

**Submission  
No 2**

**INQUIRY INTO ABORIGINAL CULTURAL HERITAGE  
(CULTURE IS IDENTITY) BILL 2022**

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## Response to the Aboriginal Cultural Heritage (Culture is Identity) Bill 2022

It would be culturally inappropriate for me to support such a bill. The bill in its current form not only does it not conform with current NSW State

Government policies, it goes as far as to fly in the face of the Burra Charter and the United Nations declaration for First Nation people. This bill has been designed as a last-ditch attempt to further separate Aboriginal communities and drive a wedge between them.

Firstly, we must consider several fundamental positions this bill tries to silence.

To take the voice Lore and customs away from the owners from specific areas and give that culture controls to a committee not from that area or tribal group. In essence demonstrates the lack of understanding of traditional Lore and customs and this bill attempts to establish a black farm manager to oversee all the different tribal groups and give that decision making to a committee that would have authority to make binding discussions.

We have seen a similar style of management in history play out from the early days, such as from the appointment of the inland missions Act, The Aborigines Inland Mission (AIM) was an Evangelical Baptist missionary organisation established by Retta Dixon in 1905. The following year, Dixon married Leonard Long, a Wesleyan, and the ministry became broadly Protestant. The AIM and its staff, who later included some of the Longs' children, ran the St Clair Mission, the Singleton Home, the Native Workers' Training College and the Singleton Bible Training Institute in New South Wales, as well as the Phillip Creek Mission and the Retta Dixon Home in the Northern Territory. It published Our AIM and The Evangel and employed missionaries across NSW and the NT. The Aborigines Inland Mission changed its name to Australian Indigenous Ministries in 1998. My people the Wonnarua was the first people to be enslaved under this Act.

This bill has not had wide range consultation with the broader community of NSW.

For example, some of the actions that have occurred under the Local Aboriginal Land Councils need to be considered as to why non-traditional owners are on these committees to manage Aboriginal heritage.

The Deerubbin Local Aboriginal Council doesn't believe that the Durag people exist.

La Perouse Local Aboriginal Land Council opposed a section 9 to protect a ceremonial site at Randwick supported by the traditional knowledge holders. But then after the site was destroyed came out publicly and agreed it was a sight of importance and should have been protected.

Bathurst local Aboriginal Land Council opposed the protection of a woman's birthing site at Mount Panorama. The traditional owners applied for a section 10 and was granted protection in opposition of the Local Land Council's attack on their culture.

Wanaruah Local Aboriginal lands Council CEO attended an Independent Planning Commission meeting for Mount Pleasant open cut coal mine. The CEO of the local Aboriginal Land Council gave full support to the mine's approval. And never once mentioned the Aboriginal heritage it would destroy. Ultimately, the CEO supported the open cut coal mine in Wonnarua lands without even consulting the local native title party for the water or people, the Plains Clans of the Wonnarua People (PCWP). What was later discovered, the Wonnarua Land Council CEO's son owns an Aboriginal company that was contracted by the mining company. That mining footprint contained 3500 registered sites, and one mythological site.

These are just some of the examples that show how local Aboriginal Land Council are not and never will be in the best position to make decisions on Aboriginal heritage. There are too many examples now and in the past of how Local Aboriginal Land councils have acted in a manner which is opposite to traditional lore and customs of those tribal groups in the area where the Local Land Council operate.

At the time of its whole of country native title claim, the PCWP claim covered 4 Local Land Council boundaries. At no time while the claim was registered, did any of those land councils attempt to open a dialogue with the PCWP and were sending our field officers to jobs within the boundary of the claim area to make decisions and recommendations on lands that they have neither a traditional nor historical connection to.

This bill has been hastily pinned together for the benefit of a member of NSW Parliament who I believe has a conflict within himself. As many would be aware, the most destructive tool ever introduced to this country after it was stolen from First Nations people was the religious sector converting our people to Christianity. Centuries later, we now have a representative of a legit religious party who is a member of NSW Parliament attempting to introduce a bill without any real consultation, based on the whims of one organisation that's effectively trying to circumnavigate traditional consultation and tribal authority for its own personal gain.

As one of the native title applicants for the PCWP and a ex chairperson of the Wanaruah Local Aboriginal Land Council, I have firsthand experience and knowledge of how land councils are not in a position to deal with cultural lore and customs including Aboriginal heritage. Even today, under the 2010 Community consultation guidelines, the Local Land Council is attempting to demonstrate its dominance as being the primary voice for determining Aboriginal culture and heritage where archaeological firms are only engaging field workers and not the traditional knowledge holders. Those field officers, are almost always not the local traditional owners, but an employee of the Lands Council who has no Cultural Heritage knowledge of that traditional group.

This bill, if it was supported would do more damage than benefit to the local community of NSW but would also potentially damage our individual traditional lores and customs and any authority instilled on our old people. It seems that the bill is designed to take advantage of a separated, dysfunctional, broad community created by a Christian system.

As a First Nations person it is my right under the Burra Charter and the United Nations Declaration for First Nations people to speak for and protect my culture; the Wonnaura culture. I have never, nor could I ever give away my authority to make decisions on behalf of the tribal group that I've been appointed to represent to a randomly appointed committee.

The bill that is being presented for people to make submissions on is a complicated bill that has not been explained in Speakeasy terms policy. The bill in itself is too complicated for both local communities throughout NSW to fully understand under with such short notice. The time that it would take to consult with all tribal groups in NSW would be phenomenal. To take all this into consideration it seems Parliament is forgotten that the NSW Lands Rights Act has a provision for traditional owners under the Lands Rights Act. This section of the Lands Rights Act has been nothing short of a disaster. We've seen local communities appointed as traditional owners under the Lands Rights Act Traditional owners list. And then those same rights taken away from those traditional owners by the local Aboriginal Lands Council. We now see the registrar pushing to develop further traditional owners lists across the state of NSW. One very important question of these larger traditional owners' lists is; Who's making the decision on which patch of country is owned by what tribal group? And furthermore, what is the mechanism that's being used to identify the authority in those tribal groups? Even this bill fails to answer those questions. To place a committee in control, to make a decision who has authority to speak on country is at best an overreach considering the Lands Council can't even properly manage its own function under the traditional owners mandate.

If this Parliament of NSW is attempting to give First Nations people a voice in NSW, this Parliament should look to take the road of treaty. The same as the Victorian Government has and the Queensland Government. It's appalling to think that the first state of the colonies of NSW has held long and hard to not recognise the First Nations people of this first state.

The NSW parliament should set forth a bill to commence negotiations and consultations for a treaty with the First Nations people of NSW. The control of our lands shouldn't be left to a statutory body like the New South Wales Land Council, the National Native Title Tribunal or other organisations such as NGOs that control and management of Aboriginal cultural heritage. Traditional knowledge holders must always be in the control and speak on behalf of the specific tribal group from those areas.

This Parliament has no understanding of traditional lores and customs and that's demonstrated in this bill and how it's being presented. It seems a clear attempt to take away my rights and those of my people and give those to a third party without even backing up a declaration that this country

signed with the United Nations to ensure my rights, my voice my lore, my religion and my customs are protected.

As one of the appointed native title applicants for the Wonnara people in the Hunter Valley of New South Wales and the group I am elected and authorised to speak on behalf of, I cannot and will not support this bill. I feel it is repugnant that the state of NSW is even considering it when my group, the PCWP have not ceded our lands.

I would also like to provide a copy of a email sent to me from a person already listed as a traditional owner under the NSW land rights Act 1986 that has had significant issue with the local land Councils from his Area.

My name is Robert Syron

I am a Registered Aboriginal Owner “through the legal process” Office Of The Register Aboriginal Land Rights Act 1986, a Descendant of Aboriginal (-Malookut-lightning AKA Jack Cook ) and (Jessie Cook- Nee Brummy) from the Barrington West Road known as the blacks camp as it was called.

I am also a Descendant of Aboriginal Robert Clarke of the Manning River and many other Aboriginal family's on the East Coast. I served in the RAR- Royal Aust Regiment, Rwandan War veteran 1994-95/ Meritorious Unit Citation, ANZAC Peace Prize 1995.

My aboriginal Grandmother Born 1911 on the Barrington River NSW her mother also born on the Barrington River who's father was Malookut Lightning AKA-Jack cook born on the Barrington River where his and family are buried on the old camp site.

My Aboriginal Grandfather Born 1907 Nabiack NSW, My father Born 1941 Gloucester and his 16 brothers and sisters Born Gloucester. I would say I have the credentials and knowledge to have a voice in regards to the true Guringai, Kuringgai people culture and history. Our clan would gather fresh water crayfish, mussels, catfish, Perch, Herring, Eels, Mullet from various rivers from the Williams, Dungog, Patterson, Hunter, Barrington and the Gloucester rivers.kangaroo , Wallaby, Paddy melon, Opossum, Jew lizard, Porky pine, wombat, emu, wonga, Bush turkey and Swan, where only some of the favourite foods and some only to be eaten by elders.

My family The true Guringai people and location -The kabook and Watoo people  
<https://hunterlivinghistories.com/2018/08/15/the-kabook-watoo/>

My family have maintained a continues connection to our country tribal areas. 1956 my ancestors were removed from the "Blacks Camp" Barrington west Road Barrington Nsw that was granted to them in the 1880s. As Guringay , gringai or spelt Guringai people who have a well recorded history from the first white settlement 1820 hunter valley Nsw, As registered Aboriginal owners we have been excluded from Aboriginal land Councils in land dealings, agreements and denied the cultural right to maintain and practice culture on our own country tribal areas and hunting grounds.

This power given to the Aboriginal land Councils has stopped us from any entitlements in royalty's for our Aboriginal corporation and we will never be able to move forward enabling us to create opportunities for employment setting up tourist company's and more over the Barrington and Barrington Tops national parks areas NSW.

Dungog Council recently has closed a deal an Indigenous land use agreement with karuah Aboriginal land council knowing and acknowledging us on the Dungog council web site even after emailing the mayor and councilors our connection prior to closing the deal and where not included.

We were also currently in the Native title courts recently trying to negotiate an ILUA funded by NTSCOPRT represented by Tony MacAvoy but have withdrawn that because of concerns I will not disclose here.

I was also denied the cultural rights to maintain and practice culture on Worimi lands as a Registered Aboriginal owner of Worimi lands and again we have not been included in any land dealings or royalties.

We will forever be in this position.

Kind regards

Robert Syron

Registered Aboriginal owner of Worimi Guringai Lands

Australian Rwandan War veteran 1994-95, ANZAC Peace Prize 1995, Meritorious Unit Citation.

Regards

Scott Franks

CEO

Native Title & Environmental Services Consultant

Native title applicant for the PCWP