

Hello Simon,

After yesterday's Council Meeting in Bothwell it was accepted that individual Councillors could provide feedback to the Statutory Review. To that end, I provide the following-

There have been significant Development Applications, such as the Hall's Island/Lake Malbena, where the Aboriginal Heritage assessment document AHTP2343 had been redacted, had a signature block of Samuel Dix, Archaeologist, but that legal document, unlike others lacked his signature, lacked a date the assessment was done, lacked . . . And, I as a Planning Committee member and the later as a Member of Council's Planning Authority am merely supposed to accept that as true, correct, and accurate. Yet, as a Councillor, member of the Planning Committee and Planning Authority cannot make ANY Planning decisions based on Aboriginal Heritage. Further, in doing my research, I was told the Aboriginal sites at Lake Malbena were more extensive than what appeared or was referred to in the Assessment. Still none of the aforementioned could or should influence my decision-making.

Isn't that taking a "head-in-the-sand" approach?

If I am not supposed to consider any of that, as part of my decision-making process, then why present the information at all?! Everything submitted should be true, accurate, correct, bearing signatures, dates, contact details, (a binding legal document) and all information submitted considered in context of an entire Development Application, and in context to topography, geography, and heritage/cultural values, etc. and, be duly considered. My duty is twofold to approve DAs that comply with the Planning Scheme AND to be the last safety lever pulled to protect what we treasure about Tasmania, IF NOT, then why have an Aboriginal Heritage Act, at all?!

Thus, I propose the following:

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1) In the Act's definitions, it should specify not just "Council", but should differentiate from Local Government Councils or any other.

2) "Crown Land . . . fee simple" What does that mean?

3) "land includes . . ." That definition is absolutely contrary to any dictionary definition of "land", why doesn't include the sky above, for example.

(3)

". . . A relic is-

(c) the remains of a body"

I ONLY care about science and furthering our understanding. Possession is a problem. Once confiscated and cremated, that opportunity is lost forever . . . Further, what if it was not actually Aboriginal Remains, as has happened in the past.

(2A) "For the purposes of providing advice . . ." That person must hold professional qualifications, and at least a Masters Degree in Archaeology or anthropology.

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4. Membership of Council

Consider Michael Mansell, T.A.C., who said, in 2001, "there were more phoney than real Aborigines in Tasmania". Bearing his statement in mind and the average population growth in Australia, according to ABS, was about 1.5%, from 1905 to 2016, and the Aboriginal population of Tasmania's starting point after the death of Fanny Cochrane Smith, 24 February 1905, has swollen to 23,000, exceeding the statistical population growth, I feel there should be clarity and certainty on this issue, before set in stone. In stating that, I do not believe it would be fair for Aboriginal affairs to be decided upon by an all Caucasian Council -or any pretenders who may have a pecuniary or conflict of interest or political agenda. The sole focus of the act should be to preserve and protect Aboriginal artefacts, relics,

sites, and human remains -in situ, in context, #1 for the sake of scientific research and #2 the cultural/spiritual significance to direct descendants or clan. A question that must be considered is the value placed upon the age of an artefact, relic, site. What is ancient? By designating something that is of Aboriginal origin, such as a stone tool, would it make it more significant that the first "black box" invented by David Warren, in 1953, for example, should it be unearthed 1,000 years from now?

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PART III Declaration and Management . . . Of Protected Sites 9. Protection of protected sites They must be protected -at all costs, but need to be accurately identified and demarcated, as you would for protected flora.

I would strongly urge:

- 1) that individual Local Government Councils' General Managers have access to high resolution geo-spatially mapped Aboriginal Site data. Consider that "Legacy Data" recorded up to 2014 was merely "Dot Points" and that 13,500 sites have been identified throughout Tasmania. I am betting there would be more, as yet not discovered, by the curious layman, bushwalker, guy on the end of a shovel. Those Dot Points should be surveyed to determine size, shape, amount. A "buffer" may not serve as sufficient protection or may lock up too much land from development.
- 2) that Aboriginal sites have clear physical demarcation with warning signs about interference or vandalism.
- 3) Regardless that Aboriginal artefacts, relics, remains, or sites are on Significant Agricultural Land or current or future utility site or building or road, those Aboriginal artefacts, relics, remains, or sites must be preserved, in situ and protected for science, posterity and cultural/spiritual significance.

Sincerely,
Robert Cassidy

Sent from my iPad