

LEGISLATIVE COUNCIL

C466

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

Tuesday, 5 May 2015

Hon Robin Chapple to the Minister for Aboriginal Affairs.

I refer to Question Without Notice No. 240 asked in the Legislative Council on 17 March 2015 and specifically the answer to Q1 & 2, also email correspondence from John Avery to Aaron Rayner 28<sup>th</sup> Feb 2012 10.31pm and Memorandum to the Minister for Indigenous Affairs from the DAA Director General 8/03/2012 of how section 5 of the AHA may apply to DIA 30602 (Lake Yindarlgooda) because of its Mythological status.

1. Is it correct that:
  - a. the Aboriginal Cultural Material Committee (ACMC) first considered any advice/interpretation of AHA s5b relating to DIA 30602 on 21 November 2012?
  - b. legal advice on AHA s5b was first provided by the SSO on 1 November 2012?
2. If no to 1. a or b) when was the first advice/interpretation or legal advice on s5b received.
3. Did the department or the ACMC consider the interpretation of AHA s5b prior to 1 November 2012?
4. If yes to 3.) when?
5. Who sought advice on the AHA s5b from the SSO and on what date?

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

1. a. Yes.
- b. Yes.
2. Not applicable.
3. Yes.
4. There has been ongoing consideration of the application of section 5(b) since the *Aboriginal Heritage Act 1972* was proclaimed in 1972.
5. The Chair of the Aboriginal Cultural Material Committee sought advice on section 5(b) of the *Aboriginal Heritage Act 1972* on 31 August 2012.



**Minister for Aboriginal Affairs**