

Friday 6 November 2009

Indigenous Heritage Law Reform
Heritage Division
Department of the Environment, Water, Heritage and the Arts
By email: atsihpa@environment.gov.au

To whom it may concern,

Re: Indigenous Heritage Law Reform

The Association of Mining and Exploration Companies (AMEC) thanks the Department for the opportunity to provide input into proposed reforms of Indigenous Heritage laws.

As Australia's Industry Association for the emerging mining and mineral exploration sector, AMEC represents more than two hundred companies with an interest in improving efficiencies and outcomes with regard to the protection of areas and items of significant cultural heritage. A number of individuals who represent our member companies are directly involved in the management of indigenous cultural heritage on a daily basis.

After consulting with our members via the standing committee on Aboriginal Affairs, AMEC offers its in-principle support for the direction of the proposed reforms. AMEC notes, however, that the proposal is relatively general in nature at this point and therefore cannot give tacit support for future fine detail.

In specific regard to the discussion paper, there are two issues that AMEC would like noted as areas of potential concern for those working toward the efficient negotiation of the fair protection of indigenous cultural heritage;

1. AMEC members expressed ongoing concern for any changes to regulation that do not detail a clear path to reducing contact with bureaucracy. While the Federal accreditation of States has the potential to improve efficiencies, AMEC urges a model that will ensure proponents and traditional owners have a single, clearly defined and duly empowered regulator (either State or Federal) with workable regulation for the timely and fair resolution of heritage protection negotiations, and
2. AMEC members are concerned that the interaction between Indigenous heritage law reform and the EPBC Act may result in reduced clarity for proponents and/or traditional owners and/or unnecessarily increase the regulatory burden (and therefore cost) of those seeking to utilise the reforms.

The Association of Mining and Exploration Companies and its members always welcome the opportunity to provide input to the future of Australia's regulatory regime and we fully support the principle of protecting areas and items of significant cultural heritage. Further, AMEC applauds the Australian Government for its attempt to engage all stakeholders in reforming the way in which proponents and traditional owners' rights are managed.

Yours faithfully,



Darren Brown
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Staff Secretariat for the standing committee on Aboriginal Affairs

