

ABORIGINAL CULTURAL HERITAGE ACT — OPERATION

Petition

HON NEIL THOMSON (Mining and Pastoral) [1.02 pm]: I present an e-petition containing 29 714 signatures, couched in the following terms —

To the President and Members of the Legislative Council of the Parliament of Western Australia in Parliament assembled. We the undersigned ...

note: 1. The incomplete nature of the implementation of the Aboriginal Cultural Heritage Act 2021 which is imposing an extreme level of uncertainty on Western Australian landowners, business owners and individuals. 2. The Act will create a new and unique and untested approvals system for which there is no capacity at this time to seek approvals online, meaning businesses, such as pastoralists, farmers, prospectors, and those in civil construction will have to cease all works until approvals, which can only be lodged after 1 July are then processed and approved or rejected. 3. That as of 2 June 2023, the Department of Planning Lands and Heritage advises that no Local Aboriginal Cultural Heritage Service exists creating further business risk. In view of this intolerable situation and risk to the Western Australian economy, we call on the Legislative Council to urge the Government to delay the promulgation of the Act by at least six months to achieve the following milestones: 1. Establish a working approvals system which allows for a reasonable period of online interaction, lodgement, and approval of permits so proponents can: a. Familiarise themselves with the system and provide training for their staff and business teams. b. Apply for the continuation of existing business activities reducing risk of business disruption. c. Apply for new planned activities before the promulgation of the Act allowing for ongoing mobilisation and business continuity. d. Adjust contracts for existing and future works noting activities may have to be amended or redesigned as a result of the promulgation of the Act. e. Meet obligations of referral agencies, particularly local governments, and State agencies, in a timely way when seeking any form of development approval. 2. Finalisation of guidance notes by the DPLH so all parties, including LACHS', referral agencies, inspectors, local governments, business owners, landowners and staff and anyone else who might be subject to the new laws, can be familiarised with their obligations appropriately. 3. Establishment of appropriately resourced, governed, and trained LACHS' across the State.

And your petitioners as in duty bound, will ever pray.

[See paper 2318.]