

LEGISLATIVE COUNCIL

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

Tuesday, 28 August 2012

Hon Robin Chapple to the Minister for Indigenous Affairs.

In late November 2011, the Department of Indigenous Affairs' (DIA's) website stated that its Site Assessment Policy in relation to 'recorded but not yet assessed' sites, referred to as 'lodged' sites, was that: "the provisions of the Aboriginal Heritage Act (AHA) apply to these places until they are assessed as places to which the Aboriginal Heritage Act 1972 does not apply."

In relation to this statement, I ask:

1. Is this still the policy of the Department for Indigenous Affairs (DIA)?
2. If no to 1, what is the current policy?
3. If no to 1, when and for what reasons was the policy changed?
4. If yes to 1, have exemptions been applied to Woodside Energy Ltd to enable their ground disturbing work at James Price Point?
5. If yes to 4, will the Minister please provide details of these exemptions?
6. If no to 5, why not?

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

Answer

1. Whether the *Aboriginal Heritage Act 1972* (AHA) applies to a place by operation of section 5 is a matter of law, not policy. A place that meets the requirements of section 5 is preserved by the AHA, whether known to the Department of Indigenous Affairs or not.

2 - 6. Not applicable



Minister for Indigenous Affairs