

North Burnett Regional Council's Cultural Heritage Acts Review Feedback

1. Ownership and Defining Cultural Heritage

- Intangible Heritage, as it is currently defined, is extremely hard to assess and therefore hard to place the area into duty of care categories. A more definitive procedure for determining intangible heritage and what duty of care level it has, needs to be investigated

2. Identifying Aboriginal and Torres Strait Islander Parties

- In the case of 'Last Claim Standing' where more than one previous claim for an area is present, DATSIP should review these claims and assess which has the strongest evidence for Native Title rights, not solely based on the court dismissal dates.

3. Land User Obligations

- More defined guidance around who can undertake a land assessment – including how much experience is required and categories for different land users, for example:
 - o Landowners – required to watch a readily accessible video detailing what to look out for on their property (what a scar tree looks like, why it's important to assess areas around waterways etc.)
 - o Government – Short courses as well as in-depth training provided by DATSIP in collaboration with Traditional Owners at a fee
 - o Business – Depending on size: provide both accessible videos, short courses and in-depth training

4. Compliance Mechanisms

- More guidance for land users will reduce the need for compliance

5. Recording Cultural Heritage

- Improvement of the current DATSIP cultural heritage database is needed. The current database is not user friendly. While there is a need to respect Traditional Owners wishes not to have site locations known, a large buffer of the approximate location of the site could be used so users are aware that in that general area a site needs to be preserved. Colour coding could be used to assist users in knowing if a site is known, accessible or hidden.

6. Your thoughts

- Better, more in-depth outline of Traditional Owners obligations for the Acts
- Instruction around Land User rights if Traditional Owners don't communicate or participate in the process