

LEGISLATIVE COUNCIL

C401

QUESTION WITHOUT NOTICE
(Of which some notice has been given)

Tuesday, 21 April 2015

Hon Robin Chapple to the Minister for Aboriginal Affairs.

I refer to the answer to Question Without Notice no. 240 asked by the Hon Robin Chapple MLC of the Minister for Aboriginal Affairs in the Legislative Council on Tuesday, 17 March 2015 which states that since 1 November 2012, 22 section 5(b) sites have changed status to "not a site" as a result of evaluation by the Aboriginal Cultural Materials Committee as part of the section 18 application process. I also refer to the recent Supreme Court decision regarding the deregistration of a Port Hedland Aboriginal sacred site based on the same interpretation of section 5(b) and ask:

1. Will the government now reveal the names and locations of the remaining 21 sites that have changed status to "not a site"?
2. Will the government now reveal information about any actual or proposed developments at any of these 21 sites?
3. If no to (1) or (2), why not?
4. If yes to (1), will the department reinstate the status of these sites?
5. If yes to (2), will the minister instruct the department to immediately halt any actual or proposed development and conduct the correct processes if any of these sites would have been subject to a section 18 application?
6. If no to (4) or (5), why not?

I thank the Hon. Member for some notice of this question.

1. Yes. I have information in tabular form and I seek leave to have it incorporated into Hansard. However it since the original response provided on 17 March 2015 an additional site has been identified by the Department of Aboriginal Affairs which has been included in the list. It should be noted that DAA 22874 is not included on the list as the status of the Aboriginal heritage place has not changed

2. Yes, however the information requested cannot be provided within the time made available. I will provide the information on Wednesday 22 April 2015.

3. Not applicable.

4. The Department of Aboriginal Affairs does not have the authority to change the status of Aboriginal heritage places. The Department of Aboriginal Affairs will review all relevant information and resubmit these Aboriginal heritage places to the Aboriginal Cultural Material Committee for reassessment.

5 – 6. I have asked the Department of Aboriginal Affairs to provide information on the implications of the Supreme Court decision as a matter of priority.



Minister for Aboriginal Affairs

[Tabled Paper]

| No. | ID | NAME |
|-----|-------|-----------------------------------|
| 1 | 6540 | Ashburton River |
| 2 | 21243 | DL01 - Two Trees (DL02 & DL05)) |
| 3 | 30602 | Lake Yindarlgooda, Mammu Tjukurpa |
| 4 | 21248 | Dunsborough Lakes Paperbark Trees |
| 5 | 3537 | Murray River |
| 6 | 16713 | Collie River Waugal |
| 7 | 17353 | Sabina River |
| 8 | 15914 | Burswood Island Burial |
| 9 | 27935 | Hotham River |
| 10 | 27109 | White Ochre Source – Red Hill |
| 11 | 3714 | Neerigen Brook 1 |
| 12 | 24380 | Mongers Lake Waterway |
| 13 | 1739 | Mt Gerमतong (near) |
| 15 | 21526 | Robe river (Gadjiwura) |
| 15 | 22886 | Southern River Junction |
| 16 | 23323 | BurruP Peninsula, Murujuga |
| 17 | 28326 | Minyulo Brook (Bilya) |
| 18 | 21245 | DL 03 – Creek Tributary |
| 19 | 21246 | DL04 Rocks (Waugyl) |
| 20 | 467 | Mynyitjitan Pilka |
| 21 | 17476 | Railway's Football Club |
| 22 | 24581 | Wati Kutjarra Tjukurpa |
| 23 | 30274 | LSC11 |