Project Officer	L6	East Perth
Executive Officer	L5	East Perth
Senior Information Analyst	L6	East Perth
Aboriginal Sites Registrar	L8	East Perth
Intergovernmental Unit Director	L8	East Perth
Management Support Officer	L2	Geraldton
Deputy Director General	CL3	East Perth
Operations Services Manager	L7	East Perth
Indexing Officer	L2	East Perth
Executive Director	CL1	East Perth
Executive Officer	L6	East Perth

Public / Internet

28/17/15 


Director General	BICEO	East Perth
Principal Legal Officer	SCL6	East Perth
Ministerial Liaison Officer	L4	East Perth
Legal Officer	SCL3	East Perth
Senior Legal Officer	SCL5	East Perth
Corporate Communications Officer	L4	East Perth
Information Systems and GIS Manager	L7	East Perth
ICT Desktop Customer Service Officer	L4	East Perth
Principal Policy Officer	L7	East Perth
Senior Planning Officer	L6	East Perth
Director Community Programs	L8	East Perth
Community Partnerships Director	L8	East Perth
Chief Land Officer	CL1	East Perth
Land Director	L8	East Perth
Business Support Officer	L2	East Perth
Management Support Officer	L2	East Perth
Senior Strategic Land Officer	L6	East Perth
Communications Coordinator	L6	East Perth
Office of Director General Director	L8	East Perth
Executive Support Officer	L3	East Perth
Senior Management Accountant	L6	East Perth
Management Accountant	L5	East Perth
Finance Officer	L4	East Perth
Accounts and Admin Supervisor	L3	East Perth
HR Consultant	L6	East Perth
GIS Development Coordinator	L5	East Perth
Senior Cartographer	L5	East Perth
Applications and Research Officer	L4	East Perth
Senior Land Officer	L6	East Perth
Land Operations Officer	L5	East Perth
Approvals Industry Manager	L7	East Perth
Executive Director	L9	East Perth
Executive Manager	L7	East Perth
Principal Policy Officer	L7	East Perth
Senior Land Officer	L6	East Perth
Administration Assistant	L2	East Perth
Project Officer	L5	East Perth
Heritage Information Officer	L2	East Perth
Senior Project Officer	L6	East Perth
Land Operations Officer	L5	East Perth
Land Operations Officer	L5	East Perth
Land Operations Officer	L5	East Perth
Business Support Coordinator	L5	East Perth
Administrative Assistant	L2	East Perth
Executive Officer	L6	East Perth
Heritage Project Officer	L4	East Perth
Senior Policy Officer	L6	East Perth
Heritage Information Officer	L2	East Perth
Senior Heritage Officer	L6	East Perth
Senior Project Officer	L6	East Perth
Web Services Coordinator	L5	East Perth
Corporate Information Coordinator	L5	East Perth
Records Supervisor	L3	East Perth

Public / Internet

28/1/15 [Signature]

Senior Policy Officer	L6	East Perth
Senior Heritage Officer	L6	East Perth
Programs Officer	L5	East Perth
Business Support Coordinator	L4	East Perth
Principal Policy Officer	L7	East Perth
Senior Policy Officer	L6	East Perth
Senior Project Officer	L6	East Perth
Principal Project Manager	L7	East Perth
Administrative Officer	L4	East Perth
Economic Development Director	L8	East Perth
Heritage Assessment Officer	L4	East Perth
Senior Compliance Officer	L6	East Perth
Compliance Officer	L5	East Perth
Principal Project Officer	L7	East Perth
Management Support Officer	L2	East Perth
Senior Communications Coordinator	L7	East Perth
Senior Project Officer	L6	Broome
Reporting and Information Director	L8	East Perth
HR Coordinator	L4	East Perth
HR Advisor	L4	East Perth
Aboriginal History Research Officer	L5	East Perth
Principal Project Officer	L7	East Perth
Chief Heritage Officer	CL1	East Perth
Senior Heritage Officer	L6	East Perth
Assistant Director General	CL1	East Perth
Executive Director	L9	East Perth
Management Support Officer	L2	East Perth
Management Support Officer	L2	East Perth
Director Executive	L8	East Perth
Management Support Officer	L2	East Perth
Office of the AACC Director	L8	Kununurra
Office of the AACC Director	L8	Geraldton
Office of the AACC Director	L8	Hedland
Office of the AACC Director	L8	Broome
Office of the AACC Director	L8	Kalgoorlie
Site Assessment Director	L8	East Perth
Office of the Chief Heritage Office Director	L8	East Perth
Principal Project Officer	L7	East Perth
Site Assessment Officer	L7	East Perth
Policy and Reform Director	L8	East Perth
Site Assessment Officer	L6	East Perth
Site Assessment Officer	L6	East Perth
Administration Officer	L2	East Perth
Management Support Officer	L2	East Perth
State Priorities Agreements Director	L8	East Perth
Manager Regional Heritage Engagement	L7	East Perth
Senior Project Officer	L6	East Perth
Approvals Government Manager	L7	East Perth
Project Manager	L8	East Perth
Management Support Officer	L2	East Perth
Director Strategic Human Resources	L8	East Perth
Chief Information Officer	L8	East Perth
Executive Manager	L7	East Perth

Public / Internet

28/12/15 

Executive Manager	L7	East Perth
Executive Manager Land	L7	East Perth
Director Special Projects	L8	East Perth
Director Strategic Policy & Reform	L8	East Perth
Executive Manager	L7	East Perth
Senior Project Officer	L6	East Perth
AACC COO	CL1	East Perth
<b>Total Positions as at 01 July 2013</b>	<b>160</b>	

<b>Year 2014</b>		
<b>Position Title</b>	<b>Classification</b>	<b>Location</b>
Chief Finance Officer	L8	East Perth
Program Management and Dev Director	L8	East Perth
Senior Heritage Officer	L6	Albany
Senior Advice and Approvals Officer	L6	East Perth
Senior Advice and Approvals Officer	L6	East Perth
Senior Advice and Approvals Officer	L6	East Perth
Heritage Approvals and Advice Officer	L4	East Perth
Heritage Mapping Officer	L3	East Perth
Heritage Mapping Officer	L3	East Perth
Heritage Catalogue Officer	L2	East Perth
Heritage Project Officer	L5	East Perth
Aboriginal History Research Officer	L5	East Perth
Senior Project Officer	L6	Kununurra
Management Support Officer	L2	Kununurra
Senior Project Officer	L6	Broome
Project Officer Heritage	L5	Broome
Project Officer	L5	Broome
Management Support Officer	L2	Broome
Senior Heritage Project Officer	L6	Hedland
Regional Lands Officer	L5	Hedland
Management Support Officer	L2	Hedland
Senior Project Officer	L6	Geraldton
Heritage Project Officer	L5	Geraldton
Project Officer	L4	Geraldton
Management Support Officer	L2	Geraldton
Operations Services Manager	L7	East Perth
Executive Assistant	L2	East Perth
Senior Project Officer	L6	Albany
Heritage Project Officer	L5	Albany
Management Support Officer	L2	Albany
Operations Services Manager	L7	Kalgoorlie
Heritage Project Officer	L5	Kalgoorlie
Management Support Officer	L2	Kalgoorlie
Senior Project Officer	L6	East Perth
Executive Officer	L5	East Perth
Senior Information Analyst	L6	East Perth
Intergovernmental Unit Director	L8	East Perth
Management Support Officer	L2	Geraldton


Public / Internet

28/7/15

Deputy Director General	CL3	East Perth
Operations Services Manager	L7	East Perth
Indexing Officer	L2	East Perth
Executive Director	CL1	East Perth
Director General	B1CEO	East Perth
Principal Legal Officer	SCL6	East Perth
Ministerial Liaison Officer	L4	East Perth
Legal Officer	SCL3	East Perth
Senior Legal Officer	SCL5	East Perth
Corporate Communications Officer	L4	East Perth
Information Systems and GIS Manager	L7	East Perth
ICT Desktop Customer Service Officer	L4	East Perth
Senior Planning Officer	L6	East Perth
Director Community Programs	L8	East Perth
Chief Land Officer	CL1	East Perth
Director Land Operations	L8	East Perth
Manager State Priorities & Agreements	L7	East Perth
Business Support Officer	L2	East Perth
Senior Project Officer	L6	East Perth
Director Ministerial Liaison Unit	L8	East Perth
Executive Support Officer	L3	East Perth
Management Accountant	L5	East Perth
Finance Officer	L4	East Perth
Accounts and Admin Supervisor	L3	East Perth
HR Consultant	L6	East Perth
GIS Development Coordinator	L5	East Perth
Senior Cartographer	L5	East Perth
Senior Land Officer	L6	East Perth
Land Operations Officer	L5	East Perth
Approvals Industry Manager	L7	East Perth
Executive Manager	L7	East Perth
Administration Assistant	L2	East Perth
Operations Services Manager	L7	Broome
Project Officer	L5	East Perth
Heritage Information Officer	L2	East Perth
Senior Project Officer	L6	East Perth
Land Operations Officer	L5	East Perth
Land Operations Officer	L5	East Perth
Land Operations Officer	L5	East Perth
Executive Assistant	L2	East Perth
Executive Officer	L6	East Perth
Heritage Project Officer	L4	East Perth
Senior Policy Officer	L6	East Perth
Senior Heritage Officer	L6	East Perth
Senior Advice and Approvals Officer	L6	East Perth
Web Services Coordinator	L5	East Perth
Corporate Information Coordinator	L5	East Perth
Records Supervisor	L3	East Perth
Senior Policy Officer	L6	East Perth
Senior Advice and Approvals Officer	L6	East Perth
Programs Officer	L5	East Perth
Executive Officer	L4	East Perth
Principal Policy Officer	L7	East Perth

Senior Policy Officer	L6	East Perth
Senior Project Officer	L6	East Perth
Executive Manager	L7	East Perth
Principal Project Manager	L7	East Perth
Administrative Officer	L4	East Perth
Director Economic Development	L8	East Perth
Senior Compliance Officer	L6	East Perth
Compliance Officer	L5	East Perth
Principal Project Officer	L7	East Perth
Executive Assistant	L2	East Perth
Senior Communications Coordinator	L7	East Perth
Senior Project Officer	L6	Broome
Director Strategy & Performance	L8	East Perth
HR Coordinator	L4	East Perth
HR Advisor	L4	East Perth
Aboriginal History Research Officer	L5	East Perth
Principal Project Officer	L7	East Perth
Chief Heritage Officer	CL2	East Perth
Executive Manager	L7	East Perth
Assistant Director General	CL1	East Perth
Executive Director	L9	East Perth
Executive Assistant	L2	East Perth
Management Support Officer	L2	East Perth
Director Office of the Director General	L8	East Perth
Executive Assistant	L2	East Perth
Director Site Assessment	L8	East Perth
Director Office of the Chief Heritage Officer	L8	East Perth
Principal Project Officer	L7	East Perth
Site Assessment Officer	L7	East Perth
Director Policy & Reform	L8	East Perth
Site Assessment Officer	L6	East Perth
Site Assessment Officer	L6	East Perth
Administration Officer	L2	East Perth
Management Support Officer	L2	East Perth
State Priorities Agreements Director	L8	East Perth
Manager Regional Heritage Engagement	L7	East Perth
Manager Approvals & Advice	L7	East Perth
Principal Policy Adviser	L8	East Perth
Client Services (Reception)	L2	East Perth
Director Human Resources	L8	East Perth
Chief Information Officer	L8	East Perth
Executive Manager	L7	East Perth
Executive Manager	L7	East Perth
Executive Manager	L7	East Perth
Director Special Projects	L8	East Perth
Director AACSC Support Branch	L8	East Perth
Policy & Program Analyst	L5	East Perth
Director Strategic Policy & Reform	L8	East Perth
Executive Manager	L7	East Perth
Site Assessment Liaison Officer	L4	East Perth
Director Approvals & Advice	L8	East Perth
Executive Director	CL1	East Perth
Site Assessment Officer	L6	East Perth

Public / Internet


28 17 165 



Policy and Program Analyst	L5	East Perth
Director Aboriginal Affairs Coordinating Committee	L8	East Perth
Director Regional Co-ordination	L8	Geraldton
Director Policy and Reform	L8	East Perth
Director Priority Projects	L8	East Perth
Executive Officer	L5	East Perth
Director Community Partnerships	L8	East Perth
Director Policy and Reform	L8	East Perth
General Counsel	SCL6	East Perth
Director Mid-West Regional Services Delivery	L8	Geraldton
Manager Office of the Director General	L8	East Perth
AACC COO	C1	East Perth
Project Officer	L4	East Perth
Senior Project Officer	L6	East Perth
<b>Total Positions as at 01 July 2014</b>	<b>158</b>	

<b>Year 2015</b>		
<b>Positon Title</b>	<b>Classification</b>	<b>Location</b>
Chief Finance Officer	L8	East Perth
Program Management and Dev Director	L8	East Perth
Senior Heritage Officer	L6	Albany
Senior Advice and Approvals Officer	L6	East Perth
Senior Advice and Approvals Officer	L6	East Perth
Senior Heritage Officer	L6	East Perth
Heritage Approvals and Advice Officer	L4	East Perth
Heritage Mapping Officer	L3	East Perth
Heritage Mapping Officer	L3	East Perth
Heritage Catalogue Officer	L2	East Perth
Heritage Project Officer	L5	East Perth
Aboriginal History Research Officer	L5	East Perth
Senior Project Officer	L6	Kununurra
Management Support Officer	L2	Kununurra
Senior Project Officer	L6	Broome
Project Officer Heritage	L5	Broome
Project Officer	L5	Broome
Senior Heritage Project Officer	L6	Hedland
Regional Lands Officer	L5	Hedland
Management Support Officer	L2	East Perth
Senior Project Officer	L6	Geraldton
Heritage Project Officer	L5	Geraldton
Project Officer	L4	Geraldton
Management Support Officer	L2	Geraldton
Operations Services Manager	L7	East Perth
Executive Assistant	L2	East Perth
Heritage Project Officer	L5	Albany
Heritage Project Officer	L5	Kalgoorlie
Senior Project Officer	L6	East Perth
Executive Officer	L5	East Perth
Director Intergovernmental Unit	L8	East Perth

Public / Internet

28/7/15 

Management Support Officer	L2	Geraldton
Operations Services Manager	L7	East Perth
Indexing Officer	L2	East Perth
Executive Director	CL1	East Perth
Director General	B1CEO	East Perth
Principal Legal Officer	SCL6	East Perth
Ministerial Liaison Officer	L4	East Perth
Legal Officer	SCL3	East Perth
Senior Legal Officer	SCL5	East Perth
Information Systems and GIS Manager	L7	East Perth
ICT Desktop Customer Service Officer	L4	East Perth
Senior Planning Officer	L6	East Perth
Director Community Programs	L8	East Perth
Chief Land Officer	CL1	East Perth
Director Land Operations	L8	East Perth
Manager State Priorities & Agreements	L7	East Perth
Business Support Officer	L2	East Perth
Director Ministerial Liaison Unit	L8	East Perth
Management Accountant	L5	East Perth
Finance Officer	L4	East Perth
Accounts and Admin Supervisor	L3	East Perth
HR Consultant	L6	East Perth
GIS Development Coordinator	L5	East Perth
Senior Cartographer	L5	East Perth
Senior Land Officer	L6	East Perth
Land Operations Officer	L5	East Perth
Approvals Industry Manager	L7	East Perth
Executive Manager	L7	East Perth
Administration Assistant	L2	East Perth
Operations Services Manager	L7	Broome
Project Officer	L5	East Perth
Heritage Information Officer	L2	East Perth
Senior Project Officer	L6	East Perth
Land Operations Officer	L5	East Perth
Land Operations Officer	L5	East Perth
Administrative Assistant	L2	East Perth
Executive Officer	L6	East Perth
Heritage Project Officer	L4	East Perth
Senior Policy Officer	L6	East Perth
Senior Heritage Officer	L6	East Perth
Web Services Coordinator	L5	East Perth
Corporate Information Coordinator	L5	East Perth
Records Supervisor	L3	East Perth
Senior Policy Officer	L6	East Perth
Senior Advice and Approvals Officer	L6	East Perth
Programs Officer	L5	East Perth
Principal Policy Officer	L7	East Perth
Senior Project Officer	L6	East Perth
Principal Project Manager	L7	East Perth
Director Economic Development	L8	East Perth
Senior Compliance Officer	L6	East Perth
Compliance Officer	L5	East Perth
Principal Project Officer	L7	East Perth

Public / Internet

28/1/15 B

Executive Assistant	L2	East Perth
Senior Communications Coordinator	L7	East Perth
Senior Project Officer	L6	Broome
Director Strategy & Performance	L8	East Perth
HR Coordinator	L4	East Perth
HR Advisor	L4	East Perth
Aboriginal History Research Officer	L5	East Perth
Principal Project Officer	L7	East Perth
Chief Heritage Officer	CL2	East Perth
Assistant Director General	CL1	East Perth
Executive Director	L9	East Perth
Executive Assistant	L2	East Perth
Management Support Officer	L2	East Perth
Director Executive	L8	East Perth
Management Support Officer	L2	East Perth
Director Site Assessment	L8	East Perth
Director Office of the Chief Heritage Officer	L8	East Perth
Principal Project Officer	L7	East Perth
Site Assessment Officer	L7	East Perth
Director Policy and Reform	L8	East Perth
Site Assessment Officer	L6	East Perth
Site Assessment Officer	L6	East Perth
Finance Officer	L2	East Perth
Director Priority Projects	L8	East Perth
Manager Regional Heritage Engagement	L7	East Perth
Manager Approvals and Advice	L7	East Perth
Principal Policy Adviser	L8	East Perth
Management Support Officer	L2	East Perth
Director Strategic Human Resources	L8	East Perth
Chief Information Officer	L8	East Perth
Executive Manager	L7	East Perth
Executive Manager	L7	East Perth
Director AACSC Support Branch	L8	East Perth
Policy and Program Analyst	L5	East Perth
Director Policy and Reform	L8	East Perth
Executive Manager	L7	East Perth
Site Assessment Liaison Officer	L4	East Perth
Director Approvals and Advice	L8	East Perth
Executive Director	CL1	East Perth
Site Assessment Officer	L6	East Perth
Director Aboriginal Affairs Coordinating Committee	L8	East Perth
Director Regional Co-ordination	L8	Geraldton
Director Policy and Reform	L8	East Perth
Director Policy and Reform	L8	East Perth
Senior Project Officer	L6	East Perth
Site Assessment Officer	L6	East Perth
Executive Assistant	L2	East Perth
Principal Information Analyst	L7	East Perth
Corporate Communications Co-ordinator	L6	East Perth
Project Officer	L5	East Perth
AACC COO	CL1	East Perth
Business Systems Support Officer	L3	East Perth

Policy Officer	L5	East Perth
<b>Total Positions as at 01 July 2015</b>	<b>137</b>	

Public / Internet  
28 July 15 *[Signature]*



STANDING COMMITTEE ON ESTIMATES AND FINANCIAL OPERATIONS  
SUPPLEMENTARY INFORMATION TO HEARING FOR THE 2015/16 BUDGET  
ESTIMATES HEARING

Tuesday 23 June 2015

**Department of Aboriginal Affairs**

*Question No D5: Hon Alanna Clohesy MLC asked -*

*I refer to the line item "Revenue Forecast Realignment", with \$1.688 million in savings for 2015-16, what component of that \$1.688 million is the remote service delivery program and what component are other federal programs, and could I have a list of what other programs they are?*

Answer:

Funding received for the Remote Service Delivery Program is not included in the "Revenue Forecast Realignment" line item.

The main components of the line item in 2015-16 include:

1. \$0.6 million for Commonwealth Programs.
2. \$0.6 million for State Programs.
3. \$0.25 million reduced for Cost Recovery for the Chief Operating Officer for the Aboriginal Affairs Coordinating Committee
4. \$0.2 million in External funding for Partnership Acceptance Learning Sharing (PALS)

Public / Internet

*28 17 116 19*



STANDING COMMITTEE ON ESTIMATES AND FINANCIAL OPERATIONS  
SUPPLEMENTARY INFORMATION TO HEARING FOR THE 2015/16 BUDGET  
ESTIMATES HEARING

Tuesday 23 June 2015

**Department of Aboriginal Affairs**

*Question No D6: Hon Alanna Clohesy MLC asked -*

*Under page 297 of the Budget papers, line item Revenue Forecast Realignment, the revenue forecast realignment increases over the forward estimates: \$1.894 million in 2016-17, the same in 2017-18 and \$1.764 million for 2018-19. Can I get an understanding or a list of what that constitutes?*

Answer:

The adjustment between 2015-16 to 2016-17 and out years of approximately \$200,000 is because there is no longer a requirement to make a provision for cost recovery for the Chief Operating Officer for the Aboriginal Affairs Coordinating Committee (salaries and on-costs). This position has a fixed term which terminates in 2016-17. Costs are recovered from 10 State agencies.

Public / Internet

28/17/15 *[Signature]*



STANDING COMMITTEE ON ESTIMATES AND FINANCIAL OPERATIONS  
SUPPLEMENTARY INFORMATION TO HEARING FOR THE 2015/16 BUDGET  
ESTIMATES HEARING

Tuesday 23 June 2015

**Department of Aboriginal Affairs**

*Question No D7: Hon Alanna Clohesy MLC asked -*

1. *Please provide:*
  - a. *the status of national partnership agreements*

Answer:

The status of Aboriginal affairs related National Partnership Agreements, including non-Aboriginal specific National Partnership Agreements connected to the National Indigenous Reform Agreement include:

Agreement	Status	Expiry Date
National Partnership Agreement on Remote Indigenous Housing	Current	30 June 2018
National Partnership Agreement on Homelessness	Current	30 June 2017
National Partnership Agreement on Trade Training Centres	Current	30 June 2016
National Partnership Agreement on Smarter Schools Low Socio-Economic School Communities	Current	31 December 2015
National Partnership Agreement on Indigenous Early Childhood Development	Expired	30 June 2014
National Partnership Agreement on Remote Service Delivery	Expired	30 June 2014
National Partnership Agreement on Indigenous Public Internet Access	Expired	30 June 2013
National Partnership Agreement on Closing the Gap in Indigenous Health Outcomes	Expired	30 June 2013
National Partnership of Indigenous Economic Participation	Expired	30 June 2013
National Partnership Agreement on Early Childhood Education	Expired	30 June 2013
National Partnership Agreement on Digital Education Revolution	Expired	30 June 2013
National Partnership Agreement on Improving Teacher Quality	Expired	31 December 2013
National Partnership Agreement on Closing the Gap in the Northern Territory	Expired	30 June 2012*
National Partnership Agreement on Literacy and Numeracy	Expired	31 December 2012
National Partnership Agreement on Building and Education Revolution	Expired	31 December 2012
National Partnership Agreement on Social Housing	Expired	30 June 2010

Public / Internet

*28/6/15*


\* Excluding the Additional Teachers component which expired on 31 December 2012.

*b. the expected time frame around the national partnership agreement housing negotiation.*

Answer:

While there is an existing 10 year National Partnership Agreement on Remote Indigenous Housing in place, the Commonwealth is renegotiating a new national partnership agreement to cover the 2015/18 years. Negotiations are expected to be finalised by December 2015.

Public / Internet

28/1/15 





STANDING COMMITTEE ON ESTIMATES AND FINANCIAL OPERATIONS  
SUPPLEMENTARY INFORMATION TO HEARING FOR THE 2015/16 BUDGET  
ESTIMATES HEARING

Tuesday 23 June 2015

**Department of Aboriginal Affairs**

*Question No D8: Hon Alanna Clohesy MLC asked -*

*I refer to page 297 of the Budget papers, spending changes, there are 15% Procurement savings, what is not being procured this year?*

Answer:

The Department has reviewed its administration costs to identify cost savings in the areas of travel, car fleet and property related costs to achieve the 15% procurement savings.

Public / Internet

28/17/15 MKJ



STANDING COMMITTEE ON ESTIMATES AND FINANCIAL OPERATIONS  
QUESTIONS PRIOR TO HEARING FOR THE 2015/16 BUDGET ESTIMATES  
HEARING

Tuesday 23 June 2015

**Department of Aboriginal Affairs**

*Question No D9: Hon Stephen Dawson MLC asked -*

1. *Please provide the number of people employed by DAA whom:*

*a. identify as Aboriginal and Torres Strait Islander;*

Answer:

40 as at 26 June 2015.

*b. have declared a disability;*

Answer:


1 as at 26 June 2015.

*c. are female.*

Answer:

95 as at 26 June 2015.

Public / Internet

28/17/15 



STANDING COMMITTEE ON ESTIMATES AND FINANCIAL OPERATIONS  
SUPPLEMENTARY INFORMATION TO HEARING FOR THE 2015/16 BUDGET  
ESTIMATES HEARING

Tuesday 23 June 2015

**Department of Aboriginal Affairs**

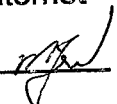
*Question No D10: Hon Robin Chapple MLC asked -*

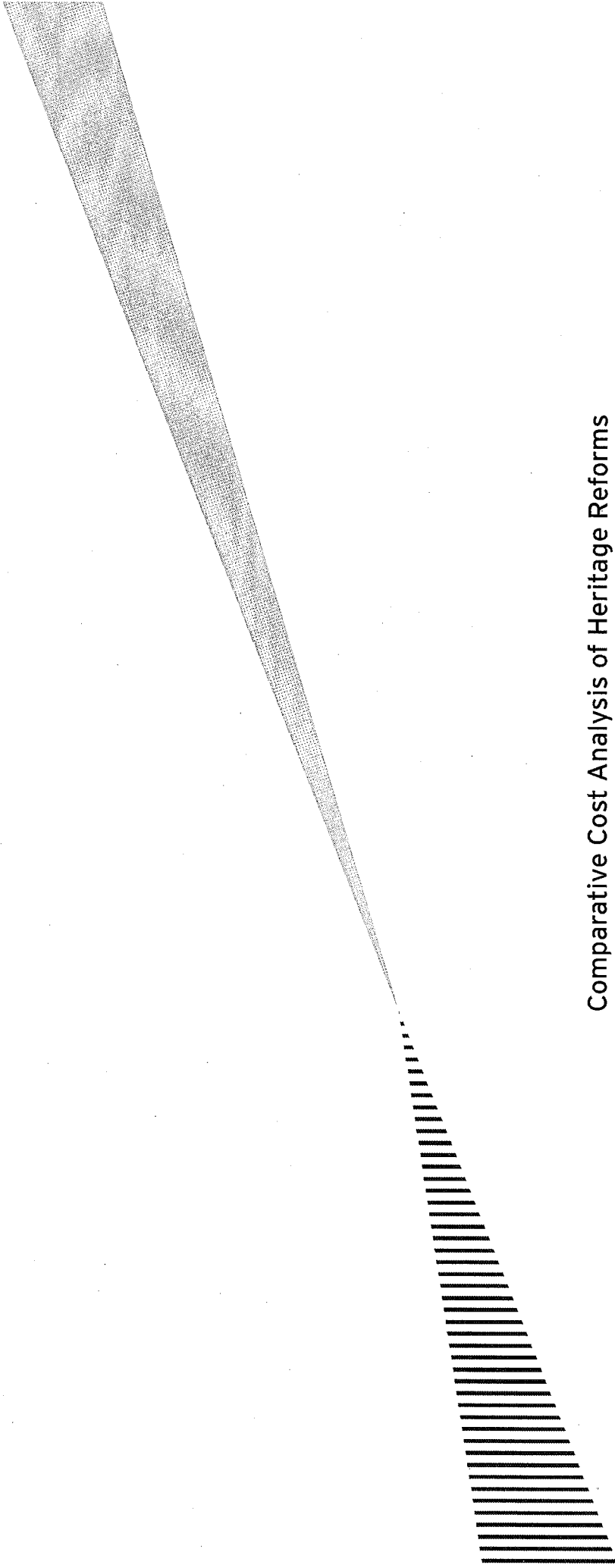
*Please table the Ernst and Young report commissioned by DAA in 2013 which looked at the operation of section 18 and cost of compliances with conditions set by the Minister in approvals as well as the cost of section 18 applications.*

Answer:

The cost analysis undertaken by Ernst and Young represented the first time these types of costs have been examined by government. The report confirmed that the government's administrative reform of Aboriginal heritage has resulted in a more streamlined process and has significantly reduced the costs of complying with section 18 Consents. Please refer to tabled report.

Public / Internet


28/7/15 



## Comparative Cost Analysis of Heritage Reforms

Department of Aboriginal Affairs WA

13 June 2013

 **ERNST & YOUNG**

Public / Internet

*28/11/13*

## Contents

1. Executive Summary .....	3
2. Aboriginal heritage reform program .....	5
3. Methodology of report .....	6
4. Findings .....	7
5. Industry views .....	9
6. Recommendations .....	11

© 2013 Ernst & Young, Australia. All Rights Reserved.

Liability limited by a scheme approved under Professional Standards Legislation.

### Release Notice

Ernst & Young ("Consultant") was engaged on the instructions of the Western Australia Department of Aboriginal Affairs ("Client") to conduct a cost saving analysis of the Heritage reforms currently being undertaken - specifically to undertake a comparative analysis of input costs associated with the preparation of Section 18 notices pre and post reform measures and to estimate aggregate savings post-reform ("Project"), in accordance with the engagement agreement dated 24 January 2013 including the General Conditions under the CUA 23706: AUDIT SERVICES AND FINANCIAL ADVICE ("the Engagement Agreement").

The results of the Consultant's work, including the assumptions and qualifications made in preparing the report, are set out in the Consultant's report dated 13 June 2013 ("Report"). You should read the Report in its entirety including the Engagement Agreement, disclaimers and attachments. A reference to the Report includes any part of the Report. No further work has been undertaken by the Consultant since the date of the Report to update it. For the avoidance of doubt a reference in this Release Notice, to the "the Recipient" excludes the Client.

Unless otherwise agreed in writing with the Consultant, access to the Report is made only on the following basis and in either accessing the Report or obtaining a copy of the Report the recipient agrees to the following terms.

1. Subject to the provisions of this notice, the Report has been prepared for the Client and may not be disclosed to any other party or used by any other party or relied upon by any other party without the prior written consent of the Consultant.
2. The Consultant disclaims all liability in relation to any other party who seeks to rely upon the Report or any of its contents.

3. The Consultant has acted in accordance with the instructions of the Client in conducting its work and preparing the Report, and, in doing so, has prepared the Report for the benefit of the Client, and has considered only the interests of the Client. The Consultant has not been engaged to act, and has not acted, as advisor to any other party. Accordingly, the Consultant makes no representations as to the appropriateness, accuracy or completeness of the Report for any other party's purposes.

4. No reliance may be placed upon the Report or any of its contents by any recipient of the Report for any purpose and any party receiving a copy of the Report must make and rely on their own enquiries in relation to the issues to which the Report relates, the contents of the Report and all matters arising from or relating to or in any way connected with the Report or its contents.

5. Subject to clause 6 below, the Report is confidential and must be maintained in the strictest confidence and must not be disclosed to any party for any purpose without the prior written consent of the Consultant.

6. All tax advice, tax opinions, tax returns or advice relating to the tax treatment or tax structure of any transaction to which the Consultant's services relate ("Tax Advice") is provided solely for the information and internal use of Client and may not be relied upon by anyone else (other than tax authorities who may rely on the information provided to them) for any purpose without the Consultant's prior written consent. If the recipient wishes to disclose Tax Advice (or portion or summary thereof) to any other third party, they shall first obtain the written consent of the Client before making such disclosure. The recipient must also inform the third party that it cannot rely on the Tax Advice (or portion or summary thereof) for any purpose whatsoever without the Consultant's prior written consent.

7. No duty of care is owed by the Consultant to any recipient of the Report in respect of any use that the recipient may make of the Report.
8. The Consultant disclaims all liability, and takes no responsibility, for any document issued by any other party in connection with the Project.
9. No claim or demand or any actions or proceedings may be brought against the Consultant arising from or connected with the contents of the Report or the provision of the Report to any recipient. The Consultant will be released and forever discharged from any such claims, demands, actions or proceedings.
10. To the fullest extent permitted by law, the recipient of the Report shall be liable for all claims, demands, actions, proceedings, costs, expenses, loss, damage and liability made against or brought against or incurred by the Consultant arising from or connected with the Report, the contents of the Report or the provision of the Report to the recipient.
11. In the event that a recipient wishes to rely upon the Report that party must inform the Consultant and, if the Consultant so agrees, sign and return to the Consultant a standard form of the Consultant's reliance letter. A copy of the reliance letter can be obtained from the Consultant. The recipient's reliance upon the Report will be governed by the terms of that reliance letter.

# 1. Executive Summary

## 1.1 Introduction

The Department of Aboriginal Affairs (DAA) is responsible for assisting the Minister for Aboriginal Affairs (Minister) to administer the Aboriginal Heritage Act 1972 (Act). The Act provides protection for Aboriginal heritage sites in WA.

In relation to Aboriginal heritage, key activities of DAA include:

- ▶ Providing information and support to the Aboriginal Cultural Material Committee (ACMC) to assist it to assess the importance and significance of Aboriginal sites and make recommendations to assist the Minister in relation to decision-making;
- ▶ Collecting and providing information and advice in relation to Aboriginal sites and objects including maintaining a publicly available Register of Places and Objects; and
- ▶ Protecting Aboriginal heritage by ensuring compliance with the legislation.

## 1.2 Reform program

Over recent years, a number of key issues associated with administering the Act have been identified and DAA has commenced a program of reform to:

- ▶ Improve transparency, accountability, efficiency and effectiveness of decision-making processes;
- ▶ Improve the quality of information and advice provided by and to all stakeholders; and
- ▶ Play a more strategic role in protecting Aboriginal heritage.

## 1.3 Purpose of consultancy

DAA has commenced a program to evaluate the effectiveness of the reform as it progresses to ensure that it continues to meet objectives.

As part of this program, it has engaged Ernst & Young to identify issues and quantify the costs associated with complying with the legislation including:

1. Section 18 consent conditions and impacts to date following changes to the Minister's condition setting as from February 2012; and
2. Preparation and submission of section 18 notices to establish a benchmark to measure the effects of a range of future initiatives.

For each of the above, Ernst & Young was also required to identify a case study that quantified cost savings achieved as a result of DAA's change in approach to the provision of advice.



## 1.4 Key findings

The following findings are based on a sample of 12 industry organisations that submitted section 18 notices over the periods June 2010-July 2011 and February-October 2012. A Section 18 Notice must be submitted if a land owner is planning to use land for a purpose that could impact on Aboriginal sites.

- ▶ **Changes to section 18 consent conditions** - The change in focus for section 18 consent condition setting between the two periods above has resulted in a reduction in the average number of conditions per consent issued from 4.7 to 1.8. For the organisations sampled, this has resulted in a corresponding reduction in outsourced costs to comply with the Minister's consent conditions from \$157,592 to \$83,412 per consent representing a saving of 47%.

There is no evidence to suggest this has had any negative impact on protecting Aboriginal cultural heritage.

- ▶ **Costs to prepare and submit a section 18 notice** - The average outsourced cost for the sampled organisations to prepare and submit a section 18 notice is \$382,817.

### Summary

Organisations view protecting Aboriginal heritage as important and are willing to comply with reasonable and transparent processes under the Act. However, general consensus is that the current process is flawed and is leading to higher-than-necessary costs and unnecessary delays.



## 2. Aboriginal heritage reform program

In 2011, DAA commenced a program of reform to improve its ability to protect Aboriginal heritage whilst concurrently aiming to remove unnecessary regulatory burden and red tape in the decision-making process.

Examples provided by DAA include:

- ▶ Improved engagement with all stakeholders which, to date, has enabled the identification of key issues and solutions to be implemented as the review progresses. It is proposed that DAA will continue to provide greater support and assistance to stakeholders.
- ▶ A review of the land use decision-making process which, to date, has resulted in a focus on applying section 18 consent conditions that better reflect the level of site protection applicable under the Act. Work is currently underway to enable those submitting notices and applications being able to better track the progress of their submissions and provide improved opportunity for them to provide required information in a more timely manner, as well as better inform those with an interest in the outcome.

- ▶ A review of what and how information is collected. To date, a new form, the Heritage Information Submission Form (to replace the former Site Recording Form), has been introduced with an aim to ensure that information provided by applicants in relation to possible Aboriginal sites is in line with the Act. It is anticipated that this will result in improved information on sites for inclusion on the Register, improved decision-making, lower land-use application costs for applicants as there are clear guidelines on what information is required, and significantly improved ability to protect sites. It is proposed that an improved Section 18 Notice, Section 16 notice and Program of Works forms will be released in the coming months including capacity for online submission of forms.

- ▶ A review of the type and quality of information available to stakeholders in relation to Aboriginal sites. To date, this has included improvements in the availability of geospatial information in relation to site location, with the inclusion of aerial photographs. A program has also commenced to improve the quality of non-spatial information available to all stakeholders.

- ▶ A review of the Act to ensure that it is contemporary and in line with other legislation and Government objectives to better enable the Government to play a key role in assisting with the protection of Aboriginal heritage.

DAA is now commencing a program to evaluate the benefits delivered to date and establish measures, including benchmarks, to track progress as the reform progresses.

### 3. Methodology of report

As part of this program, DAA has engaged Ernst & Young to conduct interviews with twelve industry organisations and collect data and information to:

1. Quantify the cost of complying with the Minister's consent conditions both pre and post changes to section 18 consent condition setting in February 2012 and changes in DAA's approach to the provision of advice and determine the impact of these changes to date.

**Methodology:** Ernst & Young collected data in relation to each organisation's outsourced costs to comply with consent conditions for the two periods June 2010-July 2011 (pre changes) and February - October 2012 (post changes). Costs include, for example, engaging archeologists and monitors, salvage and storage of artefacts, and consultation with knowledge holders. Internal administrative costs were excluded. These costs were then analysed and a sample average and savings calculated.

Ernst & Young also identified a case study that reflected savings as a result of changes in DAA's approach to the provision of advice.

2. Quantify the current cost for the preparation and submission of a section 18 notice as a benchmark to measure the effects of a range of future initiatives.

**Methodology:** Ernst & Young collected data in relation to each organisation's outsourced costs to prepare and submit a Section 18 Notice for the two periods June 2010-July 2011 and February - October 2012. For example, costs included the preparation of ethnographic and archaeological reports, and consultation costs. Internal administrative costs were excluded. These costs were then analysed and a sample average calculated.

Ernst & Young also identified a case study that reflected savings as a result of changes in DAA's approach to the provision of advice.

The twelve organisations surveyed are listed below:

Sector	Name
Industry	▶ Hamersley Iron
	▶ Fortescue Metals Group
	▶ BHP Billiton
	▶ Roy Hill and Hancock Prospecting
	▶ Cliffs Natural Resources
	▶ Pluton resources
	▶ Regis Resources
	▶ Sinosteel Midwest Corporation
	▶ Aarnet
	▶ BC Iron
	▶ Saracen Mineral Holdings
	▶ Woodside

## 4. Findings

### 4.1 Section 18 consent conditions costs

A key component of the reform has been ensuring that decision-making processes in relation to land use applications are contemporary and ensure that Aboriginal heritage is protected in accordance with the Act.

For example, a notice under section 18 of the Act must be submitted if a land owner is planning to use land for a purpose that could impact on Aboriginal sites. The ACMC assesses the importance and significance of Aboriginal sites on the land and makes a recommendation to the Minister. After considering the ACMC's report and recommendation and the general interest of the community, the Minister either grants consent with or without conditions or doesn't grant consent.

Prior to February 2012, a standard set of conditions was typically set for each section 18 consent. Increasingly these conditions were being legally challenged on the basis that they were beyond the power of the Act. As a result the ACMC undertook analysis of the conditions set in order for conditions to be more specific to each consent and more reflective of the specific risks to Aboriginal sites within the specified parcel of land. This has resulted in the setting of fewer, but more targeted, conditions.

There is no evidence to suggest this has had any negative impact on protecting Aboriginal cultural heritage.

Table 1 shows the reduced number of consent conditions as a result of the reforms from all section 18 notices submitted across industry, government and local government from information provided by DAA. It also shows the reduced number of consent conditions and average cost savings calculated as a result of our industry survey.

Table 1: Averaged number of section 18 consent conditions and costs pre and post changes

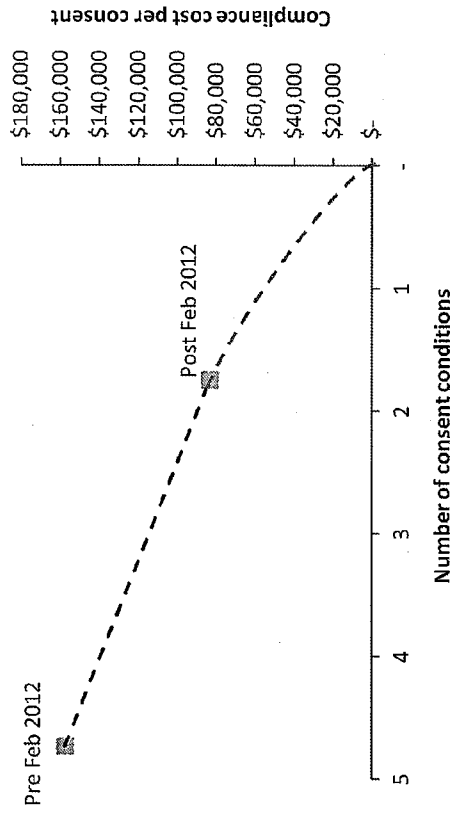
Period	All Section 18s Submitted (Industry, Government and Local Government)		Section 18s (Industry sample)		
	# Section 18s	Average # Conditions per Consent	# Section 18s	Average # Conditions per Consent	Average Cost to Comply*
Pre changes: 1 Jun 2010 - 31 Jul 2011 (13 months)	107	4.5	31	4.7	\$157,592
Post changes: 1 Feb 2012 - 31 Oct 2012 (10 months)	85	1.6	32	1.8	\$83,412
<b>Savings</b>					<b>\$74,180</b>

\*These costs were calculated based on data supplied by the organisations surveyed. In some cases, the organisations were unable to provide actual costs and provided estimates.

For the organisations sampled there was a reduction in the number of conditions from 4.7 to 1.8 which has resulted in an average saving of \$74,180 (47%).

To provide an indication of the quantum of potential savings from the reforms Ernst & Young has extrapolated the average savings calculated from the industry sample data above and applied it to the total section 18 notices submitted by industry in the post reform period. Estimated total savings to industry is almost \$4.2 million for the 56 Section 18 Notices submitted by industry over the 9 month period.

Figure 1: Average industry costs to comply with conditions



\*The orange line tracks a hypothetical reduction in compliance costs per consent condition where the conditions continue to reduce.

#### 4.1.1 Case Study 1 - example of excessive costs related to section 18 consent conditions

A Government organisation was quoted excessive costs by a heritage consulting company to undertake salvage work as a condition of a section 18 consent. A representative of the organisation contacted DAA to discuss the issue. Due to a lack of other appropriately skilled and experienced consultants providing services in the region, DAA agreed to provide its own archaeologists to undertake the work. This saved the organisation an estimated \$300,000.

## 4.2 Costs to prepare and submit a section 18 notice

The average outsourced cost for an industry organisation to prepare and submit a section 18 notice is \$382,817. However, costs vary greatly depending on the type of project with a range of \$36,400 to \$1,940,000.

The following presents a breakdown of submission costs by type of outsourced cost incurred. These costs will be tracked during the reform to determine where changes have or have not been effective.

Table 2: Average costs to prepare and submit a section 18 notice

#S18s	Total average cost	Ethnographic report	Archaeological report	Consultation with Aboriginal people	Other costs
64	\$382,817	\$47,844	\$213,195	\$42,316	\$79,462

The introduction of the new Heritage Information Submission form is expected to assist organisations to lower their submission costs as it provides clearer guidelines on the type and quality of information expected by the ACMC and the Minister to assist them in the decision-making process.

### 4.2.1 Case study 2 - example of excessive costs related to section 18 notices

Given recent changes that DAA has introduced in relation to rationalising the submission process, DAA was able to assist an organisation to streamline its processes in relation to three related section 18 notices that it was preparing. This has resulted in a saving of over \$200,000 to the organisation.

## 5. Industry views

During the course of the project Ernst & Young conducted interviews with the twelve organisations surveyed.

### Findings

Each organisation noted that protecting Aboriginal cultural heritage is important to them and they view it as a necessary and important aspect of undertaking work in Western Australia. However all organisations raised concerns that the process is open to conflicts of interest and abuse of powers that are not focused on protecting significant and important Aboriginal cultural heritage and that subsequent costs incurred are not reasonable or being used to further the protection of Aboriginal cultural heritage.

The points below summarise the consistent themes that were noted during interviews.

- ▶ **Heritage survey quality and consistency.** The quality of heritage surveys and the methodology employed can vary considerably between consultants. There appears to be no consistent methodological requirements by the DAA that consultants must employ, no peer review process or industry standard.
- ▶ **Identification of an Aboriginal site.** Concerns noted that importance and significance were consistently being attributed to places that were felt to be not important or significant, in particular 'low level artefact scatters'. Organisations noted that the process may be open to abuse in that places that may, ordinarily, be of no or low significance may have significance attributed in order to obstruct or delay the process for means other than protecting Aboriginal heritage.
- ▶ **Delays in the process.** Organisations noted that the heritage compliance process was one of the longest approvals processes in WA. For example in one case an organisation submitted a request to

undertake a heritage survey to an Aboriginal Land Council acting for Traditional Owners and did not received the completed report until 10 months later. Internal costs related to delays from slow approvals processes can far outweigh any specific costs incurred in the heritage process; for example a single contractor can charge \$1 million per day for project delays.

- ▶ **Register of Aboriginal sites.** Concerns were raised about the efficacy of the sites register maintained by the DAA. The system appears to be inflexible in that once a site was listed on the register it may not be able to be removed. Places of no importance or significance had been determined to be sites while new surveys contradicted this status; however it does not appear possible to have a site removed from the register.
- ▶ **Salvage and storage requirements excessive.** Significant costs can be incurred in the salvage and storage of artefacts as required by conditions. In one case the cost of the storage facility recommended by a consultant was quoted at \$17 million. Some organisations noted that some of these steps were required for what they consider to be "low level artefact scatters".
- ▶ **Conflicts of interest.** Throughout the process, conflicts of interest can arise in a number of ways. Organisations consistently noted the following situations:
  - ▶ Some heritage consultants appeared to at times make recommendations in heritage surveys regarding further research or salvage that is required to be undertaken by the same consultants. This has been stipulated in some conditions effectively forcing the organisation to provide further work to a particular consultant potentially bringing into question the motive of the consultant in writing that recommendation in the first instance.

- ▶ Processes under the *Aboriginal Heritage Act 1972* are being used as a lever in Native Title negotiations. Some organisations felt that where they were engaged in Native Title negotiations with an Aboriginal group that was also consulting on heritage surveys, the survey process could be delayed or an increased number of sites could be identified unless the organisation was willing to reach a favourable agreement in the Native Title negotiations.
  - ▶ Some Aboriginal groups were using their power to delay the heritage survey process in order to extract further fees from the proponent for meetings or survey consultations.
  - ▶ **High costs of compliance.** Organisations generally felt that cost incurred throughout the process were excessive and not necessarily related to appropriately protecting Aboriginal cultural heritage. Payments to Aboriginal groups to meet with them to discuss heritage processes and the costs of heritage surveys are often in the high tens of thousands of dollars and costs can escalate considerably where there is excavation, salvage and storage required.
- Proponents felt costs were continually rising as a result of larger organisations paying whatever is required in order to obtain approvals as quickly as possible to avoid major project delays, which subsequently set unrealistic expectations. This can have a particular impact on smaller mining exploration organisations that operate on small budgets and do not have the financial and internal resources to fulfill their obligations.
- ▶ **Lack of direction from the DAA.** Concerns were raised by many organisations that the DAA does not provide enough direction or guidance in terms of what it requires in Section 18 applications and specifically what a heritage survey must cover specifically.
- Heritage protection agreements ('HPA') or standard heritage agreements ('SHA') can alleviate the need to negotiate rates or schedules for heritage surveys on an ad hoc basis however many

organisations noted that SHAs are easily circumvented or not adhered to and are not enforceable in practice.

- ▶ **Issues with DAA processes.** Proponents raised a number of concerns regarding the process required by DAA and the ACMC. These include:
  - ▶ Requirement to report to DAA annually as a condition of consent (in some cases upwards of 40 years) when nothing may have changed with respect to the purpose relating to consent or any disturbance of a site.
  - ▶ Conditions imposed by the Minister can be inappropriate and impractical and costly to comply with while not serving the purpose of protecting a site.
  - ▶ Lack of transparency with respect to consideration of a Section 18 Notice by DAA, the ACMC and the Minister. It is not clear to proponents what information DAA is providing to the ACMC or what the ACMC is considering or recommending to the Minister until the final ruling from the Minister is provided. There is concern that DAA's advice to the ACMC can be biased, selective or inaccurate.
  - ▶ Potential conflicts of interest where ACMC Members may have connections with Aboriginal groups or land at the centre of Section 18 applications.

## 5.1 Case study 3

An industry organisation undertaking its first project in Western Australia, commented that consultants and knowledge holders tended to charge far in excess of interstate counterparts for similar services (eg consultation, negotiation, survey work). The organisation felt, despite assurances otherwise, that the high fees requested would not actually be used to protect heritage in the region. The process resulted in significant time delays for the organisation.

## 6. Recommendations

Although the reforms to date have resulted in significant benefits, there is still much work to do.

It is recommended that DAA:

- ▶ Considers further reforms in order to address escalating costs and delays in the process of compiling relevant information and submitting land use applications;
- ▶ Reviews the quality and consistency of existing site and object information and future requirements to ensure that information provided to and received from stakeholders is appropriate;
- ▶ Streamlines business processes to ensure transparent and efficient decision-making;
- ▶ Reviews the Act with a view to ensuring that it reflects contemporary requirements; and
- ▶ Reviews progress after 12 months.



Ernst & Young

Assurance | Tax | Transactions | Advisory

**About Ernst & Young**

Ernst & Young is a global leader in assurance, tax, transaction and advisory services. Worldwide, our 167,000 people are united by our shared values and an unwavering commitment to quality. We make a difference by helping our people, our clients and our wider communities achieve their potential.

Ernst & Young refers to the global organization of member firms of Ernst & Young Global Limited, each of which is a separate legal entity. Ernst & Young Global Limited does not provide services to clients. For more information about our organization, please visit [www.ey.com](http://www.ey.com).

© 2013 Ernst & Young, Australia.  
All Rights Reserved.

Ernst & Young is a registered trademark. Our report may be relied upon by Department of Aboriginal Affairs WA for the purpose of only pursuant to the terms of our engagement letter dated 24 January 2013. We disclaim all responsibility to any other party for any loss or liability that the other party may suffer or incur arising from or relating to or in any way connected with the contents of our report, the provision of our report to the other party or the reliance upon our report by the other party.

Liability limited by a scheme approved under Professional Standards Legislation.



STANDING COMMITTEE ON ESTIMATES AND FINANCIAL OPERATIONS  
SUPPLEMENTARY INFORMATION TO HEARING FOR THE 2015/16 BUDGET  
ESTIMATES HEARING

Tuesday 23 June 2015

**Department of Aboriginal Affairs**


*Question No D11: Hon Robin Chapple MLC asked -*

*How many legal advisers are there within the Department and out of them, how many have current practising certificates?*

Answer:

As of 6 July 2015, the Department of Aboriginal Affairs has three legal adviser positions. The *Legal Profession Act 2008* is the relevant statutory legislation that provides for the regulation of legal practice in Western Australia. Two of the officers are WA Government lawyers under s 36(3) of the *Legal Profession Act 2008*. The third legal adviser position is currently undergoing a recruitment process.

Public / Internet

28/7/15 



STANDING COMMITTEE ON ESTIMATES AND FINANCIAL OPERATIONS  
SUPPLEMENTARY INFORMATION TO HEARING FOR THE 2015/16 BUDGET  
ESTIMATES HEARING

Tuesday 23 June 2015

**Department of Aboriginal Affairs**

*Question No D12: Hon Stephen Dawson MLC asked -*


*I refer to page 301 under Community Development, to the best of the Department's knowledge, what is the current status of Aboriginal communities' emergency relief funding for the Gwoonwardu Mia Aboriginal Cultural Heritage Centre in Carnarvon?*

Answer:

The Department of Regional Development administers the Aboriginal Community Critical Response Fund. As at 1 July 2015, \$96,280 remains of the original \$239,000 approved for Gascoyne Aboriginal Heritage and Cultural Centre Inc to manage the Gwoonwardu Mia Aboriginal Cultural Heritage Centre.

The Department of Regional Development has advised that Gascoyne Aboriginal Heritage and Cultural Centre Inc is experiencing solvency issues and the remaining funds cannot be released until the solvency issue is addressed.

Public / Internet

28/7/15 



STANDING COMMITTEE ON ESTIMATES AND FINANCIAL OPERATIONS  
SUPPLEMENTARY INFORMATION TO HEARING FOR THE 2015/16 BUDGET  
ESTIMATES HEARING

Tuesday 23 June 2015

**Department of Aboriginal Affairs**

*Question No D13: Hon Ken Travers MLC asked -*

*1. During the Minister's recent visit to the Kimberley:*

*a. which communities were visited;*

Answer:

One Arm Point, Kalumburu, Emu Creek, Bidan, Woolah, Crocodile Hole, Wuggubun and Warmun.

*b. which communities had no-one in them;*

Answer:

Crocodile Hole.

*c. which communities were seasonal communities; and*

Answer:

There were no seasonal communities.

*d. how many school-aged children were in each community.*

Answer:

Below is the year-by-year breakdown of enrolments for each school as at the Semester 1, 2015 census. Please note that Kindergarten has been included in the numbers in the response to, even though Kindergarten students are not strictly "school-aged".

School Name	K	P	1	2	3	4	5	6	7	8	9	10	11	12	TOT
One Arm Point Remote Community School	6	12	13	6	8	7	7	8	5	6	8	4	3	1	94
Kalumburu Remote Community School	7	10	9	16	11	13	18	22	8	9	10	5	8	3	149
Dawul Remote Community School	1	1	3	1	0	4	1	1	2	0	0	0	1	0	15
Ngalangangpum School	8	9	9	4	9	13	14	7	12	6	7	8	0	0	106

Public / Internet

*28/7/15*



ESTIMATES AND FINANCIAL OPERATIONS COMMITTEE QUESTIONS ON  
NOTICE/ADDITIONAL QUESTIONS

Tuesday 23 June 2015

**Department of Aboriginal Affairs**

**Page 300 Services and Key Efficiency indicators**

*Question No D14: Hon Robin Chapple MLC asked -*

*I refer to the use of the categories of 'Other Heritage' and 'Stored Data / Not a Site' used by the Department of Aboriginal Affairs (DAA) in relation to registered Aboriginal sites, and ask:*

*(1) As of 20 May 2015, there are a total of 21,633 Other Heritage Places on the Aboriginal Heritage Inquiry System.*

- a. How many of these sites were moved from the Site Register?*
- b. How many of these sites were moved as a result of an Aboriginal Cultural Materials Committee (ACMC) investigation?*
- c. How many of these sites were moved by DAA staff without an ACMC investigation?*
- d. What were the guidelines and process for moving these sites?*
- e. Will the Minister table the guidelines and process?*

Answer:

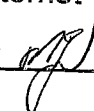
a. - d. Not all of these data are in an electronic format but are rather held in paper files. A manual and very time consuming check of every record would be required to answer these questions. This would require an unreasonable use of Department resources.

e. Not applicable.

*(2) As of 20 May 2015, there are a total of 6,056 Stored Data / Not a Site places on the Aboriginal Inquiry System.*

- a. How many of these sites were moved from the Site Register?*
- b. How many of these sites were moved from Other Heritage Places?*
- c. How many of these sites were moved as a result of an ACMC investigation?*

Public / Internet

28/7/15 

- d. How many of these sites were moved by DAA staff without an ACMC investigation?  
e. What were the guidelines and process for moving these sites?  
f. Will the Minister table the guidelines and process?

Answer:

a. - e. Not all of these data are in an electronic format but are rather held in paper files. A manual and very time consuming check of every record would be required to answer these questions. This would require an unreasonable use of Department resources.

f. Not applicable.

(3) Currently there are 32 DAA staff in the Heritage Directorate who are responsible for a range of activities relating to heritage management and protection.

a. How many staff were directly involved in the moving and or/reclassifying of registered sites to:

- i. Other Heritage Places; and  
ii. Stored Data / Not a Site?

Answer:

One. The Registrar of Aboriginal Sites is responsible for updating the Register of Aboriginal Sites pursuant to section 38 of the *Aboriginal Heritage Act 1972*.

(4) Will the Minister provide a table of all registered sites moved into Other Heritage Places and Stored Data / Not a Site, including what the sites are in relation to:


- a. Name;  
b. Number;  
c. Location;  
d. Date of change;  
e. Date of lodgement;  
f. Movement into the categories; and  
g. If a s18 application was made, and if so, who made it and on what date?

Answer:

a. - c. This information is available on the Aboriginal Heritage Inquiry System.

d. - g. Not all of these data are in an electronic format but are rather held in paper files. A manual and very time consuming check of every record would be required to answer these questions. This would require an unreasonable use of Department resources.

Public / Internet

28 17 115 



ESTIMATES AND FINANCIAL OPERATIONS COMMITTEE QUESTIONS ON  
NOTICE/ADDITIONAL QUESTIONS

Tuesday 23 June 2015

**Department of Aboriginal Affairs**

**Page 300 Services and Key Efficiency indicators**

*Question No D15: Hon Robin Chapple MLC asked -*

*I refer to the use of the category of 'Information Assessed' used by the Department of Aboriginal Affairs (DAA) in relation to registered Aboriginal sites between 2011 and 2012, and ask:*

*(1) Why was this category created?*

Answer:

There was no such category of Aboriginal sites.

*(2) What was the function of this category?*

Answer:

Not applicable.

*(3) What rules applied to this category?*

Answer:

Not applicable.

*(4) Did a site require assessment by the Aboriginal Cultural Materials Committee (ACMC) before it could be moved into, or out of this category?*

Answer:

Not applicable.

Public / Internet

28/7/15 *RM*


(5) In 2011 when this category first appeared, at least 1,469 sites were listed as this new status.

- a. Was this category created to accommodate these sites?
- b. Upon what basis did the DAA decide that these sites required reassessment?
- c. Did the ACMC meet to determine that these sites required reassessment?
- d. If yes to (c), can you please provide the ACMC minutes where it was decided that each of these sites required reassessment?
- e. If no to (c), why not?
- f. Of those sites, how many have now been reassessed by the ACMC?
- g. For those sites in (f), can you please provide the ACMC minutes where these sites were reassessed?
- h. For those sites in (f), what was the outcome of that reassessment?
- i. How many of those sites are currently registered as Heritage sites?
- j. How many of those sites are currently still in the 'Lodged' category?
- k. How many of those sites are currently in the 'Stored Data/Not a Site category'?
- l. Were all relevant informants and Aboriginal representative bodies consulted prior to the status change of all previously registered sites?
- m. Were all relevant informants and Aboriginal representative bodies notified about the status change of all previously registered sites?
- n. If no to (l) or (m), why not?
- o. With regards to (l) and (m), can DAA reasonably say that all informants and Aboriginal representative bodies are aware that sites they believe to be registered heritage sites may no longer be?
- p. If no to (o), why not?

Answer:

a-p. Not applicable.

Public / Internet

28/1/15 





ESTIMATES AND FINANCIAL OPERATIONS COMMITTEE QUESTIONS ON  
NOTICE/ADDITIONAL QUESTIONS

Tuesday 23 June 2015

**Department of Aboriginal Affairs**

**Page 300 Services and Key Efficiency indicators**

*Question No D16: Hon Robin Chapple MLC asked -*

*I refer to 186 sites that have been completely removed from the Heritage register in any category since July 5, 2008, and ask:*

*(1) Does the Aboriginal Cultural Materials Committee (ACMC), or the Department or the Minister have the authority to permanently remove sites from the Heritage register?*

Answer:

The status of an Aboriginal site or heritage place can only change to 'Stored Data/Not a Site' through an assessment by the Aboriginal Cultural Material Committee as not meeting section 5 of the *Aboriginal Heritage Act 1972*, or through a compliance report back in regards to previous ministerial consents.

*(2) If no to (1), why are these sites no longer on the register?*

Answer:

The Registrar has determined that these sites were to be removed from the register.

*(3) If no to (1), who does?*

Answer:

Under section 38 of the *Aboriginal Heritage Act 1972* the Registrar is charged with maintaining the Register of Aboriginal Sites.

*(4) Is the action of permanently removing a site from the Heritage register allowed under the Aboriginal Heritage Act 1972 (AHA)?*

Answer:

Public / Internet

28/6/15

Yes. Under section 38 of the *Aboriginal Heritage Act 1972* the Registrar is charged with maintaining the Register of Aboriginal Sites.

*(5) If no to (4), why not?*

Answer:

Not applicable.

*(6) If there is a group that constitutes an answer to (3), does this group keep an archived copy of these removed records in a separate database?*

Answer:

There is no group. However, all changes to the status of heritage places are made publicly available on the Aboriginal Heritage Inquiry System on the Department of Aboriginal Affairs website.

*(7) If yes to (6), is the dataset comprising these removed records available to the public?*

Answer:

Not applicable.

*(8) If no to (7), why not?*

Answer:

Not applicable.

*(9) If yes to (7), why has this never been disclosed before?*

Answer:

Not applicable

*(10) If no to (6), why not?*

Answer:

Not applicable.


*(11) If no to (6), are the removed records and associated data provided in a permanent format to the relevant informants, Aboriginal representative bodies, and the proponent on whose behalf said heritage work may have been commissioned?*

Answer:

Not applicable.

*(12) If no to (6), is this in line with the DAA's Record Keeping Plan and the State Records Act 2000?*

Public / Internet

28.17.11 

Answer:

Not applicable.

*(13) If no to (6), are there sufficient backup copies of old data that the removed records can be reconstructed by specialists?*

Answer:

Not applicable.

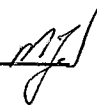
*(14) The maximum DAA place ID is 35885 (correct as of Thursday, 18 June), yet there are only 32,347 records on the register indicating as many as 3,538 records that have been removed.*

- a. Can the DAA account for this discrepancy?*
- b. Were all these records removed, or is there another explanation?*
- c. If no to (a) or (b), why not?*

Answer:

a – c. Yes. The ID numbers are allocated to each place on receipt of the relevant Heritage Information Submission. However, not all places will be published externally on the Department's Aboriginal Heritage Inquiry System until internal processes including procedural fairness processes and mapping have been completed. The ID number is retained for each place whether or not it is assessed as an Aboriginal site.

Public / Internet

28/7/15 



ESTIMATES AND FINANCIAL OPERATIONS COMMITTEE QUESTIONS ON  
NOTICE/ADDITIONAL QUESTIONS

Tuesday 23 June 2015

**Department of Aboriginal Affairs**

**Page 300 Services and Key Efficiency indicators**

*Question No D17: Hon Robin Chapple MLC asked -*

*I refer to at least 14,406 site status changes that occurred on the Heritage register between 2008 and 2015, and ask:*

*(1) Please state the relevant clause in the Aboriginal Heritage Act 1972 (AHA) that says the Aboriginal Cultural Materials Committee (ACMC) is the decision maker with regards to Aboriginal heritage sites.*

Answer:

The Department is not aware of which 14,406 site status changes the Honourable Member is referring to. The Aboriginal Cultural Material Committee is empowered to form opinions under section 18 and evaluate sites under section 39 of the *Aboriginal Heritage Act 1972*. The Minister is the decision maker with regards to giving consent under section 18.

*(2) Did the Aboriginal Cultural Materials Committee (ACMC) authorise every single one of these decisions?*

Answer: The Department is not aware of which 14,406 site status changes the Honourable Member is referring to.

*(3) If no to (1), why not?*

Answer:


Not applicable.

*(4) Does the status change of a site have to be authorised by the ACMC?*

Answer:

The status of an Aboriginal site or heritage place can only change to 'Stored Data/Not a Site' through an assessment by the Aboriginal Cultural Material Committee as not meeting section

Public / Internet

28/7/15 

5 of the *Aboriginal Heritage Act 1972*, or through a compliance report back in regards to previous ministerial consents.

*(5) If no to (3), who else can authorise the status change of a site under the AHA?*

Answer:

Not applicable.

*(6) If no to (3), what sort of safeguards are in place to reassure the relevant informants and Aboriginal representative bodies that site status changes are made by informed personnel and in line with the AHA?*

Answer:

Not applicable.

*(7) Were all relevant informants and Aboriginal representative bodies consulted about each site status change?*

Answer:

Aboriginal custodians/informants and their Native Title representative bodies are involved in the consultation process prior to statutory applications being considered by the Aboriginal Cultural Material Committee. All changes to the status of heritage places are made publicly available on the Aboriginal Heritage Inquiry System on the Department of Aboriginal Affairs website.

*(8) Were all relevant informants and Aboriginal representative bodies notified about each site status change?*

Answer:

Please refer to response in Question (7).

*(9) If no to (6) or (7), why not?*

Answer:


Not applicable.

*(10) Given membership of the ACMC has declined and meetings have shortened in the same period, were all 14,406 sites given fair consideration by the ACMC in respect of each status change?*

Answer:

The Department is unsure which 14,406 site status changes the Honorable Member is referring to. However, the Aboriginal Cultural Material Committee is empowered to form opinions under section 18 and evaluate sites under section 39 of the *Aboriginal Heritage Act 1972*.

Public / Internet

28/7/15 

(11). If no to (9), why not?

Answer:

Not Applicable.

(12) In this time period there were 25 sites that had at least 5 status changes. The movement of sites across heritage categories on this scale represents an enormous amount of work, is this an appropriate use of government resources?

Answer:

Yes. The Department of Aboriginal Affairs is responsible for administering the *Aboriginal Heritage Act 1972* and therefore it is important to update the systems when decisions are made.

(13) If no to (11), why not?

Answer:

Not Applicable.

(14) In reassessing and changing the status of sites more beneficial than addressing the 12,637 sites (correct Thursday, 18 June 2015), or 39% of all records, that are yet to be addressed?

Answer:

Yes. The vast majority of Aboriginal Cultural Material Committee site assessments are in connection with a section 18 application. The Committee is obliged to conduct an assessment.

(15) If no to (14), what is the justification for the increase in site status changes in this period?

Answer:


Not Applicable.

(16) If yes to (14), why?

Answer:

It is important that information submitted to the Aboriginal Cultural Material Committee which is empowered to form opinions under section 18 and evaluate sites under section 39 of the *Aboriginal Heritage Act 1972* is updated accordingly.

Public / Internet

28/7/15 



ESTIMATES AND FINANCIAL OPERATIONS COMMITTEE QUESTIONS ON  
NOTICE/ADDITIONAL QUESTIONS

Tuesday 23 June 2015

**Department of Aboriginal Affairs**

**Page 300 Services and Key Efficiency indicators**

*Question No D18: Hon Robin Chapple MLC asked -*

*I refer to the description of the criteria for section 5 of the Aboriginal Heritage Act 1972 (AHA) which used to be on the Department of Aboriginal Affairs (DAA) website but has since been removed, and ask:*

*(1) When did this page first appear on the DAA website?*

Answer:

In 2013.

*(2) When was this page taken off the DAA website?*

Answer:

In April 2015.

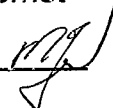
*(3) Why was this site taken off the DAA website?*

Answer:

As a result of the decision of the Supreme Court in *Robinson v Fielding* and subsequent implications for site assessments

*(4) These criteria still appear on the Heritage Information Submission form on the DAA website used to submit site information.*

Public / Internet

28/17/15 

Answer:

These criteria do not appear on the Heritage Information Submission form. It contains a weblink to the criteria that was previously on DAA's website. However, this criteria is no longer on the website.

- a. *Hence, are these criteria still being used by the DAA to assess sites under section 5 of the AHA?*
- b. *If no to (a), why do they still appear on the form?*

Answer a - b: No. These criteria do not appear on the Heritage Information Submission form. It contains a weblink to the criteria that was previously on DAA's website. However, this criteria is no longer on the website.

- c. *If yes to (a), is that not contrary to evidence provided to parliament by Mr Aaron Rayner at the Legislative Assembly Estimates Committee A hearing on Wednesday, 10 June 2015 that DAA "Immediately took down the guidelines from the website" after the Robinson vs Fielding decision?*

Answer:

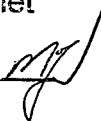
Not applicable.

- d. *If yes to (c), has Mr Rayner mislead parliament?*

Answer:

Not applicable.

Public / Internet

28 17 15 





ESTIMATES AND FINANCIAL OPERATIONS COMMITTEE QUESTIONS ON  
NOTICE/ADDITIONAL QUESTIONS

Tuesday 23 June 2015

**Department of Aboriginal Affairs**

**Page 300 Services and Key Efficiency indicators**

*Question No D19: Hon Robin Chapple MLC asked -*

*I refer to 'Employees (Full time equivalents)' listed in each of the three line items above, and ask:*

*(1) In 'Heritage Management' the estimated actual number of Full Time Equivalent (FTE) employees for the 2014-15 fiscal year was 55 yet there was a budget for 70 FTE employees.*

- a. Why did the Department of Aboriginal Affairs (DAA) not fill these 15 positions?*
- b. Why has the government now revised its target number of FTE employees for 2015-2016?*
- c. Why does this revision not represent a saving for the 2015-16 fiscal year?*

Answer (a – c):

The Department reviews its operational requirements to ensure prudent resource management and allocation of any required corporate support. Decisions on the filling of positions is driven by the requirements of the Department as a whole and changes in priorities.


*d. Why was the estimated actual net cost of service' for 2014- 15 greater than the 2014-15 budget, given there was significantly less FTE employees?*

Answer:

Between 2014-15 Budget and 2014-15 Estimated Actual, the total cost of service for the four service directorates decreased from \$35.9 million to \$35.7 million.

Service directorates are allocated corporate costs according to the percentage of their direct costs, including labour, overheads and projects. Heritage's total cost of service increased as a result of a number of factors, including internal realignment of resources amongst directorates and internal restructure changes to align to strategy.

Public / Internet

28/7/15 

(2) In 'Land Management' the estimated actual number of Full Time Equivalent (FTE) employees for the 2014-15 fiscal year was 34 yet there was a budget for 47 FTE employees.

a. Why did the Department of Aboriginal Affairs (DAA) not fill these 13 positions?

Answer:

The Department reviews its operational requirements to ensure prudent resource management and allocation of any required corporate support. Decisions on the filling of positions is driven by the requirements of the Department as a whole and changes in priorities.

b. Why has the government now revised its target number of FTE employees for 2015-2016?

Answer: Refer to response to (2a)

(3) In 'Accountable Government' the estimated actual number of Full Time Equivalent (FTE) employees for the 2014-15 fiscal year was 28 yet there was a budget for 31 FTE employees.

a. Why did the Department of Aboriginal Affairs (DAA) not fill these 3 positions?

Answer: Refer to response to (2a)

b. Why has the government now revised its target number of FTE employees for 2015-2016?

Answer:

Refer to response to (2a)

(4) How many of the estimated actual 55 FTE in Heritage Management and 24 FTE in Community Development are frontline officers?

Answer:


The Department does not have specified 'frontline' positions as defined by the Workforce Renewal policy.

(5) How many of the department's FTE are in Corporate Services and the Office of the Director General?

Answer:

<b>Year</b>	<b>Office of the Director General FTE</b>	<b>Corporate Services FTE</b>	<b>Total Corporate FTE</b>
<b>2014-15 Budget</b>	30	29	59
<b>2014-15 Estimated Actual</b>	17	26	43

Public / Internet

28/7/15 



ESTIMATES AND FINANCIAL OPERATIONS COMMITTEE QUESTIONS ON  
NOTICE/ADDITIONAL QUESTIONS

Tuesday 23 June 2015

**Department of Aboriginal Affairs**

**Page 299 Outcomes and Key Efficiency Indicators**

*Question No D20: Hon Robin Chapple MLC asked -*

*I refer to the satisfaction percentages for each outcome, and ask:*

*1. How did the Department of Aboriginal Affairs (DAA) come up with these figures?*

Answer: The satisfaction percentage for each outcome is determined from the results of a stakeholder survey undertaken annually.

*2. What justification can the DAA give for having such low targets?*

A new Outcome Based Management Framework applied from the 2012-13 Budget and annual reporting period. The new framework was developed to achieve greater alignment with the strategic direction of the Department and to improve the usefulness and relevancy of the key performance indicators to the Department's outcomes and services. As no comparative data was available for the new indicators, the Department opted to set a two-thirds benchmark for a three year period to establish baseline for trend analysis of results over time.

*3. The percentage of direct stakeholders satisfied with services related to the management of Aboriginal heritage for 2013-14 was 90%.*

*a. Is this satisfaction percentage accurate, given there were large numbers of site status changes in this fiscal year?*

*b. If yes to (a), can the DAA provide proof that informants knew about the status changes of sites they considered to be of heritage value?*

*c. If no to (b), is this figure of 90% therefore accurate?*


*d. How important was the satisfaction of industry in determining the overall satisfaction percentage for the management of Aboriginal Heritage in 2013-14?*

*e. If the answer to (d) is at all, can the minister please justify the inclusion of industry in this statistic given heritage is often a roadblock to development?*

Answer:

- a-e) The results reflect the satisfaction levels of a diverse stakeholder group, all of whom have had significant contact with the services related to the management of Aboriginal heritage, and do not reflect any weighting towards the satisfaction of any specific group.

Public / Internet

28/7/15 



ESTIMATES AND FINANCIAL OPERATIONS COMMITTEE QUESTIONS ON

NOTICE/ADDITIONAL QUESTIONS

Tuesday 23 June 2015

**Department of Aboriginal Affairs**

**Page 304 Income Statement (Controlled)**

*Question No D21: Hon Robin Chapple MLC asked -*

*(1). How many positions are budgeted to go from the Department of Aboriginal Affairs in each of the next 4 years of the Forward Estimate period?*

Answer:

2015-16 Three positions  
2016-17 One and a half positions  
2017-18 onwards Nil positions

These positions are included in the 21 positions referred to in question 4.

*(2) Specifically, which divisions within the Department of Aboriginal Affairs will be losing positions?*

Answer:

**2014-15 to 2015-16**

Deputy Director General	Corporate Directorate
General Counsel	Corporate Directorate
Management Service Officer (Broome)	Corporate Directorate

**2015-16 to 2016-17**

AACC Chief Operating Officer	Accountable Government Directorate
------------------------------	------------------------------------

*(3) What will happen to the work undertaken in these positions/areas?*

Answer:

The Department has focused largely on administrative rather than operational positions. Management has re-evaluated tasks and determined that some are no longer core business and has also prioritised the most critical tasks. This means that some critical tasks have been reallocated to other officers whose duties have been reduced.

The regional Management Support Officers' administrative tasks have been mostly centralised in the East Perth office.

Public / Internet

22/7/15



ESTIMATES AND FINANCIAL OPERATIONS COMMITTEE QUESTIONS ON  
NOTICE/ADDITIONAL QUESTIONS

Tuesday 23 June 2015

**Department of Aboriginal Affairs**

**Page 300 Services and Key Efficiency indicators**

*Question No D22: Hon Robin Chapple MLC asked -*

*(1) Does the Department of Aboriginal Affairs (DAA) currently have policy guidelines regulating access to information in the DAA site register?*

*a. More specifically, does this include access to culturally restricted information on the register?*

Answer:

1. Yes.

1a. Yes.

*(2) Will the Minister table these guidelines?*

Answer:

Yes.

*(3) Have these guidelines been altered in any way during the term of the current Government, and if so in what way?*

Answer:

Yes, to provide for the electronic distribution of encrypted site information and a summary of culturally sensitive material.

*(4) Have any WA Government Departments other than DAA been provided with a copy of the current DAA site register?*

Answer:

No.

*(5) If yes to {4}:*

*a. To which department?*

*b. On what date?*

*c. On what grounds?*


*d. Was this other department provided with information which was of a culturally restricted nature?*

*e. Was DAA in breach of its own guidelines by providing this information?*

Answer:

Not applicable.

Public / Internet

28/7/15 



## **Guidelines Regarding Access to DAA Site Files and Heritage Survey Reports**

### **Background**

The Department of Aboriginal Affairs makes its library of site files and heritage survey reports generally available to members of the public, organisations and companies who are able to demonstrate a bona fide interest concerning the land that is the subject of the files/surveys.

### **Document Covered by these Guidelines**

All DAA site files and survey reports have been scanned and digitised as PDF documents. This allows improved access to these documents for the purpose of research. To facilitate access while protecting the form of the distributed documents, DAA uses a software encryption program, LockLizard. This program allows a variety of measures to be taken that protect the integrity of the original document format and prohibits the authorised user from printing, distributing, copying or duplicating the documents.

### **Eligibility**

A person who has, or represents an organisation that has, a bona fide interest in the place that is the subject of the file may gain access by applying to DAA using the form provided.

### **Assessment of Eligibility**

Following receipt of the Request Form, the Registrar or delegate will assess whether the applicant satisfies the criterion that they have a pecuniary, legal, genealogical or formal academic interest in the land concerned. If the Registrar is unable to ascertain an applicant's status or has determined that the criterion is not satisfied, a notification will be provided by email. This does not preclude the applicant from making a request to DAA for access to the documents under the provisions of the Freedom of Information Act 1992.

### **Viewing Encrypted DAA Files**

If the request to become a registered user is approved, an email will be sent within 5 working days with instructions on how to download, install and register the viewing software. Once installed, the particular computer that the software is on will be the only one that will have the facility to view encrypted DAA files. This is a once-only installation and access to the file reader software is granted indefinitely unless notified otherwise.

### **Restrictions applied to Encrypted DAA Files**

With the exception of files provided under DAA's Native Title Access Policy, all files will be encrypted, have no capacity to be printed, copied, forwarded or screen captured and will only be able to be viewed for two weeks from the time of first being opened. A new request to view the file will be required after each expiry.

### **Culturally Sensitive Material**

On occasion, documents or illustrations may be edited from a file if it is assessed to be material provided to the Department in confidence by the knowledge holders. If, after viewing the remaining portions of the file, you consider the edited information to be of potential importance to your research, an application can be made to the Registrar for a summary of the material. Please contact through the email address on the Application Form.



## DAA Site File Access Request Form

Applicant Name			
Organisation			
Address			
Position held			
Email address		Contact phone no	( )

**Files and/or Surveys Requested** (please use the site or survey name and reference ID, where provided, from the Aboriginal Heritage Inquiry System at <http://svr-gis2/AHIS2Public/default.aspx>):

Requested File or Survey Report Name and ID Numbers			

**Reason for seeking access** *Some site files and surveys at DAA require authorisation before they can be released. It is important to complete this part of the form and stipulate clearly your reasons for seeking access to the file(s).*

---



---



---



---



---

*I, the applicant, understand that any information provided to me is made available in good faith and is predominately based on the information provided to the Department of Aboriginal Affairs by third parties. I acknowledge that the information is provided solely on the basis that I will be responsible for making my own assessment as to the accuracy of the information. I understand that some information may be deemed to be confidential and consequently not available to view.*

Signed: \_\_\_\_\_ Name: \_\_\_\_\_ Date: \_\_\_/\_\_\_/\_\_\_

**Note:** *If you find any errors or omissions in any DAA records, including our maps, it would be appreciated if you email the details to the Department at [heritage.records@daa.wa.gov.au](mailto:heritage.records@daa.wa.gov.au) . We will make every effort to rectify it as soon as possible.*

Public / Internet

2817115



ESTIMATES AND FINANCIAL OPERATIONS COMMITTEE QUESTIONS ON  
NOTICE/ADDITIONAL QUESTIONS

Tuesday 23 June 2015

**Department of Aboriginal Affairs**

**Page 297 Spending Changes**

*Question No D23: Hon Robin Chapple MLC asked -*

*I refer to the Department of Aboriginal Affairs (DAA) cumulative staff budget reduction which, as a result of the Workforce Renewal Policy, is \$7M over the forward estimates and ask:*

*(1) How many Senior Executive Service positions does DAA have?*

Answer:

Seven as at 1 July 2015

*(2) How many Senior Executive Service positions will be lost as a result of the Workforce Renewal Policy?*

Answer:

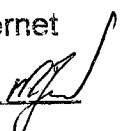
One, the Deputy Director General position as at 1 July 2015.

*(3) How many 'frontline' positions will be lost as a result of this policy?*

Answer:

The Department does not have specified 'frontline' positions as defined by the policy.

Public / Internet

28/7/15 





ESTIMATES AND FINANCIAL OPERATIONS COMMITTEE QUESTIONS ON  
NOTICE/ADDITIONAL QUESTIONS

Tuesday 23 June 2015

**Department of Aboriginal Affairs**

**Page 298 Service Summary**

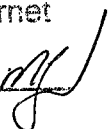
*Question No D24: Hon Robin Chapple MLC asked -*

*What is the explanation for such significant variances in estimated actual costs compared to budget for both the heritage management and community development services for 14/15?*

Answer:

Service directorates are allocated corporate costs according to the percentage of their direct costs, including labour, overheads and projects. Heritage and Community Development's total cost of services increased as a result of a number of factors, including internal realignment of resources amongst directorates and internal restructure changes to align to strategy.

Public / Internet

28/17/15 



ESTIMATES AND FINANCIAL OPERATIONS COMMITTEE QUESTIONS ON  
NOTICE/ADDITIONAL QUESTIONS

Tuesday 23 June 2015

**Department of Aboriginal Affairs**

**Page 304 Details of Controlled Grants and Subsidies**

*Question No D25: Hon Robin Chapple MLC asked -*

*1. Why was \$1.44M for this important road project returned to the Commonwealth?*

Answer:

The Memorandum of Understanding governing the agreement expired in June 2013. As the Department did not have the ability to procure services, the unused funding of \$1.44 million was returned to the Department of the Prime Minister and Cabinet in August 2014.

*2. Will the community's much needed road get built?*

Answer:

The State Government has recently announced regional services reforms which will prioritise government investment in consultation with Aboriginal communities.

*3. If no to (2), why not?*

Answer: Not applicable.

*4. Who was supposed to coordinate this project with which other agencies?*

Answer:

According to the term of the Memorandum of Understanding with the Commonwealth, the Department of Aboriginal Affairs was responsible for project management.

*5. If the project could not be coordinated in a timely manner why didn't the department make a case to the commonwealth for the money to be reallocated to another remote community?*

*6. Given the scarcity of funds for remote communities, how can this action be justified?*

Answer (5 – 6):

Under the terms of the Memorandum of Understanding, the funds were only made available by the Commonwealth for use for the Kalumburu Airport road project.

Public / Internet

*28/7/15 [Signature]*



ESTIMATES AND FINANCIAL OPERATIONS COMMITTEE QUESTIONS ON  
NOTICE/ADDITIONAL QUESTIONS

Tuesday 23 June 2015

**Department of Aboriginal Affairs**

**Page 304 Details of Controlled Grants and Subsidies**

*Question No D26: Hon Robin Chapple MLC asked -*

*1. Why is the Indigenous Community Grants program being halved in 2016-17?*

Answer:

The change in funding reflects the completion of projects such as the Remote Service Delivery Project and Stolen Wages project as well as the cessation of a number of small, one-off grants and sponsorships for community initiatives

*2. The Treasurer said that the Workforce Renewal Policy would not affect front-line services, why is this frontline service then being halved?*

Answer:

The Community Grants Program is unrelated to the Workforce Renewal Policy.

*3. The expenditure on Aboriginal services in this table is budgeted to fall to just \$585,000 in the 2016-17 fiscal year from a high of \$4,184,000 in the 2013-14 fiscal year.*

*a. How can the Government justify this monumental cut in funding?*

*b. Do these figures represent a commitment to supporting Aboriginal people living in remote communities throughout Western Australia?*

*c. Will the Government be introducing new measures to account for this loss of funding?*

*d. If yes to (c), what?*

*e. If no to (d), why not?*

Answer:

a. The change in funding reflects the completion of projects such as the Remote Service Delivery Project and Stolen Wages project as well as the cessation of a number of small, one-off grants and sponsorships for community initiatives


Public / Internet

28/7/15 *[Signature]*

b. The Community Grants Program supports small, one-off, start-up community projects. The Program does not relate to the provision of municipal services. The Western Australian Government is committed to supporting Aboriginal people in remote communities through the various government agencies. The State Government has recently announced regional services reforms which will prioritise government investment in consultation with Aboriginal communities.

c-e. The Community Grants Program provides small, one-off grants and sponsorships for community initiatives. The Department has and will continue to work with organisations to access alternative funding options.

Public / Internet

28 17 15 



ESTIMATES AND FINANCIAL OPERATIONS COMMITTEE QUESTIONS ON  
NOTICE/ADDITIONAL QUESTIONS

Tuesday 23 June 2015

**Department of Aboriginal Affairs**

**Page 303 Financial Statement**

*Question No D27: Hon Robin Chapple MLC asked -*

*1. How many Government Regional Officer Housing properties are held by the department?*

Answer:

Nine.

*2. How many officers have identified to the department that they were running private businesses from these homes?*

Answer:

One.

*3. Was the former DAA manager in Kalgoorlie running a business called Gabbi Group from his Government Regional Officer Housing accommodation in Kalgoorlie prior to his resignation?*


Answer:

No. The former Department of Aboriginal Affairs manager in Kalgoorlie did not have Government Regional Officer Housing accommodation in Kalgoorlie

*4. Was the officer in Broome running a business from the Government Regional Officer Housing house?*

Answer:

Public / Internet

28/17/15 

No. The Officer's partner was running a business. The Officer sought all necessary approvals. It should be noted that the business is no longer operating at the property.

*5. Has the enquiry into the 2 DAA managers in Geraldton running a business from the Government Regional Officer Housing house been concluded?*

Answer:

Yes.

*6. If yes to (5), has a report been prepared?*

Answer:


Yes. A confidential report was provided to the Department from the external investigator.

*7. Was an officer from Albany asked to respond in writing to allegations of conducting secondary employment of heritage tours from his Government Regional Officer Housing property?*

Answer:

No. There are no Government Regional Officer Housing properties leased by the Department in Albany.

Public / Internet

28/1/15 



ESTIMATES AND FINANCIAL OPERATIONS COMMITTEE QUESTIONS ON  
NOTICE/ADDITIONAL QUESTIONS

Tuesday 23 June 2015

**Department of Aboriginal Affairs**

**Page 298 Service Summary**

*Question No D28: Hon Robin Chapple MLC asked -*

*I refer to the ongoing proposals regarding the closure of remote Aboriginal communities, and ask:*

*(1) Have the costs of:*

- a. Relocating displaced Aboriginal people*
- b. Housing for displaced Aboriginal people*
- c. Education for displaced Aboriginal people*
- d. Re-employment for displaced Aboriginal people*
- e. Health and mental heal for displaced Aboriginal people, been properly costed into the relevant budget appropriations for the 2015-16 fiscal year or any budget year into the future?*

*(2) If no to any part of (1), why not?*

*(3) If no to any part of (1), will the government provide these figures in detail at some point?*


*(4) If yes to (3), when?*

*(5) If no to (3), why not?*

Answer:

(1) – (5) There is no overall plan to close Aboriginal communities. The State Government's reforms will prioritise funding to locations that have the greatest potential to be safe and sustainable. There will be a coordinated approach to reduce duplication and fragmented service delivery by State Government agencies and organisations. Consultation and engagement with Aboriginal leaders will be key to the reform process. This consultation has already commenced with the call for nominations for the Strategic Regional Advisory Councils in the Kimberley and Pilbara regions. The State Government will also establish District Leadership Groups that will include representatives from Aboriginal service organisations, service providers and local governments who will engage locally with community members.

Public / Internet

28/7/15 



ESTIMATES AND FINANCIAL OPERATIONS COMMITTEE QUESTIONS ON  
NOTICE/ADDITIONAL QUESTIONS

Tuesday 23 June 2015

**Department of Aboriginal Affairs**

**Page 298 Service Summary**

*Question No D29: Hon Robin Chapple MLC asked -*

*I refer to the Public Sector Commission 2013 Employee Perception Survey (EPS) dated 4<sup>th</sup> October 2013, and ask:*

*(1) Did the Corporate Executive subsequently meet with representatives of the Public Sector Commission, if so on what date and were the concerns raised subsequently rectified?*

Answer:

No.

*(2) In A2c "Employees in my agency feel they are valued for their contribution."  
a. Why did the Department of Aboriginal Affairs (DAA) fair significantly worse than the Public Sector aggregate?*

Answer:

The report does not provide a clear answer. It should be noted that approximately 50% of staff responded to the survey.

It should also be noted that there were positive results from the survey. For example:

- 72% of staff were satisfied with their job overall, compared to 6% that were strongly dissatisfied.
- 72% of staff agreed that their job allows them to utilise their skills, knowledge and abilities, compared to 6% that strongly disagreed.
- 76% agreed that they were motivated to do the best possible work that they can, compared to 9% that strongly disagreed.
- 77% of staff agreed that their immediate supervisor keeps them informed of what is going on.
- 81% of staff agreed that their immediate supervisor makes use of appropriate communication and interpersonal skills when dealing with them.
- 39% of staff confirmed that they meet with their immediate supervisor on a fortnightly or more frequently basis to discuss performance and developmental matters. This is 12% higher than the public sector average.

Public / Internet

28/17/15 



- 90% of staff agreed that their immediate supervisor demonstrates honest and integrity. The public sector average was 86%.
- 90% agreed that they were treated with respect by their immediate supervisor and 83% agreed that they were treated with respect by other employees in the Department.
- The results also indicated that staff had a high level of understanding of the Public Sector Standards in Human Resource Management:

*b. Further to my questions in the hearing last night, what has been done to rectify (2)?*

Answer

The contributions of staff are captured both internally and externally through the Department's website/intranet and in newsletters circulated by the Department. A Senior Officers Group has been formed, and in addition to its other duties, the group also discusses and acknowledges initiatives within the Department by the staff. The Department has also formed an elected Officer Representative Group to create a forum where the views of non-management staff can be voiced.

*c. What measurable improvements have been made?*

Answer:

The Department has received positive results from its internal and external stakeholder surveys. The operational areas which are captured in the external surveys are published in the Annual Report, and the corporate areas through internal surveys.

*(3) Section B8 "Employee Confidence in Procedures"- In all responses, on average, the department performed at almost the double the negative rate of the Public Sector aggregate.*

*a. Why did the DAA fair significantly worse than the Public Sector aggregate?*

Answer:

The report did not provided a clear answer. Refer to response to (2).

*b. Further to my questions in the hearing last night, what has been done to rectify {3)?*

Answer:

The Department has significantly improved its Financial and Human Resources systems and the associated policies and procedures. In addition the Department has implemented a new records management, policy management and task tracking system. The Departmental intranet also contains extensive procedures information. Additionally a robust system of Corporate Governance has been implemented which ensures transparency of decisions by Corporate Executive.

*c. What measurable improvements have been made?*

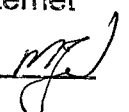
Answer:

The internal surveys of Corporate Directorates have been positive.

*(4) In B8e2 why was it that over 51% of staff reported having no confidence in procedures that relate to conduct and discipline process with only 27% having confidence?*

Answer:

Public / Internet

28/17/15 

Refer to response to (2).

*a. Why did the DAA fair significantly worse than the Public Sector aggregate.*

Answer:

It is unclear why this is the case but changes are being implemented in an endeavor to address staff confidence.

*b. Further to my questions in the hearing last night, what has been done to rectify {4)?*

Answer:

Management has created an inclusive environment where issues are reported to Management. For example Human Resources has implemented elected Employee Support Officers to provide an alternative avenue to elevate any staff issues in addition to formal processes.

*c. What measurable improvements have been made?*

Answer:

Changes are being implemented in an endeavor to address staff confidence

*(5) In section C Ethics why was it that in:*

*(a.-b.) C1d "Senior managers in your agency lead by example in ethical behaviour" that 50% reported that senior managers at DAA did not lead by example in ethical behaviour. Why this was significantly worse than the Public Sector aggregate?*

Answer:

Refer to response to (2).

*c. C3a2 "Managing conflicts of Interest (e.g. conflict between public role and personal interest)". Why was it that the department staff had three times the negative response to this question than the Public Sector aggregate?*

Answer:

The report does not provide a clear answer. It should be noted that approximately 50% of staff responded to the survey.

*d. C3c2 "Reporting unethical behaviour, workplace bullying and misconduct". Why was it that only 37% the department staff reported having confidence in reporting in this category compared with the Public Sector aggregate of 53%?*


Answer:

The report does not provide a clear answer. It should be noted that approximately 50% of staff responded to the survey.

*(6) In (5a)- (5d) and further to my questions in the hearing last night, what has been done to rectify these statistics?*

Answer:

Public / Internet

28/17/15 

90% of staff have attended Accountable and Ethical Decision Making training. Conflicts of interest are required to be declared in relation to gifts, procurement, recruitment, Corporate Executive decisions and other matters.

Elected Employee Support Officers were implemented by Human Resources to provide an alternative to more formal channels to elevate any staff issues. The Department also provides free employee counselling.

*(7) In (5a)- (5d) what measurable improvements have been made?*

Answer:

90% of staff have attended Accountable and Ethical Decision making training.

*(8) In Section CS "Workplace bullying" reports of staff being subject to repeat workplace bullying are two and a half (27% actual) higher than the Public Sector aggregate.*

*a. Why did the DAA fair significantly worse than the Public Sector aggregate?*

Answer:

The survey results do not correspond with the number of instances of bullying actually reported to Management.

*b. Further to my questions in the hearing last night, what has been done to rectify (8)?*

Answer:

Any bullying claim which is reported has been dealt with by management. For example elected Employee Support Officers were implemented by Human Resources to provide an alternative to more formal channels to elevate any staff issues. The Department also provides free employee counselling. Management are also engaging with the Officer Representative Group to determine a strategy to mitigate any potential bullying in the workplace.

*c. What measurable improvements have been made?*

Answer:

Any instance of bullying that has been reported has been dealt with.

*(9) Will the minister request the PSC conduct a follow up survey to test DAA's corporate health?*

Answer:

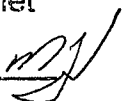
The Department contacted the Public Sector Commission to determine when the next survey would be conducted. The Public Sector Commission was considering the viability of a future survey based on resource considerations and required frequency.

It should also be noted that there were positive results from the survey. For example:

- 72% of staff were satisfied with their job overall, compared to 6% that were strongly dissatisfied.
- 72% of staff agreed that their job allows them to utilise their skills, knowledge and abilities, compared to 6% that strongly disagreed.
- 76% agreed that they were motivated to do the best possible work that they can, compared to 9% that strongly disagreed.

Public / Internet

28/1/15




- 77% of staff agreed that their immediate supervisor keeps them informed of what is going on.
- 81% of staff agreed that their immediate supervisor makes use of appropriate communication and interpersonal skills when dealing with them.
- 39% of staff confirmed that they meet with their immediate supervisor on a fortnightly or more frequently basis to discuss performance and developmental matters. This is 12% higher than the public sector average.
- 90% of staff agreed that their immediate supervisor demonstrates honest and integrity. The public sector average was 86%.
- 90% agreed that they were treated with respect by their immediate supervisor and 83% agreed that they were treated with respect by other employees in the Department.
- The results also indicated that staff had a high level of understanding of the Public Sector Standards in Human Resource Management:

*(10) If no to (9), why not?*

Answer:

Not applicable

Public / Internet

28/12/15 



ESTIMATES AND FINANCIAL OPERATIONS COMMITTEE QUESTIONS ON  
NOTICE/ADDITIONAL QUESTIONS

Tuesday 23 June 2015

**Department of Aboriginal Affairs**

**Page 298 Service Summary**

*Question No D30: Hon Robin Chapple MLC asked -*

*In light of the Department of Aboriginal Affairs (DAA) expressed strong commitment to accountable government, is the DAA or Minister's office able to explain:*

*(1) How and/or according to what process DAA is accountable for several years of a reform process and subsequent construction of heritage amendment bill and accompanying policy including the misconstruction of its own legislative guidelines, that have spectacularly failed?*

*(2) Or will you continue with this flawed process?*

*(3) What has been the cost in dollar terms of this process?*

*(4) How does the DAA or Minister's office justify the expense?*

*(5) What outcomes does it consider achieved by this process?*


*(6) Is it the case that the architects of this appalling failure are now charged with its redemption?*

*(7) And if so, what is proposed in order to restore the faith of those subject to maladministration of this important legislation?*

*(8) In short, where is accountability, humility and the integrity to admit to mistakes and seek to redress damage?*

*(9) How can confidence be restored without the admission you got it wrong, an apology and a commitment, a promise to get it right?*

Public / Internet

28/7/15 

(10) *What is important and significant in terms of Aboriginal heritage and can the government demonstrate it is capable of protecting it?*

(11) *How has the s18 process been improved?*

(12) *For applicants submitting heritage submission forms representing what they believe may be places to which the Act applies, which are then resolved not to be and who receive for their investment towards risk assessment a letter from the Minister and not a consent, what is saved or expedited and what internal processes are improved or altered other than a directive of 'not a site'?*

(13) *Qualify the checks and balances often referred to by the Minister.*

(14) *Quantify the checks and balances often referred to by the Minister.*

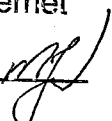
(15) *Where are the success reports?*

Answer:

(1) – (15) The Accountable Government Directorate within the Department of Aboriginal Affairs is responsible for improving the accountability for the delivery of outcomes for Aboriginal people from government investments. The *Aboriginal Heritage Amendment Bill 2014* which is currently before Parliament proposes a series of modest changes to the *Aboriginal Heritage Act 1972* to improve its efficiency and effectiveness in managing Aboriginal heritage in Western Australia. The reforms are important steps in improving the operation of a piece of legislation that came into operation more than 40 years ago. Extensive consultation took place during the development of the Bill. The Government, through the Department of Aboriginal Affairs, also engaged with a wide range of native title representative bodies, and other Aboriginal organisations across the State between June and August 2014 when the Bill was available for public consultation. The Department of Aboriginal Affairs held a further round of meetings on the proposed changes with Aboriginal people and organisation between December 2014 and March 2015.

The State Government will continue to work closely with Aboriginal stakeholders to ensure that Aboriginal heritage in Western Australia is protected for Aboriginal people and future generations.

Public / Internet

28/17/15 



ESTIMATES AND FINANCIAL OPERATIONS COMMITTEE QUESTIONS ON  
NOTICE/ADDITIONAL QUESTIONS

Tuesday 23 June 2015

**Department of Aboriginal Affairs**

**Page 298 Service Summary**

*Question No D31: Hon Robin Chapple MLC asked -*

*In response to Justice Cheney's ruling of 1 April 2015, has the Department of Aboriginal Affairs (DAA) developed a new set of assessment guidelines and if so has this been published and where?*

Answer:

A new set of guidelines is under development.

*(1) If not, how is it that the DAA believes it is possible for criteria to be carefully considered, evaluated and asserted in relation to submission of heritage information by external parties?*

Answer:

The Department of Aboriginal Affairs published section 5 guidelines for only two of the 43 years since the legislation was enacted. External parties continue to provide information on possible Aboriginal sites by lodging Heritage information and will be informed by reference to the *Aboriginal Heritage Act 1972*, their own legal and other expert advice. Submissions are on forms designed to be used by traditional knowledge holders and laypersons.

*(2) Has the DAA formulated an efficient set of internal assessment guidelines and if so can these be released?*

Answer:

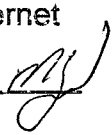
New guidelines are under development.

*(3) Is the DAA able to clarify the administrative structure underpinning this decision-making process and the register of aboriginal heritage sites?*

Answer:

Under section 37 of the *Aboriginal Heritage Act 1972*, the functions of the Registrar of Aboriginal Sites is to administer the day to day operations of the Aboriginal Cultural Material Committee. The Aboriginal Cultural Material Committee is empowered to form opinions under section 18 and evaluate sites under section 39 of the *Aboriginal Heritage Act 1972*.

Public / Internet

28/6/15 



ESTIMATES AND FINANCIAL OPERATIONS COMMITTEE QUESTIONS ON  
NOTICE/ADDITIONAL QUESTIONS

Tuesday 23 June 2015

**Department of Aboriginal Affairs**

**Page 298 Service Summary**

*Question No D32: Hon Robin Chapple MLC asked -*

*I refer to the \$90 million worth of federal funding to be provided to Western Australia to cover the provision of services to remote Aboriginal communities up until June 2016, and ask:*

*(1) Is this new funding, or part of the budget that existed before the end of this federal funding was announced?*

*(2) Can the department outline exactly what this funding will be used for?*

*(3) Will the money be distributed gradually, or will the state receive it as a lump sum payment?*

Answer: This question should be referred to the Department of Housing.

Public / Internet

28/17/15 