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### **THE LEGISLATIVE COUNCIL GOVERNMENT ADMINISTRATION B COMMITTEE MET AT CIRCULAR HEAD COUNCIL CHAMBERS, SMITHTON ON TUESDAY, 6 AUGUST 2013.**

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#### **ABORIGINAL LANDS AMENDMENT BILL INQUIRY**

**Mr DARYL QUILLIAM**, MAYOR; **Mr JOHN OLDAKER**, DEPUTY MAYOR; **Ms JAN BISHOP**, **Ms JEANIE MURRELL**, AND **Mr ASHLEY POPOWSKI**, COUNCILLORS, CIRCULAR HEAD COUNCIL, WERE CALLED, MADE THE STATUTORY DECLARATION AND WERE EXAMINED.

**CHAIR** (Mr Finch) - Welcome, everyone, to the committee hearing for the Aboriginal Lands Amendment Bill. Thank you for making yourselves available. You are all under parliamentary privilege but when you leave the committee you are not covered under privilege. What you say here under oath is protected by parliamentary privilege.

**Mr QUILLIAM** - You have the submission that we put in. The sort of things that concern us are the impacts in the past. Things have not worked very well, in our opinion. Obviously we have put in Mount Cameron/Preminghana and the issues that we have seen there. TALC was given this land and they did a lot of work for the first year or two and they were going to do many things with it, but in the last two or three years they abandoned it to the detriment of the area down at Marrawah. They did have a great opportunity there to do a lot with Aboriginal culture; as far as tourism and other issues are concerned they could have done a lot of work with it. If they had done that the community at large would have been really supportive of what they had done. It has been abandoned, so to give them some more land as well I think is not in the best interests of our area.

The handing back appears to be a political decision rather than derived from a registration test through the process defined by the National Native Title Tribunal. My understanding is the Aboriginal people never really asked for it. It was just given to them and I find that extraordinary. I know as a council we feel quite strongly that is the case, especially when we have CHAC - our local Aboriginal people. I have spoken to the Premier on a number of occasions, and the Deputy Premier as well, that we have a corporation here in Smithton that is looking after the Aboriginal people extremely well. We are very supportive. If anybody was going to be given land in our area I would have thought they would have been at least consulted, and given to these people rather than TALC. They are certainly doing a lot of work in our area. They are respected by the majority of the people in our area.

When they first started in Smithton they were probably queried as to what their intentions were. They have worked very well in our community and have been very supportive of work that we do in the Arthur-Pieman area and the Tarkine, so we would have thought that if any land was going to be given to any Aboriginal corporation then this is the group it should have been given to. I know they are keen to do a lot of activities for the Aboriginal people, and for the European people as well, because they

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are keen on promoting the Aboriginal culture, which most other groups in Tasmania are not doing, so I think that is quite important.

Circular Head Council believes that if Rebecca Creek quarry sites and surrounds are handed back to the Tasmanian Aboriginal Land and Sea Council it would be locked up and no longer available for the greater community. CHAC would work with us much better than TALC. When TALC has been involved in other handbacks they actually stopped most other people from using that land, which is land owned by the government and so should be available to all people other than when they have cultural activities. Obviously the general public cannot go to those but then for the rest of it they should be able to.

Circular Head Council believes that the Mount Cameron hand-back has been an abject failure. Mount Cameron west has in the past been overrun by gorse. They did a lot of work when they were first given the land, going back four or five years ago, but it has grown now and it is a fire hazard and a weed hazard. If there was a fire in that area and the wind was in the wrong place, it could be a major problem for the local area.

If the land was not handed back to the Circular Head Aboriginal Corporation, nominating this package of land as a state reserve would enable access for all, and reduce fire risks and weed infestation due to a continuation of the current resource management. I know that the government in general, especially Parks and Wildlife, struggles to get enough finance to look after some of these areas, but they are not going to get any more funds if it is handed back to the Aboriginal people. In fact they could actually get less than now. It would not be in the best interests for this community for this land to be handed back to this group, as is proposed by the government.

**Mr OLDAKER** - With the hand-back issue, Mabo does not apply in Tasmania. That has been well documented, therefore that in itself creates some angst within the community when they see that going on. TALC and our local people do not get on; you will hear that from the local people themselves. If the local Aboriginal Corporation were running it we would get a lot more cooperation within the community and there would not be the angst we see within it. We just see this as a political decision and it will create some divisions within the community that we need not have. I need to emphasise those points.

**Mr POPOWSKI** - I refer you to an article called *Tasmanian Tribes* by N.J.B. Plomley. It is quite a lengthy document about when they tried to have other land hand-backs in Circular Head, like down in West Point and Sundown. It has quite an extensive coverage of the tribes. There were some 55 tribes around Tasmania. One of the comments that came from that report is the Aboriginal people were more land users and nomadic, and not landowners. That is one thing you should consider if you are going to give land back. I think we may in future be causing a problem if we hand it back to the wrong group. I am not familiar with Aboriginal lore and how they interact with each other, and what land ownership to each tribe means.

If the government makes a wrong decision it is going to cause problems in the future. Are we giving it to the right people? Do we need to give it back? If it is not handed back we think there is a better solution. The first one is: if we were to give 148 hectares and if that was valued at \$300 000, I am pretty sure that if we give that amount of money to the Aboriginal Corporation, I don't think they would choose Rebecca Creek as their

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number one priority. I think there were as surprised as we were in the nomination. That made me think, 'Why is this so?'. It is in the middle of the Tarkine and they want private land. We have heard talk about how certain people want it to be a national park. Why would they want to be giving land back in the middle of a national park, if that's their aim? It is very close to the start of the mineral belt, so it is convenient. I have been a resident of this place for 60 years and I have seen no real affinity with that land by any group, other than some loggers for a while - until that was ceased due to restrictions with Aboriginal heritage and artefacts. It is a political decision for some reason that I don't know.

**Ms MURRELL** - I feel strongly with our CHAC group within Circular Head. They embrace our Aboriginal community very well but they extend themselves far beyond their own people. I believe that is very important within this community. If it goes to anyone, it would be my preference to go to them because they have roots within that area. I question the amount of money that's been spent down at Mount Cameron - Preminghana. I made trips down there on our Tidy Towns visits when we had submissions there. I drove across it in my four-wheel drive and it was virtually cleared of gorse. They had an extreme amount of equipment there and a lot of money was spent. I would love to know - and I think it would be a point for the committee to know - how much money has been put into that area. We then see it growing. There is equipment down there that they ran without oil and it blew up. If people have a strong connection they would want to do the best for it, and I have not seen that down there.

**Mr OLDAKER** - When we were putting the submission together I asked, 'Why would you want to give any land back to them when they can't look after what they have?'. I don't know whether members have had an opportunity to see Mount Cameron but it is an absolute disgrace. They have had it a bit longer than the mayor indicated. When I was first elected to council there was a demonstration down there and they were going to play merry hell. They got kids from school to go there and plant trees. You wouldn't find them if they are still there because the gorse has taken over. It is fire hazard. It has been the view of the council as to why you would give any more back to them when they can't look after what they have.

**Ms BISHOP** - I don't know whether they might have done a little bit of work down there recently, but we have brought it up with ministers prior to this. Brian Wightman was on the tracks when the rally was on and council had a meeting with him later. We voiced our concern as to the condition of Preminghana. There has been a bit of work done of late, but I think it's because of prompting from the community.

**Mr VALENTINE** - I am presuming your submission is from the council as the elected body, as opposed to the council as the administration?

**Mr QUILLIAM** - That's right.

**Mr VALENTINE** - It has been dealt with through the council meetings?

**Mr QUILLIAM** - Yes, we talked about it at a council meeting and as councillors we felt that we needed to put a submission together, so we had one of our staff do it and told them what we as councillors wanted to put it in.

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**Mr VALENTINE** - It is a council submission.

**Mr QUILLIAM** - The general manager knows that it is on here, but I said it is a councillor-driven exercise so we needed as councillors to deal with it.

**Mr VALENTINE** - I just wanted to make sure that it has been passed by the council and has therefore been put through.

**Ms FORREST** - When we first debated this bill before we sent it to the committee I spoke at length about the challenges down here and reiterated a lot of points that you have all made, including showing some photographs of Preminghana. Since then that is when the tidy up works seems to have occurred. Ashley, you made some comments about the nature of the Aboriginal people who were here. I read some information about that in my speech about the actual aspect you mentioned. You talked about land hand-back versus perhaps land management. Do you as a council agree that there is significant Aboriginal heritage in this area, with the spongolite and flint mine, and whilst it might not be their first preference of an area they would wish to have management of, as well as perhaps ownership of, is the biggest challenge here the fact that the people who under the current bill will have management of it is a group do not have any connection with the actual area?

**Mr QUILLIAM** - Yes, that is exactly right.

**Mr POPOWSKI** - That seems to be a major concern. If it has to be given back to somebody for a political reason, let us give it to the people who have affinity with it.

**Ms FORREST** - Do you accept that there is Aboriginal heritage there?

**Mr QUILLIAM** - There is some, but there are a lot more significant areas than this. I do not see this area as a major area for them. They have never asked for this area and they have never done any work with this area at all, and never requested any of it. I do not see that it is a major. Right along the coastline they get rather irate about some things that have happened there, but not inland at Rebecca Creek. It came out of the blue.

**Mr POPOWSKI** - I have no knowledge at all to think it was significant for them to regularly attend that area.

**Ms FORREST** - Aboriginal people, you mean?

**Mr POPOWSKI** - Yes, Aboriginal areas. There is no traffic to the area. I am going to say what I have heard. Fifteen or 20 years ago I heard that this spongolite no doubt is the sharp tool when split. Forestry people sprang a vehicle in there with an Aboriginal flag on the door. They said, 'What are you fellows doing in here?'. They said, 'This will come in useful later on when we need it'. They are the only words I have ever known in my life used for the spongolite quarry at Rebecca Creek. That was the comment that came out of the boys from Forestry about 20 years ago. I do not know who told me, but that is a story I have had in my mind since then. That is the usage that I see in that area.

**Ms MURRELL** - Ruth, there is one other thing that you are probably very well aware - that our CHAC group IS not accepted by TALC, and that creates huge problems.

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**Ms FORREST** - If this bill goes ahead without an amendment that enables another Aboriginal group, self-identified or other, or recognised under ATSIC or however recognised, then it can only be handed back to TALC. They do not represent or recognise CHAC, who cannot get on the electoral role to have any input into TALC. Is that your understanding?

**Mr QUILLIAM** - I do not think the government can give it to CHAC.

**Ms FORREST** - That is the concern here.

**Mr QUILLIAM** - I imagine they could lease it to them or whatever but they would not be able to actually give them the land.

**Ms FORREST** - As you suggest in your submission, that would have to be done as a declared state reserve?

**Mr QUILLIAM** - Yes.

**Ms FORREST** - With a lease to CHAC or something like that, as opposed to a handback back to TALC?

**Mr QUILLIAM** - Yes, which is another way it could operate. That is the conclusion we have come to if they want to protect it. It is already protected under the Aboriginal Relics Acts because you are not allowed to disturb any of these artefacts anyway. If they feel they want to identify it as an area of significance, they can make a reserve. We have two other reserves in our area, West Point and Sundown Point, that are managed by Parks under this criterion. The good thing about Parks managing it is that we all have access to it. We are not allowed to destroy it or anything like that but in a reserve we all have access. With ownership, we can be denied access, and that has been demonstrated with Mount Cameron.

**Ms FORREST** - Can you explain to the committee a bit about the access issues at Mount Cameron? We were planning to go there and I was very keen to go there because I think it is an important aspect of this whole debate, but we didn't.

**Mr QUILLIAM** - I have not read the fine print but as I understand when it was handed back by Ray Groom back in the 1980s, access was going to be allowed, so everyone was happy because it was a very popular place for us to go. We took overseas visitors and visited it ourselves quite regularly - probably six times a year because it is a beautiful place.

When they had the handback they thought they had access fixed up so it went through. Then the Aboriginal people put a covenant on it and said, 'We will give access but you can only walk. There is no vehicle access.' That did not suit the majority of the people who drove down to surf beaches both north and south, so it made them carry their equipment - fishing or surfing equipment - for about a kilometre to a very popular sporting place. They will argue they gave foot access but the intent of the law was that they were going to give vehicle access to the beach.

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**Ms FORREST** - Some tour operators have also expressed some concerns about their capacity to conduct tours in the area. Are you aware of those?

**Mr OLDAKER** - Yes. I know [inaudible] Tours were looking at going there as well but were denied access. Access is really difficult to get through there. What Ashley was talking about was right. Boats were launched on a beach there because it was one of the safest beaches to launch a boat. That was denied and council fought hard to have that access remain open, albeit only restricted use, but they would not even give restricted use. For a while they would not let anybody on the land at all. They will let people on the land now but only in some areas. There are some areas where they are not allowed at all.

**CHAIR** - And only to walk?

**Mr QUILLIAM** - Yes. That is an ongoing issue and has been for some time. In fact the demonstration in 1999 was over access; they had denied people having that access. The council tried everything in its power to but they did not budge. It was quite nasty at the time.

**Mr POPOWSKI** - One CHAC member was prosecuted for saying, 'I am an Aboriginal I want to go up the top up to Mount Cameron'. They stopped him and he lost in court.

**Mr QUILLIAM** - Norm Richardson was charged. We are probably getting a bit off Rebecca Creek but that is the reason we have the option we have. If ALCT uses this land for tourism and showing people what their culture is all about, I am sure this community would totally support them. I believe there is a lack of that in our state. The Aboriginal people were very important; I think they were very clever people. They looked after the community and the environment better than we have in a lot of ways. There is a lot the Aboriginal community could teach the local people, and if they utilised that to teach us, I am sure the local people would totally support them. It is very sad to see the land is totally useless because of not being used.

**CHAIR** - Have there been any meetings with the Aboriginal Land Council of Tasmania and the council?

**Mr QUILLIAM** - Yes.

**CHAIR** - Have they been held here?

**Mr QUILLIAM** - They have been here. Approximately three years ago, because of council attitude to what has happening at Mount Cameron, they asked me to go and see them. I went to Launceston and met with ALCT and they berated me because we were not supporting them. I told them exactly what I have just said to you: 'If you came down here and did programs about Aboriginal heritage of this area, you would get total support'. They promised me they would come back up here because they thought it would be a good idea, that they needed to get closer to the community and wanted the support of the community. I haven't heard a thing since that day, and that was about three years ago. I haven't heard a thing from them since.

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**Ms RATTRAY** - I want to take you back to Rebecca Creek. We were fortunate to have a look around yesterday. It did not appear to me - and I am not an expert - that there was very much visiting of the site at all. Are you aware that the wider community, not just the Aboriginal community, would be interested in accessing Rebecca Creek if there was a transfer of land?

**Mr QUILLIAM** - Whether there is a transfer or not, we are not going to get a lot of people going into that area. As to whether the new Tarkine road is going to put more people into that area, I believe there are a lot of other areas rather than Rebecca Creek where people are going to go. Along the Arthur River there are a lot of falls and dams they would look at, far more than they will at Rebecca Creek. I have never heard of anybody seeing Rebecca Creek as anything more than a reserve that is locked up. It has never been a place where people do much walking or anything else. That is what we said in our report and what we have said here today. It amazes us this bit of land was thought of to be given back. It would appear to us that it was trying to appease TALC, and I don't think that is a good enough reason to give land back.

It is strategically placed near the start of the mineral belt; that seems to be obvious to us. There are not many people who go there.

**Ms RATTRAY** - There appeared not to be.

**Mr QUILLIAM** - It seems to be strategically placed at an opportune time, and that is our concern.

**Mr VALENTINE** - Are you suggesting there might be advantage taken for the extraction of minerals?

**Mr POPOWSKI** - No, because it is protected under the Aboriginal Relics Act. It is preserved forever.

**Mr VALENTINE** - So you are saying you are trying to protect it.

**Mr POPOWSKI** - It will be preserved forever. If it is in land ownership then maybe the new owners understand their relics and their acts and they may quarry part of it for some reason; I do not know.

**Mr VALENTINE** - Are you saying to be locked up so it is not mined?

**Mr QUILLIAM** - No, it will never be mined or forested. It still ought to be owned by the government for not only the Aboriginal people but anybody who wishes to be there.

**Mr POPOWSKI** - Once they get control of this land my understanding is they have some rights that we would not normally get, and it negates some of the other acts. I think, Mr Valentine, that your thinking is right by asking that question about whether they setting themselves up to take advantage of some mineral, or something else. We will never be able to mine it, but that is not to say that under their privileges they will not be able to mine it.

**Mr VALENTINE** - I wasn't saying that is what they are doing; I wanted to clarify.

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**Mr POPOWSKI** - No, I know you weren't saying that, but under certain privileges they have, whilst we cannot do it, that is not to say they can't do it. That is my understanding of how it works.

**Ms FORREST** - We visited the area yesterday and there are definitely some artefacts. It is quite interesting there and fascinating in lots of ways, so I would ask it to be promoted as a historically and culturally sensitive significant site by land managers or owners. With the Tarkine road being developed, it may take more people into the area. It is an area that could be promoted as another reason to visit the area, so access is important in that regard, if that is the case.

**Mr QUILLIAM** - Again, we go back to Mount Cameron; they have never promoted access or promoted their culture to the wider community. If they did that and if they were able to do that there as well, we would probably have a different opinion. I think the best people to do that are CHAC because they are the local people, the Tarkiner people, and they have not been consulted on it at all. They would be in the best situation to promote the Aboriginal relics and artefacts there, rather than TALC. History tells us that TALC does not do that, so why would you give them land when they are not doing the things we would like them to do with the land that they already have.

**Mr POPOWSKI** - If there are no descendants of the Mangegin tribe, who ran in that area, and if the Aboriginal descendants are from a tribe from the east coast, do they have the same affinity with land that belonged to another tribe? That is my understanding. The local people who are recognising that is their land here, are they overstepping another tribe? Is that a cultural thing that happened in the Aboriginal world, that you could not have someone else's land? That is what we are thinking, that we may be giving land from a tribe that is deceased to another one that is taking over their land. I do not understand their culture on that. I do not want in another 20 years to have left someone a burden because we have given it to the wrong people.

**Ms FORREST** - You were saying earlier on that it appears from the history - and I spoke about this when I spoke on the bill - that the Aboriginal people of this area were more land users rather than land-owners. They were very mobile people.

**Ms RATTRAY** - In relation to the ongoing management of land that has been transferred to Aboriginal communities right across the state. One of my concerns when I spoke on the bill was that there appeared not to be adequate funding attached to transfers. If we go down this path again that issue needs addressing. Is that something you would agree with?

**Mr QUILLIAM** - The answer is yes and no. Yes, in that I know when Preminghana was given to the Aboriginal people there was a fair amount of money given to them. No, in that the money they were given was wasted and spent unwisely. If they had spent more wisely we would have supported them getting more money, but when we saw a lot of the money wasted, giving them more money was only going to waste more money. I note that they do not get enough money, nor does Parks and Wildlife. Any reserve area we have struggles to get enough money for what they are doing. We have seen money wasted in that area in the past, and this group has been renowned for it, so I do not think we should give them more money.



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**Ms RATTRAY** - The example cited was machinery not cared for or appropriately maintained.

**Mr QUILLIAM** - They sent people down here who did not understand farming, or land, at all. Most had come from Hobart and they would only come for about a month. They were prepared to come for a bit of a holiday and then they went back and somebody else came over. Other than doing things they should not have been involved in, they were not supported.

**Mr POPOWSKI** - It is not only machinery running out of oil; it was caravans and buildings that have all been trashed.

**Ms BISHOP** - Sometimes you can put a lot of money towards things, but if they do not have the real interest and affinity to what they are caring for, they will not do what they need to do. There is a whole difference. You can throw a lot of money at a lot of things, but it does not matter who it is if you do not have that care and affinity with what you are about then you are not going to embrace it and look after it as you should. That is how I have seen it down there. It would be very interesting if you could get the figures of what has been put into Preminghana. I would imagine there has been a lot because it was over quite a few years that funding went there.

**Mr QUILLIAM** - Five or six years.

**Ms BISHOP** - Yes, quite a period. It would be very interesting for the committee to know how much money has been put in there over that time.

**Mr QUILLIAM** - They did not show a lot of affection for that land, unfortunately, which is a bit sad.

**Mrs TAYLOR** - You all obviously feel pretty strongly about it, and rightly so.

**Mr QUILLIAM** - We do.

**Mrs TAYLOR** - I had not been to Rebecca Creek before. One of the guides who showed us was an Aboriginal heritage officer. I am not sure whether he is based in Hobart or Launceston, but obviously he is statewide so he is not based here; he is not a local. I was impressed by the spongolite. They told us, and I have no reason to disbelieve, that this is the only area in Tasmania - or Australia, they might have said - 35 square kilometres, where this occurs. They talked to us, as they obviously have not done with you. I wondered whether you would all like to have that kind of experience with them, to at least get some understanding of what they feel is there. I am not talking about the local community; I am talking about the Aboriginal heritage statewide.

I understood from them yesterday that this area is significant because that material was traded with other Aboriginal groups right down to Port Davey and as far as George Town. I got the understanding from them that all they wanted to do was to protect that from being further disturbed or taken away. We talked with them about it and various members asked what they would do to develop this, or could they use it to educate the rest of the community with tourism or whatever. I did not get the feeling that that was

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their aim. Their prime aim was to make sure that this deposit and the history involved was protected. They explained to us how it was carved out and blocks of it were traded, but also how it was worked on site. River pebbles were used as hammer heads to split shards off to make the tools. I am telling you how it was explained to us. We have just heard you state the other side, so I just wanted to put the reverse.

We found some pebbles that certainly would not have been there. We are presuming they were left over from the work done there. Let us assume for now that is so. What they really wanted to do with this area was protect it to make sure people could not just come in and take wheelbarrow loads of it away or destroy the sites or whatever. I think at least one of the members here asked about money. Do you want money and what would you do with it? Don't you have a plan or a project or whatever and you need money to do that? They said that might eventually come, but they don't know. They are not asking for money. They are just asking for protection for this piece of land and the best way they could see to protect it would be under Aboriginal ownership.

I hear what you say about CHAC. I understand that, but I do not think it is within the capacity of the government to grant it to anybody except TALC, because the idea of setting up TALC was that it would cover the whole state and include all Aboriginal groups. I am well aware that it does not and that there is dispute and difficulty between a number of Aboriginal groups within the state, but that is not the issue here and is not something we can do anything about. It is the Aboriginal community that has to resolve that issue about disputes within their own community, rather than us.

**Mr POPOWSKI** - Is there any documented evidence from people like George Robinson and Jorgensen? In their travels in the early 1800s, did they document that trade took place? I have never read where Aboriginals traded between each other. That might be so but I have not read any documentation to say that is so.

**Mrs TAYLOR** - I have not seen that from Robinson but I am sure that happened because there are Aboriginal artefacts from various places around the state.

**Mr POPOWSKI** - Have they been dated?

**Mrs TAYLOR** - I believe so.

**Mr POPOWSKI** - I have seen spongolite sitting on the top of middens in the Arthur-Pieman area. The edges should have been worn a little bit, but this looked so beautifully preserved sitting next to a few sneakily placed shells; it makes me wonder. I am not a very learned man but I can use commonsense.

**Mrs TAYLOR** - Certainly there are collections around the world and within Australia and Tasmania of spongolite that has been collected over the last 200 years.

**Mr POPOWSKI** - Your second point about preserving it; who would be a better land manager for all people than the state government? Who would be a better people than the professional Parks people?

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**Ms MURRELL** - Obviously TALC has not been representing everybody it is meant to represent, therefore should this land be handed to that dysfunctional group? Would it be better left in a reserve for everybody, rather than create more division than there is in the community already.

**Mrs TAYLOR** - That is a question for the government because they have designated it as representing all Aboriginal people.

**Mr QUILLIAM** - I do not think we should lock everything up forever and a day without doing something with it.

**Mrs TAYLOR** - We have 48 per cent of Tasmanian forests locked up.

**Mr QUILLIAM** - Yes, but in most of that people can go in and walk through it -

**Mrs TAYLOR** - Absolutely.

**Mr QUILLIAM** - and can have access. We are talking here of giving land back to somebody where that might not happen. When TALC took over Mt Cameron they had big plans to do walks and tours to show off their Aboriginal culture. We were not totally happy about them having the land because we feared what may well happen, and our worst fears were realised. That is probably the reason we are against what is happening now. I do not accept they ought to reserve it for the next 300 or 400 years without doing something with it. If their culture is so important then we should be celebrating what Aboriginal culture did for Tasmania, and we are not doing that.

I went just above Port Douglas a few years ago and Aboriginal people there do great work in Cairns. They show people how they lived, what they did and whatever. I think we should be celebrating that and we should be doing far more with it. If TALC did then they would get the support of our local people, which is not happening. If they are going to have it and are just going to lock it up and not doing anything with it, I do not think we can afford to do that in Tasmania. We need to be doing far more than just locking it up.

**Ms BISHOP** - Sharing their culture more.

**Mr QUILLIAM** - I support what you say. If they did that and worked with it, I think it is important.

**Mr POPOWSKI** - I would like to give you an example of what I am trying to say. Within five kilometres of each other we have land ownership - hand-back - and a state reserve. I would encourage you to visit both. With the land handed back, I cannot go there like I used to as part of the community, but with the state reserve I can go there any day I want and still admire the heritage that was there before me. Visit both and you will see the difference - Mount Cameron and West Point.

**Mr OLDAKER** - Where is the evidence that they traded in this product? I heard you say over the last couple of hundred years, but bear in mind the last full-blooded Aboriginal was Truganini. When we were kids, that is what we were taught. The male side of the Aboriginals went a long time before. People may have traded since those times, but if

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we take it back to when this is all supposed to have begun, where is the evidence they traded and how did they trade? I think you people need to think about that very deeply, about how that happened. As somebody who sits on the outside, I can say to you that is nonsense. I am not going to say that with any qualifications but I think there are plenty in the community who would think that way.

**Ms FORREST** - We have heard from a couple of historians who do not record this site as a significant site. They do not record it in trade or as part of the economy. We were told yesterday it was an important part of the economy of the Aboriginal people of this area, in trading and for their lifestyle. When was council first made aware of the significant Aboriginal heritage at Rebecca Creek and the spongolite deposit. It is not recorded in a lot of the history that has been written.

**Mr QUILLIAM** - It was something I was not aware of until Minister O'Connor rang me and said this is going to happen. I said I have no idea what is there. I said if it important, well so be it, but I do not see it as a significant area. I have never known it to be a significant area whatsoever. That was only in the last few months.

**Ms FORREST** - Did Britton Bros., when they owned it, know about it?

**Mr OLDAKER** - I do not know.

**Mr QUILLIAM** - They had to cease logging.

**Mrs TAYLOR** - Yes, they had to cease logging because of the Relics Act.

**Mr QUILLIAM** - I have been on the council now, other than five or six years, since 1980 and it was never brought up as a significant area at all by the Aboriginal community.

**Mr OLDAKER** - Daryl said the minister rang him, but for the rest of us it was on the radio as a press release.

**Mr QUILLIAM** - She only rang me two or three hours before it was released.

**Ms BISHOP** - Years ago my husband, Rodney, and I were in the timber industry. I am fairly sure that coupe was put up to log after it had been handed back from Brittons. There were a lot of restrictions on it. Rodney was supposed to log at one stage and wouldn't log because there were a lot of restrictions, and it was for the Aboriginal group.

**Ms FORREST** - It has been known by it but not well understood, perhaps, by the community.

**Ms BISHOP** - If it was so significant why would they have wanted us to go in there and logged at some stage?

**Mr QUILLIAM** - Not like the Arthur-Pieman area.

**Ms BISHOP** - I could check on that for more detail but I am fairly sure. It was a summer coupe and you still had to do matting and that sort of thing, which you would not be doing at that time of year. Rodney said, no, I am not going to touch it.

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**Ms FORREST** - There must have been some recognition of some value there that needed to be protected.

**Mr QUILLIAM** - Forestry would have that document.

**Ms BISHOP** - But even so they still wanted us to log it at some stage.

**Mr VALENTINE** - When I was querying your comment about it being on the edge of the mine area I was not suggesting the Aboriginal community wanted it for mining purposes. I wanted to understand what you were getting at when you said it is a convenient time. Presumably you are saying it is for protection of the area so it cannot be mined?

**Mr QUILLIAM** - I think it is for political purposes - within a national park and the start of the mineral belt that would affect any environmental considerations or assessment. That is where the mineral belt starts, as you would have observed yesterday. Shree's mining is a bit north.

**Mr VALENTINE** - I wanted to clarify that because I wasn't suggesting they were doing it for some financial benefit.

**CHAIR** - Thank you all very much for taking the time to come today.

**THE WITNESSES WITHDREW.**

## **PUBLIC**

**Mr ALAN WOLF** WAS CALLED, MADE THE STATUTORY DECLARATION AND WAS EXAMINED.

**CHAIR** (Mr Finch) - Welcome, Alan. You are under parliamentary privilege while you are here but once you leave it that is a different matter.

**Mr WOLF** - I heard you talking about Preminghana. I was an ATSIC regional councillor for the last six years of ATSIC - which I was pleased to see finish. We gave the Aboriginal Land Council tractors and slashers for Preminghana, but Preminghana didn't see it. It went straight to Cape Barren Island.

I have some documents for you. I will give you one from the Federal Court of Australia that shows I am Aboriginal.

The reason I would like to see the local community get it is that 10 years ago we started off with nothing. The Circular Head Aboriginal Corporation's name at that time was in the gutter and we dragged it out, cleaned it up and set it up. Most the staff did business governance and some obtained their diplomas so it could be run properly. The organisation is now spreading around Tasmania; I believe they are setting up an office in Hobart now. There is one in Ulverstone and Launceston. I believe some of the people who are employed there are TAC, or ex-TAC - Tasmanian Aboriginal Centre. I feel the time is right - I have been involved in this for a long time, and I love Circular Head - for CHAC to get that land.

**CHAIR** - Are you a member of CHAC?

**Mr WOLF** - I am a member and an elder but I have nothing to do with the running of the organisation now. I set it up but all my work now is outside. This is my last day today, by the way - 24 years

We have so many unemployed young people here. Through my travels on the mainland I have seen road signs: Site 1, Site 2, Site 3 - Aboriginal sites. That can be done here for tourism and can also employ our people. I know the council would work in with us on that one. We work closely with the council. It would create a lot of employment. I have also had a phone call from a farmer who said, 'Mate, I have rock carvings buried. I won't uncover them, but if you can get hold of this' - it would be 12 or 13 years ago, I reckon, when he rang me - 'and take care of it I will gladly uncover them and I fence them off for you.' He told me that, but he would not tell me who he was. I know they are here.

**CHAIR** - Those carvings are significant to Rebecca Creek?

**Mr WOLF** - It is not Rebecca Creek. It is somewhere up Marrawah, on the coast somewhere.

**CHAIR** - You are suggesting it would be another site?

**Mr WOLF** - Yes, it's on a bloke's land and he said he would gladly open it up for tourism, but they are too frightened now with what is going on in Hobart with the TAC.

## PUBLIC

**Ms RATTRAY** - There is plenty of support for the local Aboriginal community?

**Mr WOLF** - Absolutely.

**Ms RATTRAY** - And there is a good working relationship with the Circular Head Council?

**Mr WOLF** - Yes, too right.

**Ms RATTRAY** - You see a huge potential for cultural and heritage opportunities if everyone is working together?

**Mr WOLF** - Absolutely, and everybody does work together.

I also do genealogy. When our aboriginality was challenged in 2002 for the ATSIC elections, people around here wanted to vote too, so I did the genealogies. It was full on because I was setting up CHAC, regional council, and doing genealogies. When I was doing the genealogies I am finding that so many people are related it is not funny.

**Ms RATTRAY** - Hello; it is Tasmania.

*Laughter.*

**Mr WOLF** - We did them and then we had to go to Hobart. I talked the Federal Court into coming up to Smithton. I threatened them with a media story and natural justice, and they came up here and we all won. We won the cases. Instead of the TAC down in Hobart getting rid of 20 or so, this created about 2 500 because blooming near everyone here somewhere along the line is related. There is a massive Aboriginal community in Circular Head and everyone works together. During NAICHAC we have a multicultural day. All the migrants from around the area come in and we have a big day. That is what goes on here and how close the community is here.

I am saying that the people in Circular Head have proven their aboriginality in the highest courts in the country.

**Ms FORREST** - They are still not recognised by ALCT, though.

**Mr WOLF** - We are not recognised by the others. It was not only TAC that did not recognise us; it was also the state government because TAC was within the state government. No matter what has gone on in the past up here, we have never had a say in it. We have never been invited into the meetings, so it has been very hard for us to battle on.

**Ms FORREST** - Is the reason you have not been able to have a say is because you cannot get on the electoral roll to have a vote? What is the barrier there?

**Mr WOLF** - That is one of them. I joined the TAC when it came right and I thought, 'Okay, I'm up here', so I joined the TAC and had a great family tree. June Sculthorpe rang mum three times in one day and said it was the best she had ever seen. Heather Sculthorpe, June's sister, was in the TAC and she said to Ann Bleathman, my cousin, 'This was a big

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family and this family is a threat to us. We have to get rid of them.' There is a letter here from the TAC from Heather Sculthorpe, 'We acknowledge that members of your family received Aboriginal services', and it goes on to say they don't have enough proof of aboriginality and they wanted more proof'. That was on 1 November 1994. They are saying that they are very strict with what they do now.

On 18 January 1995 to Tony Brown - he is deceased now but Tony came from the Roy Nichols family - 'Your application has been granted on a provisional basis only and this means that we have not cited sufficient evidence into your Aboriginal ancestry to confirm your application without conditions. The documents you have provided do not specify Aboriginal ancestry and the birthplace of your ancestor Ann White, born 1828, has been whited out, therefore I am unable to see how you seek to establish your Aboriginal ancestry. Nevertheless, we consider you eligible at this time on the basis that members of your extended family have been receiving Aboriginal services for almost 20 years. Further information may be required to establish your continuing eligibility. In the meantime, you are required to forward to us three confirmation-of-aboriginality forms signed by recognised Aboriginal community members. The forms are enclosed.' That Ann White was born 1828 and I have the family tree here for you.

Ian Pearce, the archivist, recognised only one Mary Ann in the Mollison books. The Electoral Commissioner said the same, when there were two, but all the proof is there.

I was trying to say that these people who are running that show are not Aboriginal. They are not even Aboriginal; they are fabricated and they have committed perjury, the whole thing.

**CHAIR** - These people who are on the TAC?

**Mr WOLF** - The people who run the TAC and are also on the land councils et cetera.

**CHAIR** - Should there be some representatives from up here to represent this area on ALCT? What is your historical understanding of that?

**Mr WOLF** - We wanted to. A lot of us put into the Electoral Commission to be on ALCT. The Electoral Commissioner is saying that, on the advice presented to him, we don't meet the criteria, therefore we are unable to be on ALCT. I have tried for years to get onto ALCT but they don't recognise us.

**CHAIR** - Is there any representation at all from the north-west on ALCT?

**Mr WOLF** - Quite a few others have put in for it but have been knocked back.

**CHAIR** - So they have put in but were not accepted?

**Mr WOLF** - Yes.

**Ms FORREST** - They go on the preliminary roll and are then vetted by TALC. It is quite a complex process.



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**Mr WOLF** - When we won the Federal Court case, I wrote to Premier Lennon about my fishing tags. Our family had potent proof of descent - we had to prove our aboriginality in the Federal Court - but Lennon wrote back and said, 'That was for voting purposes only'. I was on regional council then and I said, 'I'll vote in the land council then', but they stopped it. That then went through the Legislative Council - and I think they were fed wrong information too. That is why we didn't have a say in it.

We were knocked back by the electoral officer, and the head archivist, Ian Pearce - quoting from the Mollison books when there was only one Mary Ann. There are two Mary Anns in the Mollison books but the archivist said there was only one. That is the fight we have had. Even recently the state government did a review on my aboriginality and I didn't meet their criteria. In the review it stated there was only Mary Ann in the Mollison books, when there were two. The same things have happened to so many people in Tasmania, going back to their family trees. The court said yes and they are saying no. Laurette Thorp, the woman who runs that show, comes from Fanny Cochrane Smith. Fanny Cochrane Smith was Frances Cochrane, alias Gezede. She came from Mauritius. Then there was Rodney Dillon, the commissioner for ATSIC - who went up on the abalone charges. He said, 'I came from Fanny Cochran Smith' - he was a direct descendant - but couldn't prove that aboriginality. They are the people who are saying we are not Aboriginal and that they should have this land and not us. That is my fight; that is what I am about.

**Ms RATTRAY** - Alan, we have heard about the positive work that CHAC undertakes in the community. Is there any land around the Circular Area that CHAC has identified with and already has some management of? Is there anywhere this group goes to feel connected to the land?

**Mr WOLF** - Yes. They go to Sundown Point, Sandy Cape and out to West Point. West Point is very special to us because the Kilbys built there. The Kilbys came from here - and this was proven in the courts - and are still here. They are the only people I know of in Tasmania whose ancestors came from this area and they have remained here all the time.

**Ms RATTRAY** - So the people have a right to go there?

**Mr WOLF** - Oh yes.

**Ms RATTRAY** - Because it does not have direct ownership. Is the Mount Cameron site the only site your community does not visit, or does not frequent?

**Mr WOLF** - No, that is the only place we do not go because we do not want any hassles or troubles. For the rest of it, they use the whole coast.

**Ms RATTRAY** - Are you aware of any significant connections to Rebecca Creek by the Aboriginal community here in Circular Head?

**Mr WOLF** - No, I am not. I do not even know where Rebecca Creek is, to be honest with you.

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The land is so important. We have kids growing up. I go out with Aboriginal kids, the young fellows around here, and we go out to Walker Island mutton-birding. We sit around the fire talking. Sometimes there are boys and girls, well run-camps, no grog, no drugs - nothing at all. One bloke will come out with something, and another will start, then another and they are all talking about their problem and sorting it out. These are things kids never get a chance to do in the towns. Where you can get a young fellow who has been in strife and you get him out there. You say, 'Okay, mate, pitch a couple of tents; this is your land. You can come out here when you like.' They sort out so much. There are not many kids here who get into trouble now. That is why we need land. We can look after it, there is no doubt about that at all. There are enough of us here.

**CHAIR** - Do you see Rebecca Creek playing a role in that mindset of connecting with the young?

**Mr WOLF** - I reckon it will. I did hear very good advice that the TAC has finished with it here. They are walking away from Mount Cameron West. They are not interested; they have finished with the west coast completely. That came from a pretty high profile TAC member to a friend of mine, an ex-policeman. They said they are walking away from it; they are sick of it.

**CHAIR** - So that is TAC as distinct from Tasmanian Aboriginal Land Council.

**Mr WOLF** - The Tasmanian Aboriginal Centre and the Land Council say they are sick of it. Rocky Sainty did say that on regional council once - we are going to walk away from it.

**Ms FORREST** - When you refer to the TAC you mean -

**Mr WOLF** - Tasmanian Aboriginal Centre.

**Ms FORREST** - And Lands Council?

**Mr WOLF** - They are all the one anyhow.

**Ms FORREST** - Yes, that is right.

**Mr WOLF** - Run by the same mob but getting twice as much money.

**Ms FORREST** - Ashley Popowski was talking about the research he has done on Aboriginal practice. He made the suggestion that the tribes that lived in this area and on the west coast were more land users than landowners. We heard off-the-record evidence yesterday about the importance of Rebecca Creek spongolite in trading and the economy of the Aboriginal tribes here. Do you have any understanding of the history of these areas? It seems historians haven't written about Rebecca Creek much at all.

**Mr WOLF** - People used to trade from here down the west coast - mutton bird fat, for example; they used to rub it on themselves to keep warm in the winter. They used to trade all sorts of different things. They used to pinch the women so they wouldn't be inbred. It would be another one of the trading places, I suppose. There also had ochre in other places, but you always asked permission. It is the same law today with Aboriginals; you always ask permission before you come on to their land. It is like

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welcome-to-country ceremonies. You acknowledge the people who were there and respect the elders past and present. They always asked if they could go on that land if they were trading. The only time they would sneak on the land was when they pinched a woman.

**Ms FORREST** - Does that mean tribes identified with a particular area of land?

**Mr WOLF** - Yes. There is a good map on the native tribal areas of Tasmania.

**Ms FORREST** - Is there any tribe that would identify particularly with Rebecca Creek?

**Mr WOLF** - Yes, there would be.

**Ms FORREST** - Do you know if there are members of that community still in this area?

**Mr WOLF** - It could be the Kilbys. Their area was Robbins Island and West Point.

**Ms FORREST** - Are they part of CHAC?

**Mr WOLF** - Yes, Reg Kilby is an elder.

**Ms FORREST** - So CHAC encompasses a number of tribes from this area?

**Mr WOLF** - Yes. Through my research I know there were eight children brought from the islands and given to non-Aboriginal folk and reared as Aboriginal in Circular Head. A lot of non-Aboriginal folk during the early settlements took some of those orphaned kids and reared them as their own.

**Ms FORREST** - The point being made by a number of people is that there isn't a concern with allocating land to Aboriginal people who have a connection with it but the people to whom it will be allocated under the current arrangement don't have a connection with the land.

**Mr WOLF** - They have been here since European settlement. They might have come in as settlers or convicts but they have been on that land and cleared it up until today. They are worried at what is going on. They know they are right with CHAC, but it is very hard. One bloke rang me up and said, 'I've got petroglyphs but I've covered them up'. There is great potential for tourism here. You could make some money out of it and employ a lot of kids here.

**Ms FORREST** - Have you done any work with TALC in being able to work together on Mount Cameron?

**Mr WOLF** - They don't recognise us. That won't happen. I would like it to happen.

**Ms FORREST** - Have you had any meetings or discussions with them?

**Mr WOLF** - No, they won't even see us.

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**Mr VALENTINE** - Have you written to them or communicated with them in some way and asked them to?

**Mr WOLF** - No, they don't want to know us. That is the whole problem. There are eight families in the thing that CHAC came from. There is one other thing, too, that a lot of people have not thought about. They call themselves the palawa people. From my best understanding, the palawa people came from the islands. The Lia Pootah people are the people who were always here. It would be worth looking into. It is very sad that you cannot come to any agreement with them.

I have lots of friends within the Tasmanian Aboriginal Centre and they know who I am. A lot are beautiful people, but it is hierarchy, people who set themselves up and they are the ones doing it. About 22 or 23 years ago I said to a mob of them in Burnie, 'Listen, your kids are standing on the street corner with the bum out of their pants and those people who have fabricated their aboriginality and are running you blokes have their kids going to private schools with gold rim glasses and braces in their teeth. Down the track these big fellows are going to go with all their money and your kids will still be standing on the street corner with the bum out of their pants.' It is just about happening now.

**CHAIR** - Alan, am I right in thinking that you are in agreement with the idea of land hand-backs to the Aboriginal people but you are just not comfortable with the circumstance where CHAC has no part to play?

**Mr WOLF** - I would love it to go CHAC - definitely.

**CHAIR** - You are in agreement with the principle of land hand-backs and the idea of reconciliation being consolidated by this process?

**Mr WOLF** - Definitely. There are Aboriginal people here and the area needs it for employment and things like. It is a spiritual thing too. I have seen one woman from here, when we went down to the petroglyphs at Sundown Point she just stood there and cried. I would love it to go to CHAC. They would do great things with it. They are setting up a land council now. We are lucky here because we work with the community and with the council.

**Ms RATTRAY** - Alan, if for reasons outside the control of this committee Rebecca Creek is transferred but not to CHAC, is there any other land with Aboriginal significance that your organisation or this local community could take management of?

**Mr WOLF** - Yes.

**Ms RATTRAY** - Could you identify where that would be?

**Mr WOLF** - You can start off anywhere on the coast, because you have hut depressions, shell middens and so on. Pick out the best of them, and where the view is, because then people will go back and talk about them and bring more people to Tasmania. They are all the way down the coast. There is no shortage of them. We want an Aboriginal tourist route.

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**Mrs TAYLOR** - Would you be worried about some of the things being damaged by tourists or taken away?

**Mr WOLF** - We would have guides employed.

**Mrs TAYLOR** - So you would restrict access?

**Mr WOLF** - Yes, but the local people would look after it for us because it is a part of them too. That is the beauty of working with your community; everyone works together.

**CHAIR** - Alan, is there anything you would like to submit in conclusion in respect of Rebecca Creek and the bill we are dealing with?

**Mr WOLF** - The whole thing should go to CHAC to save any hassles and problems. If it did go to the Land Council they would pick at everything SHAC did anyhow.

**CHAIR** - Alan, thanks very much for your time.

**THE WITNESS WITHDREW.**

## **PUBLIC**

**Mr GRAEME HEALD**, CHAIR, AND **Ms DIANNE BALDOCK**, CHIEF EXECUTIVE OFFICER, CIRCULAR HEAD ABORIGINAL CORPORATION, WERE CALLED, MADE THE STATUTORY DECLARATION AND WERE EXAMINED.

**CHAIR** - Thanks very much for coming here today. You are under parliamentary privilege whilst you are giving evidence here, but once you step outside the door it is a different matter.

**Ms BALDOCK** - I am currently the Chief Executive Officer of the Circular Head Aboriginal Community and the Corporation. I am an Aboriginal woman. I oversee 39 staff under Community Services delivery. The Circular Head Aboriginal Corporation's focus is around health, wellbeing and education for all community members, including the Aboriginal community; we don't stop with the Aboriginal community.

**Mr HEALD** - Dianne is also an elder. I am chair of the board of directors of CHAC and have been for the last 14 years. As part of our incorporation with the Office of the Registrar of Indigenous Corporations we are entitled to have three paid staff on the board. We have four members, plus two appointed to that board. I have the role as contract manager for the indigenous employment program statewide. There are 10 staff we employ - Aboriginal and Torres Strait Islander people - around the state across various industries. We have an office in Hobart at 85 Macquarie Street. Two staff look after the southern employment service area. We have an office in Ulverstone that we have staff in and of course our office in Smithton.

Employment is not the only program we administer; there are 26 programs run out of the organisation. We reach far wider than Circular Head because of our services - for example, through the prisoner release program and the Ashley Detention Centre. Other programs look after pre-release and also while people are in the system. There are a number of programs that fit into our hub of services that we offer to Aboriginal and Torres Strait Islander people.

Our interest is in our backyard, the land we live in. As Aboriginal people we feel it is great to be consulted and have a chance to have a say, but more of it needs to happen. Decisions are made without our knowing - the rightful Aboriginal group in Circular Head. Whether other people think that or not is another thing for another date.

**CHAIR** - Does your funding come to you federally?

**Ms BALDOCK** - Most of it is federal. We only have two programs funded under the state; the majority of our funding is federal.

**CHAIR** - Those funds come to you through the state government?

**Ms BALDOCK** - Yes, state offices.

**Mr HEALD** - DEEWR, FHCSIA - they all come federally into state offices.

**Ms RATTRAY** - Does the Tasmanian State Government provide funding to your organisation?

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**Ms BALDOCK** - Under the DHHS. Our HACC and IDDI programs are on a split funding, so a portion of that comes from the state and the majority comes from federal.

**Ms RATTRAY** - How you can be provided funding for your organisation but not recognised?

**Ms BALDOCK** - Exactly.

**Mr HEALD** - Tasmania is the only state in the commonwealth that has a different recognition for aboriginality. A bill was passed eight or 10 years ago that to be recognised for Aboriginal jobs and education you needed to be recognised by the Tasmanian Aboriginal Centre. Who says they have the right to say who is and who isn't? There is a lot of detail and evidence compiled over years and years. It affects us when we take somebody into the legal situation. Say a kid or a family needs assistance. You go into Burnie Legal Aid and say, 'I've got Joe Blow from Circular Head. He's an identified Aboriginal person and got himself into trouble.' You go over to the Tasmanian Aboriginal Centre, that has the money, and they say, 'We don't recognise that person. They don't fit under our criteria under state recognition. Go back to Legal Aid'. Legal Aid says, 'You've identified this person as an Aboriginal so they should be able to be serviced', but they don't get it.

**Ms BALDOCK** - What we are having to do is give our clients the choice to identify. If they choose not to identify, they are basically being stripped of their identity to receive a service. We leave it in their hands. As of the new financial year, we will be receiving funding from the Aboriginal Legal Aid Services in Canberra because we have jumped up and down and now we have succeeded. That is another battle we are up against. The money we get from Aboriginal Legal Services is less than the other Aboriginal group will get, so that will be another task on our hands. In saying that, the state government doesn't support us in funding. The organisation is recognised as an Aboriginal organisation; we are incorporated under ORIC - Office of the Registrar of Indigenous Corporations - but the Aboriginal people of Circular Head are not accepted as an identified Aboriginal by the TAC.

**Ms FORREST** - And can't get onto an electoral roll to have a say in the working role of TALC?

**Mr HEALD** - I did in 2002. I was appealed against and went through the Administrative Appeals Tribunal and was allowed to vote as an Aboriginal person. We sat in front of three Federal Court judges. I received a letter signed by a Federal Court judge that says I am an Aboriginal person of Australia, but if I go into the TAC for services they say it was for electoral purposes only. If you are allowed to vote in one election as an Aboriginal person, you should be able to vote for ever and a day. Through that hearing it was mentioned that documentation was tampered with and changed. I have the evidence that the archives changed my family tree at the click of a switch. How many others have been done? They use the New Zealand model of six families; they can only get recognition through the TAC. This is a problem we face. We employ and service Aboriginal and Torres Strait Island people through all our programs. If they are Aboriginal and Torres Strait Island people and recognised by the federal government, the only thing we can't help them with is government jobs in Tasmania. Three of our

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members lost their jobs in the Education department because they can't prove their aboriginality to the TAC. We have 400-500 clients around the state that we have looked after with employment, and it doesn't matter what group they come from. If they are an Aboriginal or Torres Strait islander person who identifies to us that they are, they receive the same level of service with all our programs.

**Ms FORREST** - The problem sits with the current Aboriginal Lands Act, and the 2005 amendment to that. The onus of proof on the person is different to the commonwealth; is that right?

**Mr HEALD** - Yes. For somebody to get a job in the Education department or a government job under the Tasmanian criteria they have to be known by three elders with the Tasmanian Aboriginal Centre. There are 19 000-odd Aboriginal people identified in the current census. Funding is given out to the TAC for that and they service whom they choose to service, but we are not like that. If an Aboriginal or Torres Strait Island person comes through the door they get the same level of service statewide. They get money for medical, for glasses, for dental. They can go and practise their culture for free because they can go to Parks and Wildlife and go their mutton-birding. I worked once for months to take a group of kids to practise their culture. It went on until we went up to the Office of Aboriginal Affairs and a week out they said, 'No, we can't fund that', so we took them ourselves out of our own pockets.

We had kids involved in the Auskick Program, and a swimming program around the state that was funded by Sport and Recreation Tasmania. Then, all of a sudden, we went up to the game in Launceston between Hawthorn and West Coast and prior to that it was part of the Indigenous round - Circular Head kids and Burnie, Launceston and Hobart TAC played on the ground because we were funded. Then all of a sudden they said all those kids have to prove their aboriginality, so we have suddenly got another Stolen Generation for those kids. They get all this money and they don't use it on the people who have the toes out of their shoes, the backside of their trousers and who need the service.

**CHAIR** - Graeme and Dianne, thanks very much for that background. I would like to focus on this land handover of Rebecca Creek. Your objection in respect of this bill would be that the land handover goes again to the government-preferred organisation - Aboriginal Land Council of Tasmania?

**Mr HEALD** - For sure. The other groups do not speak for all Tasmanian Aboriginal people. They do not speak for us.

**Ms BALDOCK** - In writing the submission we had many issues concerning that land hand-back. One of them was obviously the hand-back to TALC. As an example, the community feel that we have a connection to Preminghana, so we are the ones that have to cop the flak coming through the door. One of the things in the submission was the lack of respect for any property or land that the TAC have got control over, because they are not respecting it. It is okay to sit out there and say, 'This is our land and we respect country', but true Aboriginal people know what respect for country is and we are not seeing it.

Once the TAC or TALC take over this land, we are going to be the ones who have to pick up the pieces. As a CEO I speak for this community about the lack of consultation



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around that hand-back, which obviously did not include us. That is very disheartening because we are the keepers down here. We are the ones who are picking up the pieces. We are the ones who are working for community needs. We go out and teach our kids respect, but how are they supposed to take that on when they see another Aboriginal group come in and completely destroy Preminghana. Preminghana is an absolute disgrace to the TAC. If the hand-back is given to the TAC, Rebecca Creek is going to be another example of what Preminghana is looking like.

**Mr HEALD** - Or it will be a subsidiary set up by the TAC. If they get the land back obviously they are going to want money to manage it. A similar thing happened, which is not the government's fault, with Preminghana. There was a heap of money given, I believe, and when the money ran out, looking after that place stopped and it is left in a mess. You could do lots of things with tourism and create employment and educate your people about the significance of those sites. We find that it gets locked up. One of our elders went down there and was charged with trespass on Preminghana, so if that happens out at Rebecca Creek and it is locked up -

**Ms FORREST** - Can you tell us about that? It was Norm Richardson?

**Ms BALDOCK** - Yes. He was charged for trespassing and it went on his record. He and his wife went down to Preminghana and decided to walk Mount Cameron.

**Ms FORREST** - As Aboriginal people?

**Ms BALDOCK** - Yes.

**Mr HEALD** - He is an elder of our organisation and he was charged with trespassing.

**Ms FORREST** - Who put the charge?

**Mr HEALD** - Clive Mansell was one of the -

**Ms FORREST** - So it was ALCT?

**Mr HEALD** - Yes.

**Ms FORREST** - Was it prosecuted through the court?

**Ms BALDOCK** - Through the Supreme Court.

**Ms FORREST** - And was upheld?

**Ms BALDOCK** - Yes.

**Ms FORREST** - He was found guilty of trespass?

**Ms BALDOCK** - Yes. It is a similar situation with Alan being charged on The Nut. Alan was practising his culture of mutton-birding on The Nut.

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**Mr HEALD** - That is another thing. Parks and Wildlife allow the Tasmanian Aboriginal Centre to have culture events during the mutton bird season. They can get their mutton bird licence for free. We have to pay; if one has to pay then everybody should pay. They can go and have a culture event and get 100 birds a day. We have to boat our way around. We cannot go on Trefoil Island, which is an Aboriginal island. Once again we are prevented from going on there; it is in our backyard. So we have to go to the other islands and boat around and get 25 birds a day and risk your life out in that weather sometimes. You have to pick your days; you cannot take people around. Sometimes the Hammonds allow people to drive over, but once again it gets back to giving it to one group. If they do the same as they have done elsewhere it will prevent everybody, including non-Aboriginal people, the council and us as an Aboriginal organisation from accessing Rebecca Creek, because they will block us out.

**CHAIR** - Is there any sense that there might be some reconciliation or some opportunity for a better understanding of each organisation? Are there any attempts being made to -

**Ms BALDOCK** - Several attempts have been made. We have invited the TAC to meet. When they come into our community they come in very strong. There is always a bus load of them. We would like to sit down and talk but they are not wanting to take that on because they feel they are the leaders of Tasmanian Aboriginals, but like Graeme said, they do not speak for us.

**CHAIR** - When would have been the last time you held out an olive branch and maybe suggested discussions?

**Ms BALDOCK** - I think we have local politicians working on that. We have sent many invitations to come down to Circular Head and let us work through a reconciliation plan, but it never happens.

**Mr HEALD** - Michael Mansell is always in the paper saying derogative comments about myself and our community, about us not being Aboriginal. He talks about the hurt that happened over 200 years ago for Aboriginal people and the government said sorry, but he goes and does it to us.

**Ms BALDOCK** - He is doing the same thing.

**Ms FORREST** - There has not been a lot written about Rebecca Creek in historical records. We went there yesterday and there are clearly Aboriginal artefacts. Council said they were not made aware of it until the day the minister issued a media release; they were not even aware of the historical heritage value there for the Aboriginal people. How much does CHAC know, how long have you known about it and were you engaged at all in the decision made by the minister?

**Ms BALDOCK** - No, we were not engaged in the decision at all, but we have been aware of the history of the area. I have been aware of it for eight years or nine years. I have been at the Circular Head Aboriginal Corporation for 11.5 years. We take our young people back to country, down to Rebecca Creek or West Point. West Point was one of the most known places we take them to because we know the history there quite well. When we take them, we drum into them about respect - 'This is the land of our ancestors. Walk on

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those paths but walk gently and respectfully'. Our Aboriginal people are aware of it, probably the minority more so than the majority, but there is an awareness of it.

**Ms FORREST** - We were told yesterday that the spongolite and tool-making was a very important part of the economy of the Aboriginal people in the area at the time. Are you aware of any of that history and how it worked?

**Ms BALDOCK** - Not really. It is more so at West Point than out at Rebecca Creek because there are still lots of sites there where they have built their little huts on the side of the bank.

**Ms FORREST** - We were told a lot of the spongolite appears in various places, on middens and right down to Port Davey.

**Ms BALDOCK** - I am not aware of that.

**Mr HEALD** - You could look at that all round Tasmania, too.

**Ms FORREST** - Yes, they were saying it was used as trading for the economy of the tribe.

**Mr HEALD** - One of our elders who lives in Launceston did a bit of a study on that - Terry Cox. He was right up with the spongolite quarry in the Rebecca Creek area. He did a lot of Aboriginal studies - and that was 12 years ago.

**Mrs TAYLOR** - Is there a written record of this?

**Mr HEALD** - I believe he would have stacks on it that we could make available.

**CHAIR** - And that confirmed that Rebecca Creek was the only location?

**Mr HEALD** - No, there are other locations around Circular Head.

**CHAIR** - Where would they be?

**Mr HEALD** - Out at Roger River there are spongolite and ochre sites.

**Mr VALENTINE** - Where it has been found or where it occurs naturally in the ground?

**Mr HEALD** - I own a piece of land where I know there are things of Aboriginal significance.

**Mr VALENTINE** - Does it occur naturally in the ground or has it been taken there?

**Mr HEALD** - I think it's been there for ever and a day.

**CHAIR** - Is that part of the Rebecca Creek area?

**Mr HEALD** - It's just down the road. It is part of Roger River, which is not too far away from Rebecca Creek. I own a block of land there.

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**CHAIR** - Our understanding was that it's not just about the Rebecca Creek area, but the totality of the area is the location.

**Ms FORREST** - We were told it doesn't appear in other parts of Tasmania.

**Mr HEALD** - That was of significance to me as an Aboriginal person. I own 100-odd acres there - it belongs to my family - and there is evidence of ancestors there.

**Mr VALENTINE** - Do you see a benefit in this area being preserved?

**Mr HEALD** - We have to have a balance with protection of our sites. People should be able to look at the beauty and significance of it. We need better education and better signage and allow that land to be utilised.

**Ms BALDOCK** - If they're not educated, they are not going to respect it. If they don't know the history behind it, they are not going to respect where they are walking. Along the west coast there are a lot of midden sites. Some people will come across them and think they are just shells; they don't understand the importance of those middens so they are not going to respect them. It is about getting it out into the community, and not just our community. Any visitors who come in need to be aware these sites are very significant to Aboriginal people.

**Ms FORREST** - It was suggested to me that one of the reasons CHAC wasn't given the management responsibilities for Preminghana was that you didn't have the expertise within CHAC to do it. That is not a huge barrier because it can soon be overcome, but is that an issue in managing the land?

**Ms BALDOCK** - It is not an issue now.

**Mr HEALD** - Not now.

**Ms BALDOCK** - No. It probably would have been eight to 10 years ago, but now we have grown and have the capacity and capability and workmanship to do whatever we can tackle. We are looking for future planning. We are looking at developing our own programs - horticultural, conservation. We want to get on board with the environment because this is our future, our grandchildren's future, so we have to nurture it and try to have the things in place ready for when that becomes reality.

**Ms FORREST** - The barrier at the moment appears to be that the act only allows for a recognised government body to take over the land management if they are going to hand land to anybody. Can you see a way forward in that?

**Ms BALDOCK** - If we are given the opportunity we can certainly see some big things ahead, but we have to be given that opportunity.

**Ms FORREST** - We need to amend the act because they will not accept you into ALCT to enable a recognised Aboriginal corporation or whatever to manage the land.

**Ms BALDOCK** - That is right. Wherever you read about Tasmanian Aboriginal people, it is 'the Tasmanian Aboriginal community'. There is more than one community. There

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would be people in other parts of Tasmania who would willingly stand here and say exactly the same words.

**Ms RATTRAY** - I asked Alan exactly the same question that I intend to ask you. If this committee does not, or the government does not, see another alternative for handing the land to a Tasmanian Aboriginal community as they see it, is there anywhere in this area that you would like to propose where you be given land? Is there somewhere that your community would appreciate and manage and promote, and do all those things that you talked about?

**Ms BALDOCK** - There certainly is. We have a great connection to Cape Grim, to the VDL. We are in negotiations with the VDL CEO, but I believe Michael Mansell is in negotiations as well, because we want to be able to tell that story. To do that, we have to have the confidence and competence that we can go down there and tell the story without any barriers being put up in front of us. At the moment we can't do that.

**Ms RATTRAY** - You are saying that, yes, there are some sites, but you feel the Tasmanian Aboriginal Land Council would still put up barriers around your doing what you believe is an appropriate way of representing your culture, history and heritage?

**Ms BALDOCK** - Yes. How are we to promote our culture and educate our people, whether young or old, if we can't have access to the land that we grew up on, or our family grew up on? How can we do that? We can't. It is important for this community, and I am sure we would have local council backing us in whatever step we have to take to get something, and this community can respectfully have access to this property. Preminghana saddens me - a beautiful place that we could utilise for the healing of young people in this community. When I say 'healing', we have a lot of young people in this community, Aboriginal kids, who are in poor health, have suicide ideation and mental health illnesses. If we had somewhere we could take those children back to country and do those healing processes, we would have a fairly balanced community, but because of the issues that are stopping us from doing this we can only work with what we have under the community service.

**Ms FORREST** - I know the work you do with the community is fantastic. Can you take us through what it is like when you go down there now with a group?

**Ms BALDOCK** - We don't go down. We don't even go to West Point now.

**Ms FORREST** - When did you stop going and why?

**Ms BALDOCK** - We were told not to go to West Point because now TALC or ALCT have control of it and if any of our community are down there we could be charged. We don't go to Preminghana because if we do it is going to leave a bad taste in our mouth, because we are going to get charged for trespassing. We don't want that, but at the same time it is a beautiful piece of land sitting there going to waste.

**Ms FORREST** - Can you make an application to go and visit the site? If I wanted to go down there as a non-Aboriginal person, what would I need to do?

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**Ms BALDOCK** - Somebody came in yesterday and wanted to go down to Preminghana and we got them to ring TALC or ALCT to get permission, but if it was one of us, and we have done it, it is 'No, I'm sorry; you can't access that'.

**Ms FORREST** - You are denied even to walk on it?

**Ms BALDOCK** - Yes. One of our employees went in there very, very stealthily and took photos of what it was like. Somehow they got into the hands of ministers. That same somebody went back down, very stealthily once again, and saw signs up everywhere that say, 'No photos to be taken'.

**Ms FORREST** - The photos also found their way into the Legislative Council.

**Mr HEALD** - They have a culture event every year around January. They shut the road off and I believe the Marrawah pub would have their best week. There were piled up cans and Scotch bottles and all sorts of mess - dirty nappies - left there. That is what the photos were of - the land that is being looked after. If another lot of land is given to that cohort again, how is it going to be managed? How is it going to look?

**Ms BALDOCK** - If it is handed back to them we want to be able to have access. We don't want, 'No, you can't go there', and if we go there we don't want to be charged for trespassing. It would be great if it did not go back to them, but if it does go back we don't want to be denied any access to those pieces of land, like we have been in the past and I believe it will continue.

**Mr HEALD** - We can't influence the decision. We can only say what we think but if a committee is set up to look after that land then there should be one or two persons from CHAC on that committee, alongside the Circular Head Council and the government, so we can have a say in what happens on that land, because we want to see a common good for the community and a balance so that Aboriginal people can enjoy the significance of our culture and sites, and so can non-Aboriginal people together.

**Ms FORREST** - It was certainly a benefit for us being there yesterday. We non-Aboriginal found it of value to understand Aboriginal heritage and culture.

**Mr VALENTINE** - Your submission talks about land being given to CHAC by the Indigenous Land Council. Can you describe that for me so I can better understand who that is and why that was given?

**Ms BALDOCK** - We have been negotiating with the ILC - the Indigenous Land Corporation. It is a peak body, a little bit like Indigenous Business Australia. They look at land for Aboriginal communities.

**Mr VALENTINE** - Is this an Australian federal organisation?

**Ms BALDOCK** - Yes. It is an application process. You have to put in an application to acquire land under them. They have purchased 15 acres out at Mella Road, and they have divested that to us with conditions attached.

**Mr VALENTINE** - What is the significance of that land?

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**Ms BALDOCK** - We had elders from Central Australia to sense it out. There is certainly Aboriginal ancestry presence there. It does not have a huge amount, there are no artefacts there, but it is the presence. From discussion with Terry Cox, whom Graeme discussed earlier, when Aboriginal people travelled from the west coast to the east coast that was possibly their lead to the Duck River, because it fronted the Duck River. We put in an application for land acquisition and were successful. It was a 2.5-year process but now we have 15 acres of land at Trawmana. We can take our young people out there and do cultural camps. We have an Aboriginal Men's Shed happening and we are looking at instilling some other programs to go out there.

**Mr VALENTINE** - So you manage that site?

**Ms BALDOCK** - We manage that site.

**Mrs TAYLOR** - Manage or do you own it?

**Ms BALDOCK** - We actually own it now. What usually happens with the ILC is that they divest the land and hold a caveat on it for three years, but because of our track record and our application they divested to us the day after they purchased it, so it is now CHAC land.

**Ms FORREST** - The opening was only a few weeks ago, wasn't it?

**Mr HEALD** - Yes. We can do training and will employ some people out there. That is part of it on a three year plan. We will build a facility out there for culture and industry. There is industry-specific training that needs to happen, if they are still allowed to go ahead, of course. There are lots of things we can do out there, healthy community things - growing healthy vegetables, recreational activities and enhancing our culture. It is 15 acres close to Smithton but there is a whole backyard out there that is part of our community that we would like to have a say in and access.

**Ms BALDOCK** - It is up to us now, as an organisation, to sustain it. There is no other funding that the ILC can give you unless you apply for land management, which is what our next step will be - to build our training facility.

**Mr HEALD** - We are not-for-profit but we do generate some income from our employment program that goes in to sustain the organisation.

**Mrs TAYLOR** - Is it cleared land or bush?

**Ms BALDOCK** - It is cleared. We acquired as a 'you let us use this and we will purchase it in the end'. We have cleared it. It is absolutely beautiful. It is beautifully maintained and that is all done voluntarily at the moment. We are looking tomorrow to do interviews for a caretaker, so we will have somebody on site.

**Mr VALENTINE** - Do you conduct tours through that?

**Mr HEALD** - We will eventually do things like that.

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**Ms BALDOCK** - We have a really good working relationship with arts companies, so we have had a number of Aboriginal artists come out and do workshops. They have come from Alice Springs, Darwin and places where their culture is obviously so very different. We have had a lot of workshops out there. On one part of the land we have a cultural circle, which is a fire. It is very discrete, away from the main operations of the land. That particular corner is generally used for young people who need to chill out and talk about the issues they're faced with. We are looking at lots of different projects and activities. One of the latest applications I have put in for is 'Trawmana 360', which is about turning young people away from street crime. That will be a focus for Aboriginal kids in this community.

**Ms FORREST** - If I wanted to go today and have a look, could I just go to the shed?

**Ms BALDOCK** - Yes.

**Ms FORREST** - So it's not restricted at all?

**Ms BALDOCK** - No.

**Mr HEALD** - The men would be out there building their boat and doing what they do. There are about 60 men who attend. We have put in a new road, and a new shed has been built. We have spent a substantial amount of money already. If we want to utilise something, we use the best practice to make sure it works.

**Ms FORREST** - I personally support handing back land of cultural and historical significance to the Aboriginal people. If that land was to be provided to another party, what would be the ideal outcome for you? What would be the next best option and perhaps the worst?

**Ms BALDOCK** - The worst would be that we have absolutely no access. For us it would be an opportunity to look at conservation around that area - and employment. It needs to be managed properly.

**Ms FORREST** - How could we achieve a good outcome here? If you were sitting here and had to make a decision about what we do with this bill - and it may need to be amended to achieve what you want - what would you suggest?

**Mr HEALD** - Cultural connection to the land. My father is almost 82 and as an 11-year-old he was working in the bush at Rebecca Creek-Roger River. There were 17 children in dad's family and they farmed that land. He talked to us boys about the bush medicines and things they made out of the bush, and that is passed down through generations. We have to have a balance. If it is given to TALC or ALCT we are going to have the same old story. I have been battling and finding evidence on ancestry for 25 years and I can prove it. I have proven it before but they say I haven't had a continuous link. We want to be able to have a say on that land out there as a local community group. We want to be able to look at the best management of that land, look at what we can do with it - employment, education, training, tools - and be part of the best management of that land, including the council and non-Aboriginal people. It is all working together for the best outcome for that land so it can be better managed.



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**Ms FORREST** - Your concern is that if it went to ALCT it wouldn't be able to happen? Should it be given to, say, the Aboriginal Corporation, should it remain in the custody of the state as a reserve and then leased? How do you see it could work?

**Mr HEALD** - If it's only given to TALC and ALCT then it is going to block us out. It will block the council, which will have limited access. We come up against this all the time.

**Ms BALDOCK** - If it doesn't go to CHAC or the Circular Head community it should stay as a reserve.

**Mr HEALD** - I agree. I think it should stay as it is. Why give -

**CHAIR** - Looked after by Parks, you mean?

**Mr HEALD** - Yes.

**Mrs TAYLOR** - It is not actually a reserve; I think it is just crown land at present.

**Ms BALDOCK** - We want to be able to go down there and have a look and say, this probably needs to be eradicated or this needs to be done. We have the ability to do that, rather than just sit back here and have that piece of land as a sitting duck. If it has significance to the Aboriginal people then we need to be able to say and do not just lip service, but get out there and do it and work that land to make it whatever needs to happen.

**CHAIR** - Have you made representations to the government itself in respect of getting your message through to people who might have influence?

**Ms BALDOCK** - We are about to meet at the middle of this month.

**Mr HEALD** - I have spoken at a couple of rallies in Circular Head and there have been representatives from the government. We have always tried and always mentioned that we need to be consulted. Suddenly every now and then we get a letter talking about it, but never actually ringing us up or coming to talk to us about our views. Decisions in this state about Aboriginal significance are made through one group, which is not fair.

**Ms BALDOCK** - We did have a meeting not so long ago with Gary from the Parks and Wildlife. He came up from Hobart to talk about shack sites down at West Point. That was really valuable. He actually said at the end of the meeting that you guys are so easy to get along with. We are trying to set up a meeting about 20 August with the shadow minister for Aboriginal affairs.

**Ms FORREST** - Have you met with Minister O'Connor?

**Ms BALDOCK** - No.

**Mr HEALD** - We invited her to a couple of launches, but it didn't suit and she didn't come.

**CHAIR** - Have you sought to make representation to the minister? I do not mean standing up at a rally.

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**Mr HEALD** - No. We went out to Tall Timbers and met with the Premier Bartlett.

**Ms FORREST** - Community Cabinet?

**Mr HEALD** - Yes, and talked about this for about half an hour. A lot of people listened in, but nothing ever happened. We followed up and tried to keep talking to them, but it just seems to be pushed by the wayside. They still only talk to the one group because that is the statutory body to which the land goes back, and that is what causes problems. We want to be involved. We want to have a say. We want to look after our land and we have the capacity and the people with the experience. We are managing 39 staff and 26 programs statewide.

**Ms BALDOCK** - Some of our workers have even had verbal threats from members of the TAC protesters group - 'You stay off our land'. We applied for Trefoil Island through the Indigenous Land Corporation, and were rejected because it was going to be handed back to the TAC.

**Mr HEALD** - They threatened violence.

**Ms BALDOCK** - They threatened violence.

**Mr HEALD** - It was divested to ALCT.

**Ms BALDOCK** - In the long run I am glad we didn't get it because accessibility to the island was going to be quite difficult.

**Mr HEALD** - If it were given to us as an Aboriginal organisation, we believe we have the capacity. We would work with groups such as Parks, government, councils and the community for the best management of that area.

**CHAIR** - What is your understanding of a significant cultural event?

**Mr HEALD** - We celebrate NAIDOC Week every year. We have things for children, events such as art, and we have traditional food. It is a celebration of our culture with the non-Aboriginal culture. We have a flag-raising with the council every year at the council premises and one at our own premises. We apply for funding for that. When we take kids and elders out bush it is about walking in those ancestors' footsteps, walking on the land and identifying areas of significance to them. We class that as a cultural event because to them it is an event in their life that is very important.

**CHAIR** - NAIDOC Week seems to be the focus of communities to celebrate aboriginality.

**Ms BALDOCK** - That's exactly right.

**Ms FORREST** - But you're also involved in a lot of other ceremonies that happen in Circular Head.

**Mr HEALD** - Yes - like Welcome to Country. Di does a Welcome to Country on Australia Day as an Aboriginal person, which is probably not heard of by the other group. We do

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that because we want to work with the community we live in. We try to help anyone who walks through the doors of our premises, regardless of whether they are Aboriginal or non-Aboriginal. If we can't help them, we refer them to somebody who can. We are a community service organisation but we are also connected to the community as Aboriginal people. Our organisation is set up by the members for our land and our vision. Owning land, education, employment and training, enhancing your culture and your connection to the land are vital to Aboriginal people. It is a spiritual connection.

**Mrs TAYLOR** - How do you stand legally? Are you an incorporated body?

**Mr HEALD** - Yes, with the Office of Registrar of Indigenous Corporations under the act.

**Mrs TAYLOR** - Do you have tax deductibility?

**Mr HEALD** - Yes. We have had an unqualified audit for the last five years, which is the top rank you can get. We have an external auditor and we have also had the government auditors. They said we are going well and that it's a credit to us.

**Ms BALDOCK** - We are flying the flag for Aboriginal people, and that is one of the most important things. We have a key focus for the community - to educate and create awareness. That is why we are at this meeting.

**Mr HEALD** - It is horrible to think you are continually challenged over your right to what you know is part of you as an Aboriginal person. Here in Tasmania you're denied access to your land and rights as an Aboriginal person because there is different recognition of aboriginality from other states. If there is any way that can be changed to make it equal, I would love to see it happen.

**CHAIR** - Thank you both very much for the time you have taken to give your evidence.

**THE WITNESSES WITHDREW.**