



31 March 2022

Cultural Heritage Acts Review

C/. Queensland Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships (DSDSATSIP)
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Re: Submission regarding review of Queensland's Cultural Heritage Acts

The Australasian Institute of Mining and Metallurgy (AusIMM) is the peak body for resource professionals, with over 13,000 members across more than 110 countries. Established in 1893 and operating under Royal Charter, the Institute represents professionals in geology, mining, metallurgy, management, environment and social performance disciplines across all stages of the mining life cycle, from exploration to operations and post-closure repurposing.

This submission is in response to the discussion paper prepared by Queensland's DSDSATSIP regarding the proposed changes to the laws for recognising, protecting and conserving Aboriginal and Torres Strait Islander cultural heritage in Queensland, specifically the review of the *Aboriginal Cultural Heritage Act 2003* and *Torres Strait Islander Cultural Heritage Act 2003*.

The discussion paper sets out three key areas for improvement:

1. **Increased consultation** with Aboriginal and Torres Strait Islander heritage custodians, specifically recognising intangible cultural heritage and strengthening compliance procedures.
2. **Reframing definitions** of 'Aboriginal party' and 'Torres Strait Islander party' so that cultural heritage custodians have an opportunity to be involved in its management and protection.
3. **Promoting leadership** by Aboriginal and Torres Strait peoples in cultural heritage management.

AusIMM support the objectives of the reform. As the trusted voice for resources professionals, we are committed to fostering the social responsibility of our sector through the professional standards we set for Members and the development, education and advocacy functions we perform for the benefit of the broader sector and community.

Our Social Responsibility Framework requires that Members be aware of and consider Environmental, Social and Governance (ESG) factors in their professional work at three levels, specifically.

- **Awareness by all Members** of our Code of Ethics, the existence of global ESG-related principles, standards and guidance and the likely consequences of work activities on local communities and the broader society.
- **Understanding** by Members in leadership roles of how they can contribute to minimising harm and maximising value for affected communities and broader society by reference to global ESG-related principles, standards and guidance, managed effectively through workplace systems, procedures, and behaviours.
- **Competence** by Members who have accountability in Environmental and Social Performance Areas of Practice, demonstrated through professional qualification, experience and a working knowledge of jurisdictional requirements, workplace systems and procedures.

AusIMM's Chartered Professional Program assesses, accredits, and recognises advanced competence in members with comprehensive experience in specific disciplines and Areas of Practice (AoP). The Social Performance discipline includes *Indigenous and land-connected peoples* and *Cultural heritage management* as a specific AoP.

AusIMM note the six key themes on which DSDSATSIP seeks comment:

- Ownership and defining cultural heritage based on recognition of intangible heritage.
- Identifying who to consult based on authenticity in speaking for country.
- Land user obligations for early and respectful engagement.
- Compliance mechanisms with greater education and active investigation where necessary.
- Recording cultural heritage with greater use and validation of studies.
- Engagement and innovation based on capability building and coordination.

Our Members, particularly those with Social Performance Chartered Professional status, have precisely the skills and experience required to see these objectives realised *in practice*. Chartered Professionals are ideally placed to assist resource development proponents on:

- Engaging effectively and substantively with identified cultural heritage custodians on the protection and celebration of cultural heritage.
- Incorporating detailed cultural heritage information into land and mine planning materials at an early stage.
- Accounting for intangible heritage considerations through Aboriginal and Torres Strait peoples engagement and incorporating these into project plans and operations.
- Establishing auditable systems for recording, verifying and protecting cultural heritage values.
- Respecting, engaging and integrating Aboriginal and Torres Strait Islander peoples' cultural heritage into the planning, development and implementation of post-mining landscapes, land uses and associated social and economic activity

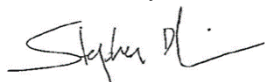
As the Queensland Government seeks to implement changes to cultural heritage protection in the years ahead - whether through legislation, operational codes of practices, or greater community awareness - AusIMM Social Performance Chartered Professionals are ideally placed to provide professional expertise across the mining lifecycle.

Indeed, our members have deep expertise not only in the engagement of Aboriginal and Torres Strait Islander peoples across the 'life of mine', but also in the integration and preservation of cultural heritage as part of a broader cultural landscape. This landscape includes significant mining heritage values (such as economically significant geological formations, built environments and historical records describing local mining activity).

AusIMM notes the July 2019 submission of the Queensland Resources Council (QRC) to establish a stakeholder review group, described as an Expert Technical Advisory Group (ETAG), to provide constructive feedback on any legislative reforms. AusIMM broadly supports such structures and would welcome the opportunity to put forward relevant experts for consideration.

If AusIMM can be of further assistance, please contact AusIMM's Head of Advocacy and Government Relations, Simon Jemison.

Your sincerely



Stephen Durkin FAusIMM | CEO