

Cultural Heritage Acts review - Submission by Max Dillon, Gold Coast 29/7/19

Ownership and defining cultural heritage

- The definitions in the Act should recognise the significance of waterways – including the connection to stories such as the rainbow serpent story

Identifying Aboriginal and Torres Strait Islander Parties

- The last claim standing should be removed – as it can mean that the wrong people to speak for country are recognised under the Act
- Alternatively, the government should invite Aboriginal people to meet to find out who we are e.g. setting up an Elders Council such as at Griffith University

Land user obligations

- All development should require consultation with the relevant groups (at the very least) e.g. in my experience on the Gold Coast - residential developments can disturb burial areas, dredging of sandbanks can disturb middens/fish traps

Compliance mechanisms

- There should be large fines for damage to cultural heritage
- The proceeds from the fines should go to the Aboriginal organisations responsible for cultural heritage in the area

Recording cultural heritage

- There is a need for effective mapping of cultural heritage – this would assist to protect cultural heritage

Other

- There is a need to consider how the Cultural Heritage Acts interact with other legislation e.g. with the Native Title Act
- The fees elders receive in engaging in cultural heritage surveys should not impact on their Centrelink payments and their Housing Commission status