

8 August 2023

Aboriginal Cultural Heritage reforms look back to go forward

Today, the Premier of Western Australia, Hon Roger Cook MLA, confirmed reports that the WA State Government would scrap the new *Aboriginal Cultural Heritage Act 2021*, and return to the previous *Aboriginal Heritage Act 1972* making modest but important amendments.

These amendments will ensure that events such as the destruction of Juukan Gorge can never happen again. The amendments are:

- The newly formed Aboriginal Cultural Heritage Council will take on the role of the Committee established under the 1972 Act to make recommendations to the Minister;
- Proponents and Native Title parties will have the same right of review for Section 18 decisions, with clear timelines and an ability for the Premier to call-in a decision of 'State significance', to act in the interests of all Western Australians; and
- When a Section 18 has been approved, it will be a requirement for the owner to notify the Minister of any new information about an Aboriginal site.

"The mining and mineral exploration industry has endeavoured to work with Government and traditional owners to ensure that the newly minted framework would work in operation," said AMEC Chief Executive Officer, Warren Pearce.

"When it became clear that this was not the case, and that all involved were struggling with the complexity of the new requirements, we realised that a new approach was needed."

"Government has heard this message and is responding to industry and community concern."

"In fact, many of the amendments announced today, closely reflect the changes suggested by AMEC and industry much earlier in the consultation process."

"While our members have put significant time and effort into implementing the soon to be repealed legislation, ultimately, we believe this is the right decision, and our members will be pleased with the change."

"It will see them return to a simpler process for engaging with traditional owners and protecting cultural heritage, one which with they are already familiar."

AMEC is a member of the Implementation Group and will work government, other industry representatives and traditional owners to effectively implement this change.

"The proposed amendments will also ensure that there is simpler and fairer system, which is equitable for industry and traditional owners."

"Importantly, the mining and mineral exploration industry can rightly say that throughout this process we have kept the faith with traditional owners and have been willing to support initiatives that offered them a stronger voice in the process and stronger protection for their cultural heritage."

"We hope that traditional owners will agree that this new approach will provide the protection that their cultural heritage deserves."

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“AMEC and our members will continue to work with the Government and the Parliament to ensure that these changes provide a workable framework on the ground for all involved.”

ENDS -

AMEC Chief Executive Officer Warren Pearce is in Kalgoorlie for the Digger and Dealers conference, but will be available to provide further comment on 0477 399 130.



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