

DECISION OF THE VICTORIAN ABORIGINAL HERITAGE COUNCIL IN RELATION TO AN
APPLICATION BY GUNAIKURNAI LAND AND WATERS ABORIGINAL CORPORATION TO
BE A REGISTERED ABORIGINAL PARTY
DATE OF DECISION: 10 March 2011

Decision

The Victorian Aboriginal Heritage Council (Council) has decided to register the Gunaikurnai Land and Waters Aboriginal Corporation (GLaWAC) as a registered Aboriginal party (RAP) over part of the area (additional area) it has sought to be registered as a RAP.

A map showing the additional area for which GLaWAC has been registered as a RAP is attached.

The Council is still considering the remaining area for which GLaWAC is seeking to be registered as a RAP.

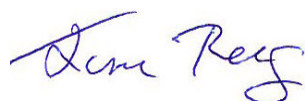
Reasons for Decision

On 23 May 2008 and 18 September 2008, the Council registered GLaWAC as a RAP over a significant portion of their application area. The Council took the view that GLaWAC was an organisation that represents Traditional Owners of the area, that GLaWAC satisfied the requirements of the *Aboriginal Heritage Act 2006 (Act)* and GLaWAC was capable of carrying out the functions of a RAP.

On 22 October 2010, the Federal Court of Australia handed down its decision in the Gunaikurnai People native title claim, and determined GLaWAC as the registered native title holder (consent determination) for an area in the east of Victoria. On the same day GLaWAC entered into a Recognition and Settlement Agreement (RSA) under the *Traditional Owner Settlement Act 2010* over the same area. The additional area is part of the area covered by the consent determination and RSA.

On 2 December 2010 Gunaikurnai was registered for a further area based on the consent determination and RSA.

In accordance with ss 151 (2) and (2A) of the Act, on the basis of the RSA and the consent determination, the Council appointed GLaWAC as the registered Aboriginal party over the additional area.



Jim Berg
Chairperson
Victorian Aboriginal Heritage Council