



## Aboriginal Water and Environmental Advisory Group Meeting 24 August 2023 Communique

The Aboriginal Water and Environmental Advisory Group (AWEAG) held its 16<sup>th</sup> meeting on 24 August 2023 at the Department of Water and Environmental Regulation (DWER) Prime House office located in Joondalup. The meeting was co-chaired by Michelle Andrews and Jason Barrow

The main items presented and discussed included the following:

### ***Aboriginal Cultural Heritage Act 2021***

Ms Michelle Andrews provided an update on the legislative process following the repeal of the *Aboriginal Cultural Heritage Act 2021* by the State Government. Ms Andrews reiterated the Department's commitment to First Nations heritage matters and that many of these commitments are already integrated in the Department's policies and practices. Ms Chantelle Power, Director of Legal Services noted that there is currently limited information available about the supporting regulations currently under development (these may come into effect by the end of the year).

Members raised several concerns regarding the repeal of the *Aboriginal Heritage Act*: Ms Andrews committed to conveying members' concerns about the Act to the Public Sector Leadership Council and other relevant forums. Members will be kept informed of the proposed amendments to the Act.

### **Partnership for Climate Action**

Ms Robin Ho, provided an overview of the current state of climate change and its impacts in Western Australia. She noted that Indigenous communities are disproportionately affected, with disruptions to land, waterways and ecosystems.

Ms Ho will attend the October meeting of the Aboriginal Advisory Council of WA (AACWA) to provide an update on the proposed mechanisms to progress. Members were asked for input on establishing an effective mechanism for Aboriginal people to provide strategic advice to government on climate change responses, including securing funding for Aboriginal-led climate change solutions.

Members discussed and raised concerns regarding proposed models for partnership for climate action and decided to have a focused strategic conversation to respond to questions raised out of session in September.

### **Climate Change Bill**

Ms Emily Briggs and Mr Daniel Nevin introduced the Climate Change Bill and provided an overview of targets and policy drivers for the legislation.

The Bill will establish the State's long-term target of net zero greenhouse gas emissions by 2050 and

provide statutory requirements to set interim emission reduction targets and develop policies to reduce emissions and enhance climate resilience.

Ms Melissa Lamb provided an overview of the targeted consultation approach, including a four-week consultation period, information sessions, including a dedicated session for First Nations attendees led by First Nations facilitator Vanessa Elliott, a Jaru woman from the Kimberley and desert region. Members raised concerns regarding the timeframe and made suggestions for improvements for the consultation approach.

### **Update on Climate Adaptation Strategy**

Mr James Duggie provided a progress update on the development of the Climate Adaptation Strategy (the Strategy) following the presentation to members on February 9, 2023 and targeted consultation, including with Aboriginal organisations, in March and April 2023.

The Strategy was released on 25 July by the Minister for Climate Action, Hon. Reece Whitby MLA (Attachment 2). The Strategy sets out how Western Australia will build resilience and ensure communities are equipped to respond to climate change.

Mr Duggie outlined how members input shaped the focus and content of the Strategy, including the addition of specific priority on empowering and supporting Aboriginal-led climate resilience. Next steps for the Department include appointing a Program Manager for the newly established First Nations Climate Resilience Fund and the Department has also committed to the development a Climate Adaptation Research Hub, together with Aboriginal organisations and academics. It is expected to be a 12-month project influencing the future of the strategy. Another core action of the Strategy is the development of an Aboriginal-led West Kimberley Climate Adaptation Strategy.

### **National Agenda**

DWER staff provided updates on the meetings of the Committee of Aboriginal Water Interests and Environmental Ministers as well as the National Water Initiative. Members received in a update on the National Water Initiative (NWI) and the refresh of principles of the Murray-Darling Basin Agreement. This agreement aimed to establish principles of water management across the nation, especially concerning surface water issues in the Murray-Darling Basin region. It was originally signed 20 years ago and many of the principles remain relevant. Members noted that an important objective of the refresh is the inclusion of Aboriginal customary law that will be composed by CAWI.

### **South-West Native Title Settlement**

Mr Simon Taylor provided an overview of the Department's approach to implementation and engagement under the South West Indigenous Land Use Agreement (ILUA). The engagement model is still in the process of being developed.

Mr Taylor discussed working with regional corporations and expressed interest in understanding the aspirations of the regional corporations. Members noted the importance of proceeding with sensitivity in this space and let Aboriginal people to lead; emphasising indigenous knowledge systems; and listening to the voices of members of the corporations. Members also highlighted the need for the Department to be mindful that First Nations people have numerous obligations and demands placed on them by government.