

ABORIGINAL CULTURAL HERITAGE ACT — INTERTIDAL ZONES

742. Hon NEIL THOMSON to the Leader of the House representing the Minister for Aboriginal Affairs:

I refer to the Aboriginal Cultural Heritage Regulations, noting that the intertidal zone can be considered an Aboriginal cultural heritage area.

- (1) After 1 July, on what basis would a child be expected to seek a tier 2 permit prior to the disturbance of 21 kilograms of sand?
- (2) Noting the exemption below 20 kilograms, should children restrict their sandcastles to less than 20 kilograms as a precautionary approach?
- (3) Noting the statements of the minister regarding unrestricted exposure under the current act, are children expected to seek a section 18 approval for any sandcastles prior to 1 July?
- (4) What is the statute of limitations for any ground-disturbing works undertaken under the Aboriginal Heritage Act 1972?

Hon SUE ELLERY replied:

The member really does not do anything for his credibility when he asks questions like this. The answer is —
Several members interjected.

The PRESIDENT: Order!

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The PRESIDENT: Order!

Hon SUE ELLERY: I am going to provide the answer now to children and sandcastles.

Several members interjected.

Hon SUE ELLERY: It reflects on you, too, you know.

The PRESIDENT: Order! Does anybody other than me want to hear the answer?

Hon SUE ELLERY:

- (1)–(2) Recreational activities carried out on or in public waters or in a public place are exempt. Lifestyle activities such as sandcastles are also exempt.
- (3) There is no expectation that children seek a section 18 approval for sandcastles prior to 1 July 2023. This question demonstrates the continued flippant and childish line of inquiry from the opposition around the Aboriginal Cultural Heritage Act 2021. Further questions of this nature should be placed on notice.
- (4) It is 12 months.