



Nyngan Local Aboriginal Community

CULTURAL PROTOCOLS

2020

**A guide for visitors &
services**

Cultural warning:

Aboriginal and Torres Strait Islander people should be aware that this document may contain images, or names of deceased peoples in photographs, or printed material.

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1. Introduction

1.1 ACKNOWLEDGEMENT

The Community of Nyngan acknowledges the Wangaaypuwan (Wongaibon), Ngemba, Ngiyampaa, and Wayilwan (Weilwan) peoples who are the traditional custodians of the land and pays respect to Elders both past and present.

The Community of Nyngan has a long Aboriginal history and values the diverse of our local community and supports reconciliation by working consistently in partnership with the wider Community always ensuring the process is based on respect, trust and a spirit of openness.

1.2 PURPOSE

Protocols are an important part of all cultures and are in place to ensure peoples behave and interact in an appropriate manner.

The aim of this document is to provide a comprehensive resource for all Services agencies and visitors including but limited to Minister and Government agencies)/ personnel to use when liaising, consulting and engaging with Aboriginal peoples within our community.

This document also provides cultural and historical content to assist our own Community when working with the Local Aboriginal peoples.

Observing cultural protocols of a Community demonstrates respect for cultural traditions, history, diversity and the continued connection to the Country.

It illustrates a willingness to acknowledge that the processes and procedures of one cultural community are equally valid and worthy of the same respect as one's own cultural protocols. Cross cultural engagement requires patience, understanding and a commitment from all parties.

2. Brief history Of NYNGAN

Nyngan has a unique history and is home to many Aboriginal nations including Traditional Custodians, the Wangaaypuwan (Wongaibon), Ngemba, Ngiyampaa, and Wayilwan (Weilwan) peoples.

The Bogan River was once called New Year's Eve Creek

The district was originally inhabited by the Ngiyambaa Aboriginal peoples. Thomas Mitchell explored the Bogan River in 1835, camping on the future town site. He recorded the local Aboriginal word *Nyingen*, said to mean 'long pond of water', though other meanings have been put forward, such as mussel or crayfish.

Squatters had settled in Mitchell's wake before he had begun his return journey. And the town flourished after completion of the railway line in 1883. The Municipality of Nyngan was proclaimed on 17 February 1891 with Nyngan having a population of 1355.

Other names for Ngiyambaa are: Giamba, Narran, Noongaburrah, Ngampah, Ngemba, Ngeumba, Ngiamba, Ngjamba, Ngiyampaa, Ngumbarr; Wangaaybuwan is also called Wongaibon, and Wayilwan is also called Wailwan, Weilwan or Wailwun.

The name Bogan is an Australian Aboriginal term meaning of the birthplace of a notable headman of the local tribe, and is also a Gaelic term meaning bog.

The clans in the area were forced out when the railway came to town in 1883 many moved to the Brewarrina Mission and across NSW

The Aboriginal Community in Nyngan feel it's important to acknowledge our dark history as well. In 1841 Bogan River massacre, where Aboriginal peoples were hunted and killed, the story written in The Lone Hand dated 1st June 1917 can be found at <http://nla.gov.au/nla.obj-392936829/view?partId=nla.obj-392978001#page/n20/mode/1up>

3. Aboriginal Community Engagement

For consultation purposes our Aboriginal community has created a community consultation process to ensure we cover all Aboriginal organisations in the area.

Our Aboriginal Community is united and we prefer you meet with all organisations at once. To arrange the one meeting, please email Nyngan LALC and with information about what you are seeking and a suitable date can be arranged.

The contacts are below.

Nyngan Local Aboriginal Land Council (LALC)

CEO: Veneta Dutton

E: nynganlalc@bigpond.com

P: 02 68 322 639

M: 0491 216 084

102 Pangee St, Nyngan NSW

Opened Monday to Friday 9-3pm. *I work alone, so if training or meetings in Dubbo our Office is closed.*

Nyngan Local AECG (Aboriginal Education Consultative Committee)

President: Marie Johnson

E: marie_johnson66@hotmail.com

P: 0488 059 293

Marie is also the AEO (Aboriginal Education Officer at Nyngan Public School)

Vice President: Raylene Weldon

E: raylene27@live.com.au

P: 0437 704 484

Raylene is also the AEO (Aboriginal Education Officer at Nyngan High School)

AECG meetings are week 4 & week 8 of each term on Monday's and venue is rotated between schools, preschool & ELC. Your welcome to attend, there is a \$2 membership fee.

AECG look at Aboriginal funding and ways to improve education and cultural learning for Aboriginal children and that benefit all children as well.

Bogan Aboriginal Corporation

CEO: Lesly Ryan

E: boganac@bigpond.com

P 02 68 321 750

46 Nymagee St,
Nyngan NSW 2825

Three Rivers Regional Assembly Representatives are:

Lesly Ryan, Marie Johnson and alternate delegate is Veneta Dutton

A little bit about Nyngan LALC

Background:

The Nyngan Local Aboriginal Land Council (Nyngan LALC) is incorporated under the New South Wales Aboriginal Land Rights Act (1983) (ALRA). Since its creation in 1984 the Nyngan Local Aboriginal Land Council has constantly focused on improving the lives of its members. It achieves this by effectively implementing the functions of an Aboriginal Land Council as directed by the ALRA.

Since its incorporation the Nyngan Local Aboriginal Land Council has provided services to the Aboriginal communities within its boundaries as follows:

- Fulfilled its obligations under the ALRA;
- Purchased and erected housing;
- Obtained funding for operational purposes;
- Convened events and activities in accordance with its goals; *and*
- Maintained an office facility for members and the community.

The community assessment has been based upon analysis of the latest 2016 Census and Community Consultation.

Nyngan LALC Vision:

Nyngan Local Aboriginal Land Council aims to be an active, supportive, innovative and responsive contributor to the well-being and prosperity of Aboriginal people within its boundaries through the protection of land, heritage and culture and its focus on strengthening the capacity and involvement of Aboriginal peoples in daily society.

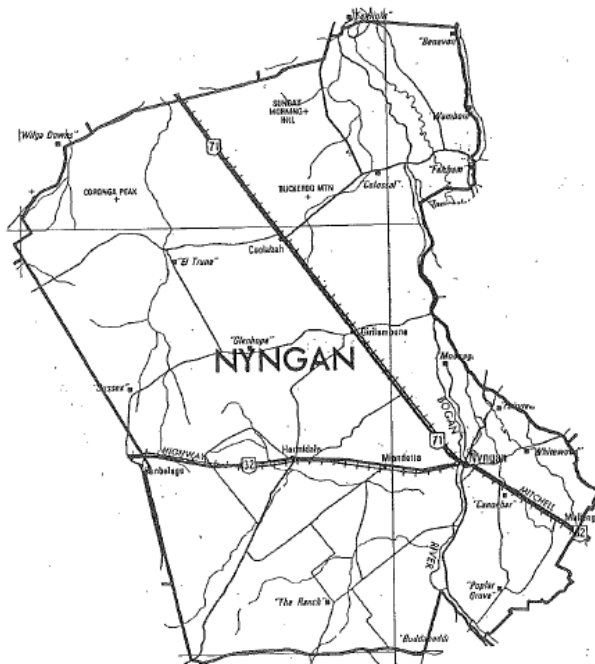
Nyngan LALC Value Statement:

- Local knowledge and respect for the history and uniqueness of Nyngan and its surrounds;
- An 'open door' policy for all stakeholders including CEO, Board, staff, members and others;
- Employment of skilled and conscientious staff;
- Good governance through a mature and committed Board;
- A focus on opportunity and resourcefulness; *and*
- Principled engagement with all stakeholders.
- Respect people opinions
- Accept people for who they are

ABORIGINAL LAND RIGHTS ACT, 1983.

NOTIFICATION OF CONSTITUTION OF AN AREA AS A LOCAL ABORIGINAL LAND COUNCIL AREA.

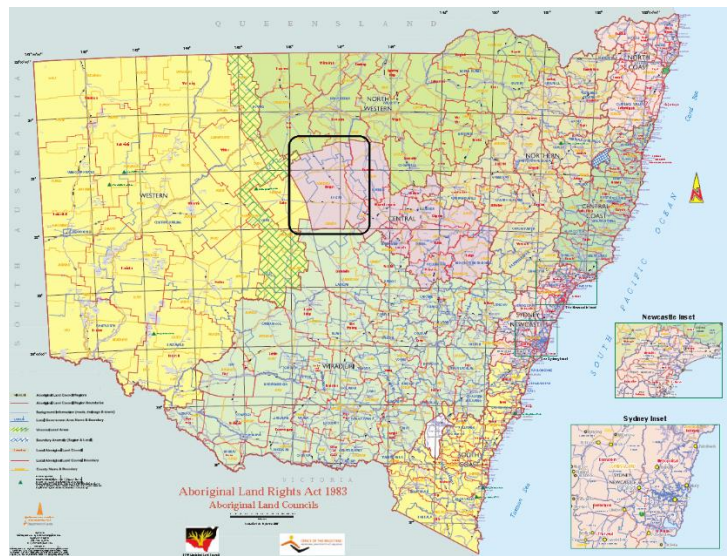
PURSUANT to the power vested in me by section 5 (1) of the Aboriginal Land Rights Act, 1983, I hereby constitute the area outlined in the map below as the Nyngan Local Aboriginal Land Council Area.



Nyngan Local Aboriginal Land Council is in the region of Nyngan, North-Western NSW.

Nyngan is a small community within the Bogan Shire Local Government area, located between Narromine and Bourke, on the junction of the Mitchell and Barrier Highways.

It is 556 kms north-west of Sydney and 166 kms from Dubbo.



Map of boundaries of Local Aboriginal Land Councils in NSW

NYNGAN Local Aboriginal Land Council Boundary Description

Commencing at the junction of Cockies Road with Bogan River at Mudall Bridge; and bounded thence by that road generally south-westerly, the road from Nymagee to Mullengudgery via Pangee generally westerly and the road from Nymagee to Hermidale generally south-westerly to the north-eastern boundary of the County of Mouramba; by part of that boundary north-westerly, part of the north-western boundary of the County of Flinders north-easterly and the south-western boundary of the County of Canbelego and part of the generally south-western boundary of the County of Cowper generally north-westerly to the road from Cobar to Byrock via Lyndhurst Homestead; by that road generally north-easterly to the north-western boundary of W.L. 3516; by part of that boundary and the north-western boundaries of W.L. 3718, a line, W.L. 3719 and W.L. 3720 north-easterly to the road from Byrock to Gongolgon via Narran Waterholes; by that road generally north-easterly and the road from Gongolgon to Coolabah northerly to the south-eastern boundary of H.L. 86-11; by part of that boundary and its prolongation north-easterly to Bogan River, aforesaid; by that river downwards to the south-western prolongation of the north-western boundary of H.L. 85-9, County of Clyde; by that prolongation and boundary north-easterly and the northern boundary of H.L. 85-14 easterly to the northern boundary of the Parish of Mundawah; by that boundary easterly to Marra Creek; by that creek upwards to the generally north-western boundary of the County of Gregory; by part of that boundary generally south-westerly to Bogan River, aforesaid; by that river and Gunningbar and Beleringar Creeks upwards to the generally north-western boundary of the Parish of Woolartha, County of Oxley; by that boundary and the generally north-western boundary of the Parish of Trowan generally south-westerly, the north-easternmost generally north-eastern, the generally south-eastern and part of the generally southern boundaries of the Parish of Rutledge generally south-easterly, generally south-westerly, part of the generally western boundary of the Parish of Cremorne southerly and the northern and the generally north-western boundaries of the Parish of Cajildry westerly and generally south-westerly to Bogan River, aforesaid, and by that river downwards to the point of commencement.”

A little bit about Bogan Aboriginal Corporation

Bogan Aboriginal Corporation became registered under Office of the Registrar of Indigenous Corporations on 19th January 1984. The boundaries that Bogan Aboriginal Corporation cover is the Bogan Shire Council boundaries



Objectives:

The corporation aims to:

- a) Undertake a rental business lease and in any other way provide housing, accommodation, land property (Real and Personal) on such terms and conditions as the members may deem fit.
- b) Establish, develop, conduct or assist in establishing developing, conducting Aboriginal housing projects.
- c) Strengthen and build up and contribute to the identity and sense of purpose and culture of persons of Aboriginal descent.
- d) Actively seek funds from government sources to acquire land or buildings for the purpose to establish a viable economic base for the Association
- e) Establish standards and procedures to preserve the culture and heritage of the local community cultural property regarding land, fauna, flora, minerals and autonomy, and cultural property relating to the Aboriginal community (past and present), and to maintain the values and traditions of the Indigenous community.

A little bit about Nyngan Local AECG

The Nyngan Local AECG, is under the umbrella of the NSW Aboriginal Education Consultative Group Inc. (AECG). Nyngan Local AECG cover the Bogan Shire council boundaries.

The NSW AECG is a non for profit Aboriginal organisation that provides advice on all matters relevant to education and training with the mandate that this advice represents the Aboriginal community viewpoint.

The NSW Aboriginal Education Consultative Group Inc. promotes respect, empowerment and self-determination and believes the process of collaborative consultation is integral to equal partnership and is fundamental to the achievement of equality.

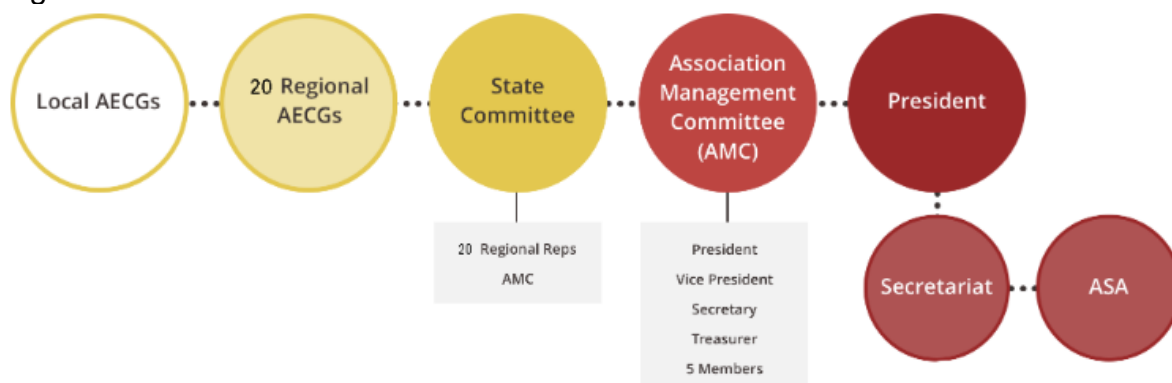
The NSW Aboriginal Education Consultative Group Inc. advocates cultural affirmation, integrity and the pursuit of equality to ensure that the unique and diverse identity of Aboriginal students is recognised and valued.

Structure of the NSW AECG Inc.

The primary role of the NSW AECG Inc. is to promote active participation by Aboriginal people in the consultative and decision making process of education and training related matters.

Our strong member base is key to the organisation being the peak advisory body regarding Aboriginal Education and Training at both State and Commonwealth levels. As a wholly volunteer based organization, our key focus is 'community first'; the educational rights of Aboriginal people in NSW being our driving force.

The NSW AECG Inc. has local, regional and state network that enables effective communication allowing Aboriginal community viewpoint to be echoed throughout the organisation.



Local AECG

All the members of local communities can become members of the local AECG but only Aboriginal adults (18 years and over) can vote and hold office bearers' positions. President, Vice President, Secretary and Treasurer make up the local AECG Executive. Other members make up the local committee. Meetings of the local AECG's shall be held at least three times a year at a venue, date and time to be decided upon by the members.

<https://www.aecg.nsw.edu.au/about/>

4. Cultural Information

4.1 THE STOLEN GENERATIONS

The stolen Generations are Aboriginal and Torres Strait Islanders individuals who were removed from their families through official government policy from 1909 to 1969. In 1883 the NSW Government established the Aboriginal Protection Board taking control over nearly all aspects of Aboriginal people's lives, including the power to remove Aboriginal children without parental consent or court order.

The Nyngan community recognises the recognition of Sorry Day and acknowledges the lasting sorrow caused by past policy and law regarding the forcible removal of Aboriginal children.

For further information on the history of the Stolen Generation, go to <https://aiatsis.gov.au/research/finding-your-family/before-you-start/stolen-generations>



4.2 ELDERS

Traditionally, Elders are custodians of traditional knowledge and customs and are responsible for providing guidance to the community on cultural matters and cultural protocols.

It is the Elder who hold the history, know the culture and pass on the lore that govern the Community. The term "Elder" is used to describe peoples who have knowledge, wisdom and the respect of the local Community. Elders are not necessarily the older peoples but must have the trust and respect of their community and be recognise as cultural knowledge keepers.



5. Cultural Practices

5.1 USING THE TERM 'ABORIGINAL AND INDIGENOUS'

Locally, Aboriginal is the preferred term when referring to the Australian First Nations Peoples and should always be adjoined to people, community.

It is also respectful to use a capital letter when using both Aboriginal and Indigenous in the written form.

It is highly offensive to question how 'Aboriginal' a person is who identifies as Aboriginal or what % percentage are you?

Recommended Practice:

Refer to 'Aboriginal peoples and Aboriginal community' not Aborigines. Use capitals where Aboriginal or Indigenous are written. Abbreviations of "Aboriginal and Torres Strait Islanders" to ATSI is deemed inappropriate and at all stages of the full words should be written.

5.2 GENDER PROTOCOLS

(Men's and women's Business)

It is important to be aware that there are many matters where the Aboriginal community view specific knowledge as sacred to either men or women.

For example: some sacred sites can only be visited by men or women.

Traditional stories may also be gender specific and will only be passed down to those in the appropriate gender.

Recommended Practice:

We ask that service providers seek advice from the local community regarding men and women's business.

5.3 SACRED SITES

Sacred sites are places of cultural significance to Aboriginal peoples. They can be hills, rocks, trees and waterways that are not always spectacular or interesting to the non- Aboriginal eye.

They may be places that are significant because they mark a particular act of a creation or being. They also include burial grounds and places where particular ceremonies have been held.

Aboriginal peoples have identified a number of significant sites in the Nyngan area. A number of these sites have been grazed and destroyed in recent years.

Under the National Parks and Wildlife Act 1974, the Office of Environment and Heritage, through the National Parks and Wildlife Services is responsible for the care, control and management of all 'on parks' of reserved lands. While the heritage Division is responsible for the care of all 'off park' heritage values including State Heritage items under the NSW Heritage Act. 1977. Some Crown land area are managed by Bogan Shire Council under the Crown land management program.

Recommended Practice:

We ask that Government agencies and service providers seek advice from the local community in regard to significant sites.

5.4 WELCOME TO COUNTRY

A Welcome to Country is a cultural practice whereby the traditional custodians of the land welcome people onto their country. A Welcome to Country should be the first item of any Civic/ Mayor Reception, opening ceremony, conference, major cultural or recreational events for example:

NAIDOC Week, sporting events, Official Local Government forums, invited guest, Services workshop.

Recommended Practice:

We ask that service providers seek advice from the local community in regard to significant sites.

5.5 ACKNOWLEDGMENT TO COUNTRY

An Acknowledgement of Country is a means by which all peoples can show respect for Aboriginal culture and heritage and the ongoing relationship the traditional custodians have with their land.

An Acknowledgement of Country must take place at all minor functions such as meetings, in-house training, workshops and seminars. On such occasions the chair or a speaker may begin by acknowledging that the meeting is taking place on the country of the traditional custodians.

Recommended Practice:

An Acknowledgement to Country is a minimum requirement for services and Community events.

5.6 SMOKING CEREMONY

Smoking ceremonies are undertaken to cleanse the space in which the ceremony is taking place. The Smoking Ceremony is a ritual of purification and unity and is always undertaken by an Aboriginal person with specialised cultural knowledge

This is a very sacred ceremony to be performed only at events deemed appropriate on advice of Local Aboriginal Organisations such as LALC, AECG, and Bogan Aboriginal Corporation and with cultural expertise.

Recommended Practice:

A smoking ceremony is a minimum requirement for services and Community events.

5.7 SORRY BUSINESS

Many Aboriginal peoples mourn the loss of a family member by following traditional ceremonies and practices, often known as "Sorry Business"

It's an important time of morning that involves responsibilities and obligations, and we mourn differently to non-Aboriginal people. *Please see the handout attached to this document*

Recommended Practice:

Please speak to the Local Aboriginal Land Council or Aboriginal community remember in regards to Sorry Business.

6. Fees for Service

In providing cultural services such as welcomes, artistic performances and other social ceremonies and Aboriginal Cultural site assessment, it is important to acknowledge that Aboriginal peoples are using their intellectual property.

For this reason, it is appropriate that peoples receive payment for their service. The remuneration should take into account travel to the event, time and complexity of the service as well as the profile of the event.

This includes consultation of Cultural knowledge transmitting.

Recommended Practice:

We ask that Government agencies and service providers seek advice from the local community regarding payment and process.

Aboriginal Cultural Site Identification, Assessments, Surveying & Excavations

Section 90 of the National Parks & Wildlife Act 1974 (NPW Act) requires anyone who wishes to carry out development that destroys or damages Aboriginal objects to obtain a consent to destroy the Aboriginal object from the Department of Environment & Conservation. Section 91 of the Environmental Planning & Assessment Act (EPA Act) provides for such consent to be sought as part of an integrated development consent.

Any development which involves the disturbance of the natural ground surface has the potential to damage or destroy Aboriginal objects such as axes, grinding

stones, hearths, tools, flints and trees. A general safeguard against a breach of both the NPW Act and the EPA Act is to conduct a Cultural Heritage Site Assessment prior to the lodgment of a Development Application.

Nyngan LALC, Bogan Aboriginal Corporation and Local AECG employs professional, qualified and highly skilled Aboriginal Site survey peoples.

Our peoples has over 10 years of experience working across Nyngan LALC boundary and Bogan Shire Council area in relation to Aboriginal Sites, some of which includes:

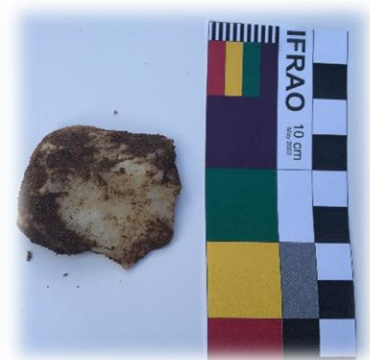
- Aboriginal Sites Identification, Assessment & Surveying
- Monitoring of Aboriginal Sites

Our sites team represent Nyngan LALC, Bogan Aboriginal Corporation and Native Title Services, we have permission to work on Country and care for the Country.

Recommended Practice:

We ask that Business and Developers seek advice from the local community regarding the Site Survey process.

We use local Aboriginal peoples, and anyone coming from outside to perform these are not adhering to local Aboriginal LORE, and are disrespecting our Community.



7. Community Engagement

Before work begins on any project, program or service delivery that relates to Aboriginal culture and heritage matters or has implications for the Aboriginal community, it is important to engage the local Aboriginal Community.

Community consultation is a process where the Aboriginal community can openly share information about significant matters that may impact on the Aboriginal community, culture, heritage and traditional lore. The consultation process aids Community in becoming aware of the views, beliefs and sensitivities of the local Aboriginal Community.

Achieving satisfactory outcomes from consultation involves forming a strong, ongoing, mutual relationships with the Aboriginal community utilising the fundamental principles of respect and readiness to learn, share and negotiate.

Recommended Practice:

It is advisable to consult with as many Aboriginal community representatives as possible especially on matters that have a high impact on the Aboriginal community. Undertaking this method will reduce the potential for missed input from community members during the consultation process and reduce future criticism from those feeling they should have been consulted.

8. Reconciliation

The community of Nyngan aiming to be more culturally friendly. Some services providers have created Reconciliation Action plans (RAP), they are:

- TAFE
- Local Land Services
- State AECG
- Nyngan High School
- Barnardos

Recommended Practice:

We ask that Government agencies and service providers seek advice from the local Aboriginal community in regard to planning your Reconciliation Action Plan throughout the whole process not just at the end.



**RECONCILIATION
ACTION PLAN**

REFLECT

<https://www.reconciliation.org.au/reconciliation-action-plans/>

9. Aboriginal Flag

The Aboriginal Flag represent an Australia's first Nation's peoples. It was designed due to the exclusion from past policies from previous government and due to the colonization.

The Aboriginal flag was proclaimed as the official flag of Australia under section 5 of the Flags Act 1953 on 14th July 1995.

As of 25th May 2015 the Aboriginal flags will be flown each day alongside the National Australian flags at Bogan Shire Council Chambers, this was a significant milestone for the Aboriginal Community. This demonstrates we are coming together, as one community should be a symbol of harmony and inclusion, so we can say we are walking together towards reconciliation.



The top half of the **flag** is black, which represents the **Aboriginal** people. The bottom half of the **flag** is red, representing the country's red earth.



10. Community Stats

https://quickstats.censusdata.abs.gov.au/census_services/getproduct/census/2016/quickstat/036

Total Aboriginal Peoples	417
Total Aboriginal Males	194
Total Aboriginal Females	218
Median age	19

11. Significant dates and events for our Community

Date	Events	Further Information
January 26 th	Survival Day	
February 13 th	National Apology Day	
March 20 th	National Close the Gap Day	www.oxfam.org.au/act/events.national-closing-the-gap-day
March 21 st	Harmony Day	www.harmony.gov.au
April 25 th	Coloured Diggers DAY/ ANZAC Day	
May 26 th	National Sorry Day	www.nsdcc.org.au
May 27 – June 3 rd	National Reconciliation Week	www.reconciliation.org.au/nrw
First full week of July	NAIDOC Week	www.naidoc.org.au
Nyngan's NAIDOC week: Please contact Nyngan LALC for community dates		
August 4 th	National Aboriginal and Islanders Children's Day	http://aboriginalchildrensdad.com.au/

REMEMBER

CONSULT IS NOT CONSENT.

It's ongoing with mutual respect and agreement.

