
From: Olgica Lenger on behalf of OEH HD ACHAC
Secretariat Mailbox
Sent: Friday, 30 September 2022 5:27 PM
To: Portfolio Committee 7
Cc: kgchalker; OEH HD ACHAC Secretariat Mailbox
Subject: RE: Aboriginal Cultural Heritage (Culture is Identity) Bill 2022 - Post-hearing responses - 23 September 2022
Attachments: ACHAC answer to Question on Notice.pdf

Dear Emily

On behalf of ACHAC and Mr Paul Knight, please see attached ACHAC's response on the question on notice.

Kind regards
Olgica

Olgica Lenger

Manager Secretariat
Heritage Council of NSW and Aboriginal Cultural Heritage Advisory Committee

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I acknowledge and pay my respects to the traditional owners and custodians on whose land I walk, work & live.

Response to Question on Notice
Upper House Inquiry on *ACH Reform (Culture is Identity Bill) 2022*
Inquiry Hearing 23 September 2022

Response of the Aboriginal Cultural Heritage Advisory Committee (ACHAC)

Question:

The CHAIR: Members of the Committee have some questions. Is it a proposition, perhaps, that ACHAC would support these reforms and this bill if the Aboriginal Cultural Heritage Council was a differently constituted council? Is that what you see as part of one of the primary problems of the bill?

PAUL KNIGHT: Thanks for that question. I am getting feedback. Before starting to get into further responses, I will foreshadow taking questions on notice for a collective response from ACHAC. It is the matter that has not previously been discussed by the committee. To provide a personal response, I clearly indicate that this is both such, and I will seek a collective response from ACHAC to make that clear.

ACHAC response:

As a representative of ACHAC at the Inquiry, I took this question on notice because during the hearing I did not know how ACHAC would want to answer the question.

The ACHAC submission makes clear that the constitution of the ACH Council as proposed by the Bill is of great concern to ACHAC. However - and without detracting from its importance - the constitution of the ACH Council is one of several threshold issues for ACHAC.

ACHAC's submission to the Inquiry puts forward several other threshold issues concerning the Bill that we believe should be given equal regard by the Inquiry. These include:

- the need for Aboriginal community confidence, as a critical success factor, in any new ACH structures and processes
- the need for an ACH statewide body to be a *representative Aboriginal organisation* within the meaning of the Dhawura Ngilan Vision Statement
- the formation of ACH Services constituted by and representative of authorised ACH custodians
- the foundational need for any proposed ACH reforms to be thoroughly consulted in a targeted and culturally appropriate way with Aboriginal people and communities across NSW.

ACHAC, which has members from all over NSW, uses strongly democratic and participatory processes when it makes decisions on policy. These processes include making sure that ACHAC members are afforded a respectful period of time to consider what they want to say. I regret that, in the short amount of time allowed for responses (seven days) ACHAC is unable to give a more comprehensive response to the question on notice.

Our hope is that our submission gives a clear summary of ACHAC's evidence to the Inquiry, and I would like to thank the Committee on behalf of ACHAC for the opportunity to speak.

Paul Knight

ACHAC representative and witness