



LEGISLATIVE COUNCIL

PORTFOLIO COMMITTEE NO. 7 – PLANNING AND ENVIRONMENT

MEDIA RELEASE

Upper House committee inquiry opens into the Aboriginal Cultural Heritage (Culture Is Identity) Bill 2022

FOR IMMEDIATE RELEASE
11 AUGUST 2022

The NSW Upper House has referred to Portfolio Committee No. 7 – Planning and Environment an inquiry into the [Aboriginal Cultural Heritage \(Culture is Identity\) Bill 2022](#). The bill was introduced in the Legislative Council by Reverend the Hon Fred Nile MLC on 21 June 2022. The bill is co-sponsored by Mr Justin Field MLC, Mr Alex Greenwich MP, the Hon Emma Hurst MLC, the Hon Mark Pearson MLC and Mr Greg Piper MP.

The bill seeks to provide a modern framework for the recognition, protection, conservation and preservation of Aboriginal cultural heritage and recognise the fundamental importance of Aboriginal cultural heritage to Aboriginal people.

Key elements of the bill include:

- establishing an Aboriginal Cultural Heritage Council, with responsibility for:
 - granting permits, approvals and management plans for the management of activities that may harm Aboriginal cultural heritage
 - making orders to stop, prohibit or remediate activity that may harm Aboriginal cultural heritage
 - endorsing Aboriginal cultural heritage protection agreements
- designating local Aboriginal cultural heritage services, with responsibility for:
 - engaging and negotiating with persons intending to carry out activities in the area and native title parties and knowledge holders for the area
 - making Aboriginal cultural heritage management plans for the area
 - providing advice to persons about whether Aboriginal cultural heritage is located in the area
- setting out the rights and duties of various persons in relation to Aboriginal cultural heritage and the management of Aboriginal ancestral remains and secret or sacred objects
- providing special protections for land where there is Aboriginal cultural heritage of outstanding significance
- offences relating to harming Aboriginal cultural heritage
- establishing the Aboriginal Cultural Heritage Directory.

The Chair of Portfolio Committee No. 7, Ms Sue Higginson MLC, commented: "Some of the key objects of this bill are to recognise the fundamental importance and central role of Aboriginal cultural heritage to Aboriginal people and to the wider New South Wales community. Moreover, the bill seeks to recognise that Aboriginal people have custodianship over Aboriginal cultural heritage and seeks to promote access to Aboriginal cultural heritage for future generations."



LEGISLATIVE COUNCIL

PORTFOLIO COMMITTEE NO. 7 – PLANNING AND ENVIRONMENT

"This inquiry will allow community members and stakeholders to have their say on these important issues. The committee's report will then inform the Upper House's consideration of the bill", Ms Higginson concluded.

The committee's reporting date is 8 November 2022. There will be two public hearings for this inquiry, to be held on Friday 23 September and Tuesday 4 October 2022. Full schedules will be published on the inquiry's [webpage](#) closer to the time, and all hearings will be streamed live via the Parliament's website at www.bit.ly/webcastnsw.

Have your say

Members of the community are welcome to have their say on this bill via the online questionnaire on the committee's [webpage](#). The closing date for online questionnaire is **30 September 2022**.

For more information about the inquiry, including the committee membership and the terms of reference, see [here](#).

-ENDS-

For further information please contact Committee Chair, Ms Sue Higginson MLC, on 9230 2273