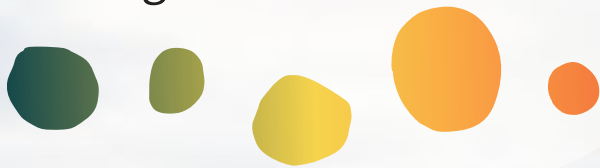


**Tasmanian Aboriginal  
Heritage Council**



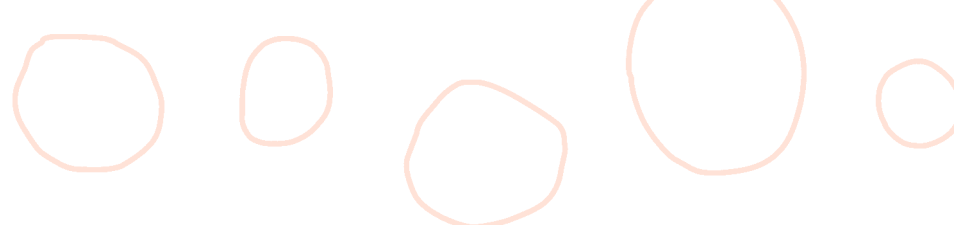
**YEAR IN REVIEW**

**2021-22**

## ACKNOWLEDGEMENT

*The Aboriginal Heritage Council acknowledges that the land on which it meets, and on which this document was published, is Aboriginal land. It always was, and it always will be. It has never been ceded to anyone. Tasmanian Aboriginal people still suffer from the trauma inflicted upon our ancestors. We feel it when our vulnerable sites are destroyed. We worry about how vulnerable our sites still are. When this Council meets, we come together to try to protect our sites, and in doing so, recognise and honour what was taken from our old people. What remains, we fight to preserve for today's Aboriginal community and for those still to come.*





# CONTENTS

MESSAGE FROM THE CHAIR.....	2
OVERVIEW .....	4
MEMBERSHIP 2021-22.....	6
COUNCIL BUSINESS 2021-22.....	10
UPDATE ON THE REVIEW OF THE <i>ABORIGINAL HERITAGE ACT 1975</i> .....	16
CULTURAL MANAGEMENT GROUP PRESENTATIONS .....	18
COUNCIL PRIORITIES .....	20
CONTACTS .....	22

*The name of the Department of Primary Industries, Parks, Water, and Environment changed to Department of Natural Resources and Environment Tasmania (NRE Tas) on 1 December 2021. For simplicity, we refer to the Department as NRE Tas throughout this Year in Review.*

# MESSAGE FROM THE CHAIR





**Another 12 months passed for the Aboriginal Heritage Council and this board continued to work well together. During 2021-22 the Council had 11 productive meetings and considered 30 permits.**

The NAIDOC theme in 2021 was Heal Country and we saw many celebrations around the State. Heal Country was a great message. It's a strong message to our people, to the Government, and to the wider population. Protecting Aboriginal heritage is one of the most significant things we can do as Aboriginal Heritage Council members, to Heal Country in our role as 'keepers of heritage', and as custodians of the land, for our people and our future.

As members who have a huge responsibility over our heritage, we have identified that there need to be stronger laws in place, and we plan to influence the new changes to the Aboriginal Heritage Act. Those changes must include increased education and understanding of the importance of an ancient culture that is tens of thousands of years old. The new Act will need to have stronger protections that are implemented and enforced by the Government and heavy fines to those who damage our heritage.

As any new Aboriginal Heritage Act is adopted, the Council would expect to play a part in ensuring Aboriginal people have a role in monitoring and maintaining those sites as custodians of the land.

During our 2021-22 work, the Aboriginal Heritage Council acknowledged how climate change is directly and indirectly threatening all forms of cultural heritage through severe weather events that will only increase in the future. We implore the Government to look at alternative energy sources, that have Aboriginal input, to reduce the impacts on our culture, landscape, plants and animals.

I would like to thank all the Councillors for their input in 2021-22. We have continued to work together collegially and constructively, and I look forward to doing the same in 2022-23.

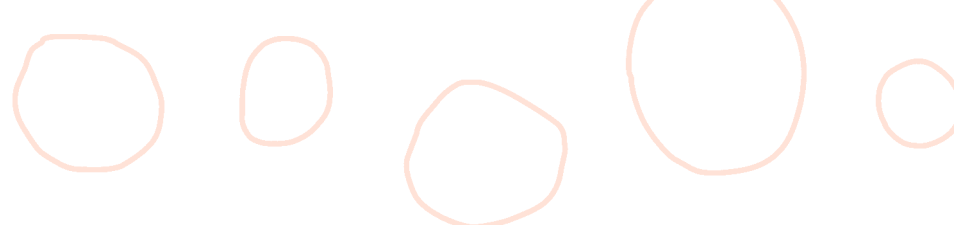
I would also like to acknowledge Aboriginal Heritage Tasmania staff for their continued support.



Rodney Dillon  
Chairperson

# OVERVIEW





The statutory Aboriginal Heritage Council was established under the *Aboriginal Heritage Act 1975* in August 2017. The Council replaced the non-statutory Aboriginal Heritage Council that had been in place since 2012.

The Act allows for the Council to:

- make recommendations to the Minister for Aboriginal Affairs on any matter in respect of which the Act provides;
- advise, and make written recommendations to the Minister in relation to any object, site or place alleged to be a relic under the Act;
- advise, and make recommendations to the Minister on such other matters in relation to the administration of the Act as it thinks fit;
- make recommendations to the Director of National Parks and Wildlife on any matter in respect of which the Act provides; and
- advise, and make recommendations to, the Director of National Parks and Wildlife in respect of any other matter relating to the exercise of the Director's functions under the Act.

The Aboriginal Heritage Council provides advice and recommendations to the Minister for Aboriginal Affairs, the Director of National Parks and Wildlife and stakeholders on the protection and management of Aboriginal heritage in Tasmania.

The Council also provides advice to the Department of Natural Resources and Environment Tasmania (NRE Tas) on the recognition and management of cultural heritage values in the Tasmanian Wilderness World Heritage Area (TWWHA).

# MEMBERSHIP

2021-22

**Rodney Dillon | Chair 2017 – 2023 |**

Appointed to a three-year term on 1 January 2021

Rodney has extensive understanding and knowledge of the *Aboriginal Heritage Act 1975* and has been a member of numerous high-level boards including National Oceans (5 years), the Australian Heritage Council (6 years), Stolen Generations (4 years) and was a Commissioner for the Aboriginal and Torres Strait Island Commission (8 years).



**Zoe Rimmer | Deputy Chair 2021 – 2023 |**

Appointed to a three-year term on 1 January 2021

Zoe has extensive experience in the museum and cultural heritage management sector. Zoe has been an Indigenous Fellow at the University of Tasmania (UTAS), Senior Curator of First Peoples Art and Culture at the Tasmanian Museum and Art Gallery (TMAG), a member of the National Museum of Australia's Indigenous Reference Group and on the Board of Directors of Karadi Aboriginal Corporation, as well as Design Tasmania. She is an alumna of the National Gallery of Australia's (NGA) Indigenous Arts Leadership Program and has previously had a role as Co-Chair of the Advisory Committee for Indigenous Repatriation.



**Robert Anders | 2017 – 2022 |**

Appointed to an 18-month term on 1 January 2021

Rob has been a long-term employee of 30 years in the School of Geography, Planning, and Spatial Sciences (GPSS) at the University of Tasmania. In this role he has worked on increasing the level of knowledge and respect of Tasmanian Aboriginal culture in teaching curriculum and research programs at the School and University College levels. Rob is involved with Aboriginal organisations at the community level and is passionate about looking after Country, protecting and maintaining Aboriginal heritage sites, sharing his knowledge, and practising culture.



**Merv Gower | 2017 – 2022 |**

**Appointed to an 18-month term on 1 January 2021**

Merv is from Devonport and has been involved with the Aboriginal community at many levels since 1972. Merv is regarded as an Elder in his local community.

Merv's passions are employment of Aboriginal people, health, and education, to help create self-sufficient Aboriginal corporations and communities, ownership and protection of land and heritage. Merv believes these characteristics will support a healthy and functional Aboriginal community.



**Greg Brown | 2021 – 2022 |**

**Appointed to an 18-month term on 1 January 2021**

Greg is a well-respected member of the Tasmanian Aboriginal community. In 2020, Greg retired after a long career with the Tasmanian Government. Twelve years of that service was in various roles with the Government's Senior Executive Service and eight years as the Manager of the Office of Aboriginal Affairs. Greg has considerable repatriation (remains and cultural material) experience. In 2006, Greg was chosen to successfully represent the Tasmanian Aboriginal community to mediate with the Natural History Museum in London for the return of 17 sets of Tasmanian Aboriginal remains to their rightful home. Greg has extensive legislative experience, community and stakeholder engagement experience, and is a highly effective communicator, negotiator and facilitator.



**Hank Horton | 2018 – 2023 |**

**Appointed to an 18-month term on 8 November 2021**

Hank is a past member of the interim Aboriginal Heritage Council and is an active member of the Aboriginal community with involvement at all levels including community, local, state and federal.

Hank is heavily involved in Aboriginal education and the promotion of ongoing Aboriginal culture in Tasmania, working with many schools and education groups to deliver and promote meaningful Aboriginal history. Hank is a member of boards, committees and councils covering a wide range of Aboriginal affairs and land management issues, including the National Parks and Wildlife Advisory Council, dealing with land management issues in national parks and the Tasmanian Wilderness World Heritage Area. Hank also sits on national-level committees, such as the Australian World Heritage Indigenous Network and the South-east Marine Parks Advisory Committee.



**Jeanymaree Jenkinson | 2018 – 2023 |**

Appointed to an 18-month term on 8 November 2021

Jeanymaree has been involved in Aboriginal affairs for over 30 years, being the founder of Aboriginal Student Support Parent Awareness in Strahan and a member of several organisations. In 1994, Jeanymaree was awarded the NAIDOC Tasmanian Aboriginal Artist of the Year.

Jeanymaree was a Tasmanian Regional Aboriginal Councillor with the Aboriginal and Torres Strait Islander Commission; Chairperson of the Tasmanian Regional Aboriginal Council Women's Committee; and the Tasmanian Indigenous representative to the Office of the Status of Women in her time with the Aboriginal and Torres Strait Islander Commission.



**Joselle Griffin | 2021 – 2024 |**

Appointed to a three-year term on 8 November 2021

Joselle is passionate about making sure that the stories and learnings from her Ancestors are passed on, and that new stories and learnings can be created and shared.

Joselle has a Bachelor of Social Work from UTAS and has spent her working life developing connections and working towards the advancement of the rights of Aboriginal people in various policy areas, such as family violence, education and community participation. Joselle strongly feels that one of the most important parts of the work she does is to have deep conversations with people to work towards a common goal and make sure they are heard and their voices counted.

Joselle believes that protecting Aboriginal heritage is a vitally important responsibility to Aboriginal culture, ancestors and future generations.

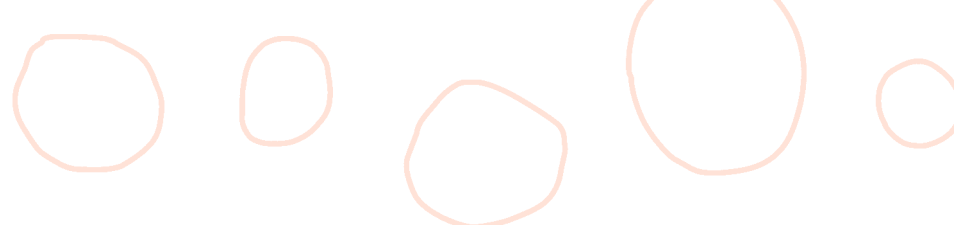


**Camilla Woolley | 2021 – 2024 |**

Appointed to a three-year term on 8 November 2021

Camilla has lived on the North-West Coast of Tasmania for more than 39 years and has a great understanding and in-depth knowledge of the Aboriginal history and heritage of the local region. She has a passion for sharing cultural knowledge with the young people of Tasmania and works closely with the many local schools in the area, guiding them on Country and developing cultural resources. Her aim is to educate people to create an understanding of Aboriginal history and heritage, so that communities can better protect and manage Aboriginal heritage sites within the north-west region. Camilla believes it is important that Aboriginal heritage is protected to enable future generations to pass on and share Aboriginal stories with continued respect, awareness and understanding.





**Tanya Harper | 2021 – 2022 |**

Appointed to a three-year term on 1 January 2021

Tanya has worked in Aboriginal education, training and welfare roles in Tasmania, the Northern Territory and Queensland for over 35 years. Tanya has worked in Aboriginal community organisations, primarily the Tasmanian Aboriginal Centre. Tanya has also operated a private consultancy, *pakana connections*, developing and delivering targeted cultural understanding training to government and non-government organisations. Tanya has a Bachelor of Social Work from UTAS, a Graduate Diploma in Women’s Studies from the University of Adelaide, and was an inaugural member of the Tasmanian Women’s Consultative Committee. Her interests include local Aboriginal cultural practices; creative, culturally inspired resources and artworks; and changing public attitudes and perception to encourage the recognition, valuing and celebration of all Tasmanian Aboriginal people and culture.



**Fiona Hughes | 2018 – 2021 |**

Term ended 6 November 2021

Fiona is passionate about educating her community and future generations about Country and cultural practices. Fiona has been actively involved in improving recognition and outcomes across Tasmania for Aboriginal people of all ages and from all walks of life, through many organisations and community positions.

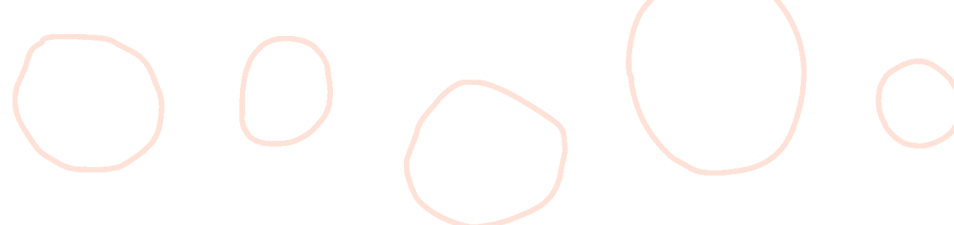
Fiona has extensive experience on Country – land, sky and sea – passed down to her by her mother and Elders. Fiona has vast knowledge on the protection of Aboriginal heritage sites throughout Tasmania, which includes practical experience when she lived and worked on Country at Preminghana in the North-West.



# COUNCIL BUSINESS

2021-22



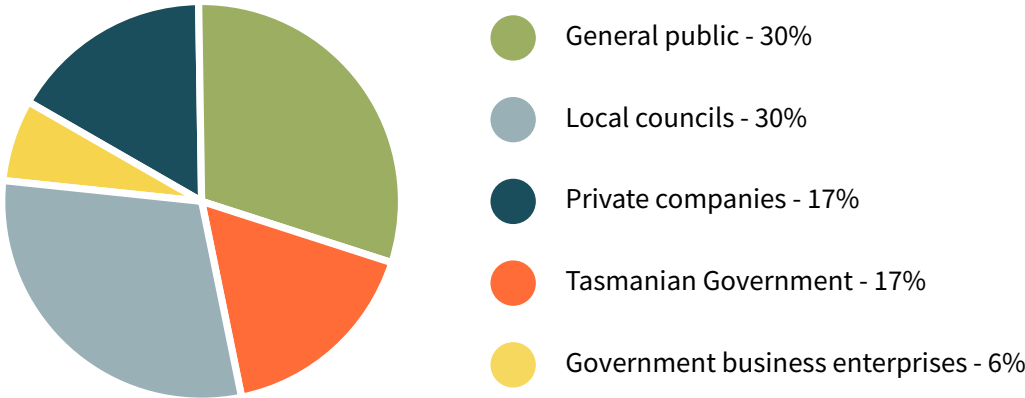


## Permit applications

This year the Council considered 30 permit applications under the *Aboriginal Heritage Act 1975*. These permit applications largely related to new dwellings, walking tracks, road upgrades, infrastructure maintenance, and revegetation. Many of the permit applications provided good mitigation strategies where it wasn't possible to completely avoid Aboriginal heritage. Four\* permits were opposed by Council but subsequently approved by the Minister.

A breakdown of permit applications is provided in the chart below. Private landowners and local councils submitted the majority of applications for the 2021-22 period.

*Permit applications 2021-22*



Local councils submitted a significant number of permit applications to undertake projects that have included improvements and upgrades to walking tracks in areas that have registered Aboriginal cultural heritage. Local councils, Aboriginal Heritage Tasmania (AHT) and the Aboriginal Heritage Council have worked together to find ways to minimise or ideally prevent impacts to Aboriginal heritage, and at the same time enable the broader community to access and enjoy areas of natural beauty in the city and surrounding areas.

\*When first published (24/01/2023) the Year in Review incorrectly reported six permits. This was rectified on 18/05/2023.

**The mitigation measures used have included the following:**

- Formalising tracks to reduce the number of walkers and bike riders using and creating informal tracks. Formalised paths are intended to restrict users to the preferred alignment and discourage users from venturing off track.
- During construction, installing barrier fencing where works are occurring in proximity to Aboriginal heritage to prevent any unintended disturbance.
- Using geotextile fabric to protect and preserve Aboriginal heritage sites located on existing tracks, and to minimise future erosion and wear and tear.
- Encouraging, where feasible, 'no-dig' construction methods. Tracks are constructed by building up the ground surface with introduced fill. Geotextile material is laid over the natural ground surface within the recorded boundary of Aboriginal heritage.
- Creating drainage that involves building up small mounds on sloped sections of track to deflect water from running directly downhill on tracks.
- Where possible, avoiding excavation or ground penetration.
- Where possible, keeping tracks on existing alignments and attempting repairs, rather than realigning tracks.
- Closing informal tracks in and around Aboriginal heritage sites to minimise impact.
- Where possible when removing old signage, re-using existing post holes and using recycled plastic posts to increase the asset life cycle and reduce the frequency of future disturbance.
- Using signage as a positive way to help reduce impact to Aboriginal heritage sites, by encouraging visitors to keep to formal tracks and removing confusion about routes and destinations.

**Some of the permit applications considered included:**

- Bedlam Walls takara limuna/sheoak walk, Clarence City Council
- Derwent foreshore revegetation, Hobart City Council
- Upgrade of Boronia Beach track, Kingborough Council
- Bellerive Bluff clifftop fencing, Clarence City Council
- Cornelian Bay signage upgrade, Hobart City Council
- Clarence foreshore trail, Clarence City Council
- City to Gardens Way track, Queens Domain, Hobart City Council.

Permit applications submitted by the general public were predominately to interfere with Aboriginal heritage in order to change fence lines and to build dwellings, sheds and other domestic infrastructure.

## Tourism

One of the ongoing concerns for Council during the 2021-22 period has been the growing demand for tourism ventures in the Tasmanian Wilderness World Heritage Area (TWWHA). Council clearly voiced its opposition to development in wilderness areas that impact Aboriginal heritage, particularly in the TWWHA. To be clear, the Council is not opposed to all tourism, but would like to see proposals that do not have direct or indirect impacts to our heritage. Council welcomes opportunities for Aboriginal people to establish tourism businesses, and believe only Aboriginal people can provide authentic products when presenting the Aboriginal values and stories of an area.

Tourism-related discussion and presentations at Council over the 2021-22 period included:

- Various tourism projects in various reserves proposed by Experience Co, including the South Coast Track
- Wellington Park Management Trust Visitor and Recreational Strategy
- Tourism Master Plan for the Tasmanian Wilderness World Heritage Area
- Maria Island Management Plan
- Arthur-Pieman Conservation Area track decision.



## Aboriginal freshwater interests

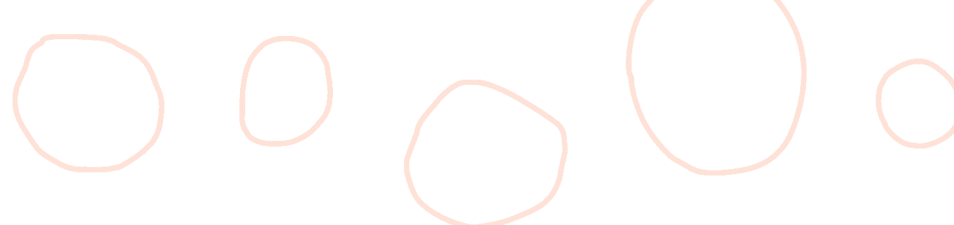
**The NRE Tas Water Policy and Planning Branch came to several meetings in 2021-22 to discuss with Council the Branch's work to develop a policy on consultation and engagement with Aboriginal people on water interests, and the outcomes of this engagement.**

The Branch's work includes managing the fresh water in rivers, creeks, streams, wetlands and groundwater and the plants and animals that rely on the water. In its planning work, the Branch strives to balance irrigation, town water, social and environmental water needs. The Branch had identified that its understanding of Aboriginal freshwater values was limited and that more needs to be done to incorporate important cultural values in water management planning.

The Branch first met with the Council in August 2021 to get the Council's perspective on how, or if, Aboriginal people would like to be involved in discussions on how freshwater resources are managed, and to gain an understanding of how Aboriginal people want to engage, what the best model looks like, and whether that model looks different for different groups.

The Council was very keen that any engagement is early, appropriate and respectful. However, Council members noted the lack of resourcing small Aboriginal organisations have to provide feedback to parties who wish to consult with them. They also noted the importance of building capacity in the Aboriginal community, for example through employment of Aboriginal people in water management. Council emphasised that meeting on Country is always very important for Aboriginal people, and that the message should be taken to them, and not to expect Aboriginal people to come to the Branch for such engagement.

The Branch returned in May 2022 to discuss the outcomes of their initial consultations and engagement with the Aboriginal community. The Branch wrote to 22 Tasmanian Aboriginal corporations and held eight meetings between March and May 2022.



#### **Topics discussed at the meetings were:**

- The importance of fresh water to Aboriginal people
- Areas of interest and freshwater issues of concern
- Specific catchment areas/regions of interest
- Interest in future involvement and how to work together
- Who else the Branch should be talking to and how best to keep people informed.

The Branch heard that fresh water is a vital economic and cultural part of Aboriginal people's everyday lives today as it has been in the past – it's an important food resource and part of traditional and modern-day storytelling. There was concern about the health of waterways and equity in access to fresh water. There was a desire for recognition of ownership and involvement in decision-making, and for an understanding that Mainland ideas aren't the same as here (for example, 'cultural' flows). Community were pleased to be involved and that consultation had included a range of people, but also wanted to ensure that any future engagement needs to have an end point and clear benefits for Aboriginal people – not a 'tick the box' exercise.

#### **The next steps:**

- Talk to a few more groups and individuals
- Consolidate the feedback received and document what was heard
- Report back to Aboriginal people to ensure views are represented correctly
- Develop an approach for working together
- Continue the conversations.

The Council and Policy and Planning Branch agreed that they would engage in further discussion and provide updates on the ongoing consultation and engagement with Aboriginal people on water interests.

An aerial photograph of a rugged coastline. The ocean is a vibrant turquoise color, with white foam from the waves crashing against dark, jagged rocks. The land is covered in dense green vegetation, with some sandy patches visible near the shore. The overall scene is dynamic and natural.

# UPDATE ON THE REVIEW

*OF THE ABORIGINAL HERITAGE ACT 1975*



## The Review of the *Aboriginal Heritage Act 1975* (the Act) commenced in June 2019.

The Aboriginal Heritage Council provided a submission to the first stage of the Review. It contained details of the changes Council would like to see in relation to key issues for future legislation protecting Aboriginal heritage.

The Review Report was delivered to the Government in the first quarter of 2021 and was tabled, along with the Government's response, on 1 July 2021. The Review Report confirmed that dissatisfaction with the Act remained high among Aboriginal people and stakeholders and made 17 findings under 10 key themes.

In its response to the Review Report, the Government committed to repealing the Act and replacing it with a new Aboriginal Cultural Heritage Protection Act with ongoing consultation to occur with Aboriginal people and stakeholders through a consultation paper on the proposed high-level directions of the new Act and a draft exposure Bill.

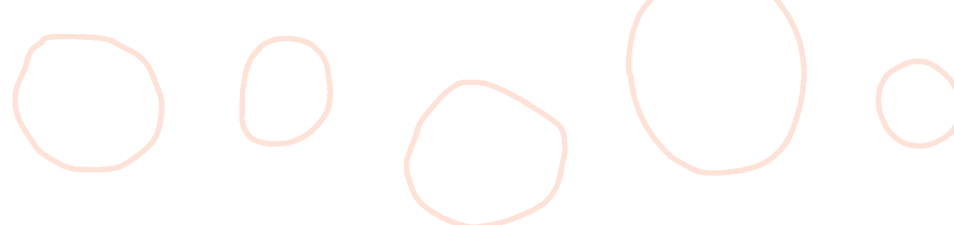
The consultation paper presenting the Government's high-level proposal for a new Act was released on 10 March 2022. It was pleasing that the consultation paper acknowledged many of the points that the Council had previously raised in its submission to the first stage of the Review. Particularly, the need for the new Act to include clear objectives, better definitions, deliver improvements to how the interests of Aboriginal people are represented and deliver meaningful outcomes for the management and protection of Aboriginal cultural heritage, including appropriate enforcement measures and consequences for noncompliance.

The Council received several detailed briefings and, in June 2022, the Council provided a further submission that responded to the proposals outlined in the consultation paper. The submission acknowledged that the Government was finally moving to recognise Tasmanian Aboriginal people as the custodians and rights-holders of our heritage along with providing a lead role in making decisions about how Aboriginal cultural heritage will be managed and protected in the State, particularly through the planning system. This will be an important step forward as it will provide the basis for the Council to manage, protect and preserve our heritage and cultural landscapes, which include land, inland waters, and sea by providing powers to make decisions that relate to Aboriginal heritage.

The Council looks forward to continuing its close involvement in the development of the new Aboriginal cultural heritage legislation, and to reporting on outcomes in the next Year in Review publication. As the Council has previously observed, reviews of legislation do not occur often, and the effects of this Review will be long lasting and have consequences on Aboriginal cultural heritage that will impact current and future generations of Tasmanian Aboriginal people. Updates on progress can be found on the Aboriginal Heritage Tasmania website.

A coastal landscape featuring layered rock formations in shades of tan, grey, and blue. The rocks are situated on a sandy beach with scattered driftwood. In the background, there is a line of green vegetation and a clear blue sky.

**CULTURAL  
MANAGEMENT  
GROUP**  
PRESENTATIONS



## Cultural Management Group (CMG) – 2021 Review

CMG sits within AHT and provided a presentation on the work undertaken by the CMG during 2021.

Council appreciated the update, noting the very impressive work the CMG team had undertaken in 2021. Council particularly noted how Aboriginal community members enjoy the access visits, particularly the opportunity for community to reconnect with Country.

## Western Tasmania Aboriginal Cultural Landscape (WTACL) Digital Recording Project

CMG's presentation to Council outlined how \$200,000 Commonwealth funding to AHT will be used to undertake digitisation of Aboriginal cultural heritage sites within the WTACL. The project is focused on the cultural landscape and not just the Aboriginal heritage sites themselves. The digital recording will be used to inform future management.

## TWWHA project 1 - Guide to Interpretation and Presentation

- CMG noted the large cross-over between the TWWHA Management Plan and the original 1995 Strategy.
- Council noted that the objectives of the guide were driven internally; the principles arose from consultation with the Aboriginal community.
- The next steps were discussed, and Council was made aware that the draft guide was provided to the Parks and Wildlife Service (PWS) for consideration. AHT will still provide guidance and advice; however, the PWS will be the main driver moving forward.
- Council discussed the opportunity to provide interpretation about the Aboriginal community today, not just the ancient history.
- Council agreed there is a need for consistency in how stories are told and presented. The story should include the greater statewide story and then focus on regions and local areas.

## TWWHA project 2 - Healthy Country Plans

In a video presentation, AHT provided members with background information on Healthy Country Plans, including current funding uncertainty. This creates an extreme vulnerability for the program's future.

Council determined to write to the Minister for Aboriginal Affairs and to the Secretary of NRE Tas to encourage them to support the program moving forward.

# COUNCIL PRIORITIES

As stated in our 2020-21 Year in Review, the Council sets out priority areas. We periodically assess our progress against these priorities in order to be an effective Council and ensure delivery against these outcomes. The priorities were set for three years and will be reviewed in 2023. The Council priorities have become part of the agenda papers so that they remain front and centre in our decision-making process.

The Council's priorities will continue to be focused on:

- supporting the reform of the *Aboriginal Heritage Act 1975* to ensure better protection;
- protecting Aboriginal cultural heritage on Tasmania's West Coast;
- improving the Minister for Aboriginal Affairs' knowledge and appreciation of Aboriginal cultural heritage and securing a commitment to a high level of protection;
- providing effective input into the Treaty process;
- increasing recognition of the Aboriginal Heritage Council and its views;
- protecting Aboriginal cultural heritage in the North East;
- supporting an education campaign to increase the value the public place on Tasmania's Aboriginal cultural heritage;
- achieving better enforcement of protection; and
- protecting Aboriginal cultural heritage in the Tasmanian Wilderness World Heritage Area and on Maria Island, the South Coast and Tasmania's other coastlines.





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# CONTACTS

The Aboriginal Heritage Council has a dedicated website at

**<https://www.aboriginalheritage.tas.gov.au/council>**

*Proponents wishing to brief the Council on proposed projects and developments can find our briefing form on this site.*

You can email the Council on **[aboriginalheritagecouncil@dpac.tas.gov.au](mailto:aboriginalheritagecouncil@dpac.tas.gov.au)**

The Executive Officer providing support to the Council can be contacted on **03 6232 7893**

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