



Environment Protection and Biodiversity Conservation Act 1999

INCLUSION OF A PLACE IN THE NATIONAL HERITAGE LIST

I, Peter Robert Garrett, Minister for the Environment, Heritage and the Arts having considered, in relation to the place specified in the Schedule of this instrument -

- (a) the Australian Heritage Council's assessment whether the place meets any of the National Heritage criteria; and
- (b) the comments given to the Council under sections 324JG and 324JH of the *Environment Protection and Biodiversity Conservation Act 1999*; and

being satisfied that the place described in the Schedule has the National Heritage values specified in the Schedule, pursuant to section 324JJ of the *Environment Protection and Biodiversity Conservation Act 1999*, include it in the National Heritage List.

Dated 2 June 2008

[signed by]

Peter Robert Garrett AM
Minister for the Environment,
Heritage and the Arts

SCHEDULE

STATE / TERRITORY

Local Government

Name

Location / Boundary

Criteria / Values

NEW SOUTH WALES**Gwydir****Myall Creek Massacre and Memorial Site:**

Approximately 23ha, 23km north east of Bingara at the junction of Bingara-Delungra and Whitlow Roads, being part of Crown Land Travelling Stock Route TSR 37818, Parish Durham, County Murchison and comprising an area bounded in the north east by the south bank of Myall Creek, in the north west by the south-east side of Bingara-Delungra Road, in the south west by the north-east side of Whitlow Road, and in the south east by the western boundary fence of Myall Creek Station.

Criterion**Values**

- (a) the place has outstanding heritage value to the nation because of the place's importance in the course, or pattern, of Australia's natural or cultural history.

The Myall Creek massacre in 1838, the subsequent court cases and the hanging of seven settlers, played a pivotal role in the development of the relationship between settlers and Aboriginal people. In the half century following British settlement, the Colonial Administration stated on numerous occasions that Aboriginal people and settlers were equal before the law. Juries, however, regularly found settlers accused of killing Aboriginal people on the frontier not guilty. Since the 1850s, the story of Myall Creek massacre has been retold in a number of poems and books and has continued to remind Australians about the mistreatment of Aboriginal people during the period of frontier conflict. The Myall Creek massacre is outstanding in the course of Australia's cultural history as the last time the Colonial Administration intervened to ensure the laws of the colony were applied equally to Aboriginal people and settlers involved in frontier killings.

For a description of any references quoted above, and more information on each of the places please search the Australian Heritage Database at <http://www.environment.gov.au/cgi-bin/ahdb/search.pl> using the name of the place.