

**CONSERVATION LEGISLATION AMENDMENT BILL 2010**

*Second Reading*

Resumed from 6 April.

**MR C.J. TALLENTIRE (Gosnells)** [3.54 pm]: I am very happy to rise to speak to the Conservation Legislation Amendment Bill 2010. This bill essentially amends two important pieces of legislation: the Conservation and Land Management Act 1984 and the Wildlife Conservation Act 1950. This legislation seeks to do something that is so unique to our state. It brings together two things distinctive to our state—our natural heritage and our Indigenous heritage. The amendments in this legislation will give us the power to ensure that Indigenous people have a say in the management of the conservation estate in Western Australia. That is a great step forward for us and it is a recognition of the fact that Indigenous people have a connection to country. That expression is often used, but the connection to country is a real physical connection; it is sometimes an economic connection; but as much as anything, it is a spiritual connection. This connection to country means that Indigenous people desperately want to be involved in how decisions are made about an area of land; they want to be involved in the design and implementation of management plans that apply to the conservation estate of Western Australia. Across the state we have many national parks and conservation areas. Presently, it is not possible for the Director General of the Department of Environment and Conservation to join in the management process with a group of Indigenous people—perhaps native title claimants or conferred traditional owners. It is not possible for the Department of Environment and Conservation to do that as the law presently stands. That is why these amendments are so important.

Before I get into the detail of the bill, I want to highlight to the house why I think it so important that we embrace the notion that our natural heritage and our Indigenous heritage, two of the most distinctive things that this state possesses, are elevated and brought together in this way. I read a seminal work by Professor Tim Flannery, a book he wrote in 1994 called *The Future Eaters: An ecological history of the Australasian lands and people*, and some of his words in the introduction highlight how we are engaged in a journey towards an understanding of the very essence of Western Australia, which is that of natural heritage and Indigenous heritage coming together as one. Professor Flannery wrote the book after there had been significant changes to federal legislation in the federal Parliament. He wrote —

The passing of Federal legislation to recognise native title in Australia on 22 December 1993 is one of the first and perhaps one of the most important legal changes to flow from our new and very different view of our place in the world. In a sense, it brings to a close a period in our history when we possessed a purely European view of the land.

What Professor Flannery gets at is that for so long we have viewed land management, be it in the conservation estate, on private land or on crown land, as something that was to be done just for the purposes of what we previously understood as a European people—predominantly an Anglo-Saxon people. Bringing to the management framework the knowledge and aspirations of Indigenous people would give an entirely new perspective on how to manage land correctly. That is a very important step forward for the conservation of much of the state, but it is also a very important progressive step for the recognition of Indigenous culture and the role that it plays—the recognition that the fulfilment of Indigenous culture will happen only when we allow Indigenous culture onto the land to which it is so connected. That is an absolutely essential part of this legislation: it enables the Conservation Commission of Western Australia and the Marine Parks and Reserves Authority—which are the two key bodies when it comes to the management of our conservation estate, because the management of lands is vested in those two bodies—to incorporate Indigenous heritage and values into the management of land and marine environments. The Conservation Commission is responsible for the terrestrial conservation estate and the Marine Parks and Reserves Authority is responsible for marine parks. It is important to emphasise that this legislation recognises the connection that Indigenous people feel not only with the land, but also with marine environments, and it will make sure that they are also involved in the management of the marine environment as well.

I am looking forward to getting into the further detail of the Conservation Legislation Amendment Bill 2010 and going through a range of issues, including the more technical aspects of the legislation. I note that it has been discussed in the other place, and the minister is aware of certain amendments made during the course of debate in the other place. I think some clarification may be needed of the proposed amendments that were not accepted.

Debate adjourned, pursuant to standing orders.