

**LEGISLATIVE COUNCIL**  
**Question On Notice**

**Tuesday, 12 February 2019**

**1819. Hon Robin Chappie to the Minister for Environment representing the Minister for Aboriginal Affairs**

I refer to the Statement, 'Aboriginal Heritage-Fortescue Metals Group-Pilbara' that I provided to the Legislative Council on Wednesday, 31 October 2018, where I raised issues regarding Fortescue Metals Group's (FMG) systematic non-compliance with the *Aboriginal Heritage Act 1972* and *Mining Act 1978*, and ask:

- (a) is the Minister aware that FMG has engaged Extent Heritage to conduct Aboriginal heritage surveys without informing, inviting or involving the traditional custodians of the land, the Eastern Guruma people;
- (b) if no to (a), why not;
- (c) if yes to (a), why is this acceptable;
- (d) is the Minister aware that in conducting these surveys Extent Heritage and FMG may have entered a highly sensitive Aboriginal site restricted to initiated men only, which is contrary to Eastern Guruma law and custom;
- (e) if no to (d), why not;
- (f) if yes to (d), why is this acceptable;
- (g) is the Minister concerned that FMG, a company that purports to respect Aboriginal people and their cultural heritage, is prepared to marginalise and show complete disrespect to elders past and present in order to maintain their project timeline for the construction of the Eliwana Railway, as shown by the documents I tabled with this statement;
- (h) if no to (g), why not;
- (i) if yes to (g), what action will the Minister take;
- (j) as a result of the statement and tabled papers, will the Minister undertake an investigation;
- (k) if yes to (j), what is the timeframe; and
- (l) if no to (j), why not?

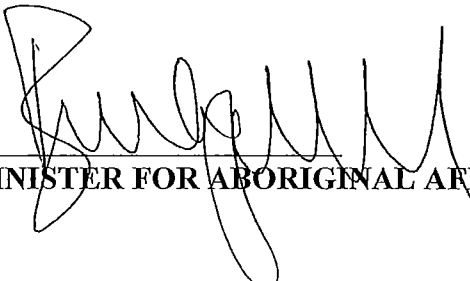
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**Answer**

(a)-(c) The process by which a heritage survey has been undertaken is taken into consideration by the Aboriginal Cultural Material Committee.

(d)-(f) No.

(g)-(l) This matter is currently under investigation by the Department of Planning, Lands and Heritage.



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**MINISTER FOR ABORIGINAL AFFAIRS**