

ABORIGINAL CULTURAL HERITAGE ACT — IMPLEMENTATION

**736. Hon Dr BRIAN WALKER to the Leader of the House representing the Minister for Aboriginal Affairs:**

I refer the minister to claims made by a number of Aboriginal corporations, including the Kimberley Land Council, that they are vastly under-resourced to deal with the impending introduction of the regulations associated with the Aboriginal Cultural Heritage Act.

- (1) Why has the government failed to set up any of the local Aboriginal cultural heritage services that were promised ahead of the act coming into force?
- (2) When can we expect to see those local Aboriginal cultural heritage services rolled out, and what will serve in their place in the meantime?
- (3) Since neither farmers nor the Indigenous community seem to be happy with the level of consultation and support they have received to date, will the minister reconsider his decision not to grant a stay and delay the imposition of the new legislation by six months to allow more groundwork to be done?

**Hon SUE ELLERY replied:**

I have to provide an answer! The member is keen! I thank the honourable member for some notice of the question.

- (1) The Aboriginal Cultural Heritage Act 2021 provides the ability for Aboriginal corporations that want to take on the role and functions of being a local Aboriginal cultural heritage service, or LACHS, to apply to the Aboriginal Cultural Heritage Council to be designated as such. It is up to the individual Aboriginal corporation to make that decision and is not for the government to set up.
- (2) As this house has previously been advised, the new act is not dependent on the establishment of LACHS. Where there is not a LACHS, the act states that native title bodies such as prescribed bodies corporate and native title representative bodies will undertake this role.
- (3) No. The government has repeatedly stated its intention for the act to come into effect on 1 July 2023.