

LEGISLATIVE COUNCIL

1258

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

Wednesday, 2 November 2011

Hon Robin Chapple to the Minister for Indigenous Affairs.

With regard to the Western Australian Auditor General's Report Number 8 *'Ensuring Compliance with Conditions on Mining'*, September 2011 I ask:

- (1) What prevented the Department of Indigenous Affairs (DIA) from actively monitoring operator compliance with the Aboriginal Heritage Act (AH Act) for the past 12 months?
- (2) What were the factors that stopped DIA from undertaking enforcement action when instances of non-compliance were found during the past 12 months?
- (3) What has prevented DIA from using its powers to issue warnings and directions to operators who breached Section 18 conditions?

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

- (1) In the last 12 months DIA has been actively implementing a compliance framework and during this period monitoring of operator compliance in respect of Section 18 Consent Notices has been occurring.
- (2) DIA has undertaken enforcement action when instances of non-compliance were found during the past 12 months. All incidents reported to DIA have been investigated and / or assessed.
- (3) DIA heritage officers actively engage with industry and complainants at the time of a complaint consistent with DIA's statutory obligations and procedures.



**Minister for Indigenous Affairs**

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**Minister for Indigenous Affairs**