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NEW SOUTH WALES ABORIGINAL LAND COUNCIL

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Commonwealth Should Set Best Practice Culture and Heritage Standards

The New South Wales Aboriginal Land Council has urged the Federal Government to press ahead with its intention to establish best practice national standards for the protection of Aboriginal culture and heritage.

NSWALC Chairperson Bev Manton says she's not surprised the New South Wales Government has said it will have difficulty meeting the Commonwealth's proposed minimum standards.

"Aboriginal people throughout New South Wales concerned about the ongoing destruction of our culture and heritage know full well that NSW has the worst protection regime in the country," Councillor Manton said.

"My fellow Councillors and I are appalled at the abject failure of the current State Government to stop the ongoing destruction of our culture and heritage and commit to urgent and fundamental reform of the current governance regime in this area," she added.

"The current laws, and proposed amendments, do not recognise Aboriginal people as the owners and primary determiners of their cultural heritage. There is an urgent need for a wide ranging independent inquiry into this area.

"This should lead to the establishment of an Aboriginal Cultural Heritage Bill and an Aboriginal Cultural Heritage Commission based on recognition that the ownership of Aboriginal cultural heritage lies with our people.

"NSWALC remains concerned at the current high rate of permits issued to destroy our cultural heritage and the proposed amendments in NSW will only make it easier to issue them."

Councillor Manton said she and her fellow Councillors would continue to take every opportunity to point out that New South Wales remains the only State without independent culture and heritage legislation.

"The continuing inclusion of Aboriginal heritage in a flora and fauna Act in this state is repugnant," she added

Councillor Manton said the New South Wales government was now seeking to narrow the requirements for developers to consult and seek advice in respect of Aboriginal culture and heritage matters.

Some years ago the government established an Aboriginal Owners Register under the Aboriginal Land Rights Act but had not, as yet, provided the necessary resources to implement this.

Councillor Manton said NSWALC and Local Aboriginal Land Councils had to continually battle to assert their rights to be involved in Government consultations over proposed changes to the culture and heritage laws.

Both NSWALC and LALCs have a statutory responsibility to take action to protect Aboriginal culture and heritage and to promote awareness in the community on culture and heritage.

Those rights, however, were constantly overlooked and sites destroyed.

Some 900 sites had been destroyed in recent years under this regime, with recent figures showing up to five permits being issued a week.

“What we have is a regime to manage destruction,” she said.

NSWALC had detailed its profound concerns, and those of its constituents, in this regard in two detailed submissions ([More Than Flora and Fauna \(2009\)](#) and [Respect and Protect \(2009\) - NSWALC's response to Indigenous Heritage Law Reforms](#)) to the New South Wales and Commonwealth Government on the current legislative regime.

Both submissions are available on the NSWALC website at www.alc.org.au.

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