

Central Highlands Council - Written submission on the Statutory review of the
Aboriginal Heritage Act 1975

Dear Sir / Madam

In accordance with the written submission process of the discussion paper on the Statutory review of the Aboriginal Heritage Act 1975.

Please find below comments from Central Highlands Council on the Statutory review of the Aboriginal Heritage Act 1975:

- The Aboriginal Heritage Council should ideally include members from all Aboriginal Groups.
- That the definition for Relic in section 2 part 3 of the Act and definition of significance in section 2 part 8 of the Act, requires more detail, for example prioritisation of site and significance.
- The Act needs to ensure farmers understand what process is required if they find an Aboriginal 'relic' or significance site. Believe there is an issue with farming methods outlined in the Statutory Guidelines that deal with farming near significant Aboriginal sites.
- Cost to undertake Aboriginal survey of proposed development and land use sites are too high.
- Appeal process so that any future Aboriginal surveys are not required for future development applications – needs to be a clear process.
- Aboriginal Heritage Assessment in Planning Authority decision-making process, to be included in CHC Local Provisions of our Planning Scheme. Need to link the Aboriginal Heritage Act / Statutory Guidelines with the Planning Scheme so it can be considered by the Planning Authority.
- Need to ensure Aboriginal ochre quarry sites and scarred trees sites are protected and recorded in the Aboriginal Heritage Tasmania Register. Buffer zones around Aboriginal quarry sites are important to protect sites.
- Need for a mapping system of all Aboriginal Heritage sites which is linked to the Aboriginal Heritage Tasmania Register. Understand that this was considered during the 2013 review
- That penalties in the Act should be increased to protect significant Aboriginal sites.
- The current legislation is weak in defining actual reprimands for when public destroy or disrupt Aboriginal heritage which can include midden sites of tools.
- The legislation does not currently identify any true punishment for those breaking the law. Therefore through the legislation, it should be stated that there will actually be follow-up of the punishment for breaking the law. At the moment people just get a slap on the wrist. An example: The stopping the sale of shell necklaces made by a white women on Cape Barren Island. Ignorance also needs to be absolutely detailed in the new legislation and that ignorance is not an excuse.
- The legislation needs to be amended to protect Aboriginal heritage for the future:
 - Mapping Scheme for Central Highlands Council

- Clearer process of Aboriginal artefacts, the prioritisation and land use
- Commercial entities assessing land/dams etc
- Punishment / penalties
- Protecting sites
- Protecting known sites and areas
- Planning in Development Applications – Aboriginals Heritage

Example: Central Highlands has scared trees, century's old practice. Widening the aboriginal heritage listed sites and take in the aboriginal landscapes which would mean defining 'boundary' around the landscape, buffer zone so that the Aboriginal landscape is protected as same as recognised is just as important as a Midden or Scarred tree.

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