

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

DATE OF DECISION: 10 September 2010

Decision

The Victorian Aboriginal Heritage Council (**Council**) has decided not to register the Jaara Jaara Loddon Aboriginal Corporation (**JJLAC**) as a Registered Aboriginal party (**RAP**) under section 151 of the *Aboriginal Heritage Act 2006* (Vic) (**Act**).

Background to the decision

RAP Application area

Following the boundary line in a clockwise direction from the southerly point of Kow Swamp, it includes the Yorta Yorta, Wurundjeri and Taungurung appointed RAP boundaries, the Great Dividing Range, the Martang and Barenji Gadjin appointed RAP boundaries, the Richardson River, the Sunraysia Highway, the Borung Highway, the Donald - Swan Hill Rd, the Boort-Charlton Rd, the Boort-Pyramid Rd, the Leitchville-Pyramid Rd and Normans Bridge Rd.

Traditional and Familial Links

Jaara people have links to their country through the Nelson family, the members of which are able to trace their ancestry to Henry Harmony Nelson, b. 1855 at Majorca near Maryborough.

The Kerr family, which is another family included in JJLAC, is related to the Nelson family by marriage.

Decision to appoint the Dja Dja Wurrung Clans Aboriginal Corporation (DDWCAC) as a RAP

The JJLAC RAP application area almost completely corresponded with the RAP area of the DDWCAC. DDWCAC was appointed as a RAP for most of the area included in its application on 19 September 2008.

In appointing DDWCAC, the Council accepted that the corporation was an inclusive organisation of Traditional Owners for its application area. Membership of DDWCAC is based on descent from Dja Dja Wurrung apical ancestors including John Charles, Henry Nelson, Girrabong, Lerrimburneen and Walpanumin, Caroline Malcolm, Emma and Leonard Kerr, Finemore Jackson, David Harrison, Kate Robinson, John Terrick and Thomas Dunolly. Members of JJLAC are descended from some of the ancestors listed in the DDWCAC membership rules.

Reason for the decision

As noted above, the JJLAC applied for RAP status for an area that almost completely corresponded with DDWCAC's RAP area. Under s152(4) of the Aboriginal Heritage Act, the Council must be satisfied the applicant is a body corporate. In August 2010, the Council became aware that JJLAC was deregistered as a body corporate with the Office of the Registrar of Indigenous Corporations (ORIC) on 17 March 2010. As the applicant is no longer a body corporate, the Council took the view that JJLAC is not an appropriate organisation to appoint as a RAP.

Conclusion

Based on these circumstances, Council declined the JJLAC RAP application.

A handwritten signature in blue ink that reads "Jim Berg". The signature is written in a cursive style with a long horizontal stroke at the beginning.

Jim Berg
Chairperson
Victorian Aboriginal Heritage Council