

From: [REDACTED]
To: [CHA Review](#)
Subject: Cultural Heritage Acts review
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Submission:

Last year, Adani failed to consult with the Wangan and Jagalingou people and was allowed by government to destroy the cultural heritage. The law only required that Adani negotiate with a select group of people appointed to a Cultural Heritage Committee.

The Cultural Heritage Committee is supposed to represent the interests and knowledge of the Traditional Owners for that Country, including Wangan and Jagalingou people. In practice, decisions about their cultural heritage are being made by a select few individuals without full consultation.

The Cultural Heritage Acts in Queensland have failed the Wangan and Jagalingou People, and many other Aboriginal and Torres Strait Islander People. Currently these Acts simply allow mining companies easy approvals without meaningful consultation with the Traditional Owners for Country and without sufficient accountability when acting illegally.

The management and protection of cultural heritage should be in the hands of the traditional owners, and not in the hands of the State or developers.

I am calling for the following reforms, that are needed **at a minimum** to improve the protection of cultural heritage in Queensland:

1. Amend the definition of 'Aboriginal party' so that Traditional Owners with cultural connection to Country can be 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.

Regards,
Mairéad Cleary
Bundjalung country