

BARAMADAGAL DARUG TRIBAL GOVERNING COUNCIL:

A Sovereign Declaration and Community Constitution,
issued for the public record and as a reference framework
for community engagement.



BARAMADAGAL DARUG TRIBAL GOVERNING COUNCIL

Accepted and Endorsed by the Treaty Council
(A Central Commission for Aboriginal and Torres Strait Islander
Tribal Governing Councils)

(ICN-9045)

Alex Wymara



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STATUS AND PURPOSE OF THIS DOCUMENT

This document is issued by the Baramadagal Darug Tribal Governing Council as:

- (a) a Sovereign Declaration, placed on the public record, affirming the continuing sovereignty, law, identity, and authority of the Baramadagal Darug People;
- (b) a Community Constitution, articulating the internal governance principles, responsibilities, and decision-making structures of the Baramadagal Darug Tribal Nation; and
- (c) a Reference Framework for Engagement and Negotiation, intended to inform dialogue, agreement-making, and cooperative arrangements with governments, institutions, corporations, and other Indigenous Nations.

This document is made publicly available to ensure transparency, cultural integrity, and clarity regarding Baramadagal Darug people, law, governance, and expectations.

Nothing in this document constitutes a waiver, extinguishment, or surrender of Baramadagal Darug sovereignty, rights, or title, whether under domestic or international law.

DEFINITIONS

Agents of State – officer, citizen, resident, agent or person of the Crown, State, New South Wales, Australia, Commonwealth, United Nations, Holy See or any other corporation whether in the purported right of the Crown or otherwise.

Allodial Law – References to “Allodial Law” are used descriptively to indicate Indigenous land tenure held outside Crown grant and prior to colonial systems, and do not rely on, nor seek validation from, European feudal legal traditions.

Bara / Burra – Eel

Baramada / Burramatta – place name, now also known as Parramatta

Baramadagal / Burramattagal – People of the Place of the Eel, People of Parramatta (Clan Reference)

Baiame – Creator Spirit

Built Environment – The human-made and human-altered physical environment, including planning, design, construction, operation and maintenance of buildings, infrastructure, public domain works, transport corridors, utilities, and associated landscape works, whether temporary or permanent, that occur on or materially affect Baramadagal Country.

Colonial Law(s) – refers to the legal and administrative systems established through British invasion and settler-colonial governance, including statutes, regulations, policies, courts, and corporate-government structures. In this document, “colonial law” describes the external legal framework imposed on Country and Indigenous peoples and is referenced for interface, context, and engagement only.

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Darug – Nation group, a people, typically but not exclusively spelled this way, also commonly spelled Dharug.

Dharug – Primarily used when reference “Darug” as a language group. Dharug is a language group (Tribe Reference) of the Sydney Basin Area.

Darug Ngarra - Darug Country (Place Reference).

Diyin – Woman

Nation (re)building – means the ongoing, deliberate work of continuing (restoring, strengthening, and renewing) Indigenous nationhood after invasion, displacement, and imposed governance. It is a widely used concept and practice among colonised Indigenous peoples globally, supported by evidence that durable community wellbeing and self-determination are advanced where Indigenous peoples rebuild and exercise their own governance, cultural institutions, and responsibilities to Country. Nation (re)building includes continuing the transmission of Law/Lore, language, ceremony, kinship obligations, governance structures, and cultural authority; caring for lands and waters; protecting Indigenous Cultural and Intellectual Property; and rebuilding collective decision-making and community safety in ways determined by the People themselves. In this document, “nation (re)building” affirms that Indigenous knowledge systems are not inferior to colonial frameworks, and that sovereignty is sustained through living practice, accountability, and intergenerational renewal.

The State - Crown, State, New South Wales, Australia, Commonwealth, United Nations, Holy See and all other corporations whether in the purported right of the Crown or otherwise.

The Council – The Council means the Baramadagal Darug Tribal Governing Council. The Council’s authority is grounded in First Laws, not colonial law. The Council may engage with institutions established under colonial law (including Local Aboriginal Land Councils, local government, and corporate entities) and may use colonial or corporate structures for interface, administration, or public visibility. However, such engagement does not limit, replace, or concede the Council’s inherent authority, which remains grounded in First Laws.

Time Immemorial – a time in the past that was so long ago, earlier than memory can record.

Traditional Owner – means the Indigenous people(s) who hold enduring, inherited belonging to and authority for Country through their own Law/Lore, kinship systems, and responsibilities from time immemorial. In this document, “Traditional Owner” emphasises inherent jurisdiction, title, and decision-making authority, including in relation to lands, waters and resources.

Traditional Custodian – means the Indigenous people(s) who hold obligations of care, protection, and stewardship for Country in accordance with their Law/Lore. In this document, “Traditional Custodian” emphasises responsibilities of care and cultural governance, including obligations to protect Country for future generations.

Relationship between the terms: The Council recognises that “Traditional Owner” and “Traditional Custodian” are often used interchangeably in public practice, and both refer to enduring Indigenous authority and responsibility for Country. Where a distinction is drawn in this document, it is a distinction of emphasis only: “Traditional Owner” is used to affirm

inherent authority and title (including allodial ownership), and “Traditional Custodian” is used to foreground obligations of care and protection. Neither term is intended to diminish the other.

Tribal Lands – Baramadagal Darug Ngurra Tribal Lands, Airs, Waters, Seas Resources and Ancestral Domains, land which the Baramadagal Darug People belong to.

Indigenous Cultural and Intellectual Property (ICIP) – means the collective rights of Indigenous peoples to maintain, control, protect and develop their cultural heritage, traditional knowledge and cultural expressions. It includes (without limitation) language, names, stories, songlines, oral histories, designs, symbols, artworks, performances, ceremonies, cultural practices, ecological knowledge, medicines, innovations, archives, recordings, images, and the use of Country and waters as cultural source. ICIP is held according to Indigenous Law/Lore and governance, is often intergenerational and collective (not individual), and requires free, prior and informed consent for access, recording, reproduction, adaptation, publication, commercial use, or other dealings, including appropriate attribution, benefit-sharing, and culturally safe restrictions where required.

Note: Mainstream intellectual property standards may provide limited or partial protection, but do not define or exhaust ICIP rights, which are intergenerational, often collective, and may include restrictions and obligations that are not captured by Western IP law.

Iyora / Iyura / Eora – meaning person of this place (the place being anywhere on clan lands of the Darug speaking peoples).

Law (First Laws) – refers to the binding rules, principles, and decision-making authority of the Baramadagal Darug People, arising from Country, kinship, ceremony, and inherited responsibilities from time immemorial. In this document, “First Laws” is used to recognise that the Laws of First Nations’ across this continent are a complete legal order in its own right, grounded in Indigenous sovereignty and not derived from the Crown, Parliament, courts, or any colonial instrument.

Lore – refers to the bodies of knowledge, teachings, and obligations carried through story, language, ceremony, songlines, kinship responsibilities, and custodial practice. In this document, “Lore” emphasises how Law is lived, taught, renewed, and transmitted across generations in relationship with Country.

Relationship between the terms: The Council recognises that “Law” and “Lore” are often used interchangeably in First Nations contexts because both describe an integrated system of authority, knowledge, and obligation grounded in Country. Where a distinction is drawn, it is a distinction of emphasis only: “Law” highlights binding authority and governance; “Lore” highlights cultural transmission and responsibility. References to “colonial law” do not diminish First Laws; where the Council engages with colonial systems, it does so as an interface and without conceding the inherent authority of First Laws.

Racial Sobriety – Racial sobriety means that we have a deep intimate connection, awareness and acceptance of our identity and it’s relationship with other people’s identities.

Reciprocity (“Pay the Rent”) – An agreed, transparent and proportionate contribution or benefit provided to the Baramadagal Darug Tribal Governing Council, in addition to individual

remuneration, as continuing acknowledgment of Country and development impacts, supporting community-led initiatives and the Council's responsibilities to Country consistent with UNDRIP principles.

UNDRIP – United Nations Declaration on the Rights of Indigenous Peoples¹

OPENING STATEMENT

I, Julie-Ann Christian, on behalf of the Baramadagal Darug People, do solemnly declare and give notice that we, the Baramadagal Darug People descending from the original people of our Tribal Lands and acting through the Baramadagal Darug Tribal Governing Council, affirm that our Country was given to the Baramadagal Darug People and our respective family groups, through our Dreamings, from time immemorial, by Baiame, our Creator, and Law.

We solemnly declare that a Covenant was established between the Baramadagal Darug People and Baiame, our Creator and Law Giver, through which our ancestors were entrusted with Laws, responsibilities, and ways of being transmitted across successive generations.

Our primary connection to Country is spiritual, grounded in this Covenant and expressed through our Dreamings, cultural law, kinship systems, and obligations of care. However, our sovereignty is not only spiritual. It is inherently legal, deriving from our pre-existing systems of law, governance, and land tenure that existed prior to colonisation and continue to exist today.

In accordance with our Law, the Baramadagal Darug People continue an ancient system of governance founded upon the Creator's social kinship system, through which authority, responsibility, and decision-making are exercised collectively. This system governs the care, management, and protection of People, Community, Land, Air, Waters (including surface and subsurface waters), Subsurface Resources, Plants (Flora), and Animals (Fauna) within our Country.

Nothing in this Declaration is intended to assert coercive jurisdiction over non-Baramadagal persons. References to authority, law, or governance in relation to non-members are to be understood as expressions of cultural authority, consent-based engagement, and Indigenous governance consistent with UNDRIP, rather than claims of unilateral enforcement.

This Declaration affirms our inherent rights as Indigenous peoples, including the right to self-determination, self-government, and the maintenance of our legal, political, social, cultural, and spiritual institutions, consistent with the UNDRIP.

We make this declaration conscientiously, believing it to be true, and in accordance with Baramadagal Darug Law.

¹ UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES, GA Res 61/295, UN GAOR, 61st sess, 107th plen mtg, Agenda Item 68, UN Doc A/RES/61/295 (13 September 2007) ('UNDRIP')

https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/11/UNDRIP_E_web.pdf

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APICAL ANCESTORS OF BARAMADAGAL DARUG PEOPLE

The Baramadagal Darug Tribal Governing Council do solemnly declare that the Baramadagal Darug People have belonged to and held responsibility for these lands since time immemorial.

As a result of colonisation and the severe impacts of genocide and cultural genocide committed against the Baramadagal Darug People from the time of invasion, many ancestral lines were violently disrupted, displaced, or extinguished.

The following Apical Ancestor is recognised as a survivor of that period of genocide, through whom the living descendants continue to hold connection to Country, Law, and kinship:

- Margaret “Peggy” Goldspink (née Reed / Reid) | Born circa 1813, Baramada / Parramatta

Through this Apical Ancestor, the Baramadagal Darug People maintain continuity of lineage, identity, and responsibility to Country.

Each lineage descending from this Apical Ancestor carries specific roles, responsibilities, obligations, and purposes, as determined through connection within the family group, in accordance with Baramadagal Darug Law, kinship systems, and governance structures.

This declaration is made in recognition of our survival, our Law, and our ongoing authority as the Baramadagal Darug People.

AUTONOMOUS BARAMADAGAL DARUG GOVERNMENT SELF-GOVERNMENT AND ADMINISTRATION

We, the Baramadagal Darug People, acting through the Baramadagal Darug Tribal Governing Council, do solemnly declare that we are exercising our inherent right to self-government and are undertaking the orderly establishment of our administrative arm, to be known as the Sovereign Baramadagal Darug Government.

We affirm that Baramada is our Country, and that the Baramadagal Darug People are the first peoples and original custodians of these lands from time immemorial, under our own Law, Allodial law. This affirmation is grounded in our pre-existing systems of governance, land tenure, and authority, and does not arise from, nor depend upon, recognition by the settler state.

The Baramadagal Darug People, who hold connection to our Tribal Lands through culture, custom, kinship, and Baramadagal Law, are exercising self-government as an autonomous Tribal Nation, in accordance with our own decision-making processes and governance structures.

The process of self-government and administration is an inherent responsibility of Baramadagal Darug Elders and authorised community leaders, and is being developed alongside the articulation of Baramadagal Law, governance protocols, and dispute-resolution processes. This includes the establishment of culturally grounded mechanisms for governance and justice, consistent with our Law and customs.

Through this process, the Baramadagal Darug People assert our collective rights to life, physical and mental integrity, liberty, security of the person, cultural continuity, economic development,

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and self-determination, and our right to engage, cooperate, and align with other Indigenous peoples, institutions, and states at our own discretion and on equitable terms.

This declaration affirms our inherent rights as Indigenous peoples to self-government, self-administration, and the maintenance and development of our political, legal, economic, social, cultural, and spiritual institutions, as recognised under UNDRIP.

ASSERTING SOVEREIGN RIGHTS & EXERCISING SOVEREIGN RESPONSIBILITIES

The Baramadagal Darug People affirm that we have never ceded, surrendered, or extinguished our sovereignty, sovereign rights, or spiritual authority to any government or external authority. No treaty, agreement, or lawful instrument has ever been entered into by the Baramadagal Darug People as a collective that relinquishes our rights to Land, Waters (including surface and subsurface waters), Subsurface Resources, Minerals, Gas, Flora, Fauna, or infrastructure within Baramadagal Darug Country.

The Baramadagal Darug Tribal Governing Council solemnly declares that the absence of any treaty or consensual instrument reflects the ongoing reality that our land remains unceded and our sovereignty remains unextinguished and continues to exist as a matter of law, governance, and authority.

Where agreements, consents, or arrangements have historically been signed by individual members or descendants of the Baramadagal Darug People, such agreements do not constitute collective consent and cannot be taken to represent the free, prior and informed consent of the Baramadagal Darug People as a sovereign collective. Any such arrangements would have been entered into within conditions shaped by colonial domination, systemic discrimination, coercive administrative regimes, and profound social, cultural, and psychological harm, which materially impaired the capacity of individuals to give free, prior and informed consent on behalf of the People.

In accordance with UNDRIP, including Articles 10, 19, 26, 28 and 32, the Baramadagal Darug People affirm that:

- Free, prior and informed consent must be obtained from Indigenous peoples as peoples, through their own representative institutions;
- Consent obtained from individuals under conditions of coercion, asymmetry of power, or withheld information does not meet this standard; and
- The absence of collective consent cannot be remedied retrospectively.

This declaration does not seek to invalidate individual actions taken for survival within imposed systems, but affirms that collective sovereign authority has never been lawfully transferred, and that the Baramadagal Darug People retain the right to determine the terms under which any future engagement, agreement, or access to our Country may occur.

This declaration is made in accordance with Baramadagal Darug Law, our inherent sovereignty, and our internationally recognised rights as Indigenous peoples.

UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES (UNDROP)

Australia formally endorsed UNDRIP in 2009, under the Government of then Prime Minister Kevin Rudd, thereby committing the Commonwealth to uphold the bare minimum international standards for the survival, dignity, and well-being of Indigenous peoples.

At the time of endorsement, then Minister for Families, Housing, Community Services and Indigenous Affairs, Jenny Macklin, stated that Australia's support for UNDRIP would "reset the relationship between Indigenous and non-Indigenous Australians".²

UNDRIP affirms that doctrines, policies and practices based on or advocating superiority of peoples or individuals on the basis of national origin, race, religion, ethnicity or culture are racist, scientifically false, legally invalid, morally condemnable and socially unjust (Preamble).

The Declaration further affirms that Indigenous peoples are entitled to the full enjoyment of all human rights and fundamental freedoms without discrimination of any kind, and recognises that Indigenous peoples have suffered historic injustices as a result of colonisation and dispossession of their lands, territories and resources, which have impeded the exercise of their right to development in accordance with their own needs and interests (Preamble).

UNDRIP recognises that the rights of Indigenous peoples derive from their political, economic and social structures, and from their cultures, spiritual traditions, histories and philosophies, particularly their rights to lands, territories and resources, and affirms the urgent need to respect and promote those rights (Preamble).

UNDROP PROVISIONS IN THIS DOCUMENT

We assert all our rights and responsibilities under UNDRIP, noting even in its entirety it represents a bare minimum document of Indigenous rights. Below is a table of specific Articles that have been referenced within this Constitution:

UNDROP Article	Summary	Where it appears (section)
Preamble	Affirms equality and non-discrimination; recognises historic injustices from colonisation and dispossession; rejects doctrines of superiority.	United Nations Declaration of the Rights of the Indigenous Peoples
Art 3	Self-determination: determine political status and pursue economic, social and cultural development.	Genocide and Cultural Genocide; Hunting & Gathering practices
Art 4	Autonomy/self-government in internal and local affairs; ways and means for financing autonomous functions.	Education; Genocide and Cultural Genocide
Art 5	Maintain and strengthen distinct political, legal, economic, social and	Genocide and Cultural Genocide

² ABC News, *Aust. adopts UN Indigenous declaration*, April 3, 2009, <https://www.abc.net.au/news/2009-04-03/aust-adopts-un-indigenous-declaration/1640444>

	cultural institutions, while retaining a right to participate in the State if chosen.	
Art 11	Right to practise and revitalise culture and protect cultural manifestations; States must provide redress/restitution for cultural, intellectual, religious and spiritual property taken without FPIC or contrary to Indigenous law.	Genocide and Cultural Genocide; Arts Culture, Cultural Authority and ICIP
Art 14	Establish and control education systems; provide education in own languages and in culturally appropriate methods.	Education
Art 18	Indigenous peoples have the right to participate in decision-making in matters affecting their rights, through representatives chosen by themselves in accordance with their own procedures, and to maintain and develop their own Indigenous decision-making institutions.	Arts Culture, Cultural Authority and ICIP
Art 19	States must consult and cooperate in good faith with Indigenous peoples through their own representative institutions to obtain their free, prior and informed consent (FPIC) before adopting or implementing legislative or administrative measures that may affect them.	Arts Culture, Cultural Authority and ICIP
Art 20	Maintain and develop political/economic systems; secure means of subsistence and development; right to redress if deprived.	Fishing, Gathering, and Care for the Parramatta River; Hunting & Gathering practices
Art 23	Indigenous peoples have the right to determine priorities and strategies for exercising their right to development, and to be actively involved in developing and delivering programs affecting them (including health, housing and other economic and social programs), and to administer those programs through their own institutions where possible.	Baramadagal Darug Justice, Governance Process and Law
Art 24	Indigenous peoples have the right to their traditional medicines and health practices (including conservation of vital medicinal plants/animals/minerals) and the right to access, without discrimination, all social and health services; they also have the right to the highest attainable standard of physical and mental health, and States should take steps to progressively realise this.	Baramadagal Darug Justice, Governance Process and Law

Art 25	Maintain and strengthen spiritual relationship with lands, waters and resources; responsibilities to future generations.	Fishing, Gathering, and Care for the Parramatta River; Hunting & Gathering practices
Art 26	Own, use, develop and control traditionally owned/occupied/used lands, territories and resources.	Excavation, Subsurface Disturbance, and Resource Protection; Fishing, Gathering, and Care for the Parramatta River; Hunting & Gathering practices
Art 29	Conservation and protection of environment; no hazardous materials stored/disposed on lands without FPIC; States to mitigate adverse impacts.	Excavation, Subsurface Disturbance, and Resource Protection
Art 31	Maintain, control, protect and develop cultural heritage, traditional knowledge and cultural expressions (ICIP).	Fishing, Gathering, and Care for the Parramatta River; Hunting & Gathering practices
Art 32	Determine priorities for development; FPIC before approving projects affecting lands/resources; fair redress/mitigation and benefit-sharing.	Excavation, Subsurface Disturbance, and Resource Protection; Hunting & Gathering practices
Art 33	Indigenous peoples have the right to determine their own identity or membership in accordance with their customs and traditions, and to determine the structures and select the membership of their institutions in line with their own procedures.	Arts Culture, Cultural Authority and ICIP
Art 34	Indigenous peoples have the right to promote, develop and maintain their institutional structures and distinctive customs, spirituality, traditions, procedures and practices, and - where they exist - juridical systems or customs, consistent with international human rights standards.	Darug Justice
Art 36	Indigenous peoples, particularly those divided by international borders, have the right to maintain and develop relations, contacts and cooperation with their own members and with other peoples across borders (including in spiritual, cultural, political, economic and social activities), and States should facilitate this.	Travelling

BARAMADAGAL DARUG LEGAL BASIS

For the Baramadagal Darug People, sovereignty means we are a distinct First Nation with our own Law, governance systems, and responsibilities to Country that pre-exist colonisation and continue today through our family lines, cultural authority, and ongoing practice. Our authority in and for Baramadagal Country arises from First Laws (allodial in nature) and our enduring relationship to Country, and is not dependent on delegation by the State. Although colonisation fractured cultural continuity, it did not extinguish it; nation re-building practices sustain and renew our living connection and governance.

Baramadagal Country includes land and waters, including the Parramatta River system, and the responsibilities described here extend to those waters. This position is consistent with UNDRIP, including the rights of Indigenous peoples to self-determination and self-government (arts 3–5) and to lands, territories and resources (art 26). The Council may interface with colonial institutions for practical purposes, but such engagement is not the source of Baramadagal authority and does not concede or diminish our inherent authority under First Laws.

By way of illustration only, settler governance sometimes acknowledges this distinction between regulation and ownership. In a speech delivered at the Minerals Council of Australia Conference on 30 May 2012, then Prime Minister Julia Gillard stated that governments “*only sell you the right to mine the resource - a resource we hold in trust for a sovereign people.*”³. These remarks reflect an important feature of settler governance: while governments exercise regulatory control over land and resources, they do not consistently claim absolute ownership, instead framing their authority in terms of trust, delegation, and licence.

PLACE AND BOUNDARIES

The maps below depict the broader Darug Nation and the Baramada/Parramatta area. For the purposes of this document, the broader boundaries of the Darug Nation are shown in **Figure 1**, consistent with a map relied upon in proceedings associated with the Darug Tribal Aboriginal Corporation’s native title claim. The lineage of the Baramadagal Darug People was submitted in those proceedings nor were any of our people applicants in that claim. We do not rely on it as the basis of our sovereignty or authority; however, the map is included for contextual purposes because it is widely referenced and it encompasses Baramada clan lands within the broader Darug Nation area.

The Darug Nation is commonly described as being bounded by the three mighty Rivers; the Hawkesbury River (north), the Georges River (south), the Nepean River (west), and the Pacific Ocean (east). The Baramada/Parramatta boundaries for the purposes of this document are shown in **Figure 2**.⁴

³ ABC News, *Gillard faces down mining bosses*, May 31, 2012, <https://www.abc.net.au/news/2012-05-31/gillard-faces-down-mining-bosses/4043276>

⁴ Acknowledgment to Baramadagal Darug man Jacob Selwood for community mapping.
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Figure 1:

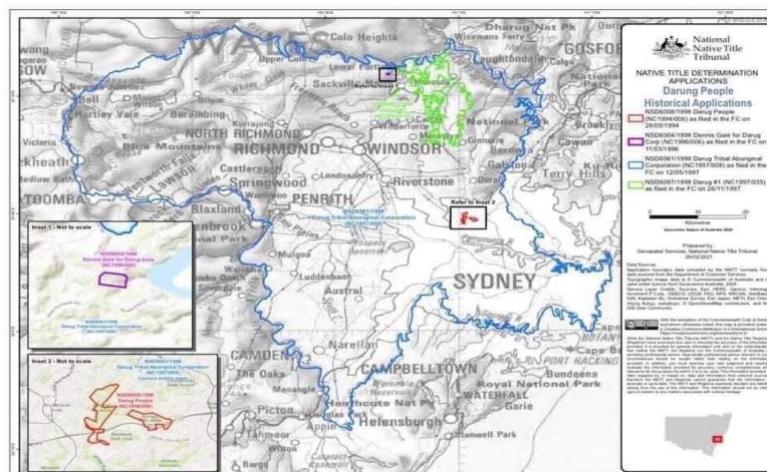


Figure 2:



ARCHAEOLOGICAL FINDINGS OF BARAMADA

The Sydney Basin is one of the most intensively archaeologically investigated regions in Australia. Peer-reviewed research published in the *Journal of Archaeological Science: Reports*,⁵ confirms sustained Aboriginal occupation and land use in the Parramatta River region extending back at least 40,000 years, including during the last ice age.

A synthesis of fourteen compliance-based archaeological investigations of a significant sand body on the banks of the Parramatta River demonstrates that the sedimentary deposit initially formed approximately 50,000 years ago. While evidence of human visitation prior to the Last Glacial Maximum (LGM) is limited, the findings indicate long-term continuity and repeated land use over at least 14,000 years, coinciding with post-LGM environmental and sea-level changes that were likely influenced by, or actively used by, our people.

⁵ Smith, J., Jones, A., & Patel, B. (2025). Late Pleistocene human occupation at the Parramatta River sand body. *Journal of Archaeological Science: Reports*, 45, 103834.

https://www.sciencedirect.com/science/article/pii/S2352409X25005164?ssrnid=5337987&dgcid=SSRN_redirect_SD

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Although archaeological evidence in the region has often been fragmented or coarsely excavated, it nonetheless indicates Aboriginal activity and occupation over at least the last 35,000 years, making the Parramatta River corridor a key locale for understanding long-term societal change in temperate Australia through the LGM and terminal Pleistocene.

At a continental scale, archaeological models suggest that our people survived the LGM in ecological refuges and later re-expanded land use as environmental conditions stabilised. Recent research highlights a delayed but sustained recovery of populations and land use following the LGM, situating the Parramatta region within a broader pattern of enduring Indigenous occupation and adaptation across Australia.

This archaeological record confirms that our people maintained deep-time connection, land use, and environmental knowledge spanning tens of thousands of years, directly contradicting any suggestion of discontinuity or absence prior to colonisation.

Archaeological evidence of Aboriginal people living in the Sydney region, a site near Parramatta at 30,000 years old, there is growing consensus among archaeologists and historians that people have lived across the Sydney region from around 50,000 years ago.

More ancient sites lie off the coast and in river valleys, now deep under water. Before the major sea level rise event at the end of the last ice age around 17,000 years ago, our people living along the Parramatta River could have walked downstream along the riverbanks to the sea about 30 kilometres beyond the current day coastline. Over generations they would have witnessed the gradual change as the sea rose to fill the 'drowned river valley' of what is now Sydney Harbour until it reached present levels around 6,000 years ago.

This evidence substantiates the Baramadagal Darug People's enduring relationship with Country and reinforces that our sovereignty, law, and responsibility to land are grounded in continuous occupation spanning tens of thousands of years.

THE BARAMADAGAL DARUG – THE PEOPLE – EORA / IYURA

The earliest written records from the time of invasion, relating to the Baramadagal Darug People document the presence, leadership, and lived experiences of Baramadagal Darug individuals in the Parramatta (Baramada) region from the early period of British invasion.

- Maugoran
Born circa 1760 in Baramada, Maugoran was a senior Elder of the Baramadagal clan. His name is understood to derive from the word Maugra / Mogra, meaning fish. Maugoran is recorded as having made one of the first formal protests to colonial authorities when he advised Governor Arthur Phillip that Aboriginal people were angry about the increasing number of white settlers at Rose Hill. Following these events, Maugoran and his family relocated to the river flats near Meadowbank.
- Boorong (also known as Abaroo)
Born circa 1777 in Baramada, Boorong's name is derived from Birong, meaning star. After surviving smallpox in 1789, she was taken into the household of Reverend Richard Johnson. In 1790, she married Bennelong (born circa 1764 on Wangal clan land). Boorong died in 1813 and was buried with Bennelong at Squire's Brewery, Kissing Point.

- **Baludarri**
Born circa 1788 in the Parramatta (Parramarra) area, Baludarri died in 1791 at approximately 17 years of age, likely from disease. He is recorded as having acted as a guide and participated in early fish trading with colonists.
- **Bridgee Bridgee**
Born circa 1785 in Parramatta, Bridgee Bridgee died in 1837. He was a Baramadagal Elder who married Sophie (Buckenbah), the daughter of Colebee's brother and an unidentified woman. Their son Henry was born in 1815 at Kissing Point. In 1818, Henry was placed in the Parramatta Native Institution and later resided at the Blacktown settlement, reflecting the systemic removal and institutionalisation of Aboriginal children.
- **Daniel Moowattin**
Born in 1791 in Parramatta, Daniel Moowattin died by execution in 1816. His life and death exemplify the harsh and disproportionate colonial justice imposed upon Aboriginal people during this period.
- **Margret "Peggy" Goldspink (née Reid / Reed)**
Born in circa 1813 in Parramatta (Baramada) and deceased in 1898 in Yass, Margret "Peggy" Goldspink is recognised as the apical ancestor through whom surviving Baramadagal Darug people derive lineage. Peggy was placed in the Parramatta Native Institution in 1820 and is recorded in the 1824 Muster at the Blacktown settlement (aged eleven). After leaving the institution, she was placed into a form of child slavery known then as domestic service, this included service with Reverend William Walker's household in Baramada and other settler households, reflecting early forms of compelled Aboriginal labour. She is also recorded in the 1828 Census in that household.

Colonial Secretary correspondence records Peggy's Aboriginality across multiple documents and consistently records her place of birth as Parramatta (Baramada), which she maintained throughout her life. Our family lineage is supported by historical records held by the Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS), alongside oral histories shared through neighbouring kinship groups identifying our family as Baramadagal Darug.

We do not publish the full detail of our lineage evidence or verification documents due to the ongoing conditions of colonisation and demonstrated bad-faith efforts to undermine genuine Baramadagal claims. However, we provide evidence through appropriate community-based processes, including those in which our claims have been accepted such as the Treaty Council, through proper Allodial governance processes. Applications from our family group are currently under assessment by the Office of the Registrar, Aboriginal Land Rights Act (NSW) (ORALRA) in relation to recognition of our people in claims that include Parramatta as part of the cultural area. We have not been party to any unsuccessful native title claims and we preserve our right to pursue recognition via that pathway if and when it is safe and appropriate to do so, noting the particular complexities of highly colonised areas such as Parramatta.

KINSHIP RELATIONSHIPS

Both oral histories and written historical records document long-standing kinship and close relationships between the Wiradjuri and Baramadagal Darug peoples.

Emerging scholarship on the Frontier Wars records that the Wiradjuri resistance leader Windradyne camped at Baramada (Parramatta) with Baramadagal people for a period following the 1824 Parramatta feast, before returning to Bathurst. This account is consistent with broader historical understandings of inter-nation alliance, refuge, and mutual support among Aboriginal peoples during periods of intensified colonial violence.

Historical records indicate that such “feasts” were convened by colonial authorities as a means of surveillance and control. Under the guise of hospitality, these gatherings enabled officials to identify family groups and children, contributing to the later forcible removal of Aboriginal children to institutions such as the Parramatta Native Institution.

In the present day, Baramadagal Darug people continue to maintain active kinship relationships across the broader Aboriginal and Torres Strait Islander community. This includes ongoing connections across the continent, including with peoples from Gundungarra and Dharawal Countries, who hold traditional bloodlines and historical ties to the Darug region. These relationships reflect enduring systems of kinship, alliance, and mutual responsibility that pre-date colonisation and continue today.

BARA / BURRA – EEL TOTEM



BARA / BURRA – EEL TOTEM
Eel rock carving, CSIRO, 2007, Sydney;
photo: Ray Norris

BARA DREAMING, JOURNEY AND LAW

The bara’s (eel) journey to Baramada is long and perilous. From the time it is born in the Coral Sea, the bara undertakes an extraordinary passage, travelling vast ocean pathways before arriving, still young, to “set down” in the fresh waters of what is now known as Sydney. There, hidden within rivers and creeks, the bara grows and lives until the time comes to complete its life cycle.

When the bara is ready, the female bara begins her return journey. Guided not by maps or markers, but by instinct and deep memory, she travels back through changing waters, currents, and temperatures, navigating barriers between freshwater and ocean. She returns to the Coral Sea, to the place of her beginning, where she spawns once, and then dies. Her life's purpose is fulfilled.

One of the bara's most mysterious and powerful qualities is its endurance. Across its life, the eel survives dramatic environmental transitions, adapting to shifting conditions and overcoming obstacles that would defeat most beings. This endurance is not accidental; it is carried within the bara as knowledge remembered and embodied.

In Baramadagal Law, the bara's journey mirrors the stages of human life and initiation that, in not-too-distant times, were practised from childhood through to elderhood. Wisdom is not given at birth, but earned through lived experience. Like the bara, a person's journey is not marked in advance. It unfolds through learning, endurance, responsibility, and memory.

The bara determines its own life cycle. It prepares itself for its journey and carries within it the knowledge of when and where it must return. In this way, the bara teaches Law: that life is guided by memory, responsibility, and an obligation to return, to give back, and to complete what was begun.⁶

SURVIVING BARAMADAGAL DARUG FAMILY GROUP (MUDJIN)

Surviving Baramadagal Darug people identify as, and are recognised as, the true and correct Traditional Owners belonging to our Tribal Lands by:

- Members of other recognised surviving Darug Clan groups.
- Members of the broader Aboriginal and Torres Strait Islander Community.
- Anthropologists and Archaeologists whom continue to consult with us in activity taking place on our land.
- The Allodial Land Use Register⁷
- The Treaty Council⁸ - Centralised Commission of Allodial Land Rights.

At this point in time, surviving Baramadagal Darug people are recognised as “Custodians” by colonial constructs of our Tribal Lands by:

- Federal, State and Local Government bodies.
- Domestic and International non-government bodies i.e. Cultural Arts bodies and Museums.

We take an active role in:

⁶ This section is authored by (Aunty) Julie Christian (Baramadagal Darug). It acknowledges and honours the relationship with (Aunty) Julie Freeman (Yuin), as a knowledge holder of the Eel Dreaming stories and Songlines. This knowledge is shared in accordance with cultural authority, responsibility, and respect for cultural Law/Lore.

⁷ Land Equity International, “Allodial Land Use Registry (ALUR)”, <https://www.landequity.com.au/projects/allodial-land-use-registry-alur/>

⁸ Treaty Council, ‘Treaty Council’, <https://www.treaty-council.com/>

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- City of Parramatta Council’s “Dharug Keeping Place” which hosts our cultural material.
- Advisory bodies relating to cultural matters on our Country.
- Truth-telling through Arts and Cultural spaces in Baramada and on Darug Ngurra.
- Baramadagal-led Nation-Building activities including the broader Darug Community.
- Caring for Country, Community and our Elders.
- Continuation of Ceremony and observance of significant cultural times.
- Language revitalisation and preservation.
- Maintenance of a verified genealogical database for our bloodline.
- Preservation of oral histories.
- Directly improving the Social and Emotional Wellbeing of our Community.
- Conducting ourselves in accordance with cultural protocol while on the unceded lands of other Aboriginal and Torres Strait Islander peoples where we may live or spend time.

BARAMADAGAL SOCIAL AND SPIRITUAL LAWS

The Baramadagal Darug Tribal Governing Council solemnly declares that we reassert and reaffirm our Ancient Social and Spiritual Laws, and the Covenant made between the Baramadagal Darug People, our Creator, and our First Nations Customary Law. Through this Covenant, our People were entrusted with specific laws, responsibilities, and ways of living, intended to sustain life, balance, and wellbeing for Country and Community.

We further declare that these Ancient Social and Spiritual Laws articulate our obligations of care, responsibility, and protection for Country and for all who live upon it. These obligations are exercised through guidance, stewardship, and relational responsibility, rather than coercion, and are grounded in Baramadagal Darug Law.

The Baramadagal Darug Tribal Governing Council calls upon all people living on Baramadagal Country to respect and observe these Laws by upholding standards of conduct that include:

- respect for Elders and all people;
- respect for the equal rights and dignity of women and men;
- protection and care of children;
- fulfilment of roles, responsibilities, and obligations to Family, Community, and Country; and
- support for the wellbeing of all, including rights to housing, education, employment, health, and cultural life.

The Baramadagal Darug Tribal Governing Council affirms that we are exercising our inherent right to self-government and autonomous administration in matters relating to our internal affairs, including the articulation, maintenance, and development of our laws, governance structures, and decision-making processes.

This declaration is made in accordance with Articles 4 and 5 of the United Nations Declaration on the Rights of Indigenous Peoples, which recognise Indigenous peoples’ rights to autonomy or self-government in internal and local matters, and to maintain and strengthen their distinct political, legal, economic, social, cultural, and spiritual institutions.

Nothing in this declaration seeks to impose authority over others by force, but affirms the continuing existence and exercise of Baramadagal Darug Law as it applies to our People, our governance, and our responsibilities to Country.

BARAMADAGAL DARUG JUSTICE, GOVERNANCE PROCESSES AND LAW

The Baramadagal Darug People affirm that Baramadagal Law/Lore has existed since time immemorial and continues to govern the conduct, responsibilities, and relationships of Baramadagal people on Baramadagal Country.

Baramadagal justice is exercised through culturally authorised governance processes, including the Council's trusted Council of Elders and authorised Law persons, in accordance with Baramadagal Customary Law. These processes are grounded in restoration, accountability, balance, and the maintenance of social and spiritual order, rather than punishment.

All Baramadagal people are subject to Baramadagal Law/Lore and to Baramadagal governance and justice processes in matters concerning our internal affairs.

In relation to non-Baramadagal persons and institutions present on Baramadagal Country, Baramadagal Law/Lore establishes standards of respectful conduct and obligations of care toward Country. Matters involving non-Baramadagal people are addressed through dialogue, consent-based processes, and appropriate inter-institutional engagement, consistent with Baramadagal Law/Lore and international Indigenous rights standards.

The Baramadagal Darug People affirm our right to maintain and strengthen our own legal and governance institutions and practices in matters relating to our internal affairs, as recognised under UNDRIP Articles 4, 5 and 34.

This section affirms the continuing existence and authority of Baramadagal Law/Lore and does not assert coercive jurisdiction over non-Baramadagal persons. It recognises the practical operation of other legal systems on Country, while affirming that such systems do not extinguish Baramadagal Law/Lore or sovereignty.

CONTINUITY AND NATION (RE)BUILDING

While colonisation imposed severe disruption, displacement, and violence upon the Baramadagal Darug People, our connection to Country, Law/Lore, and governance was fractured but never broken. These fractures were imposed through dispossession, institutionalisation, and systemic exclusion, rather than through any relinquishment of sovereignty or authority by our People.

Contemporary Baramadagal nation (re)building practices are therefore acts of continuation, restoration, and strengthening of enduring Law/Lore, governance, kinship, and responsibility, ensuring the survival and transmission of Baramadagal Darug identity, authority, and obligations for future generations.

GENOCIDE AND CULTURAL GENOCIDE

The Baramadagal Darug Tribal Governing Council recognises that the Papal Bulls *Dum Diversas* (1452) and *Romanus Pontifex* (1455) contributed to the theological and legal rationales later described as the “Doctrine of Discovery”. These instruments authorised or legitimised the dispossession, enslavement, and subjugation of non-Christian peoples and territories, and were used to justify genocide and cultural genocide across the globe, including on Baramadagal Ngurra.

The Doctrine of Discovery was later reflected in colonial and settler legal reasoning, including in decisions such as *Johnson v M'Intosh* (1823),⁹ and has been relied upon to minimise or disregard Indigenous possession of land in favour of colonial and post-colonial states.

In 2023, the Holy See publicly repudiated the Doctrine of Discovery, acknowledging that it does not reflect the teachings of the Catholic Church and that it was used to justify acts of dispossession, violence, and oppression against Indigenous peoples. While significant, this repudiation does not undo the historical or ongoing incorporation of doctrines of domination into settler legal and political systems, nor does it repair the enduring consequences embedded within contemporary land tenure, sovereignty, and governance frameworks, including those operating in Australia. Responsibility for these ongoing effects rests with modern states and institutions that continue to benefit from, administer, or rely upon those colonial foundations.

Consistent with UNDRIP, the Baramadagal Darug Tribal Governing Council rejects the Doctrine of Discovery in its entirety as racist, scientifically false, legally invalid, morally condemnable, and socially unjust.¹⁰

While colonisation imposed profound disruption, dispossession, and violence upon the Baramadagal People, our connection to Country, Law/Lore, and governance was fractured but never broken. These fractures were imposed through invasion, institutionalisation, and systemic exclusion and do not constitute consent, cession, or extinguishment of sovereignty.

Baramadagal Law/Lore remains living Ancient Social and Spiritual Law, inherent within Baramadagal people. It spans past, present, and future; it cannot be extinguished by colonial assertion. It adapts and continues to be exercised through our customs, responsibilities, and obligations to Ngurra, consistent with UNDRIP Articles 3, 4, 5 and 11.

The High Court rejected the legal fiction of *terra nullius* in *Mabo v Queensland (No 2)* (1992) 175 CLR 1,¹¹ recognising that Aboriginal and Torres Strait Islander peoples' laws and customs pre-existed colonisation. The *Native Title Act 1993* (Cth) was enacted in response to *Mabo* to establish a statutory framework for the recognition and protection of native title rights and interests.¹²

⁹ *Johnson v M'Intosh* 21 US (8 Wheat) 543 (1823).

¹⁰ Dicastery for Culture and Education & Dicastery for Promoting Integral Human Development, *Joint Statement on the “Doctrine of Discovery”* (Holy See, 30 March 2023), <https://press.vatican.va/content/salastampa/en/bollettino/pubblico/2023/03/30/230330b.html> acknowledging that the doctrine does not reflect Catholic teaching and was used to justify immoral acts against Indigenous peoples, and encouraging States and institutions to reject doctrines of domination.

¹¹ *Mabo v Queensland (No 2)* (1992) 175 CLR 1.

¹² *Ibid*; *Native Title Act 1993* (Cth) Preamble.

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In private correspondence dated 1 November 1995, former Chief Justice of the High Court of Australia Sir Harry Gibbs wrote to John Wilson in terms that reflect judicial caution about courts adjudicating challenges to constitutional authority, and emphasised that such matters were for political resolution rather than judicial determination. This correspondence is relied upon only as contextual commentary, and not as a legal determination of legitimacy.¹³

The Baramadagal Darug Tribal Governing Council does not accept doctrines of *terra nullius* or *aqua nullius*. Our rights to lands, waters, riverbeds, sea floors, and resources were never ceded and continue to exist under Baramadagal Law/Lore and under international human rights standards.

In accordance with UNDRIP, the Baramadagal People assert the right to determine our political status and to pursue our economic, social, cultural, and spiritual development, including the right to define governance structures, justice processes, land and water management practices, and development priorities on our Country, free from discrimination and without forced assimilation.

EDUCATION

The Baramadagal Darug Tribal Governing Council, through its Baramadagal governance structure, affirms that our enduring connection to Tribal Lands through culture, custom, and Baramadagal Law constitutes the foundation of Baramadagal Tribal education (hereafter, Tribal Education).

Through the Tribal Education system, the Baramadagal People exercise the right to practise, revitalise, maintain, and protect all past, present, and future manifestations of our cultural beliefs, philosophies, and customs, including spiritual traditions and ceremonial practices conducted at Baramadagal Cultural and Sacred Sites throughout Tribal Lands.

Tribal Education is a core expression of Baramadagal self-determination and cultural continuity and may be delivered for the benefit of Baramadagal People and community, including through culturally appropriate programs, partnerships, and knowledge transmission consistent with Baramadagal Law.

Where appropriate and by agreement, Tribal Education programs may be delivered to representatives or agents of the State for the purpose of fostering understanding of Baramadagal culture, language, and law, and to support respectful engagement on Country. Such programs may also contribute to the financing of Baramadagal autonomous functions in a manner consistent with UNDRIP Articles 4 and 14.

The Baramadagal Darug Tribal Governing Council supports cooperative arrangements with the State to incorporate Baramadagal Tribal Education within broader educational frameworks, where such incorporation is undertaken with free, prior and informed consent, and in a manner consistent with Baramadagal cultural methods of teaching and learning.

The Baramadagal Darug Tribal Governing Council affirms that the establishment and operation of broadcasting or communications infrastructure on Baramadagal Tribal Lands should occur

¹³ Sir Harry Gibbs, LETTER TO JOHN WILSON, 1 November 1995 (private correspondence), reproduced in online PDF, accessed at: <https://nationalunitygovernment.org/sites/default/files/sites/default/files/pdf-doc/120813-%20Sir%20Harry%20Gibbs.pdf> (accessed 8 February 2023).

only with the free, prior and informed consent of the Baramadagal People, and in accordance with Baramadagal Law and mutually agreed land-use arrangements.

ARTS, CULTURE, CULTURAL AUTHORITY AND ICIP

The Baramadagal Darug Tribal Governing Council affirms that Baramadagal Darug culture is living, governed, and law-based. Cultural authority is held through Baramadagal Law, kinship responsibilities, and accountable family governance, and is not created by external funding, institutional endorsement, or public visibility.

In the contemporary arts and culture sector, public-facing representations of “Baramadagal Darug culture” are often shaped by non-Indigenous institutions and intermediaries. Where those systems platform or legitimise individuals who are not accountable to Baramadagal governance, or who misrepresent Baramadagal identity and culture, the result is community harm: confusion in the public record, distortion of cultural knowledge, and interference with Baramadagal nation-rebuilding and cultural continuity.

Consistent with UNDRIP, the Baramadagal Darug People assert our right to practise and revitalise culture and to maintain and protect the past, present, and future manifestations of our cultural life (Art 11). We further assert our right to maintain, control, protect and develop Indigenous Cultural and Intellectual Property, including cultural heritage, traditional knowledge, designs, stories, symbols, ceremonies, language and cultural expressions, and to control how these are used, reproduced, performed, recorded, or commercialised (Art 31). The Baramadagal Darug People also affirm our right to determine our own identity and the membership and leadership structures through which cultural and political authority is carried (Art 33), and to participate in decisions affecting our cultural governance through our own chosen representatives (Art 18).

Accordingly, any cultural programming, commissioning, publication, exhibition, education program, media production, archival collection, recording, or public communication purporting to represent Baramadagal Darug culture must occur only with the free, prior and informed consent of the Baramadagal Darug Tribal Governing Council, and in good-faith cooperation consistent with UNDRIP (Art 19). Where cultural material has been taken, misused, or published without consent, the Baramadagal Darug People reserve the right to seek appropriate redress, including cessation, correction, and restitution-based remedies (Art 11(2)). The Baramadagal Darug People also affirm the right to fair representation in public and media narratives and the right to establish and control our own modes of cultural and media communication (Art 16), and to have our dignity and diversity respected and prejudice actively combatted in public life and education settings (Art 15).

HEALTH

The Baramadagal Darug People maintain an enduring connection to our Tribal Lands through culture, custom, and Baramadagal Law, which together form the cornerstone of the Baramadagal health system.

Baramadagal health is understood holistically and encompasses physical, mental, social, emotional, cultural, and spiritual wellbeing, consistent with First Nations concepts of social and

emotional wellbeing. Health, for the Baramadagal, is inseparable from connection to Country, kinship, Law, language, and collective identity.

The Baramadagal People foreground our sovereignty through collective cultural strength, clarity of identity, and community responsibility, which are essential to our health, survival, and resilience in the context of ongoing settler-colonial invasion and its intergenerational impacts.

In accordance with our rights under the United Nations Declaration on the Rights of Indigenous Peoples, the Baramadagal assert the right to conserve, maintain, and access cultural and ancestral medicinal plants, animals, and minerals located on our Tribal Lands, free from discrimination, hindrance, or unjustified interference. These rights are integral to Baramadagal healing practices and to the continuation of Indigenous knowledge systems.

Baramadagal health and wellbeing initiatives are central to addressing the persistent health inequities experienced by our People. While national policy frameworks such as Closing the Gap acknowledge the need to improve outcomes for Aboriginal and Torres Strait Islander peoples, the Baramadagal Darug Tribal Governing Council affirms that meaningful progress can only be achieved where Aboriginal sovereignty, self-determination, and community-controlled health systems are recognised and resourced.

The Baramadagal Darug Tribal Governing Council supports cooperative and consent-based arrangements with health authorities and service providers operating on or near Baramadagal Tribal Lands, ensuring that health infrastructure and services respect Baramadagal Law, cultural authority, and the principle of free, prior and informed consent. Such cooperation must advance the inherent right of Baramadagal people to the highest attainable standard of physical and mental health, including culturally safe and community-led models of care.

These assertions are grounded in UNDRIP, including Articles 3–5, 21 and 23–26, which affirm Indigenous self-determination, the right to maintain institutions, and the right to health and traditional medicines.

SPIRITUAL BELIEFS AND PRACTICES

The Baramadagal Darug Tribal Governing Council and the Baramadagal People maintain an enduring connection to our Tribal Lands through culture, custom, Baramadagal Law, and spiritual beliefs and practices.

Through the revitalisation and continuation of our ceremonies, cultural practices, and spiritual traditions, the Baramadagal People exercise the right to develop, maintain, protect, and control the use of our ceremonial lands, sacred sites, and cultural objects, including the right to conduct these practices in privacy and in accordance with Baramadagal Law.

The Baramadagal people of the Darug Nation affirm the right to the repatriation, burial, and care of Baramadagal ancestral remains, past, present, and future, and to utilise sacred ceremonial and burial sites within Tribal Lands for the cultural, spiritual, and collective wellbeing of present and future generations of Baramadagal People.

These sacred ceremonial and burial sites are places of profound cultural and spiritual significance and must be respected and protected. Their use and care are governed by Baramadagal Law, and

they are not to be desecrated, disturbed, or interfered with without the free, prior and informed consent of the Baramadagal People.

This section is asserted in accordance with the United Nations Declaration on the Rights of Indigenous Peoples, including Articles 11, 12, and 25, which affirm Indigenous peoples' rights to practise and revitalise cultural traditions, maintain and protect religious and spiritual sites, and uphold enduring relationships with lands, waters, and ancestral territories.

ENERGY

The Baramadagal Darug Tribal Governing Council and the Baramadagal People affirm the right to secure our own means of subsistence and to freely engage in ancestral and contemporary economic activities, including the generation, distribution, and supply of energy within or on Baramadagal Tribal Lands.

In accordance with Baramadagal Law and the United Nations Declaration on the Rights of Indigenous Peoples, the Baramadagal assert the right to determine priorities and strategies for the development, use, and management of energy resources on our Tribal Lands for the collective benefit of our People.

Any energy generation, distribution, or supply infrastructure established on or within Baramadagal Tribal Lands without the free, prior and informed consent of the Baramadagal People is inconsistent with Baramadagal Law and international Indigenous rights standards. Such infrastructure must be subject to good-faith negotiation, consent-based agreements, or other lawful arrangements determined by the Baramadagal Darug Tribal Governing Council.

Where appropriate, land-use permissions, benefit-sharing arrangements, or access agreements may be required under Baramadagal Law for energy or other infrastructure operating on Tribal Lands, in a manner consistent with Indigenous self-determination and economic sustainability.

TRAVELLING

The Baramadagal People through the Baramadagal Darug Tribal Governing Council affirm our enduring connection to Baramadagal Tribal Lands, having travelled across our lands and territories according to First Laws since time immemorial.

Prior to colonisation, the Baramadagal People exercised freedom of movement on Country without hindrance, restriction, or the requirement for permits, licences, or travel documents imposed by external authorities. This freedom of movement formed an integral part of Baramadagal Law, kinship, ceremony, trade, and cultural life.

While contemporary systems of administration now operate on Baramadagal Tribal Lands, the Baramadagal People maintain the inherent and unalienable right to move freely on our Country in accordance with Baramadagal Law, culture, and custom. This right has never been ceded or extinguished.

This affirmation is made consistently with the United Nations Declaration on the Rights of Indigenous Peoples, including Articles 20, 25, and 36, which recognise Indigenous peoples'

rights to maintain their subsistence, cultural practices, and relationships across lands and territories, and to maintain connections and mobility across traditional areas.

FISHING, HUNTING, GATHERING AND CARE FOR WATERWAYS

The Baramadagal Darug People maintain an enduring cultural, spiritual, and subsistence relationship with Baramada (Parramatta), including the Parramatta River and its connected waterways. Fishing, gathering, and care for aquatic life are integral to Baramadagal Law, health, and cultural continuity, and have been practiced since time immemorial.

The Baramadagal Darug Tribal Governing Council affirms the right of Baramadagal People to access, fish, gather, and care for the Parramatta River and its waterways for cultural, subsistence, educational, and ceremonial purposes, free from discrimination or criminalisation.

The Baramadagal People assert authority to participate in decision-making relating to river use, environmental protection, and resource management, and to grant or withhold free, prior and informed consent in relation to commercial, extractive, or industrial activities affecting the Parramatta River and its ecosystems.

The Baramadagal Darug People affirm our enduring rights to cultural hunting and gathering practices as part of our law, sustenance, and connection to Country. In the context of Baramada (Parramatta) as a highly urbanised estate, these practices are exercised in culturally appropriate, environmentally responsible, and place-specific ways consistent with the protection of community safety and Country.

Any engagement by State authorities concerning hunting, fishing, or gathering on Baramadagal Country should occur through respectful dialogue and agreement-making with the Baramadagal Darug Tribal Governing Council, and in accordance with the principle of free, prior and informed consent.

These rights and responsibilities are exercised in ways that prioritise the health of Country, the protection of waterways, and the wellbeing of present and future generations, consistent with Baramadagal Law and Articles 3, 20, 25, 26, 29, 31 and 32 of the United Nations Declaration on the Rights of Indigenous Peoples.

BARAMADAGAL DARUG EXCAVATION, SUBSURFACE DISTURBANCE AND RESOURCE PROTECTION TRIBAL GOVERNING COUNCIL

The Baramadagal Darug People assert enduring rights and responsibilities in relation to all land, waterways, and subsurface areas within Baramada (Parramatta), including soil, riverbeds, and underground spaces affected by construction, infrastructure, and development.

Any excavation, tunnelling, dredging, or disturbance of land or waterways on Baramadagal Country requires the free, prior and informed consent of the Baramadagal Darug Tribal Governing Council, in accordance with Baramadagal Law and UNDRIP Articles 26, 29, and 32.

FARMING, FOOD SOVEREIGNTY AND CULTURAL GROWING

The Baramadagal Darug People affirm our enduring relationship with Baramada (Parramatta) as a place of food production, cultivation, and sustenance, particularly along the Parramatta River and its connected floodplains, gardens, and soils.

The Baramadagal Darug Tribal Governing Council affirms the right of Baramadagal People to practice cultural growing, farming, and food production on Baramadagal Country for subsistence, community wellbeing, education, and cultural continuity. These practices include traditional and contemporary methods of cultivation appropriate to an urban environment, such as community gardens, native food systems, river-flat cultivation, and small-scale agriculture.

The Baramadagal People assert the right to participate in decision-making regarding land use, soil disturbance, irrigation, and water access where such matters affect Baramadagal food systems, cultural practices, and the health of Country. Any agricultural, commercial, or infrastructure activity that materially impacts Baramadagal growing areas or water sources must be subject to free, prior and informed consent.

These rights and responsibilities are exercised in ways that prioritise the health of Country, water stewardship, environmental sustainability, and the wellbeing of present and future generations, consistent with Baramadagal Law and Articles 20, 25, 26, 29, and 32 of the United Nations Declaration on the Rights of Indigenous Peoples.

AVIATION INFRASTRUCTURE AND EXTERNAL IMPACTS

The Baramadagal Darug People recognise that major aviation infrastructure located elsewhere on Dharug Country, including Western Sydney International Airport, has ongoing and cumulative impacts on Baramadagal Country, including airspace use, noise, environmental degradation, water systems, and community wellbeing.

The Baramadagal Darug Tribal Governing Council asserts the right to be consulted, to participate in decision-making, and to give or withhold free, prior and informed consent in relation to aviation-related developments, flight path changes, or associated infrastructure that materially affects Baramadagal Country and the Parramatta River system. This assertion does not seek to regulate operations, but affirms the right of the Baramadagal People to participate in decisions where aviation infrastructure materially impacts Country, waters, and community wellbeing. This section is supported by UNDRIP Articles 18, 19, 25, 26, 29 and 32(2).

WEALTH GENERATION, ECONOMIC JUSTICE AND SELF-DETERMINATION AND COMMERCIAL ENGAGEMENT

The Baramadagal Darug People affirm our inherent right to economic self-determination and to generate wealth on Baramadagal Country, including within the contemporary urban context of Parramatta.

The Baramadagal Darug Tribal Governing Council asserts the right of Baramadagal People to participate in, benefit from, and consent to commercial activities that occur on Baramadagal Country where those activities impact land, waters, cultural heritage, or the ability of Baramadagal People to enjoy, use, and care for Country.

Consistent with Articles 20, 26, and 32 of the United Nations Declaration on the Rights of Indigenous Peoples, the Baramadagal People assert that economic development on Country should not proceed without meaningful engagement, free, prior and informed consent, and equitable benefit-sharing arrangements. These may include negotiated agreements, cultural access provisions, community investment, employment pathways, and compensation for loss of use and enjoyment of Country.

The Baramadagal Darug Tribal Governing Council maintains a continuing spiritual, cultural, and intergenerational responsibility to Country, and affirms that economic activity on Baramadagal lands must be conducted in a manner that respects Baramadagal Law, protects cultural heritage, and contributes to the wellbeing and prosperity of present and future generations of Baramadagal People.

ENVIRONMENT PROTECTION AND CONSERVATION

The Baramadagal Darug People affirm our inherent responsibility, derived from Baramadagal Law and transmitted through generations since time immemorial, to care for, protect, and conserve the lands, waters, ecosystems, and resources of Baramadagal Country for the benefit of present and future generations.

Through the Baramadagal Darug Tribal Governing Council, the Baramadagal People assert our right and responsibility to participate in decision-making concerning environmental protection, land use, and resource management on Baramadagal Country, consistent with our cultural obligations and responsibilities as Traditional Owners.

Consistent with Articles 25, 26, 29, and 32 of the United Nations Declaration on the Rights of Indigenous Peoples, the free, prior and informed consent of the Baramadagal Darug Tribal Governing Council is required for activities that may cause environmental harm on Baramadagal Country, including the storage, transport, or disposal of hazardous or toxic substances.

Any such activities must be subject to meaningful consultation, culturally appropriate environmental safeguards, and arrangements that protect the health, wellbeing, and cultural integrity of Baramadagal People and Country.

BUILT ENVIRONMENT, COUNTRY AND CULTURAL GOVERNANCE

The Baramadagal Darug Tribal Governing Council affirms that the planning, design, construction, and operation of the built environment on or materially affecting Baramadagal Country must respect Baramadagal Law/Lore, cultural authority, and the continuing rights and responsibilities of the Baramadagal Darug People to care for Country. We regard the ongoing expansion of the built environment on Baramadagal Country, in the absence of treaty made directly with us and without our free, prior and informed consent, as a continuation of the ‘settlement’ and occupation of our Country. This reality is experienced through continuing land and water impacts, decision-making exclusion, and in some cases the unconsented use of Baramadagal culture in public projects.

PARTICIPATION IN CONNECTING WITH COUNTRY PROCESSES

The Council asserts that Baramadagal Darug People must be provided genuine opportunities to participate in built environment “Connecting with Country” frameworks and comparable design, planning, engineering, and delivery processes, from early stages and at key decision points. Participation must be undertaken through the Council and culturally authorised representatives, in a manner consistent with free, prior and informed consent and decision-making rights recognised under UNDRIP (including Articles 18 and 19). Participation by the Council or Baramadagal Darug people in any planning, design, engineering, or approval process must not be interpreted as consent to, or endorsement of, colonial assertions of sovereignty or settlement, nor as a waiver of our rights.

ICIP GOVERNANCE AND CULTURAL SAFETY

All built environment work that involves Baramadagal cultural knowledge, cultural narratives, language, symbols, designs, stories, sites, waterways, ecological knowledge, or public-facing representations of Baramadagal identity must be governed through Indigenous Cultural and Intellectual Property (ICIP) protections. This includes written ICIP agreements that set out cultural authority, permissions and restrictions, attribution, confidentiality where required, use and reproduction terms, and protocols for storage, archiving, and withdrawal of cultural material. ICIP is held and governed according to Baramadagal Law/Lore and cultural governance, and is not defined solely by mainstream intellectual property standards, consistent with UNDRIP Articles 11 and 31.

FAIR AND REASONABLE REMUNERATION

Engagement of Baramadagal Darug People as knowledge holders must include fair and reasonable individual remuneration for labour, expertise, and cultural authority. Individual remuneration must not be substituted with general “community benefit” commitments, and must reflect the scope, risk, responsibility, and commercial value associated with the work.

RECIPROCITY TO THE COUNCIL (“PAY THE RENT”)

In addition to, and not at the expense of, individual remuneration, built environment proponents (including developers, engineers, design teams, principal contractors, and commissioning institutions) are expected to provide ongoing reciprocity to the Baramadagal Darug Tribal Governing Council as a form of continuing acknowledgment of Country and the impacts of development. This reciprocity may take the form of an agreed contribution, licence/permit fee, or other structured benefit that is reasonable and proportionate to the scale and impacts of the development, and is directed to community-led initiatives and programs that enable the Council to fulfil Baramadagal responsibilities to Country and to advance UNDRIP-aligned objectives (including cultural continuity, environmental care, and community wellbeing).

Reciprocity arrangements must be transparently negotiated, consent-based, and documented, and must not be used to diminish Baramadagal cultural authority or constrain political and cultural expression.

RECORDS, ACCOUNTABILITY AND ONGOING RELATIONSHIP

Built environment proponents must maintain accurate records of consultation, permissions, ICIP terms, and agreed outcomes. Where development affects cultural sites, waters, or ongoing community wellbeing, engagement must be ongoing and not limited to one-off consultation. The Council supports cooperative, good-faith relationships where development proceeds in a way that respects Country, enables cultural governance, and provides tangible and lasting benefits to Baramadagal People.

OTHER ISSUES

Any and all other construction, erections or facilities constructed without consent within or on Tribal Lands will be issued an Allodial Land Use Permit by the Baramadagal.

CONCLUSION

Therefore, the Autonomous Baramadagal Darug Tribal Governing Council declares through its administrative arm the Baramadagal Darug Government that we are prepared and indeed welcome the opportunity to negotiate and to cooperate under a Treaty between the respective neighbouring Tribal Governing Councils, the Corporation Entity trading as the Commonwealth of Australia and the New South Wales Government, United Kingdom and the United Nations as an equal Sovereign State.

Furthermore, we will negotiate and enter commercial agreements with other entities national and international including but not limited to corporations and states. We, the Baramadagal Darug Tribal Governing Council through its administrative arm the Sovereign Baramadagal Government hold the Social and Spiritual Authority for its people, through our Law, People and our Elders under our Social Kinship System do hereby solemnly declare that we have been authorised to declare our autonomy and thus Reassert and Reaffirm our Sovereign Rights from the 8th February 2023, hence forth.

By order of the Baramadagal Darug Tribal Governing Council, take notice and govern yourself accordingly.

ACKNOWLEDGMENTS

The Baramadagal Darug Tribal Governing Council respectfully acknowledges the late Uncle Greg Simms, of the Gundungurra, water dragon lizard people, the Gadigal Tribe being the whale people of the Dharug Nation and the Budawang people, being the Black Duck people of the Yuin Nation. Uncle Greg's life and practice embodied nation rebuilding principles in its most organic form. Uncle Greg was an Elder, whose presence was felt across Baramadagal lands and broader Darug Country. His cultural collaboration with us was generous, principled, and transformative. We are forever strengthened by the time, insight, and care he shared, and we commit to carrying forward the lessons, responsibilities, and standards set through that relationship as we continue our work on our sacred land and always remember those who walked before us and honour their enduring guidance.

We respectfully acknowledge Aunties Karen Maber, Cathy Leane and Deanne Matthews who represent the families of the Cabrogal / Gaborgal peoples of the Dharug & Dharawal-speaking Nations through the Gilbert, and Malone families and the Leane family respectively, along with the Boorooberongal, Darug speaking people through the Locke family. These inter-clan relationships are grounded in mutual respect, responsibility to Country, and ongoing care practices. They continue through presence, dialogue, shared time on-Country, and we recognise that the voices of our old people remain with us when we come together to carry out this work.

We respectfully acknowledge with sincere appreciation the work of Alex Wymarra a Gudang Yadhaykenu man of the Wymarra clan and bloodline, and Chairman of the Treaty Council for its leadership in Sovereign First Nations governance and nation rebuilding initiatives across this continent. Their commitment to cultural integrity, ethical governance, and principled relationships offers a clear pathway forward for Indigenous nations seeking justice, recognition, and structural advancement for the benefit of future generations. We value this partnership and the collective vision it represents.

Above all, we acknowledge Baramada Darug Country itself. We belong to Country, and our ultimate accountability lies with the land, waters, ancestors, and future generations of this place. All authority, responsibility, and governance expressed through this Constitution is exercised in service to Country and guided by its enduring law.

DECLARATION

I, Julie-Ann Christian, a Baramadagal Darug diyin of the Baramadagal Clan of the Darug Nation, sign this Declaration at the request of supporting Baramadagal Darug People, and place it on the public record.

Originally executed: 8 February 2023

Updated: 16 January 2026

Signed:

Julie-Ann Christian

Baramadagal Darug Tribal Governing Council

Witnessed:



Jayne Maree Christian

Baramadagal Darug Tribal Governing Council