



Our Ref: GEN033
Your Ref: NA
Office: Perth
Date: 15 August 2023

To: The Hon Roger Cook MLA
Premier of Western Australia
13th Floor, Dumas House
2 Havelock Street
WEST PERTH WA 6005

E: wa-government@dpc.wa.gov.au

Dear Premier

RE: Repeal of the *Aboriginal Cultural Heritage Act 2021 (WA)*

Yamatji Marlpa Aboriginal Corporation (YMAC) is the Native Title Representative Body (NTRB), delivering native title and other services across the Pilbara, Mid West, Murchison and Gascoyne regions of Western Australia. YMAC is run by a First Nations board of directors, representing several native title groups, each of whom have their own language, culture, traditions and protocols. YMAC services include: native title claim and future act representation; heritage services; executive office, community, and economic development assistance; land administration; and natural resource management support.

We write to you feeling deep frustration over your recent actions in relation to the repeal of the Aboriginal Cultural Heritage Act 2021 (WA) (ACHA).

For a long time now, we have shared with your government our reasonable requests to roundtable resolutions with Traditional Owners and other stakeholders, to develop a way forward on this matter, which were dismissed.

We have met with your government in Perth; you said you would listen to us, but you did not.

We have invited your government to our Country to talk with us, and we have welcomed you. Again, you said you would listen to us, but you did not.

We helped to organise a multi-stakeholder forum to help with your government's consultations, because we know we share a responsibility to ensure the protection of our cultural heritage that you maintain control over – which your government treated as a promotional opportunity instead of meaningful engagement.

PERTH

Level 8,
12 The Esplanade
Perth WA 6000

PO Box 3072
249 Hay Street
Perth WA 6892

Freecall: 1800 270 709

T (08) 9268 7000
F (08) 9225 4633

GERALDTON

171 Marine Terrace
Geraldton WA 6530

PO Box 2119
Geraldton WA 6531

T (08) 9965 6222
F (08) 9964 5646

HEDLAND

8 Manganese Street
Wedgefield WA 6721

PO Box 2252
South Hedland
WA 6722

T (08) 9160 3800
F (08) 9140 1277

BROOME

Shop 2/24
Clementson Street,
Broome WA 6725

PO Box 2059
Broome WA 6725

T 1800 270 709

CARNARVON

4 Francis Street
Carnarvon WA 6071

PO Box 1424
Carnarvon WA 6071

T (08) 9965 6222
F (08) 9964 5646

Yamatji Marlpa
Aboriginal Corporation
is a Native Title
Representative Body
ICN 2001
ABN 14 011 921 883

We have written letters to your government, which have gone unanswered.

We have written multiple submissions to your government, pages upon pages, which have mostly been ignored.

Instead, you used your majority to push through the ACHA, in spite of our protests.

Now, a new opportunity for you to try to right these wrongs has been created – to not waste the last several years of consultations and not squander the chance to genuinely [make Western Australia a leader in Aboriginal cultural heritage protection](#) – but, again, you are failing us.

Reverting back to a 50-year-old piece of legislation – even with a few improvements – and how you have gone about all of this is unacceptable. No meaningful notification was given about the repeal before it happened (just speculation in the media), and absolutely no opportunity was given for anyone to consider the repeal or amendments prior to their introduction to Parliament.

Until such time we are able to reach some resolution on this, on behalf of YMAC, we ask that you:

- immediately put a moratorium in place in relation to any approvals to damage, disturb or destroy Aboriginal cultural heritage sites;
- seek our views on the proposed legislative amendments; and
- schedule a meeting with us as a matter of urgency to discuss a better way forward, which can be organised via our CEO's office (P: 08 9268 700; E: ceo@ymac.org.au).

Sincerely,



Mr Peter Windie

Co-Chairperson, Yamatji Region



Miss Natalie Parker

Co-Chairperson, Pilbara Region

Copy sent to:

The Hon Dr Tony Buti MLA, Minister for Aboriginal Affairs

Western Australian Alliance of Native Title Representative Bodies and Service Providers

National Native Title Council