

From: [REDACTED]
To: [CHA_Review](#)
Cc: wanganandjagalingousog@gmail.com
Subject: Submission to the Review of Qld's Cultural Heritage Act
Date: Wednesday, 30 March 2022 12:46:29 PM
Attachments: [Image2](#)

EXTERNAL SENDER: This email originated from outside the organisation. Please be vigilant with any external email you receive and use caution before responding. Do not click links or open attachments unless you recognise the sender and know the content can be trusted.

Dear Cultural Heritage Review Team,

Submission for the Review of the Cultural Heritage Act

Thank you for this opportunity to add my thoughts on improvements to Queensland's Cultural Heritage Act/s 2003.

You have organised the feedback for this review into three sections. So I will attempt to address these but in just one long commentary.

- 1. Improving cultural heritage protection by requiring consultation with First Nations peoples and strengthening compliance mechanisms.**
- 2. Reframing the definitions of 'Aboriginal party and Torres Strait Islander party'**
- 3. Promoting leadership by First Nations peoples**

I agree partly with the review team's thoughts to have "more engagement, consultation and agreement making" with First Nations peoples. However, I do not agree with the subsequent narrow interpretation and scope of who this means.

To start with, I urge the Cultural Heritage review team to look at the Acknowledgement statement at the beginning of the review options paper. It does not state that "we" - the Cultural Heritage review team on behalf of the Queensland government - pay respects to just the officially-recognised 'Aboriginal party' and 'Torres Strait Islander party'. Rather, it refers far more completely and inclusively to recognise all "*Aboriginal peoples and Torres Strait Islander peoples of this land*". This goes well beyond the representative constraints of any administratively-determined but narrowly-confined native title parties currently officially recognised.



As such, I think the recognition for input and decision-making under the Cultural Heritage Act is far too narrow and exclusive. It should be broadened to allow input from a wider array of First Nations people who hold particular *local* knowledge about culture (tangible and intangible) and in so doing, formally recognise that there exists many diverse local groups with their own cultural histories – as noted in the Acknowledgement - that need to be an active part of the cultural whole under the Act.

Furthermore, by re-framing and broadening the official definition of ‘Aboriginal party’ and ‘Torres Straight Islander party’ under the Act you would be gaining far more extensive knowledge for input and ongoing management; it would enhance protection and the ability to effectively monitor & enforce compliance for all cultural heritage; and importantly, it would be far more representative and democratic.

Finally, I think by reframing the above-mentioned party definitions to give legitimacy and engagement to a much wider and diverse group of First Nations people, you would encourage and enable more leadership by First Nations people. I think it would be highly appropriate that a First Nations-led entity be formed *with real powers* to help manage with the management of their own cultural heritage.

Thanking you once again for this opportunity to have my say in your review.

Kind regards,

Lyndall Rowley