

The Council of the
SHIRE OF BREWARRINA



OUR REF: JWS
YOUR REF:

All communications to be addressed to the General Manager

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Sunday, 3 October 2021

The Hon. Peter Poulos MLC,
Chair
NSW Standing Committee on Social Issues
Parliament of New South Wales
Macquarie Street
SYDNEY NSW 2000

Dear Chairman Hon. Peter Poluos,

Submission - Heritage Act 1977 Review Supplemental

Council thank you for the opportunity to make a presentation to the Committee in relation to the review of the Heritage Act 1977 currently being undertaken by the Standing Committee on Social Issues.

I was stated previously, First Nations (Aboriginal) people occupied the Brewarrina Shire Local Government Area for tens of thousands of years prior to British colonisation. Evidence of First Nations occupation, before and after colonisation, remains in the Brewarrina Shire.

The Standing Committee has asked a supplemental question, namely:

Have you had discussions with Brewarrina Land Council to see what specific heritage reforms they require?

In response Council has a very good relationship with the Brewarrina Local Aboriginal Lands Council and has worked collaboratively on many issues relating to the preservation of Aboriginal Heritage in the Shire. The Chairman and CEO of the Lands Council regularly discuss issues of concern with the Mayor and GM of the Brewarrina Shire and have an excellent working relationship. The Brewarrina Council has also extended consultation with other recognised Aboriginal Land Council's and associations that have proper governance and accountability structures in place. Council will not recognise or deal with individuals who claim responsibility, without proper accountability and authority.

The icons of Aboriginal Heritage within the shire are the Nationally Heritage Listed Baiame's Ngunnhu Brewarrina Fish traps, the Old Brewarrina Mission

and the Goodooga and Weilmoringle communities. Council has worked with the recognised Lands Council to advance not only the physical aboriginal heritage issues but to recognise and respect the cultural heritage of these important areas.

The discussions with the Brewarrina Local Aboriginal Lands Council relate to having one legislative structure that recognises the archaeological value of the physical structures: the fish traps, scar trees, mittens, burial grounds etc as well as the anthropological interests; the story of the fish traps, the language and spiritual connection to sacred sites. What is needed is one legislative structure that incorporates all Aboriginal Heritage and artefacts.

The Government's draft model for Aboriginal cultural heritage laws was released on 11 September 2017 and a consultation draft Bill on 23 February 2018. This matter should be finalised as a priority so that Aboriginal cultural heritage can be protected and managed under separate legislation, rather than under the Heritage Act. Stand-alone heritage legislation would allow Aboriginal people to have agency for the conservation of Aboriginal heritage places.

As stated in the submission from Council, the Heritage NSW discussion paper makes a number of suggestions that warrant detailed investigation. It is important that any research and recommendations encompass remote areas of NSW and that the research is made promptly and is publicly available.

Yours sincerely,

Jeff Sowiak
General Manager