

Date >> 29 March 2022

Cultural Heritage Acts Review

Department of Seniors, Disability Services and
Aboriginal & Torres Strait Islander Partnerships
PO Box 15397
CITY EAST QLD 4002

TOWNSVILLE CITY COUNCIL
ADMINISTRATION BUILDING
103 WALKER STREET

PO BOX 1268, TOWNSVILLE
QUEENSLAND 4810

TELEPHONE >> 134 810
FACSIMILE >> 07 4727 9050

enquiries@townsville.qld.gov.au
www.townsville.qld.gov.au

Email: CHA_Review@dsdsatsip.qld.gov.au

Dear Sir/Madam

SUBMISSION IN RESPONSE TO THE QUEENSLAND GOVERNMENT RESHAPING QUEENSLAND'S CULTURAL HERITAGE LAWS

Townsville City Council (Council) thanks the Department of Seniors, Disability Services and Aboriginal & Torres Strait Islander Partnerships (DSDSATSIP) for the opportunity to provide comments on the Options Paper for the *Aboriginal Cultural Heritage Act 2003* and *Torres Strait Islander Cultural Heritage Act 2003*.

Please accept this letter and Attachment A as Council's formal submission on the Options Paper. Attachment A identifies Council's comments and suggested solution/changes with respect to the Options Paper. Council supports the review of the Cultural Heritage Acts in principle.

Council looks forward to the release of the final, revised versions of the Cultural Heritage Acts. Please contact Ted Brandi, Heritage Officer, on telephone 4727 9455 or email ted.brandi@townsville.qld.gov.au if there are any queries regarding the comments contained in this submission.

Yours sincerely,



Paul Johnston

Acting Chief Planning & Development Officer



ATTACHMENT A – Townsville City Council Submission

Townsville City Council Submission

Queensland Government

**Reshaping
Queensland's Cultural
Heritage Laws**

March 2022

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Comments provided by:

Organisation: Townsville City Council
Contact: Paul Johnston, Acting Chief Planning & Development Officer
Phone: 07 47279489
Email: Paul.Johnston@townsville.qld.gov.au

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General Comments

No.	Comment	Suggested solution/change
1	There is a concern that some of these proposals will have significant implications for the demands on the limited resources of local councils. One example of this	Townsville City Council supports the state government making funding available to assist with local councils' responsibilities with respect to implementing the revised legislation.

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	is that the changes, once finalised, will likely require training to be provided at both Officer and Councillor levels.	Provision of regular, state-led training programs offered across the state to educate on legislation and enhance compliance is recommended.
2	A need has been identified for there to be a single, up-to-date reference point for places, as well as responsible parties that are required to be consulted.	Enhanced state mapping and associated databases, as well as state cultural heritage human resources, to support local government.
3	The working relationship between local councils and Indigenous stakeholders is continuously evolving.	This legislation should be reviewed again after an agreed period of time, but perhaps not longer than five years, as well as regularly thereafter.

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Proposal 1 – Providing opportunities to improve cultural heritage protection

No.	Comment	Suggested solution/change
4	<p>Council notes that one of the actions in Townsville City Council’s Stretch Reconciliation Action Plan September 2021 – June 2024 is “Action 10 - Plan to advance Aboriginal and Torres Strait Islander peoples’ interests in land use planning”. Informed by the State Government guidance for local governments in regard to “Advancing Aboriginal and Torres Strait Islander interests in land use planning”, a key deliverable under Action 10 is for Council to undertake a statutory planning scheme amendment in this regard.</p>	For information and noting.
5	<p>A planning scheme amendment project is in its early stages, with Council having commenced Stage 1 of the project. The project is aimed at improving the protection of cultural heritage through a future planning scheme amendment. It is noted that Council has limited human and financial resources to undertake the project and additional support (in terms of grant funding and / or further research and guidance) would be beneficial in relation to projects of this nature.</p>	For information and noting.

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Proposal 3 – Promoting leadership by First Nations peoples

No.	Comment	Suggested solution/change
6	Townsville City Council supports working with universities to build Aboriginal and Torres Strait Islander capacity to be involved in the administration of this legislation.	<p>Queensland could establish independent bodies to decide who the registered Aboriginal or Torres Strait Islander Parties for an area are, that can enter into local heritage agreements with proponents, etc.</p> <p>The Indigenous Voice Co-Design Process Final Report to the Australian Government was released in December 2021.</p> <p>The Australian Government has agreed that the next step is establishing Local and Regional Voices and will begin discussions with State Governments and Local Governments/Councils.</p> <p>It is suggested that this is a timely opportunity to align the establishment of these Local Voices with the establishment of regional and local cultural heritage bodies.</p>