



TASMANIAN ABORIGINAL CENTRE

ABN 48 212 321 102

ICN 8554

HEAD OFFICE:

198 ELIZABETH STREET,
G.P.O. BOX 569,
HOBART TAS. 7001
Phone: (03) 6234 0700
Fax: (03) 9957 2281
Email: hobart@tacinc.com.au



182 CHARLES STREET,
P.O. BOX 531,
LAUNCESTON TAS. 7250
Phone: (03) 6332 3800
Fax: (03) 9102 9754
Email: launceston@tacinc.com.au



53 ALEXANDER STREET,
BURNIE TAS. 7320
Phone: (03) 6436 4100
Fax: (03) 9102 9703
Email: burnie@tacinc.com.au



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Tasmanian Aboriginal Centre submission to the Tasmanian Parliament [Select Committee on Commonwealth Decisions on Agricultural Land](#)

The Tasmanian Aboriginal Centre (TAC) welcomes the opportunity of this inquiry into multiple issues relating to land in the north-east of Lutruwita / Tasmania.

The TAC will focus our submission on the last three of the [five terms of reference of the inquiry](#), namely:

- (c) the consideration given by the Foreign Investment Review Board and other Commonwealth decision-makers to Tasmania's agricultural, economic and regional interests in relation to the acquisition of Rushy Lagoon and associated properties;
- (d) the adequacy of Commonwealth assessment, consultation, approval and oversight processes relating to decisions affecting strategically significant agricultural land in Tasmania; and
- (e) legislative, regulatory, administrative or policy reforms to improve transparency, accountability and consideration of Tasmania's interests in Commonwealth decisions affecting strategically significant agricultural land.

Rationale

We have views about the first two terms - (a) forestry and carbon and (b) land conversion. However, for the sake of brevity and succinctness, we will focus on the last three because these are most relevant to the concerns of the Tasmanian Aboriginal community. To explain further:

Reference term (c): the role of Commonwealth decision makers can have a direct bearing on regional interests, which can affect the Tasmanian Aboriginal

Community directly and indirectly as the Rushy Lagoon sale demonstrates. We consider the north-east as our homelands. Further, the TAC was a prospective purchaser of the Rushy Lagoon property when it was put up for sale. What happens to it and other “associated properties” is relevant to the interests of Tasmanian Aboriginal people.

Reference term (d): The adequacy of “Commonwealth assessment, consultation, approval and oversight processes relating to decisions affecting land” clearly will and does have an impact on Tasmanian Aboriginal people. That said, consultation by the Commonwealth with the Tasmanian Aboriginal Community about the Rushy Lagoon Property has been entirely lacking.

Reference term (e): Also relatedly, issues around “transparency, accountability and consideration of Tasmania’s interests” – includes the interests of Tasmanian Aboriginal people – and how “Commonwealth decisions affecting strategically significant agricultural land” affect us.

Submission

Part One

Little Musselroe Bay is about 15 kilometres from Rushy Lagoon.

In 1831, Little Musselroe Bay was where George Augustus Robinson and Manalakina met to discuss a Treaty. Robinson was the representative of George Arthur, the Governor of Tasmania - then termed Van Dieman’s Land.

Manalakina led the Trawlwoolway clan in what is now known as the North-East Nation.

At their meeting, Robinson made the offer of a Treaty to Manalakina and invited Kikatapula to witness it. Robinson’s offer included that – quote - “*the natives would be allowed to remain in their respective districts*” if they would – quote – “*desist from their wonted outrages upon the whites*”.

Robinson describes Manalakina as being “*much delighted*” by this offer.

This offer was dishonoured. As was a second offer of a Treaty the following year by Governor Arthur to Tukulunginta, Muntipiliyata and other Tasmanian Aboriginal freedom fighters who marched to the Governor’s residence in 1832.

This betrayal was axiomatic to the land theft and land grants of Aboriginal land to colonists that took place throughout the 19th century. Aboriginal land was freely given away. There is a thick red line from that land theft and land grants to the land that is subject to this inquiry today.

It is our understanding that there are 77 titles that make up the block of land that constitutes the Rushy Lagoon property.

The Tasmanian Titles Office has the records of these first ever land grants, which are the evidence – the fingerprints - of this theft.

The TAC notes that public discussion about the Rushy Lagoon sale has been presented largely as a contest between farming versus forestry. In doing so, the fundamental issue of Aboriginal land and, therefore, land justice, has been excluded.

For Tasmanian Aboriginal people, Rushy Lagoon and the surrounding coastal landscape, land and sea Country, are not simply there to be exploited. The terms of the debate seem only to have been about the merits of one form of exploitation compared to another.

Our submission introduces to this debate and Committee the fundamental fact that this is Aboriginal land – sovereign and unceded.

Our land is living Country: it is in us. It is us. Just as our ancestors refused to give it up, so do we today.

Our submission also puts on the record that there is more to land value than exploitation to feed an increasingly questionable and shaky neoliberal economic model.

Part Two

It is springtime. The pupiyala is blooming.

Pupiyala is the Palawa Kani word for sunshine wattle that the north-east was known for by our ancestors. Boobyalla and Boobyalla Beach, is the anglicised version of pupiyala.

We are deeply concerned that a sand mine is proposed at Pupiyala / Boobyalla Beach.

We have included a recent media release in the Appendix of this Submission that makes our concerns explicit.

We believe it is the case that this sand mine cannot proceed without the permission of Gresham House granting the mine proponents, North Scottsdale Resources, access.

The TAC submits that:

- The inquiry should recognise that decisions about ownership, management and future use of strategically significant land must also consider Aboriginal rights, cultural heritage, cultural landscapes and long-standing Aboriginal connections with, and unrelinquished ownership of, Country.

- The Tasmanian Government's new draft Aboriginal Heritage Bill would not stop this mine from proceeding nor will the Bill right two fundamental wrongs:
 - That Tasmanian Aboriginal people are denied the ownership of their heritage that the owners of European heritage enjoy;
 - Nor will the Bill treat Aboriginal and European heritage as being of equal value.
- The remains of our ancestors are buried in the sand dunes that would be mined.
- In examining the adequacy of Commonwealth assessment, consultation, approval and oversight processes, the Committee should consider whether Aboriginal people were meaningfully consulted – or, indeed, consulted at all, regarding the acquisition of Rushy Lagoon and proposed future land uses. To be clear: we were not.
- The Committee should examine whether existing Commonwealth and State processes adequately protect and respect Aboriginal cultural landscapes rather than merely recording some discrete heritage sites that the Government believes it is aware of and then greenlighting a development based on the increasingly questionable neoliberal economic rationale.
- The Committee should recognise that consultation with Aboriginal people is not equivalent to obtaining Aboriginal consent and does not resolve questions of Aboriginal land justice. Collaboration and self-determination beat consultation every time.
- Recommendations for legislative, regulatory or policy reform should include stronger requirements for Aboriginal participation in decisions affecting culturally significant landscapes and strategic landholdings. Non-Aboriginal people do not know more or better about Aboriginal rights, values and heritage than Aboriginal people.
- We note that Australia has endorsed – but not ratified – the UN Declaration on the Rights of Indigenous Peoples, the cornerstone of which is the principle of Free, Prior and Informed Consent (FPIC). The concept of FPIC is entirely lacking in Commonwealth and Tasmanian Government processes, including the draft heritage Bill and the decisions made about Rushy Lagoon, whether it involves farming or mining or forestry or carbon farming.
- The Committee should be aware that the future of Rushy Lagoon may have direct implications for the proposed North Scottsdale Resources mineral sands project at Pupiyala / Boobyalla Beach, a proposal strongly opposed by Aboriginal people – and we believe, increasingly the wider community too - because of its highly destructive impacts on Country, cultural heritage and the coastal environment.

- The TAC supports land management approaches that protect and respect Country, especially where Aboriginal people can determine decisions and outcomes. However, conservation, carbon, forestry or agricultural objectives cannot be pursued in a manner that ignores, overrides or pays lip service to Aboriginal rights, Aboriginal interests and Aboriginal people.

Conclusion

The central question is not whether Rushy Lagoon should be used for farming, forestry or carbon sequestration. It should be how decisions about this landscape can properly and fairly recognise Tasmanian Aboriginal people in Lutruwita / Tasmania here and now as the rightful owners, with land rights, connection to Country, Aboriginal cultural values and who face the unfinished task of justice every day.

Appendix

Media release referred to above

Friday 11 September 2026

Country, not concrete: Palawa people stand on Country at Pupiyala/Boobyalla Beach to oppose proposed sand mine.

Members of the Tasmanian Aboriginal community have gathered on Country at Pupiyala / Boobyalla Beach in north-east Lutruwita / Tasmania to make clear their opposition to a proposed sand mine.

North Scottsdale Resources has been granted a mining exploration licence covering sand dunes behind the beach. The Tasmanian Aboriginal Centre says any proposal to mine the area would threaten Aboriginal heritage, Country and the surrounding coastal environment.

“This sand mine is a desecration of our cultural landscape,” said Andry Sculthorpe, Country and Culture Manager, Tasmanian Aboriginal Centre.

‘The sandy coastlines of the North East are areas where our ancestors lived their lives and buried their dead. They hold layers of history that must not be destroyed. A mine of this scale permanently destroys this Country and the heritage it holds. Those connections are fundamental to who we are, and we will not allow them to be destroyed.

The TAC understands the proposal could also involve the construction of a large conveyor system and jetty across the beach to transport sand to waiting bulk carriers.

“The mine itself would be destructive. Building industrial infrastructure across the beach to export the sand would compound that damage,” Mr Sculthorpe said.

“We understand the sand may be intended for export to Singapore, the world’s largest importer of sand. Communities and governments across the region have raised serious concerns about the environmental impacts of sand extraction, including damage to islands, coastlines and marine ecosystems.

“Lutruwita / Tasmania should not be volunteering its beaches and Aboriginal heritage to feed a questionable international demand for sand.”

The Tasmanian Aboriginal community will continue to oppose any attempt to mine and industrialise Pupiyala / Boobyalla Beach.

“This place is not an empty resource waiting to be dug up and shipped away. It is living Country,” said Mr Sculthorpe.

“We will stand together to protect Pupiyala / Boobyalla Beach. We believe people across north-east Tasmania will stand with us when they understand what is being proposed and what is at risk.”

The TAC understands that the mining proposal is separate from Gresham House’s purchase of Rushy Lagoon farm, although the exploration licence area overlaps part of the farm boundary.



Ends.