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5. New fee system to help protect Aboriginal cultural heritage

New fee system to help protect Aboriginal cultural heritage

A new fee system for proponents using the Aboriginal Cultural Heritage system has been released today.

- State Government releases fee model to support new Aboriginal cultural heritage system
- \$77 million committed to protect and manage Aboriginal cultural heritage
- Aboriginal Cultural Heritage Act 2021 comes into effect on 1 July 2023

A new fee system for proponents using the Aboriginal Cultural Heritage system has been released today.

Aboriginal Affairs Minister Dr Tony Buti said the new cost recovery model will underpin \$77 million in investment over the next four years to manage and protect Aboriginal cultural heritage in Western Australia.

The Aboriginal Cultural Heritage Act 2021 will come into effect on 1 July 2023, with a focus on agreement-making between land use proponents and Aboriginal people.

The Act requires proponents to submit a management plan to the Aboriginal Cultural Heritage Council for approval. These plans must detail the consultation undertaken, consent provided and the range of agreed measures to protect local Aboriginal cultural heritage.

A scalable fee model based on company size, global revenue and Australian Tax Office company definitions has been developed and applies an equitable fee to proponents.

Fees will start with a nominal \$100 administrative fee for permits, similar to other government processes for issuing licences and permits. However, those fees alone will not cover the costs of administering the system.

A scale of fixed and variable fees will apply thereafter for government agencies or private organisations.

At the lowest scale, a fixed fee of \$250 will apply for a company or organisation with less than \$10 million in global revenue, up to a fee of \$1.39 million for a company or organisation with a global revenue of \$5 billion or more that enters an Aboriginal Cultural Heritage Management Plan over 20 years. Where there is no risk of impact to Aboriginal cultural heritage, no approval is required and there is no fee payable.

The Government will work with industry on the implementation of the new fee model, in particular, to look at ways to incentivise the best possible outcomes consistent with the objects of the new Act.

State Government departments and local governments will also be required to pay applicable fees.

Fees will be payable upfront, upon lodgement of the management plan to the Council.

More information about the new laws and the processes that will be implemented from 1 July can be found online at <https://wa.gov.au/ach-act>.

For more information, visit www.ourstatebudget.wa.gov.au

Comments attributed to Aboriginal Affairs Minister Dr Tony Buti:

"We are introducing a completely new system for managing and protecting Aboriginal cultural heritage in Western Australia - one that is fairer and more consultative than what was developed more than 50 years ago.

"Aboriginal cultures are some of the oldest living cultures in the world and we are prioritising consultation and agreement-making between land use proponents and Aboriginal people to minimise and avoid impact wherever possible.

"From the earliest discussions on reforms of the 1972 Act there has been strong feedback from Aboriginal people and industry that the current resources applied to the protection of Aboriginal cultural heritage are inadequate.

"Cost recovery is an essential component of the new system, with the majority of costs to be recovered relating to moderate to high-ground disturbance and where there is risk of impact or harm to Aboriginal cultural heritage.

"Where there is no risk of impact to Aboriginal cultural heritage, no approval is required and there is no fee payable. But where there is risk, we are putting the right mechanisms in place now to ensure that all parts of this new legislative framework are funded appropriately.

"Costs recovered will underpin the Government's commitment to increase resourcing and support Local Aboriginal Cultural Heritage Services operations, ensure adherence to Aboriginal Cultural Heritage Management Plans - including increased compliance and inspection powers - and enforce stronger penalties in the event of harm."

Minister's office - 6552 6400

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Ministers



[Hon. Dr Tony Buti](#)

Minister for Education; Aboriginal Affairs; Citizenship and Multicultural Interests

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