



Speech by

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ABORIGINAL CULTURAL HERITAGE BILL; TORRES STRAIT ISLANDER CULTURAL HERITAGE BILL

Mrs ATTWOOD (Mount Ommaney—ALP) (9.43 p.m.): I rise to support the Torres Strait Islander Cultural Heritage Bill 2003, which is a companion bill to the Aboriginal Cultural Heritage Bill. The minister has previously outlined the importance of keeping the bills separate. Consultations on the draft model for the new legislation revealed that Torres Strait Islanders expressed a basic desire for separate legislation to acknowledge the distinct and important cultural differences between Torres Strait Islander people and Aboriginal people. We are better able to demonstrate the cultural heritage of both groups and their value as unique pieces of Queensland history and cultural identity.

The reason this legislation has been introduced is to provide effective protection of Torres Strait Islander cultural heritage and also to create flexible and workable processes to address land use impacts with some certainty and fairness. The mechanisms for protecting and managing Torres Strait Islander cultural heritage are the same in both bills and will ensure a consistent approach to take in protecting and managing cultural heritage in the Torres Strait and in mainland Queensland, and the same certainty and flexibility will be afforded to addressing Torres Strait Islander cultural heritage issues.

Island custom is acknowledged within the two bills within the definition of 'Torres Strait Islander cultural heritage'. A review of the legislation will occur within five years because of the complex and sensitive nature of cultural heritage issues. The Department of Natural Resources and Mines will administer this legislation. However, the commencement of this legislation will be delayed to a date to be fixed by proclamation proposed for 2004. The delay will allow time for essential preparatory work to be completed. This preparatory work will include the establishment of the cultural heritage register. Information may be placed on the register following a cultural heritage study to assess the significance of an area as well as other information necessary to help the consideration of cultural heritage, and maximum penalties apply to protect heritage entered on the register.

The database will contain information about cultural heritage values collated by the Environmental Protection Agency since the 1930s. Information may be added to the database without undertaking a formal cultural heritage study. Information may be provided from the database on an as needs basis to ensure that the sensitivity and integrity of the information is respected. Preparation work will also include the finalisation of duty of care guidelines for all persons to take reasonable and practical steps to prevent harming cultural heritage.

The Sir David Longland prison management and staff celebrate NAIDOC week with performances by Aboriginal inmates who work for weeks to refine their spiritual dance. It is wonderful to see them maintain their culture within even a prison environment. A number of these inmates voluntarily donated their paintings towards an auction for a local children's hospice called Zoe's Place. Another local group called Bennanawa often celebrate the culture of our indigenous Australians through displays of their artwork and dance at the multicultural Milperra State High School.

The government has allocated \$3.5 million over the next four years to implement this important legislation. These costs are associated with the establishment of the Torres Strait Islander cultural heritage register, the Torres Strait Islander cultural heritage database, funding to assist Torres Strait Islander cultural heritage bodies meet their responsibility under the legislation to identify traditional owners for country, and the placement of a regional cultural heritage officer to assist in effective implementation in the Torres Strait.

It is important to recognise the fundamental right of Aboriginal and Torres Strait Islander people to be involved in a process of assessment and management of activities that may harm their cultural heritage. As a government we acknowledge how important it is that our indigenous Australians' unique cultural heritage is protected and managed through the establishment of an equitable and workable framework. All people living in Queensland will acknowledge the value of our native Australian culture so that future generations are able to experience this culture for many years to come. I commend the bill to the House.