

LEGISLATIVE COUNCIL

Question On Notice

Tuesday, 14 August 2018

1447. Hon Robin Chappie to the Minister for Environment representing the Treasurer; Minister for Finance; Energy; Aboriginal Affairs

I refer to the Parnparjinya Remote Aboriginal Community located north-east of Newman, and I ask:

- (a) is the Aboriginal Lands Trust the responsible agency for the ongoing maintenance of Parnparjinya's basic infrastructure;
- (b) if no to (a), which agency is;
- (c) what are the regulations, legal frameworks or guidelines in place to ensure the responsible agency performs their infrastructure responsibilities, and will the Minister table these;
- (d) is the Aboriginal Lands Trust the responsible agency for carrying out Parnparjinya's basic municipal services;
- (e) if no to (d), which agency is;
- (f) what are the regulations, legal frameworks or guidelines in place to ensure the responsible agency adequately delivers municipal services, and will the Minister table these;
- (g) who or what organisation owns the land on which the Parnparjinya community is located;
- (h) regarding the answer for (d), does this organisation have any maintenance responsibilities;
- (i) are there any overlapping mining leases with Parnparjinya community land;
- (j) if yes to (i), how does this mining lease interact with the current land tenure arrangement;
- (k) has the Minister given any directive that this land will be given to native title;
- (l) yes to (k), when did this happen;
- (m) if yes to (k), how will this directive be carried out;
- (n) if yes to (k), who or what organisation will take on responsibility for housing, infrastructure and municipal maintenance; and
- (o) if no to (k), why not?

Answer

(a) The Aboriginal Lands Trust (ALT) holds the management order for Parnparjinya Reserve 42835 and is therefore responsible for the infrastructure on the reserve. The occupied houses on the reserve are the responsibility of the Department of Communities.

(b) Not applicable.

(c) The ALT is governed by the *Aboriginal Affairs Planning Authority Act 1972* (the Act). Section 23 of the Act prescribes the functions of the ALT, which include "(c) to ensure that the use and management of the land held by the Trust, or for which the Trust is in any manner responsible, shall accord with the wish of the Aboriginal inhabitants of the area so far as that can be ascertained and is practicable". The Department of Planning, Lands and Heritage (DPLH) manages the day-to-day requirements of the land on behalf of the ALT. There are no specific guidelines or standards for managing town based reserves such as Parnparjinya; however the ALT and DPLH must comply with any legislation that binds the Crown.

(d) Refer to (a).

(e) Not applicable.

(f) Refer to (c).

(g) Parnpajinya is Crown land with a management order granted in favour of the ALT.

(h) Refer to (a).

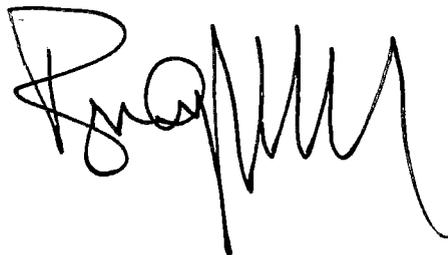
(i) Yes.

(j) In accordance with the *Mining Act 1978*.

(k) No

(l)-(n) Not applicable.

(o) Parnpajinya is a town based reserve and is therefore subject to the State's 'Whole-of-Government Policy Framework for the Transition of Aboriginal Town Based Reserves in Western Australia'. Under this policy, either the reserve will become a suburb of Newman or the residents will be relocated into social housing within the town. Any changes to land tenure, including divestment, would require the agreement of the registered Native Title Claimants, being the Nyiyaparli People.

A handwritten signature in black ink, appearing to be 'R. Parnpajinya' or similar, written in a cursive style.