



**New South Wales  
Aboriginal Land Council**

## **NSWALC Principles for Aboriginal Culture and Heritage reform<sup>1</sup>**

1. Recognition that Aboriginal communities are the rightful owners of Aboriginal cultural heritage in NSW.
2. The establishment of a legislative system which affects a practical balance between:
  - the recognised need to preserve and enhance Aboriginal cultural traditions;
  - the need to deliver social justice to Aboriginal people in NSW to redress the significant cultural, economic, and social dispossession which they have suffered;
  - the need for Government to ensure the economic, social and cultural advancement of other (non-Aboriginal interests) in NSW.
3. Respect for Aboriginal cultural connections, authorities for Country, and contemporary beliefs, values and practices.
4. Recognition that Aboriginal cultural heritage is part of a broader Aboriginal relationship with the land including:
  - land rights;
  - land use and sustenance: hunting, gathering and fishing practices;
  - religious, spiritual and cultural beliefs and practices; and
  - intangible cultural property: dance, drama, art, music.
5. Provision for the protection and management of culturally significant areas on private and public lands.
6. The establishment of management processes which:
  - recognise cultural rights and responsibilities of local Aboriginal communities, traditional owners and custodians;
  - allow for the advocacy of Aboriginal interests; and
  - are clear, transparent and accountable.
7. The identification and mapping of cultural areas/zones in NSW, as a basis for the operation of an Aboriginal Heritage Commission. Such mapping should:
  - be consistent with native title interests; and
  - recognise the diversity of Aboriginal interests across the State.
8. Every opportunity should be given to Aboriginal communities and other land users to discuss, negotiate and resolve land use proposals at community levels.
9. The establishment of:
  - centralised and co-ordinated monitoring of inter-agency policies and programs which affect Aboriginal cultural heritage; and
  - a co-ordinated and consultative approach between all levels of Government on the development of policies and programs affecting Aboriginal cultural heritage.
10. Support and encouragement for greater understanding of Aboriginal cultural heritage and management and protection policies through a range of education programs and research work.
11. Recognise the need for clearly defined accountability to Aboriginal communities as well as an effective appeal process.
12. The establishment of an effective system of prosecution, penalties and reparations.
13. Support international standards and instruments including the United Nations *Declaration on the Rights of Indigenous Peoples*, as the basis for broader reform of Aboriginal heritage management in NSW.

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<sup>1</sup> The Principles are based in those outlined in the 1996 'DRAFT NSW Government Green Paper: the Future management of Aboriginal Cultural Heritage in NSW'. These Principles were endorsed by NSWALC in 2010 and were a component of NSWALC's [submission](#) in response to the NSW Government's 2013 reform model.