

ABORIGINAL CULTURAL HERITAGE ACT — IMPLEMENTATION

617. Hon NEIL THOMSON to the Leader of the House representing the Minister for Aboriginal Affairs:

I refer to the implementation of the Aboriginal Cultural Heritage Act.

- (1) If a person or company has operations subject to a tier 2, will those operations need to cease if a permit has not been approved after 1 July?
- (2) If no to (1), will the government indemnify people if they are then subject to legal action after 1 July for continuing operations without a permit approval?
- (3) If yes to (1), is the government aware of how many operations will need to cease after 1 July until they receive a permit approval?

Hon JACKIE JARVIS replied:

I thank the honourable member for some notice of the question. The following answer has been provided on behalf of the Leader of the House representing the Minister for Aboriginal Affairs.

- (1)–(3) If a proponent is currently causing a risk of harm to Aboriginal cultural heritage, an approval is required under the existing Aboriginal Heritage Act 1972. The obligation for an approval to impact Aboriginal cultural heritage will not change between the 1972 act and the new act. If there is no risk of harm, no approval is required.