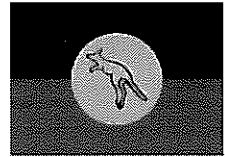


KIMBERLEY LAND COUNCIL

ABN 96724252047 ICN 21



14 December 2021

To the Hon. Minister Dawson,

RE: Request for correction of incorrect and misleading statements to the Parliament of Western Australia

The Kimberley Land Council would like to address incorrect and misleading information provided to the Legislative Council of the Parliament of Western Australia on 9 December 2021.

While discussing the Aboriginal Cultural Heritage Bill 2021 (WA), the Minister for Aboriginal Affairs made the following incorrect statement:

"I also make the point that I have not had contact, and I do not think anybody else here has had contact, with prescribed bodies corporate to say that they are not happy with the legislation." Minister Stephen Dawson

The Kimberley Land Council has documentation of several Kimberley PBC Forums attended by Department of Planning Lands and Heritage Officers where PBC representatives expressed their significant concerns about the amended legislation (see appendix A).

We also note that a number of submissions by WA PBCs, which are publicly available on the [DPLH website](#), express serious concerns about the proposed legislation. The KLC has made a number of joint written submissions with Kimberley PBCs during the consultation phases in 2019 and 2020 expressing concerns about aspects of the proposed legislation.

The Minister also attended the KLC AGM in November 2021 where KLC members, many of whom are also members of their relevant PBCs, directly expressed concerns regarding the legislation. It is therefore difficult to conceive how the Minister, or anybody else within Government, could be unaware of the concerns of PBCs voiced throughout the Government's own consultation process.

The KLC formally requests that you, as an elected official and Minister for Aboriginal Affairs, acknowledge the seriousness of making incorrect and misleading statements to the Parliament of Western Australia, that you make a statement to correct this as a matter of urgency, and you apologise to the Prescribed Bodies Corporates and other Aboriginal organisations whose views you have wrongly represented.

Yours sincerely

Anthony Watson
Chairperson
Kimberley Land Council

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Appendix A

May 2021 PBC Forum held in Broome and attended by DPLH staff where PBCs and Traditional Owner representative corporations expressed serious and specific concerns about the Aboriginal Cultural Heritage Bill. PBCs in attendance:

- Bunuba Dawangarri Aboriginal Corporation RNTBC
- Karrajarri Traditional Lands Association Aboriginal Corporation RNTBC
- Goorring Aboriginal Corporation RNTBC
- Yurriyngem Taam Aboriginal Corporation RNTBC
- Dambimangari Aboriginal Corporation
- Nyangumarta Karajarri Aboriginal Corporation RNTBC
- Gooniyandi Aboriginal Corporation RNTBC
- Jaru Aboriginal Corporation RNTBC
- Nyul Nyul PBC Aboriginal Corporation RNTBC
- Yawoorroong Miriuwung Gajerrong Yirrgeb Noong Dawang Aboriginal Corporation (MG Corporation)
- Bardi and Jawi Niimidiman Aboriginal Corporation RNTBC
- Yawuru Native Title Holders Aboriginal Corporation RNTBC
- Nimanburr Aboriginal Corporation RNTBC
- Walalakoo Aboriginal Corporation RNTBC
- Tjurabalan Native Title Land Aboriginal Corporation RNTBC
- Giniyjawarni Yoowaniya Riwi Aboriginal Corporation

April 2021 PBC Forum held in Broome where PBCs and Traditional Owner representative corporations expressed serious and specific concerns about the Aboriginal Cultural Heritage Bill. PBCs in attendance:

- Tjurabalan Native Title Land Aboriginal Corporation RNTBC
- Jaru Aboriginal Corporation RNTBC
- Bardi and Jawi Niimidiman Aboriginal Corporation RNTBC
- Mayala Inninalang Aboriginal Corporation RNTBC
- Balangarra Aboriginal Corporation RNTBC
- Bunuba Dawangarri Aboriginal Corporation RNTBC
- Nyul Nyul PBC Aboriginal Corporation RNTBC
- Warrwa People Aboriginal Corporation RNTBC
- Nimanburr Aboriginal Corporation RNTBC
- Wanjina Wunggurr (Native Title) Aboriginal Corporation RNTBC
- Gogolanyagor Aboriginal Corporation RNTBC
- Yawuru Native Title Holders Aboriginal Corporation RNTBC
- Karrajarri Traditional Lands Association Aboriginal Corporation RNTBC
- Yawoorroong Miriuwung Gajerrong Yirrgeb Noong Dawang Aboriginal Corporation (MG Corporation)
- Walalakoo Aboriginal Corporation RNTBC
- Nyangumarta Karajarri Aboriginal Corporation RNTBC

September 2020 PBC Forum held in Broome and attended by DPLH staff where PBCs and Traditional Owner representative corporations expressed serious and specific concerns about the Aboriginal Cultural Heritage Bill. PBCs in attendance:

- Yanunijarra Aboriginal Corporation RNTBC
- Warrwa People Aboriginal Corporation RNTBC
- Walalakoo Aboriginal Corporation RNTBC
- Yawoorroong Miriuwung Gajerrong Yirgeb Noong Dawang Aboriginal Corporation (MG Corporation)
- Wanjina Wunggurr (Native Title) Aboriginal Corporation RNTBC
- Dambimangari Aboriginal Corporation
- Balangarra Aboriginal Corporation RNTBC
- Karajarri Traditional Lands Association Aboriginal Corporation RNTBC
- Yawuru Native Title Holders Aboriginal Corporation RNTBC
- Nyul Nyul PBC Aboriginal Corporation RNTBC
- Bardi and Jawi Niimidiman Aboriginal Corporation RNTBC
- Mayala Inninalang Aboriginal Corporation RNTBC

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