

LEGISLATIVE COUNCIL

C251

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

Tuesday, 17 March 2015

Hon Robin Chappie to the Minister for Aboriginal Affairs.

I refer to Question on Notice No.2195, answer L, asked by the Hon Robin Chappie to the Minister for Aboriginal Affairs in the Legislative Council on Tuesday, 18 November 2014, which states the Department of Aboriginal Affairs' (DAA) Aboriginal Cultural Material Committee's (ACMC) new interpretation that mythological sites or places are no longer sites to which section 5 of the Aboriginal Heritage Act (AHA) applies. I also refer to Question without Notice No.C163, asked by the Hon Robin Chappie to the Minister for Aboriginal Affairs in the Legislative Council on Thursday, 12 March 2015, in which mythological sites have previously been accepted on their mythological values by the ACMC, as evidenced in the answer in relation to the Weebo site, and on the Aboriginal Site Recording Form for site 30274. Given this, I ask:

1. When did the ACMC stop recognising mythological sites as places to which section 5 of the AHA applies?
2. How many sites have been deregistered since the State Solicitor's Office (SSO) advice given in relation to section 5b, as referenced in email dated 14th November 2012 3.14pm from Kathryn Przywolnik to Simon Keenan, cc'd Aaron Rayner and Christine Lewis?
3. How many sites or places have not been accepted as sites to which the AHA applies since that SSO advice was given?
4. If sites have been deregistered, how many staff have been allocated by the department to carry out this work?

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

1. The association of a mythology alone with an Aboriginal heritage place does not mean that place is necessarily a sacred site. For a place to be considered a sacred site, it must be demonstrated that it is devoted to a religious use rather than just a place subject to mythological story, song or belief.

At its meeting of 21 November 2012, the Aboriginal Cultural Material Committee considered and applied the State Solicitor's Office advice dated 1 November 2012.

2. Since 1 November 2012, 22 5(b) sites have changed status to 'Not a site' as a result of evaluation by the Aboriginal Cultural Material Committee as part of the section 18 application process.
3. It is the responsibility of the Aboriginal Cultural Material Committee to assess whether places and objects meet the criteria under section 5 of the Aboriginal Heritage Act 1972. The Aboriginal Cultural Material Committee does not assess sites by looking at any subsection of section 5 in isolation.

Between 2012/13 and 2013/14, the Aboriginal Cultural Material Committee considered 184 section 18 applications and 1,776 heritage places. Department of Aboriginal Affairs staff will have to manually go through 1,960 files to obtain the information requested. The staff resources required to collect the information requested cannot be justified.

4. Nil.



Minister for Aboriginal Affairs