

Call to stop 'rorts' of Aboriginal heritage law

KIM MACDONALD

The State Opposition has called for a review of the Aboriginal Heritage Act after claims it was being abused by indigenous groups and mining companies in the pursuit of money.

Shadow indigenous affairs minister Kim Hames said yesterday he had already offered to head a bipartisan committee to review the complex legislation, which he believed was seriously flawed.

But he said the State Government had ignored his suggestion and that other attempts to deal with the issue in the past few years had also fallen by the wayside.

Dr Hames said a review could look at alternative models, such as the one used in the Northern Territory where quasi-government agencies conducted heritage surveys to prevent either party from manipulating the system.

He said most Aboriginal groups were happy to allow mining and did not want to unnecessarily hold up

resource projects, and there was evidence that mining companies were abusing their goodwill by conducting surveys in consultation with indigenous people who were not even local to the area.

This was done to push through exploratory works quickly and it ran the risk of damaging culturally and spiritually significant sites during exploratory drilling.

Dr Hames supported claims made by the mining industry at the weekend that some indigenous groups were abusing the system by refusing to participate in heritage surveys in areas where mining companies wanted to explore for minerals.

This eventually forced mining companies to pay inflated prices for indigenous involvement in the survey or walk away from the project for fear of later having to close down works under a native title claim.

The Association of Mining and Exploration Companies said at the weekend that spurious heritage claims were partly behind a 60 per cent drop

in the number of metres drilled in greenfield sites over the past decade.

AMEC claimed one indigenous group had presented a mining company with a bill for \$500,000 for their involvement in a heritage survey and to cover the groups' legal fees.

The Kimberley Land Council, one of five groups to conduct surveys, said the cost of surveys was usually between \$2000 and \$30,000, and it was unaware of any of that magnitude.

The KLC said it had only ever attempted to recover the rising cost of conducting surveys, including less than \$500 a day for the involvement of each traditional owner.

In most cases they sought a 4 per cent donation to the community in return for access to the land during the heritage survey, and they were angry that mining companies spent thousands of dollars in legal fees to escape the clause.

Indigenous Affairs and Heritage Minister Michelle Roberts refused to comment yesterday.