

31st March, 2010

Committee Secretary
Senate Legal and Constitutional Affairs Committee
Parliament House
Canberra ACT 2600

Dear Secretary,

Ref: Wild Rivers (Environmental Management) Bill.

My name is Don De Busch. I am a Southern Kaanju Traditional Owner, KULLA Land Trust Member and Chair of Nyacha Kumopinta Aboriginal Corporation situated in Coen, Cape York Peninsula.

My traditional connections to Nyacha Wanta is through my father and his grandfather Frank Footscray. Our aspirations to manage our lands and waters of our homelands is at the forefront of our desires in line with our old people past and present.

Our plans for our country are to obtain Caring for our country funding, wild river rangers, and further develop our homelands in a community and to develop sustainable economic development opportunities for members of the community.

On our homelands we have many cultural and scientific values which we intend to protect, manage and care for by means of an Indigenous Protected Area alongside other management programs currently underway.

My views on the Wild Rivers initiative

I first became aware of the Wild Rivers legislation in October, 2009 via a conservation group. At that time, the Archer River which runs through my homelands had been nominated for Wild River Protection. I had not received any information about this from the Government.

I think it is very important to ensure that big business, such as building dams and big irrigation projects and large scale mining should have very stringent guidelines placed on them to ensure that our homelands are not impacted immensely by big business. History has shown that big business is not in the business of taking care of homelands, our communities or our environment.

While I had not been contacted initially to offer my views on the wild river declaration proposals I am supportive of the initiative and believe that there are some things that could make the initiative better:

For example:

1. Contact the correct Traditional Owners to get input to the process

2. The Name “Wild”

The term ‘wild’ is offensive to many people – there is no reason as to why it needs to be called ‘Wild Rivers’. An example of protection of landscapes across multiple tenures is World Heritage. World Heritage is not Wild Heritage. There are various options available and I urge the committee to make a recommendation in this vein.

3. Change the name of declared rivers:

While I understand the tourism potential, there is also great potential for cultural tourism if rivers were declared as “Indigenous named” protected rivers – for example the Nyacha Wanta Protected River.

3. Better consultation is required

Traditional Owners need to be resourced to undertake consultation themselves. Land Trusts could even be resourced to do so.

4. Recognise cultural values

Better consultation and engagement of communities will help with this, but it is very important to protect cultural values. We have sites recognised along waterways and it is up to us to protect them.

5. Recognise the Traditional Owners in the declaration

It’s important that Traditional Owners are engaged – everyone needs to be brought along on the journey – not just a couple of representative bodies.

6. Wild River Ranger Program

Rangers need to be better resourced and wild river programs should be traditional owner driven. Traditional Owner organisations should be the ones implementing the programs in Cape York not Councils or regional organisations.

My views on the Wild Rivers (Environmental Management) Bill:

I do not agree with the Wild Rivers (Environmental Management) Bill. I particularly do not agree where it says that consent is required by all Traditional Owners.

These are complicated matters that require further consideration in terms of reconciling the rights of Indigenous people to conservation and development.

Furthermore, it is about getting a consensus from the right traditional owners in the first instance to protect rivers. In addition, its about getting a consensus from

the right traditional owners about this bill. The view that I have is we were not aware that this bill was taken to Parliament by Tony Abbott. The Cape York regional bodies have a long history using Aboriginal people from Cape York as pawns in their political games. My view is that enough is enough. In order to get consent there needs to be a consensus from the right traditional owners that speak for their Homelands. This is the only way to follow our traditional lore.

Sincerely,

Don De Busch
Chair, Kaanju Traditional Owner
Nyacha Kumopinta Aboriginal Corporation