

DECISION OF THE VICTORIAN ABORIGINAL HERITAGE COUNCIL IN RELATION TO AN  
APPLICATION BY TAUNGURUNG CLANS ABORIGINAL CORPORATION TO BE A  
REGISTERED ABORIGINAL PARTY

DATE OF DECISION: 16 July 2009

Decision

The Victorian Aboriginal Heritage Council (**the Council**) registers the Taungurung Clans Aboriginal Corporation (**TCAC**) as a registered Aboriginal party (**RAP**) under section 151 of the *Aboriginal Heritage Act* (Vic) 2006 (**the Act**). A map showing the area for which TCAC has been made a RAP (**the RAP Area**) is attached (Attachment 1).

Reasons for Decision

*Overview*

TCAC represents Taungurung people who are members of the Kulin nation from central Victoria. Members of the organisation have an ongoing relationship with the land of Taungurung people and some continue to live on country. This appointment confirms Taungurung people will continue to manage and celebrate their cultural heritage within their traditional country.

TCAC have been appointed for just over half of the area for which they are seeking to become a RAP.

*Traditional Links*

TCAC is an organisation representing Taungurung (also 'Taungurong', 'Daung Wurrung') people, the Traditional Owners of country in central Victoria including the approved RAP area. TCAC membership is open to "Adult Aboriginal persons who are of Taungurung descent proven through genealogy". TCAC provided genealogical and historical data to support their claim and the Council also conducted its own research.

Research provided to the Council confirmed the traditional links of the TCAC membership and that the TCAC is able to accommodate any descendants of known apical ancestors in the RAP area.

*Other Aboriginal interests in the area*

The Council noted that there are a number of areas of the TCAC application which overlap with claims to country of other Traditional Owner groups. These include the areas subject to RAP applications before Council from Wurundjeri Tribe Land and Compensation Cultural Heritage Council Inc at Toolangi, Dhudhuroa Waywurru Nations Aboriginal Corporation, Wandoon Estate Aboriginal Corporation (**Wandoon Estate**) and Yaitmathang Indigenous Lands Incorporated. The Council chose to defer a decision

over most of these areas so that TCAC could hold discussions with the other groups who are also claiming country in those areas. It also deferred a decision over an area identified to Council as traditional country of Minjambuta Traditional Owners.

The Council did, however, appoint TCAC as a RAP over part of the area of the current application from Wandoo Estate. In reaching this decision, the Council took into account advice received from Wandoo Estate regarding their traditional boundaries.

The Council took into account an objection to the Taungurung application which stated that part of the north west of the TCAC RAP application area overlapped with traditional country of the Ngurai-Illam Wurrung. The Council was satisfied that Taungurung were the appropriate organisation to appoint as the RAP for this area.

The broader TCAC application area also overlaps with the area for which Yorta Yorta Nation Aboriginal Corporation is currently a RAP and the area for which Gunaikurnai Land and Waters Aboriginal Corporation is seeking to become a RAP. However these areas were not before Council for consideration and will be decided by Council at a later date.

### *Governance and capacity*

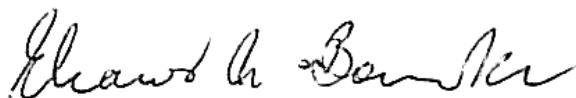
In July 2009 TCAC provided the Council with an Operational Plan which satisfied the Council of its capacity to undertake the responsibilities of a RAP.

### *Native title*

The Council notes that there are no current native title proceedings over the area for which Taungurung has been appointed a RAP. Consequently, this decision is consistent with Council's principle that groups recognised as RAPs reflect those recognised under native title arrangements.

### *Conclusion*

Having regard to these matters, and relying on its own cultural knowledge, Council took the view that TCAC should be registered for the RAP Area. The remainder of the TCAC RAP application will be considered by Council at a later date.



Eleanor A Bourke  
Chairperson  
Victorian Aboriginal Heritage Council