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Project Manager  
Review of the Aboriginal Heritage Act 1975  
Natural Resources and Environment Tasmania

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## Review of the Aboriginal Heritage Act 1975

Thank you for the opportunity to provide comment on the proposed new Aboriginal Cultural Heritage Protection Act.

Private Forests Tasmania (PFT) is an independent statutory authority established under the *Private Forests Act 1994*. We work to facilitate and expand the sustainable growth and development of the private forest resource in Tasmania. Under our [Corporate Plan 2021-24](#) one of our goals is to work with policy makers and regulators to improve regulatory efficiency and practical policy settings for private forestry.

PFT supports the Government's commitment to develop new and long overdue legislation that better protects Aboriginal cultural heritage in Tasmania. PFT also supports, in principle, the Government's proposed approaches and policy directions on the key elements of the new legislation as outlined in the consultation paper published on the Departments website.

In particular, we support the proposal to retain the provisions that are in the current *Aboriginal Heritage Act 1975* (sections 21-21A) that provide for the adoption by the relevant Minister of standards, rules, codes, guidelines or other documents. In the forestry sector, the document published by the Forest Practices Authority and titled *Procedures for managing Aboriginal cultural heritage when preparing Forest Practices Plans* has been adopted by the Minister for the purposes of sections 21-21A and as such has since provided consistency in the proper protection and management of Aboriginal cultural heritage during the planning and conduct of forest operations as well as providing certainty for forest owners and managers. These arrangements should continue.

PFT is sympathetic to the proposal to recognise and register intangible heritage (songs, language, stories, landscapes, customs etc) as Aboriginal cultural heritage, however we would be concerned if the registration of a cultural landscape for example, impacted on the existing rights of the owners of private land within those landscapes. Similarly, PFT understands that the custodianship and decision making power with regard Aboriginal heritage should rest with Aboriginal people, however where heritage items are located on private land, the existing rights of the landowner to use their land should not be unnecessarily constrained.

While the above mentioned issues are discussed in broad terms in the consultation paper, PFT would be interested in being engaged as the detail is developed. If there are any industry briefings or workshops planned in coming months, we would be interested to participate. If not, we look forward to reviewing the detail when the draft Bill is released for public comment.

Yours sincerely,



**Penny Wells**  
CEO Private Forests Tasmania