

PORT HEDLAND CEMETERY

1001. Hon ROBIN CHAPPLE to the Leader of the House representing the Minister for Local Government:

I refer to the operations of the Port Hedland council under the commissioner and the CEO David Pentz; the document titled “Late Item — Ordinary Meeting of Council — Agenda”, dated 28 August 2019, item 14.3, “Closure of Port Hedland Cemetery (File No. 05/08/0011)”; and the letter at attachment 1 to item 14.3 dated 19 August 2019 from the commissioner to CEO David Pentz.

- (1) Why is the commissioner revoking a unanimous decision of the former councillors?
- (2) Why did the commissioner write the letter of 19 August 2019 to the CEO seeking closure of the cemetery prior to receiving the report identified in agenda item 14.3, “Closure of Port Hedland Cemetery”?
- (3) Is the minister aware that the Port Hedland pioneer cemetery is a heritage site that is yet to be assessed by the Aboriginal Cultural Material Committee?
- (4) Will any party seeking to change the cemetery’s current status be required to seek a section 18 application under the Aboriginal Heritage Act; and, if not, why not?
- (5) If the Port Hedland Cemetery were to be closed for active burial, would the sites remain available for special burial at the discretion of the minister?
- (6) If the Port Hedland Cemetery were to be closed for active burial, would the sites remain as a historic graveyard under the management of the Town of Port Hedland council?

Hon SUE ELLERY replied:

I thank the honourable member for some notice of the question.

- (1)–(2) This is a matter for the Town of Port Hedland.
- (3)–(4) This is a matter for the Minister for Aboriginal Affairs.
- (5) The minister is able to approve a burial under section 12 of the Cemeteries Act 1986.
- (6) If the cemetery is closed under section 4 of the Cemeteries Act 1986, the care, control and management of the closed cemetery will generally be vested, under section 43, in the body responsible for its management prior to its closure.