



31 March 2010

Committee Secretary
Senate Legal and Constitutional Committee
PO Box 6100
Parliament House
CANBERRA ACT 2600

Re. Submission into the inquiry on the Wild Rivers (Environmental Management) Bill 2010 [No. 2].

The Australian Conservation Foundation (ACF) has a strong and long interest in the future of Cape York Peninsula, the future economic prosperity of the region and its communities, and maintaining the ecological integrity of its landscapes.

ACF supports the protection of freshwater ecosystems, including rivers, across Australia and particularly those of cultural and natural significance on Cape York Peninsula.

In recognition of the social, economic, cultural and environmental cost of repairing degraded river systems such as the Murray-Darling basin, ACF welcomes the Queensland Government's proactive approach that ensures the ecological integrity of river systems will be maintained for future generations.

ACF recognises the rights and interests of Indigenous peoples in decisions affecting their traditional homelands and the importance of free, prior and informed consent.

ACF recognises the need to enhance economic opportunities delivering improved socio-economic outcomes for the regions' Indigenous communities.

Together with partner organisations from both the conservation sector and Indigenous representative bodies, ACF has worked collaboratively on land tenure reform, land management funding, and a future World Heritage nomination process for appropriate areas of Cape York Peninsula. ACF seeks to ensure these key processes continue to function effectively and that stakeholders maintain the commitment to resolve competing interests in the implementation of Queensland's *Wild Rivers Act 2005*.

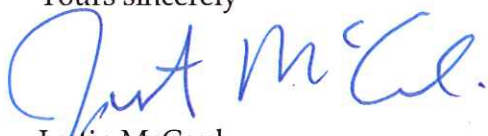


ACF does not consider the *Wild Rivers (Environmental Management) Bill 2010* [No. 2] to provide an appropriate framework capable of delivering an effective and lasting resolution to the issue of freshwater ecosystem protection and consent processes on Aboriginal lands in Cape York Peninsula. Furthermore, this Bill undermines the ability of the various competing stakeholders to work collaboratively and positively towards a resolution. For these reasons we do not support the Bill.

While a legislative framework providing for Indigenous economic development already exists within the *Cape York Peninsula Heritage Act 2007*, ACF would potentially support further legislative or regulatory provisions that:

- Provide a consent mechanism whether through an Indigenous Land Use Agreement (ILUA) or other process.
- Provide for greater flexibility for Traditional Owners in establishing ecologically sustainable economic enterprises.
- Acknowledge the strong cultural association Traditional Owners have with river systems.

Yours sincerely



Justin McCaul

Acting Northern Australia Program Manager