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Sent: Wednesday, 30 March 2022 3:47 PM

To: CHA_Review <CHA_Review@dndsatsip.qld.gov.au>

Subject: Re: strong support for reform of the Aboriginal and Torres Strait Islander Cultural Heritage Acts to better protect First Nations cultural heritage in Queensland.

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Re: Queensland Government Review of the Aboriginal Cultural Heritage Act 2003 (Qld) and Torres Strait Islander Cultural Heritage Act 2003 (Qld)(Cultural Heritage Acts)

To whom it may concern:

We strongly support reform of the Aboriginal and Torres Strait Islander Cultural Heritage Acts, to better protect First Nations cultural heritage in Queensland.

Clearly Queensland's laws currently fail to recognise the right people to speak for Country.

Queensland's Cultural Heritage Acts have failed to protect the precious cultural heritage of the Wangan and Jagalingou People on the Carmichael Coal Mine site which is vital not only to their personal and community health and well-being, but also more broadly to human health, environmental health, environmental security and water security in this Queensland region.

To cease this dismal, ongoing failure in Queensland's outdated Cultural Heritage Acts, and on behalf of the Wangan and Jagalingou People and all other Traditional Owners in Queensland in future, we are asking the Queensland Government to:

1. Amend the definition of 'Aboriginal party' so that Traditional Owners with cultural connection to Country are always involved in consultation and negotiation processes, regardless of their status as a native title party.
2. Create greater enforcement powers for First Nations, so that we aren't reliant on the State to protect our cultural heritage if it is in imminent danger of harm or destruction.
3. Establish an independent First Nations-led decision-making body that is responsible for dispute resolution and mediation, and for assessing who the right people to speak for Country are.

The Cultural Heritage Acts must not fail the Wangan and Jagalingou People.

The definition of 'Aboriginal party' in the Cultural Heritage Acts should be changed so that Aboriginal and Torres Strait Islander People with particular knowledge about both tangible and intangible cultural heritage in an area are able to be recognised as a party and consulted on cultural heritage management and protection, regardless of whether there is already a native title party recognised for that area.

Greater powers are required for Aboriginal and Torres Strait Islander People to prevent or seek redress for illegal impacts to our cultural heritage without high risks of adverse costs orders. The State should also provide financial assistance to Traditional Owners seeking to protect their cultural heritage under the law.

Thank you for your attention to this important matter.

Sincerely,
Margaret and Paul Wilson

