



Kimberley Land Council

MEDIA STATEMENT

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FOR IMMEDIATE RELEASE

Stronger Aboriginal Heritage protection laws are needed after further damages and potential breaches come to light

The Kimberley Land Council is imploring the government to strengthen Aboriginal Heritage Protection laws and scrap the *proposed Aboriginal Cultural Heritage Bill (2020)* after several reports have come through about potential breaches of heritage laws and damages to culturally significant sites by mining giants this week.

BHP has reported there has been damage to a registered Aboriginal site in the Pilbara, and FMG is under investigation for a potential breach of Aboriginal heritage laws near Tom Price, less than a year after Rio Tinto's Juukan Gorge disaster and the destruction caused by Kimberley Granite Holdings in East Kimberley.

KLC Chair, Anthony Watson, says it's simply not acceptable and extremely disappointing to see the continued destruction of Aboriginal heritage sites.

"The existing Heritage Act does not ensure protection of cultural sites. The proposed *Aboriginal Cultural Heritage Bill (2020)* is flawed as it lacked genuine consultation and codesign with Aboriginal people in its development. The Bill needs to be scrapped as it does not protect Aboriginal heritage and cultural sites. The government needs to start again."

"The new Bill sees the State's interests override the interests of Traditional Owners, and we see that as a major problem. It's imperative Traditional Owners still have the final say on heritage protection. We need to know that when we say "no" this will be respected, and there isn't a loophole for miners or other operators to get what they want, so there aren't more disasters like Juukan Gorge or Kimberley Granite".

"We are calling on both State and Federal Governments to implement strong cultural heritage laws that recognise Traditional Owners as the only true authority over their cultural heritage, and for industry to engage with us directly to come up with an approach that balances the needs of industry with those of heritage protection."

"Compensation must be made for cultural loss and a stop must be placed on any new heritage legislation that does not fully support native title rights. If it is found that BHP has caused the damage to the site on Banyjima land in the Pilbara, or that FMG has breached heritage laws; they must be held accountable for the significant cultural loss."

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