



NATIVE TITLE AND CULTURAL HERITAGE COMPLIANCE SYSTEM PORTAL

KNOWLEDGE CENTRE

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IPWEAQ is in the process of developing a Native Title (NT) and Cultural Heritage (CH) Compliance System portal.

The intention is to provide a tool that can be used to work through the complexities of implementing public works and undertaking other activities that can infringe on land where there is or may be a legitimate claim to Native Title. The legal phrase given to any and all activities that affect native title is that of the **Future Act**. The term applies, not only to physical activity that impacts upon land and water, but also laws and regulations made in regard to them such as tenure grants and the like. The importance of developing tools such as this was made abundantly clear by Oliver Gilkerson in the [March 2017 issue](#) of this journal. In that article he succinctly articulates the central argument when he writes:

The extent to which an infrastructure provider is able to ensure compliance, largely depends on their knowledge of the statutory requirements relating to future acts and the systems they have in place to meet the requirements.

The central purpose of the portal therefore is to provide that knowledge and offer such a system, giving clear guidance on the details of compliance to ensure that any future acts undertaken are valid future acts. If a future act proves to be invalid, that is, one which does not comply with the Native Title Act 1993, there can be substantial economic and cultural repercussions for the contractors and councils responsible. The goal is to offer an intuitive electronic solution to complying with NT and CH that will serve the needs of all stakeholders involved across the entire compliance process.

At the heart of the app will be the *Native Title Assessment Form*, the document that must be filled and filed with the Executive Manager Governance to gain a determination on whether or not a proposed future act is valid or invalid. The app will provide its users with a clear path through the complexities of the process and a step by step guide to compliance ensuring that all necessary steps are taken to allow the future act to proceed. There are five essential sections to the app that will be easily navigable from wherever the user is within it. Those sections are:

➤ NATIVE TITLE ASSESSMENT CHECKLIST

- PATH THROUGH NATIVE TITLE
- TOOLS FOR ASSESSING NATIVE TITLE EXTINGUISHMENT
- TOOLS FOR NATIVE TITLE ASSESSMENT
- TOOLS FOR IMPLEMENTING PROCEDURAL RIGHTS

The importance of any given sections will be determined by the nature of the proposed future act. By following straight-forward process maps and flowcharts, the user will be directed to the parts most relevant to their own concerns, eliminating the need to sift through and read a great deal of information which is of no relevance to the particular work under consideration. All applicants must fill out some basic information, for example the WHAT/WHERE/WHO/WHEN of the future act and the introductory section will take the user to, and through, those basic requirements and then from there, direct that person to the information they need to ensure the proposed future act in question is a valid one.

As well as these vital sections, the portal will also provide a comprehensive and detailed glossary so that any legal terms can be clarified at the push of a button, or swipe of a finger as the

case may be. It will also include other valuable resources such as a collection of maps showing state and national areas where Native Title has been established, where it has been extinguished; and where there are Claimant Applications in progress.

This portal is a development with enormous potential to eliminate what can appear on the surface to be an overwhelming complex set

of rules and regulations. IPWEAQ hopes to take the headache out of the process by doing the hard work and translating that into a comprehensive, but easy to follow tool which will give confidence to infrastructure suppliers and Native Title holders alike.

It has also been a busy few months in the Knowledge Centre with all the materials from the State Conference near completion. There

have also been a couple of other collections added from much smaller but no less informative conferences held at branch level. The Western Roads Symposium held in Longreach recently, and the Central Queensland Technical Forum held in late November are both worth a visit to the Knowledge Centre at <http://www.ipweaq.com/knowledge-centre>.



IPWEAQ Knowledge Centre

The new IPWEAQ Knowledge Centre is an essential resource for anyone involved in public works in Queensland.

The Centre is fully searchable by title, speaker/author, subject, keyword, event or date. Resources available in the Knowledge Centre include:

1. Podcasts of state and branch conferences (accessible only to paid conference delegates or conference proceedings subscribers). The podcasts are accompanied by the presenters' PowerPoint presentation

so you can follow the presentation while listening to the podcast.

2. Podcasts with accompanying video of all other IPWEAQ events
3. Papers submitted for state and branch conferences
4. Articles published in our quarterly e-journal, Engineering for Public Works
5. Articles of relevance to Queensland practitioners sourced by our Information Resources Manager from other states/territories and internationally.
6. IPWEAQ technical publications including Standard Drawings

(accessible only to subscribers)

7. Podcasts of interviews of delegates taken at state and branch conferences
8. Photos of delegates taken at state and branch conferences

The Knowledge Centre is only accessible to IPWEAQ members. Conference podcasts/videos are only accessible to paid conference delegates. Technical publications are only accessible to subscribers of our technical products.

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