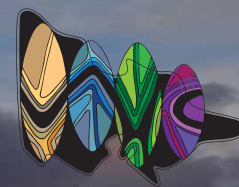


VICTORIAN  
ABORIGINAL  
HERITAGE  
COUNCIL



# ANNUAL REPORT

Victorian Aboriginal Heritage Council

1 July 2020 – 30 June 2021





Warning: Aboriginal and Torres Strait Islander readers should be aware that this document may contain images or names of People who have since passed away.

Published by the Victorian Aboriginal Heritage Council  
3 Treasury Place, East Melbourne, Victoria 3002 - August 2022

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This document is also available online at [www.aboriginalheritagecouncil.vic.gov.au](http://www.aboriginalheritagecouncil.vic.gov.au)

We acknowledge the Traditional Owners of Country throughout Victoria and pay our respect to them, their Culture and their Elders past, present and future.



Council's logo of four shields is our commitment to supporting, respecting and celebrating our Country, Culture and Life.

The shields in Council's logo celebrate our Countries:

- gold for desert sands and dry Country
- green for forests and grasslands
- blue for waters, rivers and lakes
- purple for the metropolitan regions as well as the basaltic and volcanic plains.

Cover: Image, Ed Dunens, Mount Feathertop



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# CHAIRPERSON'S INTRODUCTION

The work of Victorian Aboriginal Heritage Council (Council) is vital in ensuring that Traditional Owners manage their Country and Culture and that self-determination is at the core of any decision making. As a council of Traditional Owners, the decisions we make and the work we do is sometimes difficult, but we keep Culture and respect in our hearts and minds. The knowledge and expertise of all our members are an asset to our collective and makes a valuable contribution to the work the Council undertakes in further moving the Victorian community towards a place of understanding and respect for Victoria's Aboriginal Cultural Heritage.

Since March 2019, we have all experienced great hardship, deprivations and challenges. However, these are not the first that our Peoples have faced and, as in the past, we have not just survived but are strengthened by these experiences. We live Black Excellence not just in what we achieve but in our continued practice of Culture and connection to Country.

Over the 12 months of this report, we welcomed new members, reappointed others and farewelled some tireless warriors from Council. In 2020 Council was pleased to include new members Dr Doris Paton, Dan Turnbull and Liz Allen, whilst I returned to Council. We were saddened by the resignations of Aunty Geraldine Atkinson, Aunty Jennifer Beer, Sissy Pettit and Racquel Kerr and acknowledge the enormous contribution that they collectively and individually made to Council. However, the loss of Sissy and Racquel from Council was softened by their appointment to positions in Council's Ancestral Remains Unit.

During the reporting period, Council undertook a number of projects to progress the rights of Traditional Owners to the management of their Culture and Country. Currently, legislation governing Traditional Owners' control and access to Cultural Heritage and Ancestors, at both state and federal levels, is distressingly poor. Whilst Victoria has leading legislation for the Country, it falls short of the baseline considerations made in the *United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)*.

To ensure that UNDRIP is met and that principles of self-determination underpin Victorian legislation, Council made 24 recommendations for reform of the *Aboriginal Heritage Act 2006 (the Act)*. If implemented they would provide a benchmark for Cultural Heritage legislation and meet international expectations for practice.

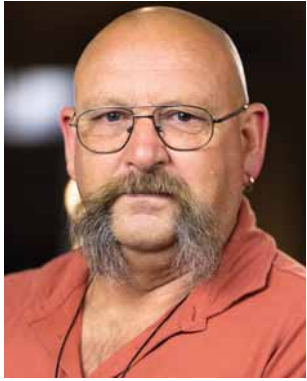
Additionally, Council has also undertaken extensive consultation for its 5-year report on Victoria's Aboriginal Culture Heritage. The inaugural *State of Victoria's Aboriginal Cultural Heritage Report 2016-2021 Report (the Report)* to the Minister for Aboriginal Affairs provides the most comprehensive review of how Traditional Owners access, manage and have control of their Cultural Heritage. Council has taken this opportunity to work with Traditional Owners develop a vision for their Cultural Heritage and 30 recommendations to realise this vision. The Report will provide a roadmap for future reporting, legislative review and transfer of ownership of Cultural Heritage to Traditional Owners for the immediate and long term.

As part of Council's work in realising a standard of respect for Cultural Heritage embedded in legislation federally as well as within each state and territory, it has worked with the Australian Heritage Council to develop *Dhawura Ngilan: A vision for Aboriginal and Torres Strait Islander heritage in Australia and the Best Practice Standards in Indigenous cultural heritage management and legislation (Dhawura Ngilan)* for the Heritage Chairs and Officials of Australia New Zealand (HCOANZ). The Vision and Best Practice Standards will provide a clear framework for legislators when considering amendments to legislation that impacts Aboriginal Cultural Heritage.

Whilst Council has continued an extensive program of consultation and engagement on the rights and responsibilities of Traditional Owners, it has been done so whilst the COVID-19 pandemic has impacted much of our lives. Traditional Owners have felt keenly the impact on their access to Country, connection to each other and participation in Culture. Council's work on digital platforms, including social media and online conferences, has positively contributed to the discussion of the fundamental importance and intrinsic rights to connection to Culture and Country.

Council will continue to provide support to Traditional Owners through their representative and inclusive corporations and champion their rights through reform of legislation.





**MICK HARDING**  
**CHAIRPERSON**

[24 June 2020 - 29 July 2021]



Image: Ed Dunens  
Trees at Dusk, Lake Wongan, May 2020



# THE VICTORIAN ABORIGINAL HERITAGE COUNCIL



**LIZ ALLEN**  
**(Deputy Chairperson)**  
24 June 2020 –  
24 June 2023



**GERALDINE ATKINSON**  
6 November 2019 –  
6 August 2021



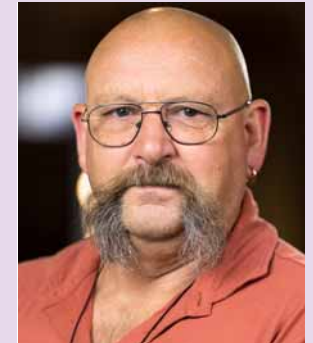
**JENNIFER BEER**  
13 August 2020 –  
16 March 2021



**RODNEY CARTER**  
1 September 2021 –  
31 August 2024  
(Chairperson until  
29 July 2021)



**BONNIE CHEW**  
1 September 2018 –  
31 August 2021



**MICK HARDING**  
**(Chairperson)**  
24 June 2020 – 9 February 2022  
(Deputy Chairperson  
5 March 2021 – 29 July 2021)



**RACQUEL KERR**  
1 September 2018 –  
5 March 2021



**DR. DORIS PATON**  
24 June 2020 –  
24 June 2023



**SISSY PETIT**  
6 November 2019 –  
5 March 2021  
(Deputy Chairperson  
until 5 March 2021)



**KENNY STEWART**  
1 September 2021 –  
07 February 2022



**DAN TURNBULL**  
24 June 2020 –  
09 March 2022

## **STATUTORY FUNCTIONS**

Council plays an important role in the implementation of the Act. Its principal functions are:

### **Making decisions on registered Aboriginal party (RAP) applications**

RAPs are the primary source of advice and knowledge on matters relating to Aboriginal Cultural Heritage and hold statutory decision-making responsibilities for protecting their Heritage in a specified geographical area.

Since its establishment in 2006, Council has appointed 12 RAPs. Currently, there are 11 RAPs which collectively cover 75% of Victoria.

### **Monitoring RAPs**

To provide a detailed understanding of their work, Council receives twice yearly reports from RAPs on their statutory functions and work protecting and managing Cultural Heritage and Country. The participation of RAPs in many of Council's advisory committees and forums provides a more nuanced and individual understanding of their projects, broader issues and statutory concerns. Combined with Council's Complaints process, these engagements provide Council with a deep understanding of each RAP and the environment in which they operate.

### **Protecting Ancestors' resting places and returning Ancestors to Country**

Council is the central coordinating body responsible for Ancestral Remains in Victoria. During this reporting period, Council's Ancestral Remains Unit (ARU) has completed a review of policies and procedures governing the custodianship and repatriation of Ancestors. Simultaneously, a comprehensive review of Ancestors in Council's care has been completed and it is anticipated that, in 2022, many Ancestors will be returned to their Traditional Owners. During the reporting period, Council opened 29 new Ancestral Remains cases and provided advice on a permit to exhumate Ancestral Remains.

### **Secret or Sacred Objects in Victoria**

Council is responsible for the care of Secret or Sacred Objects whilst they are returned to their Traditional Owners. Council's custody of Objects is a profound responsibility to support Traditional Owners to manage and retain their Cultural Heritage. During the reporting period, Council opened 14 new Secret or Sacred Object cases.

### **Managing the Victorian Aboriginal Cultural Heritage Fund (Fund)**

The Council is responsible for managing the Fund for initiatives to protect Aboriginal Cultural Heritage and to promote understanding and awareness of this unique Heritage managed by Traditional

Owners for all Victorians. Since 2017, Council has been concerned at the lack of transparency and appropriate management of this Fund whilst it continues to not be held by Council. It is hoped that in 2022, the long running discussions with government around the statutorily determined control of the Fund by Council will eventuate in appropriate management.

### **Measures to promote understanding and awareness**

Council's work includes promoting understanding and awareness of Aboriginal Cultural Heritage in Victoria. Whilst the restrictive environment of the last few years has impacted on face-to-face engagement, it has enabled a broader communication of Council's message through virtual and digital channels. Council has continued to deliver conferences, forums and much needed Traditional Owner network meetings throughout the period as well as establishing partnerships and consulting with key stakeholders, making submissions to reviews of legislation, investigations and inquiries that impact on Aboriginal Cultural Heritage and participating on external committees and reference groups.



Image: Ed Dunens  
Swans at Dusk, Lake Wendouree, WTOAC

# STRENGTHENED PRIDE IN AND KNOWLEDGE OF ABORIGINAL CULTURAL HERITAGE



## CARING FOR COUNTRY

These projects support Traditional Owners in undertaking their responsibilities for Country. They provide a space for Traditional Owners to talk about why it is important to protect Cultural Heritage and discuss how it is managed on Country.

### Caring for Country – 2 Thursdays in November

Council presented two virtual forums on 12 and 26 November 2020, discussing how Cultural Heritage can be better protected and managed by Traditional Owners. This was explored through the lens of management of places on the World Heritage List and the role of legislation in protection.

### The role of First Nations People in the protection of Indigenous Cultural Values in World Heritage Properties post Juukan Gorge

This forum was co-presented by Council with the Commonwealth Department of Agriculture, Water and the Environment as part of the World Heritage Forum 2020. 200 people watched this event live, commenting: *“Incredible speakers sharing knowledge & wisdom. We need to strengthen relationships with all stakeholders on Country & educate non-Indigenous people, invite them into our world.”*

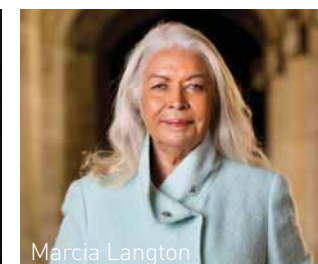
This forum discussed how sites of World Heritage significance can also be sites of best practice engagement with Traditional Owners. Attendees at this virtual forum joined MC Rachel Perkins and panellists Karlie Noon, Denis Rose and Cheryl Leavy for an in-depth exploration of Traditional Owner perspectives.



### Time for change - a discussion about Aboriginal Cultural Heritage laws

With the release of *Dhawura Ngilan*, this online forum explored what best practice looks like in the current legislative environment.

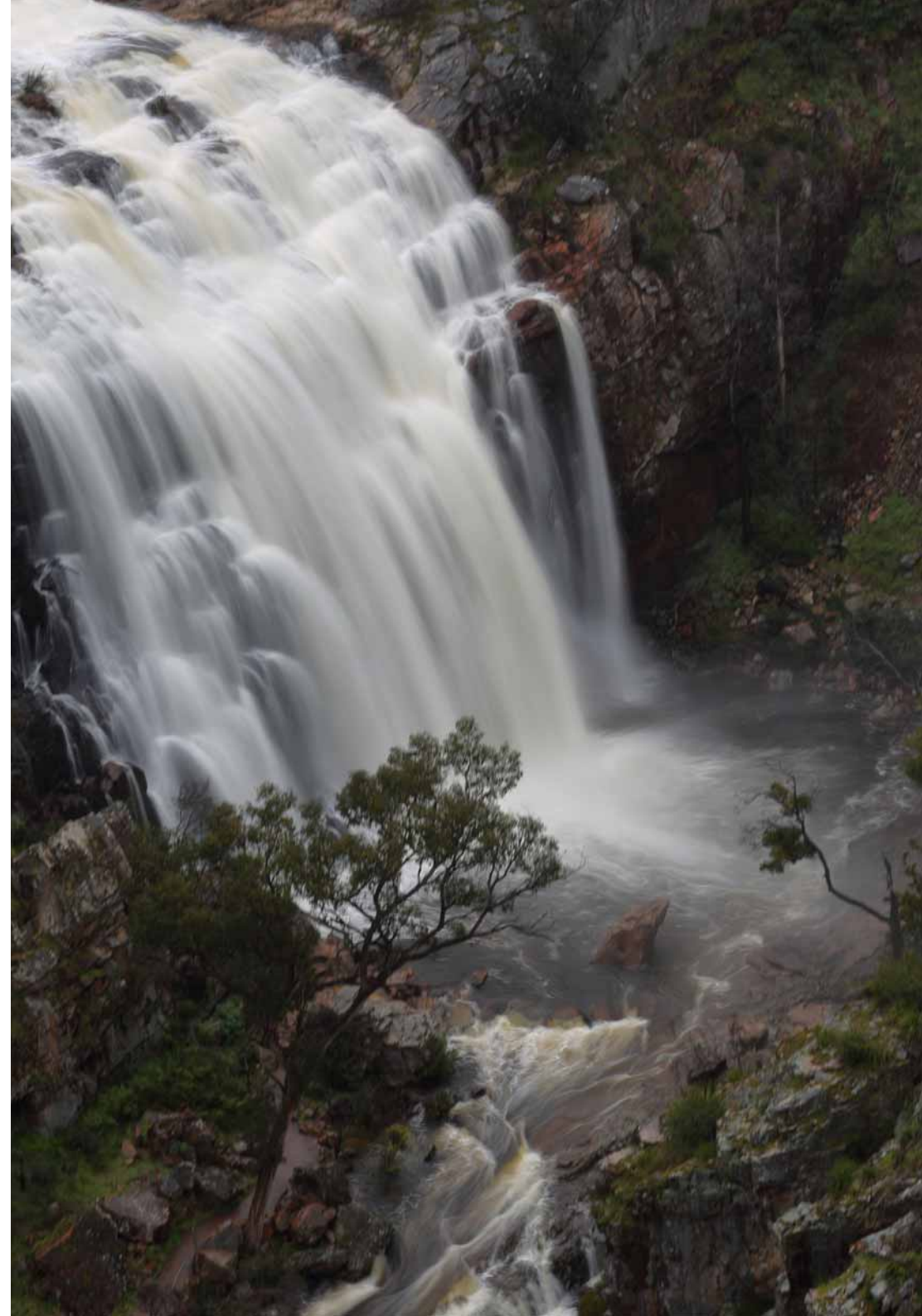
MC Liz Allen and panellists Professor Marcia Langton AM, Dr Terri Janke, Matt Burns and Kado Muir were joined by over 140 attendees for a discussion on the practical and legislative framework that should protect Aboriginal and Torres Strait Islander Cultural Heritage. With clear examples of where legislation has failed and where good laws could be better, our esteemed panellists explored the need for, and prospects of, change.



## STRENGTHENED PRIDE IN AND KNOWLEDGE OF ABORIGINAL CULTURAL HERITAGE

### Caring for Country with IPAA

In October 2020, Council partnered with the Institute of Public Administration of Australia (Victoria branch) (**IPAA**) and the Barengi Gadjin Land Council Aboriginal Corporation (**BGLCAC**) to present a virtual forum on how Traditional Owners are Caring for Country. The discussion was hosted by Stuart Harradine, representing BGLCAC and Rodney Carter, then Chair of the Victorian Aboriginal Heritage Council, and was attended by more than 300 people online. The discussion explored how Cultural Heritage is affected and can be protected by both Traditional Owners and the broader community.







**TAKING CONTROL  
OF OUR HERITAGE**

## TAKING CONTROL OF OUR HERITAGE

**These projects explore the legislation that governs Aboriginal Cultural Heritage and advocate for the best international standards for protection and management.**

### **Taking Control of Our Heritage: Discussion Paper on Legislative Reform of the Aboriginal Heritage Act 2006**

In 2007, the Act came into being, enshrining Council and its responsibilities to appoint RAPs to manage both Country and Cultural Heritage. Also in 2007, the United Nations General Assembly adopted the significant UNDRIP. Supporting the survival, dignity and wellbeing of Our People, the Declaration is the foundation of Council's work.

Together, the Act and Declaration provide some of the greatest protections for Traditional Owners in the country. However, there is still much to be done in realising a fundamentally self-determined and tangible ownership of our Culture, Heritage, History and Country.

In June 2020, Council published *Taking Control of Our Heritage: Discussion Paper on Legislative Reform of the Aboriginal Heritage Act 2006*. The objective was to help everyone, Aboriginal and non-Aboriginal, Victorian and non-Victorian, have their say on its operation and effectiveness.

In releasing a Discussion Paper, and subsequent release of proposals for public consideration, Council was seeking the support and contribution

of everyone to ensure that the statutory protections that Traditional Owners have for their Culture is commensurate to over 40,000 years of connection to Country.

The responses received were from a broad cross section of the community and all provided valuable contribution to the final 24 recommendations. However, Council was concerned at the systemic racism revealed by some sectors.

*"Whilst Council appreciates the diversity of perspectives in the submissions, it has grave concerns at the underlying racism in many of the submissions. Discrimination can take many forms and, at its worst, is applied wrongfully when it is based on forms of prejudices. However, the good values that most communities have, if not aspire to, is what the majority of us agree on and have in our hearts. Overall, the responses are considered and appropriate but, across some sectors, the overwhelming considerations are that Aboriginal Peoples cannot responsibly undertake the functions of the Act. It is our ancestry, our genetic makeup, our connection to Culture that makes us resilient, informed and consultative Peoples. These are the same things that some consider render us unable to manage the functions of the Act that are often in the hands of bureaucrats, non-Traditional Owners and other entities whose Culture it isn't.*

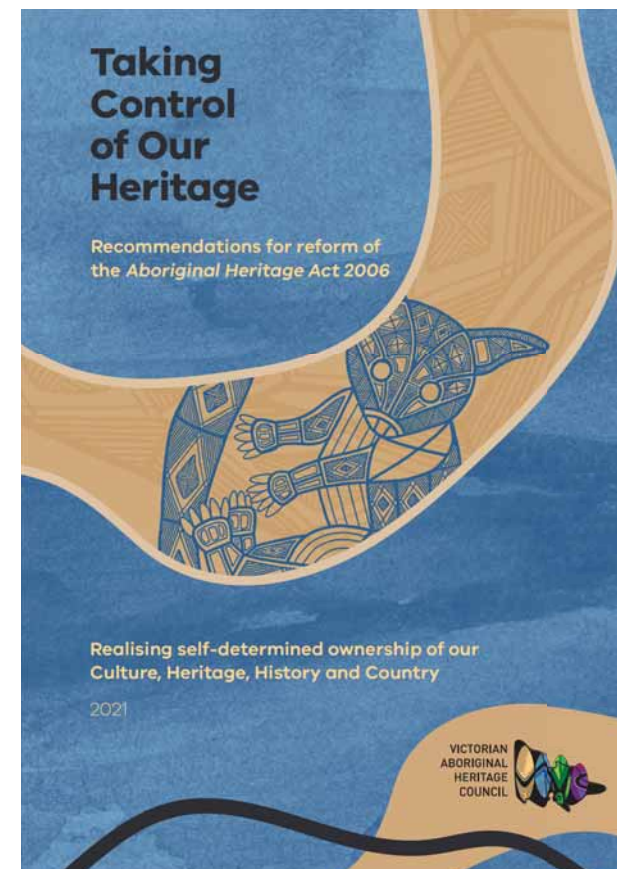
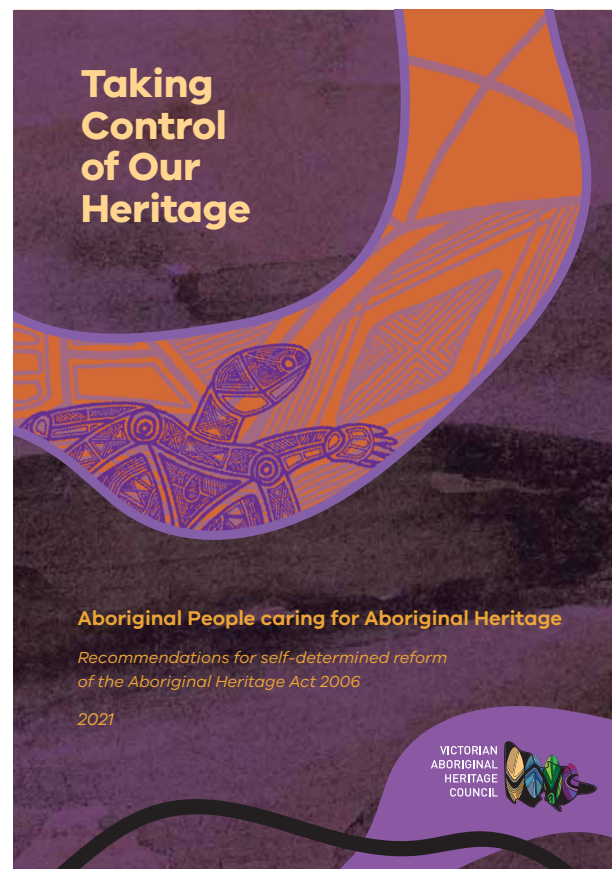
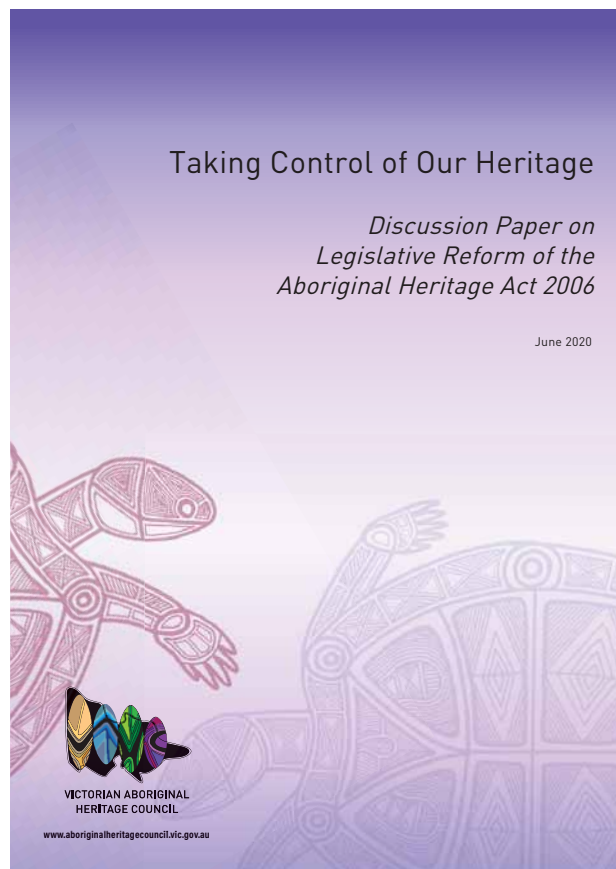
*It is essential that, as a society, we truly understand that Traditional Owners are the only comprehensive knowledge holders of their Cultural Heritage. Once we understand that one, fundamental truth, then the changes recommended for their management of that Cultural Heritage are clear and purposeful. We do this for you, we do this so as not to further lose what we have, we do this to reverse the destruction that began not so long ago and to now build and create together."*

*Rodney Carter, former Chairperson*

Through the release of the Discussion Paper in mid-2020, followed by comprehensive community consultation and rigorous review of submissions in late 2020, it published revised proposals in May 2021, informed by policy and community perspectives. Following the reporting period, the final 24 recommendations were made to the Minister for Aboriginal Affairs on 1 October 2021. Their publication at this time, during the life of the current Parliament, is 5 years after the 2016 amendments to the Act and 15 years since the Act came into existence.

Council's ambition for the proposals is that, through incorporating a benchmarked, national set of Best Practice Standards into Victoria's own legislation, whilst fully realising the Declaration, Victoria's Aboriginal Cultural Heritage legislation can set a benchmark at both national and international levels.





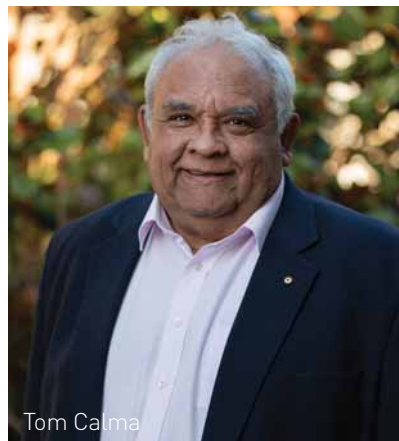
## TAKING CONTROL OF OUR HERITAGE



Merata Kawharu



Sammy Wilson



Tom Calma



Prof. Bourke



### **Taking Control of our Heritage Indigenous Cultural Heritage Conference 2021**

Whilst the Conference took place after the reporting period, on 27 and 29 October 2021, it had originally been planned for November 2020. Due to the ongoing impacts of COVID-19 restrictions, it was postponed several times before pivoting to a virtual event.

The Conference was co-hosted by the National Native Title Council, Victorian Aboriginal Heritage Council and University of Melbourne; and sponsored by the Department of Environment, Land, Water and Planning (DELWP).

The realised aim of the conference was to provide the first opportunity for Traditional Owners and their allies to meet, discuss and develop programs, strategies and ideas to take control of their Cultural Heritage in Australia. The broad program encompassed several themes and prominent international and national speakers. Over 560 people attended the livestream and, subsequently, 400+ people have watched sessions still available through the online virtual portal.



### **Taking Control of Our Heritage Podcast with 3KND**

3KND is Melbourne's only Indigenous radio station and provides the community with a voice for Aboriginal and Torres Strait Islander people, arts, culture and politics. The Treaty Engagement program, Balit Dhumba, provides the latest news and interviews on the historic process. Necessarily, Cultural Heritage is a key topic on the program.

In July 2020, Balit Dhumba published a podcast interview with Rodney Carter about Council's *Taking Control of Our Heritage: Discussion Paper on Legislative Reform of the Aboriginal Heritage Act 2006*. The podcast explores where we've come from, where we are and provides Council's vision for the future. Discussing the current protections for Aboriginal Cultural Heritage provided through the Act, Rodney invited all Victorians to play a role by joining the discussion.

### **MAKING CHANGE**

These projects provide environments for Council and RAPs to genuinely engage and discuss their work.

#### **RAP Connect**

Since the start of the pandemic, Council has provided RAPs with an opportunity to meet and discuss the ways the current legislation

practically enables the management and protection of Aboriginal Cultural Heritage in Victoria. RAP Connect has enabled direct engagement and genuine discussion amongst the RAPs and Council.

#### **The Chair's Dinner**

The Chair's Dinner was held at Charcoal Lane, Fitzroy on Thursday 10 February 2021. The formal banquet, hosted by then Chair Rodney Carter, achieved its objective of providing a social environment for senior Traditional Owners to sit together and discuss how best the primacy of their responsibilities for Aboriginal Cultural Heritage can be enacted by government.




A photograph of a sunset over a body of water, with the sun low on the horizon and its reflection visible. The sky is filled with dramatic, dark clouds. In the foreground, there is a stylized, semi-transparent leaf graphic with a yellow-to-purple gradient and intricate geometric patterns. The leaf is positioned on the left side of the frame, partially overlapping the sunset scene.

Image: Ed Dunens  
Reflections, Mitre Lake

# DEEPER UNDERSTANDING OF CULTURAL HERITAGE



Council has always undertaken awareness raising initiatives to broaden public understanding of, and appreciation for, Traditional Owners' rights, responsibilities and relationships to Country, Culture and Community. Council's statutory responsibility to educate and to facilitate education through research supports Council's long-standing strategic objectives in this area of its work.

Council strategically engages with communities, organisations, government departments and the Minister for Aboriginal Affairs to build mutual respect in the broader community, in partnership with RAPs and other Traditional Owners.

## WORKING COLLECTIVELY

Council contributes extensively to promoting a deeper understanding of Cultural Heritage through broad engagement with the community and government.

### Council Advisory Committees

- Ancestral Remains Advisory Committee
- Ancestral Remains Policy and Repatriation Support Committee
- Budget & Risk Committee
- Cultural Heritage Management Plans and Permits Advisory Committee
- Legislative Review and Regulatory Functions Committee
- Secret and Sacred Objects Advisory Committees
- Victorian Aboriginal Heritage Register Advisory Committee

### Council Committees and Working Groups

- Conference Planning & Report Committee
- Documentary Working Group
- Inspector Training and Consultation Policy Working Group
- Joint Working Group with the Heritage Council of Victoria

### Reference/Steering Groups and Committees

- Right People for Country Steering Committee
- The University of Melbourne Aboriginal and Torres Strait Islander Cultural Heritage Oversight Committee
- Victorian Aboriginal Local Government Action Plan

## GOVERNMENT ENGAGEMENT WITH TRADITIONAL OWNERS

### **Dhawura Ngilan - A vision for Aboriginal and Torres Strait Islander heritage in Australia and the Best Practice Standards in Indigenous Cultural Heritage management and legislation**

On 16 September 2020, the HCOANZ welcomed and supported *Dhawura Ngilan* as a new way forward in best practice for protection and management of Aboriginal Cultural Heritage in Australia.

Developed by and presented to the meeting by the Chairs of Australia's national, state and territory Indigenous heritage bodies, these two documents provide a roadmap for improving approaches to Aboriginal and Torres Strait Islander heritage

management in Australia. Both documents are the product of extensive consultation with Indigenous stakeholders and relevant peak advisory bodies.

The Victorian Aboriginal Heritage Council was closely involved in the development of these documents as part of their fundamental work supporting Traditional Owner management of their Cultural Heritage through legislative reform.

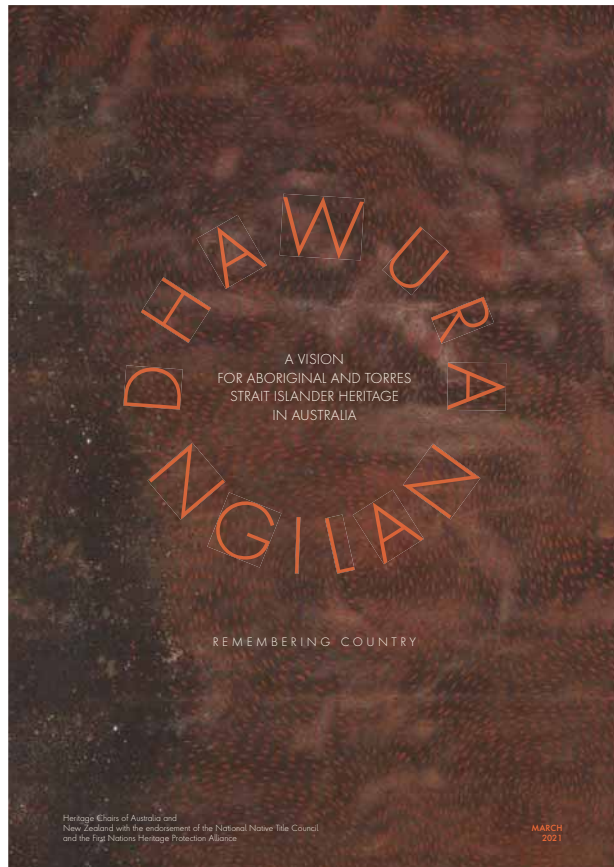
Then Chair of the Victorian Aboriginal Heritage Council, Rodney Carter, congratulated Victorian Minister for Aboriginal Affairs, Gabrielle Williams (**the Minister**), on her public commitment to work to improve the standard of Aboriginal Cultural Heritage legislation in Victoria and nationally.

Mr Carter's comments followed the Minister's participation at a National Ministerial Indigenous Heritage Roundtable Meeting of Commonwealth, State and Territory Ministers with responsibility for Heritage and Indigenous Affairs held on 21st September 2020.

Commonwealth Minister for Indigenous Australians, Mr Ken Wyatt, emphasised that the work of lifting the standard of Indigenous heritage protection must be done in partnership with Indigenous Australians. While all Ministers acknowledged the importance of *Dhawura Ngilan* and the Best Practice Standards, Minister Williams, on behalf the Victorian Government, specifically endorsed them.

The Vision and Standards documents outline how all Australian governments can give effect to their obligation to implement the UNDRIP with respect to Aboriginal Cultural Heritage.

## DEEPER UNDERSTANDING OF CULTURAL HERITAGE



### Victorian Ombudsman Investigation into the planning and delivery of the Western Highway duplication project

Published in July 2020, the Victorian Ombudsman's Investigation into the planning and delivery of the Western Highway duplication project, addressed concerns raised with the Ombudsman about the project. Council and its appointment of RAPs did not form part of the investigation, "owing to the principles of Aboriginal self-determination underpinning their functions and the absence of clear administrative error".

Whilst pleased that a thorough report of the processes undertaken through this project was undertaken, Council raised concerns at the Ombudsman's consideration that processes under the Act should be made more permissive of consultation with individuals and bodies who have not been accorded RAP status. Following review of

the draft report, Council was acknowledged in the report as stating that:

*"[the] suggestion that broad Aboriginal focused consultation could be undertaken without interfering with the primacy of RAPs is erroneous [and would] unreasonably interfere with RAPs' rights to exercise their statutory function as the primary source on Cultural Heritage matters relating to their Registration Area."*

### Statutory Functions

Central to Council's decision making is honesty and transparency. A key statutory responsibility is to make public Council's decision through published RAP Reasons for Decision and timely release of information requested under the *Freedom of Information Act 1982*. During the reporting period, Council received two Freedom of Information requests.





Image: Ed Dunens  
Mount Feathertop

# COUNCIL CONTROL OVER ITS OPERATIONS



## COUNCIL CONTROL OVER ITS OPERATIONS



Image: Ed Dunens  
Mount Beckworth

**Of Council's 24 recommendations for substantial and effective reform of the Act, nine relate specifically to the functions of Council itself. Implementation of these recommendations, as well as appropriate management of the Aboriginal Cultural Heritage Fund, would establish Council as a truly independent statutory authority, able to undertake its responsibilities outside the influence of government.**

Subsequent to the conclusion of the reporting period, Council launched its fifth strategic plan in September 2021. As noted in previous annual reports, for over a decade Council has been seeking meaningful and appropriate independence from government. It is time to realise the urgency of a truly self-determined autonomy.

In Council's first Strategic Plan, the then Minister for Aboriginal Affairs the Hon. Richard Wynne, identifies the recently implemented Act as "giving Aboriginal people more power to articulate a vision for their future and to activate that vision is important in terms of making restitution and moving forward together." He supported Council to "provide an expert state-wide voice for Aboriginal people and they do this independently of government".

From 2008 to the most recent Plan, the Minister for Aboriginal Affairs in Victoria has recognised the necessity and importance of Council's impendence. In 2017, then Minister for Aboriginal Affairs the

Hon. Natalie Hutchins, was "pleased that [the Plan] also sets the course for Council's management of the new Victorian Aboriginal Cultural Heritage Fund and Council's own transition towards greater independence."

In 2017, with Council's new responsibilities under revisions to the Act the previous year, Council's Plan had a strategic objective to take control of its operations. It noted that:

*"The 2015 Review of the Office of Aboriginal Affairs in Victoria made recommendations that Council be made a separate entity to Aboriginal Victoria (now First Peoples – State Relations), and staff in the Office of the Victorian Aboriginal Council (OVAHC) be formally assigned to operate at the direction of Council.*

*It is Council's desire to adopt an autonomous organisational and financial structure. This change will allow Council to be in full control of its operations, including appointing and managing staff in the OVAHC, managing its own resources, attracting funding and partnerships, and building capacity to take on functions of Aboriginal Victoria's Heritage Services in the future."*

It is now five years since that clear direction was set and Council is no closer to this self-determined and statutory ambition.



Images: Ed Dunens  
Sun dew, Gariwerd

# INCREASING RAP COVERAGE, CAPACITY AND SUSTAINABILITY



## INCREASING RAP COVERAGE, CAPACITY AND SUSTAINABILITY



Image: Ed Dunens  
Spider Webs, Bryan Swamp, Gariwerd

**A fundamental responsibility of Council is to determine applications for the registration of RAPs and variations to the boundaries of those RAPs once appointed. In this reporting period, Council received four boundary variation requests.**

During the reporting period, Council examined four boundary variation requests, varied the boundaries of two RAPs and declined one RAP application in full and one in part

At 30 June 2021, Council had appointed eleven RAPs which collectively cover 75% of the state:

- Barengi Gadjin Land Council Aboriginal Corporation
- Bunurong Land Council Aboriginal Corporation
- Dja Dja Wurrung Clans Aboriginal Corporation
- Eastern Maar Aboriginal Corporation
- First People of the Millewa-Mallee Aboriginal Corporation
- Gunaikurnai Land and Waters Aboriginal Corporation
- Gunditj Mirring Traditional Owners Aboriginal Corporation
- Taungurung Land and Waters Council Aboriginal Corporation
- Wadawurrung Traditional Owner (formerly Wathaurung) Aboriginal Corporation
- Wurundjeri Woi-Wurrung Cultural Heritage Aboriginal Corporation
- Yorta Yorta Nation Aboriginal Corporation.

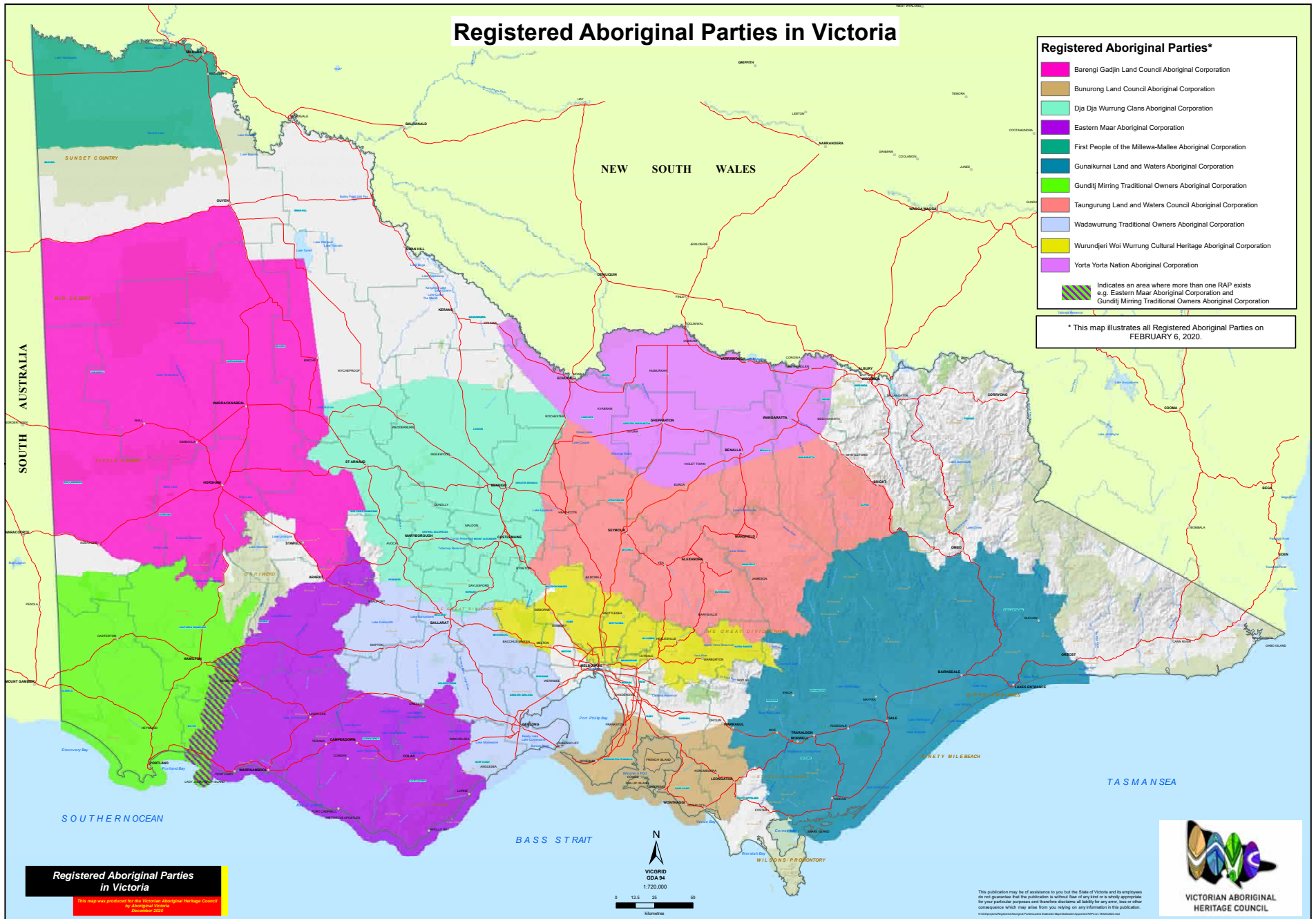


# Registered Aboriginal Parties in Victoria

## Registered Aboriginal Parties\*

- Barngi Gadjin Land Council Aboriginal Corporation
- Bunurong Land Council Aboriginal Corporation
- Dja Dja Wurrung Clans Aboriginal Corporation
- Eastern Maar Aboriginal Corporation
- First People of the Millewa-Mallee Aboriginal Corporation
- Gunaikurnai Land and Waters Aboriginal Corporation
- Gunditj Mirring Traditional Owners Aboriginal Corporation
- Taungurung Land and Waters Council Aboriginal Corporation
- Wadawurrung Traditional Owners Aboriginal Corporation
- Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation
- Yorta Yorta Nation Aboriginal Corporation
- Indicates an area where more than one RAP exists  
e.g. Eastern Maar Aboriginal Corporation and  
Gunditj Mirring Traditional Owners Aboriginal Corporation

\* This map illustrates all Registered Aboriginal Parties on  
FEBRUARY 6, 2020.



## INCREASING RAP COVERAGE, CAPACITY AND SUSTAINABILITY

### COUNCIL NOTICES AND DECISIONS

#### Boundary Variations Considerations - June 2021

Council has the statutory capacity to vary the registered boundaries of existing RAPs. Whilst this is necessarily a complex and sensitive decision-making process, it ensures that self-determination is at the core of defining Country and the responsibilities of those who speak for it.

*"It is Council's responsibility and privilege to register Traditional Owner groups to care for their Country. Each decision Council makes, to register, to decline or to vary Traditional Owners' recognised Country, is an enormous responsibility. We hope that future generations can benefit from the legacies we leave through our decision making."*

– Victorian Aboriginal Heritage Council, June 2021

On 7 June 2021, Council took a major step in determining a formally recognised Traditional Owner group for the Melbourne CBD by releasing proposals to vary the boundaries of the Bunurong Land Council Aboriginal Council (**BLCAC**) and Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation (**WWWCHAC**) for a 3,721km<sup>2</sup> area, that lay between their pre-existing registration boundaries. The area included, in part, the local government areas of:

- |                     |                 |
|---------------------|-----------------|
| • Baw Baw           | • Knox          |
| • Bayside           | • Maribyrnong   |
| • Boroondara        | • Maroondah     |
| • Brimbank          | • Melbourne     |
| • Cardinia          | • Melton        |
| • Casey             | • Monash        |
| • Frankston         | • Port Phillip  |
| • Glen Eira         | • Stonnington   |
| • Greater Dandenong | • Whitehorse    |
| • Hume              | • Wyndham       |
| • Hobsons Bay       | • Yarra         |
| • Kingston          | • Yarra Ranges. |

Under the Act, a RAP must consent to Council's proposal to vary its registration boundary. Council asked both BLCAC and WWWCHAC to indicate their consent to the proposals by 21 June 2021. Both RAPs consented to Council's proposed variations to their registration boundaries and the variation took effect from 1 July 2021.

Council then hosted an information session for anyone interested and all affected by these variations on 1 July 2021. The event, *Welcome to Country – Melbourne, a Place for Our People* was attended by over 300 people (both virtual and in person) at the Melbourne Town Hall.

#### Background

For many years, BLCAC and WWWCHAC had been in discussions regarding variation of their registered boundaries. Both RAPs had approached these discussions in good faith, wanting to ensure that Country was cared for and Cultural Heritage protected by its Traditional Owners. However, the two RAPs had not been able to reach an agreement on a variation of their boundaries and both approached Council to develop proposals regarding their respective boundaries. Council considered the Country that lies between them and asked the question, 'Who speaks for this Country'?

#### The proposals

In answer, the proposals put forward by Council emphasised its understanding of the traditional Countries of the Bunurong and Wurundjeri Woi-wurrung Peoples. In large part, these traditional Countries were defined by natural and environmental features, significantly by water. The direction of water flow provides a clear indication of the shape of Country and reflected the cultural understanding of the Bunurong as "salt-water People" and the Wurundjeri Woi-wurrung People as the "people of the Birrarung" (Yarra River).

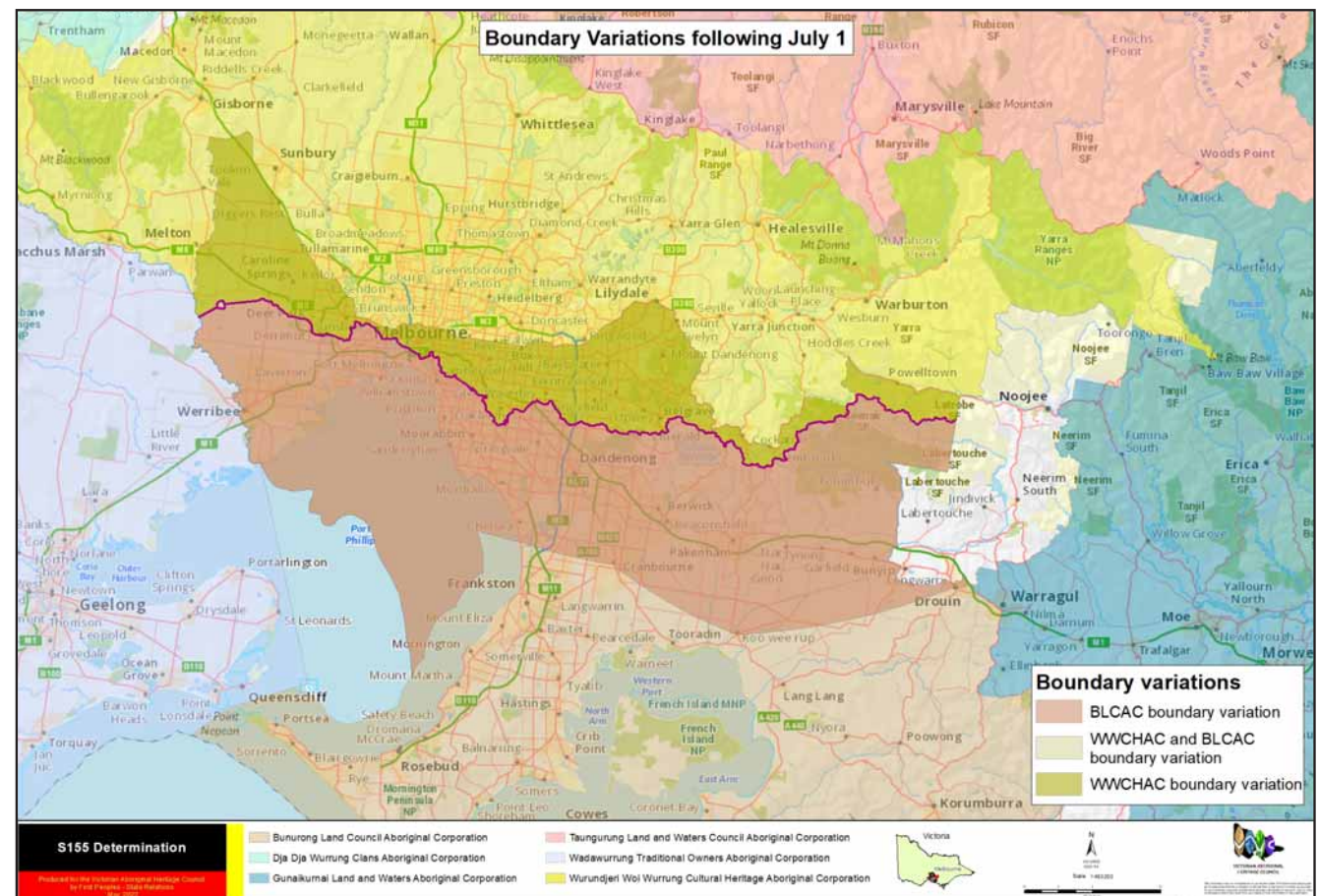


*“A line between our traditional areas, along a road or a current riverway, is an acknowledgement of our colonised environment. As the First Peoples’ of this place now known as Victoria, we must stand strong and protect Country through these imposed structures. Working together, meeting and understanding the old ways, we can strengthen the places where we meet. In this way, our borders between mob can be our strongest places – where we talk to each other, pass across songlines and hold ceremony.”*

– Victorian Aboriginal Heritage Council, June 2021

Council’s proposal considered the Birrarung and the waters flowing into it as the traditional Country of the Wurundjeri Woi-wurrung People. On this basis Council’s proposal recognised the Wurundjeri Woi-wurrung People as the Traditional Owners of the area that is now the Melbourne CBD.

The traditional Country of the Bunurong People however was defined by the waters that flow directly into Port Philip Bay. This Country extends up from the existing BLCAC RAP registration area, west to the Werribee River.



## INCREASING RAP COVERAGE, CAPACITY AND SUSTAINABILITY

### **Bangerang Aboriginal Corporation (BAC)**

At its meeting on 23 July 2020, the Victorian Aboriginal Heritage Council decided to decline in part BAC's RAP application received on 6 April 2020, in relation to the area over which the Taungurung Land and Waters Council Aboriginal Corporation entered into a Recognition and Settlement Agreement with the State of Victoria.

### **Barapa Country Aboriginal Corporation (BCAC)**

At its meeting on 15 June 2021, the Victorian Aboriginal Heritage Council declined an application received on 10 June 2020, for an area that extends from Fish Point (on the Murray river to the north), extending along the Murray River to Robertson's Bend to the east of Cohuna, across to Cohuna. The boundary follows the western side of Know Swamp to Kotta, heads west to Lake Marmal (excluding Boort), continues west to just beyond the Avoca River, then north towards Lake Boga (although excluding it) and Fish Point.



Image: Ed Dunens, Mount Beckworth

### **Dja Dja Wurrung Clans Aboriginal Corporation (DDWCAC)**

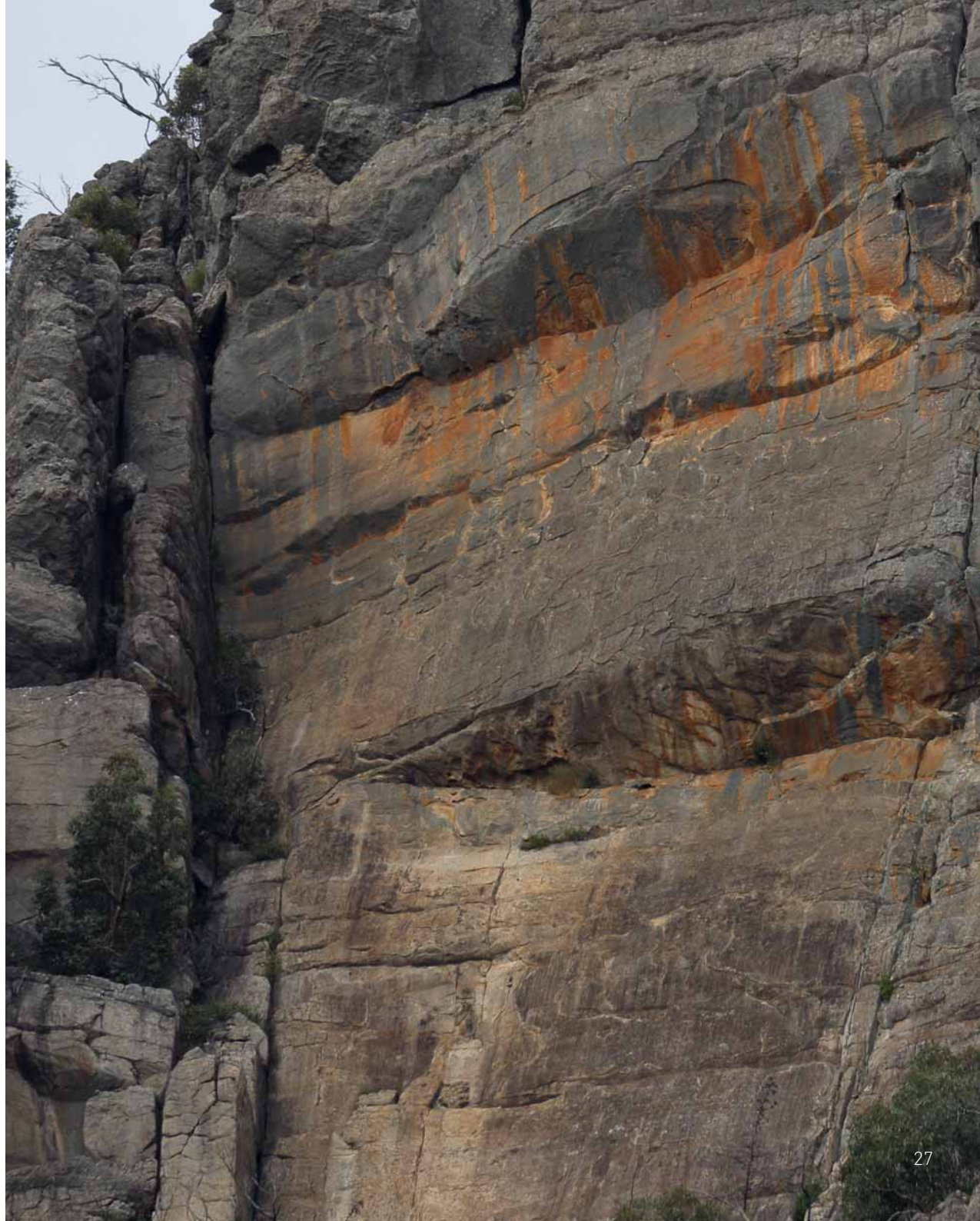
On 18 June 2020, the Victorian Aboriginal Heritage Council received an application by DDWCAC for a boundary variation for the area around Mount Macedon and Anneyelong (Hanging Rock). This application was subsequently withdrawn on 14 September 2020.





**Wurundjeri Woi-wurrung Cultural Heritage  
Aboriginal Corporation (WWWCHAC)**

On 26 August 2020, The Victorian Aboriginal  
Heritage Council received a request from  
the WWWCHAC, for a boundary variation.



## INCREASING RAP COVERAGE, CAPACITY AND SUSTAINABILITY

### COUNCIL'S SUPPORT FOR RAPs

At the centre of much of Council's work is its relationship with RAPs. Not just the establishing body, Council has an ongoing function to support and consider their work and operational functionality. Growing from this foundational work, Council then advocates for RAPs including at a statutory amendment level and through the publication of policies and guidelines that assist the broader sector and community in their appropriate and respectful engagement with Traditional Owner organisations.

Whilst undertaking this work, Council receives reports from RAPs on a variety of issues that inform its advocacy work and in maintaining a state-wide perspective of issues and concerns affecting Cultural Heritage management.

### Western Highway Duplication Project

In November 2020, media attention on protests around the construction of the Western Highway duplication frequently overlooked the role of the local Traditional Owner organisation that represents Djab wurrung and other local Traditional Owners. Then Chair of the Victorian Aboriginal Heritage Council, Rodney Carter, spoke on this issue.

*"There is currently an impassioned public discussion that the 'right' Aboriginal People haven't been consulted in relation to the Western Highway duplication project and that proper process was not followed.*

*This is untrue.*

*To say that it is, diminishes the power and importance of the representative and inclusive structures that Aboriginal People have fought so tirelessly for. In Victoria, Registered Aboriginal Parties manage and protect Cultural Heritage on their Country. These groups are appointed by the Victorian Aboriginal Heritage Council, an independent body of Traditional Owners.*

*Our work at Council is informed not just through our representation but in the quality we bring to a discussion. In and of ourselves, we challenge the presentation of an exclusionist, Coloniser perspective. Council members connect heart with mind and bring to decisions what they believe as Traditional Owners and living embodiment of the oldest living Culture on earth.*

*Through a rigorous decision-making process, Council found that the Eastern Maar Aboriginal Corporation speak for the Country between Ararat and Buangor, which includes the Djab Wurrung trees and landscape. The Corporation speaks for the Eastern Maar Peoples through an inclusive and representative structure and as the knowledge holders of their People's cultural associations, connectivity and traditions on this Country. They are the authentic representative Traditional Owner group for the area.*

*We must respect their decision and their voice.*

*Continued engagement with non-representative groups undermines these Traditional Owner representative structures. The right process has been followed, and through that process, the representative voice has been heard.*

*Of great concern to us, as Aboriginal People and Victorian Traditional Owners, is that the voice of the Eastern Maar Aboriginal Corporation is not being respected in the public conversation. What is more confusing and heart breaking is that they are being attacked, both publicly and privately, by non-Traditional Owner 'allies'.*

*I feel a sense of progress when I see non-Aboriginal people advocating for Aboriginal rights in this state but, due to a lack of understanding of Aboriginal community business, this allyship is sometimes misplaced.*

*Non-Aboriginal Victorians have no right to dictate how Aboriginal communities organise their internal*



*affairs and have no right to attack Aboriginal People on this. These are fundamental rights, defined in the United Declaration Rights of Indigenous Peoples, that should be accorded all First Peoples.*

*Our community, like all communities, can often disagree. And this is okay, lively debate is a sign of a good democracy.*

*Advocacy through hate is not welcomed. Attacking members of the Aboriginal community for fighting for their People is undoing the hard work and dedication of our mob to fight for our rights since colonisation. We must move past paternalism and allow Aboriginal People to speak for their Culture and their Country.*

*To our allies, I do not want to deter you from your advocacy. Our future is a path we must walk together, side by side. Our Cultural Heritage is best understood through demonstrating respect for Traditional Owners – our knowledge, our skills, our appreciation of our Heritage. The practicing of our Culture and Traditions makes us stronger and this strength offers all Victorians opportunities to value, understand and celebrate the unique Cultural Heritage we care for on behalf of all of us.*

*For our People, as custodians of the oldest living culture on earth, we have an ancient lineal connection to Country, to Culture and to each other. As Traditional Owners we have both inherited and created Cultural Heritage. We create artefacts and materials, live traditions and spirituality, and embed it all within the landscape. That is our Culture.*

*Victoria has the strongest Cultural Heritage Laws in the country. We're the only State in Australia where Traditional Owners have the final say in decision-making about the recognition and protection of their Cultural Heritage. There is no Ministerial override. And nor should there be.*

*We have these laws because our People, Aboriginal People, have fought since colonisation to preserve Culture and Country.*

*Let's respect this generational changing work of our Ancestors."*



## INCREASING RAP COVERAGE, CAPACITY AND SUSTAINABILITY

### **RAP Code of Conduct and Heritage Advisor Professional Conduct Guidelines**

One of the areas of light in this pandemic has been Council's RAP Connect, creating a space for Council and RAPs to speak frankly and frequently about our shared work and the Cultural Heritage sector more broadly. It was through these discussions that Council was called upon to publish Guidelines to help those working with the development of Cultural Heritage Management Plans (**CHMPs**) and with Aboriginal Cultural Heritage generally.

Council's Legislative Review and Regulatory Functions Committee has overseen the development of two important Guidelines, rigorously reviewed and contributed to by those working with Aboriginal Cultural Heritage and the development of CHMPs:

- Registered Aboriginal Party Code of Conduct Guidelines
- Heritage Advisors Professional Conduct Guidelines.

The Guidelines, published in February 2021, have been developed to be as much for sponsors, government agencies, and other stakeholders, as they are for the RAPs and Heritage Advisors themselves.

Council's aim in publishing the Guidelines is to clarify and codify the role of:

- RAPs and the standards of work and conduct that should be aspired to
- Heritage Advisors and the standards of work and conduct that meet the expectations of Victorian Traditional Owners.

### **Appointment of Authorised and Aboriginal Heritage Officers**

Council has a responsibility to advise the Minister for Aboriginal Affairs on the training and appointment of Authorised Officers (**AOs**) and Aboriginal Heritage Officers (**AHOs**). The Officers enforce the Act and have responsibility for Cultural Heritage Audits and assess compliance with Cultural Heritage Management Plans and Permits. During this reporting period, Council was pleased to advise the Minister on the appointment of two Authorised Officers.

Council continues to express concern at the capacity of AOs and AHOs to undertake their work protecting and preventing further damage to Cultural Heritage. Without the capacity to enter land or premises without the consent of the occupier, Officers are unable to do anything even if they know that an offence is being committed. It is essential that Cultural Heritage is protected through a system of care and not of managed destruction.

### **STATUTORY FUNCTIONS**

During the reporting period, Council has undertaken the following statutory functions in support of Traditional Owners.

Council provided advice to the Secretary on a CHMP related to Aboriginal Ancestral Remains in an area without a RAP. It also approved a CHMP where the Sponsor is a RAP.





## REGISTERED ABORIGINAL PARTIES

### Code of Conduct Guidelines

These Code of Conduct Guidelines are published by the Victorian Aboriginal Heritage Council pursuant to sections 132(2)(ck) of the *Aboriginal Heritage Act 2006*

February 2021



## HERITAGE ADVISORS

### Professional Conduct Guidelines

These Code of Conduct Guidelines are published by the Victorian Aboriginal Heritage Council pursuant to sections 132(2)(ck) of the *Aboriginal Heritage Act 2006*

February 2021





# TRANSITION AND CAPACITY OF COUNCIL





## **COUNCIL'S RELATIONSHIP WITH GOVERNMENT**

As a full Council, or through representation of the Chair or Deputy Chair, Council has met with the Minister, five times during the reporting period. One on one meetings with the Minister are an important contribution to Council's broader advocacy for the protection of Cultural Heritage and acknowledgment of the complex responsibilities of Traditional Owners in Victoria. Additionally, Council also talks to government through Secretaries, Deputy Secretaries, and in an educative role with other arms of government and ministerial portfolios.

At the forefront of Council's discussions with the Minister during this reporting period have been several key issues. The lack of control of the Aboriginal Cultural Heritage Fund" - DTF had no role in mismanagement, the development of Council's 24 recommendations for effective and self-determined reform of the Act (released after the reporting period in October 2021) and Council's autonomy from Government.

## **COUNCIL'S CUSTODIANSHIP OF ANCESTRAL REMAINS AND SECRET OR SACRED OBJECTS**

Council's ARU has undergone significant change this year including the appointment of former Council members Sissy Pettit and Racquel Kerr to leadership positions within the team. The development of a strategic vision and operational processes has refocused the Unit on their significant cultural and statutory work caring for Ancestors and Objects.

The most significant piece of work undertaken by the ARU this reporting period has been the completion of a consolidated audit of the Ancestors in Council's care. When Council takes custodianship of Ancestral Remains or Secret and Sacred Objects, a case file is opened, and all information is confidentially filed there. Currently, Council has approximately 2,000 cases and each of these cases may include more than one individual. Largely, these cases are those that were transferred to Council from Museums Victoria and other institutions as a requirement of the amendments to the Act in 2016. Each of these 2,000 cases has been examined and a forensic audit of the associated documentation has been undertaken.

Following the completion of the audit, the Unit will progress the repatriation of many of the cases in Council's care, currently housed at Museums Victoria.

### **Care for Ancestors**

Council has opened 29 new cases of Ancestral Remains during the reporting period, inclusive of a significant number of in-situ Ancestors that were on Country and remain in the care of their Traditional Owners.

### **Care for Secret or Sacred Objects**

Council continues to support enforcement of Traditional Ownership of Secret or Sacred Objects. During the reporting period, Council has taken 14 Object cases into its custody and is working towards repatriation back to their Traditional Owners to continue their Cultural care and use on Country.

## **STATUTORY FUNCTIONS**

During the reporting period, Council has discussed with the Minister its *Taking Control of Our Heritage* proposals for reform of the Act and looks forward to progressing this work with the Victorian Government.

Image: Ed Dunens  
Morning Rays, Gariwerd



# VICTORIA'S REGISTERED ABORIGINAL PARTIES





Image: Ed Dunens  
Reflectons, Mitre Lake



## BARENGI GADJIN LAND COUNCIL ABORIGINAL CORPORATION

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admin@bglc.com.au  
www.bglc.com.au



The BGLCAC represents Traditional Owners from the Wotjobaluk, Jaadwa, Jadawadjali, Wergaia and Jupagulk peoples, who were recognised in a 2005 Native Title Consent Determination, the first in south-eastern Australia.

Recognised as the RAP for an area of 37,126km<sup>2</sup> in the north west of the state, the Corporation covers 15.64% of Victoria.

We are committed to engaging with Community, creating strategies to better manage our land and water, looking after historical cultural sites, such as Ebenezer Mission, The Ranch and Billabong former Fringe Camps, and maintaining our cultural lore and practices.

From late 2020, Parks Victoria has been supporting us to develop and deliver a new suite of visitor experiences within the Gariwerd cultural landscape with a focus on Traditional Owners' connection to Country. These sustainably developed experiences will meet the growing demand for guided cultural

tourism experiences, including the Grampians Peaks Trail which is being developed within the Grampians National Park.

Cultural assessments for the preservation and protection for the Dyurrite landscape continue to be a priority to BGLCAC and its community to ensure the protection of heritage.

*"We have strong cultural, physical, spiritual, psychological, emotional and economic connections to these landscapes that go back for tens of thousands of years. Traditional Lore & Custom tells us the Creation Ancestors helped to form many features of these landscapes, and some of these features even represent their physical remains."*

*We view these areas holistically - as living cultural landscapes, not just as places with some heritage sites within them. Environmental values, as well as both tangible (visible) and intangible (not easily apparent) cultural values, are all considered part of the importance of these landscapes to us."*

– Stuart Harradine, BGLCAC On Country Support Officer and Wotjobaluk Traditional Owner

The journey of this work has been an emotional and physical strain on many. Collectively we endeavour to see this through and develop stronger networks of respect and self-determination for the value of heritage and culture for the Wotjobaluk Nations.



Image: Tim J. Keegan, The Nobbies at Philip Island

## BUNURONG LAND COUNCIL ABORIGINAL CORPORATION

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www.bunuronglc.org



The BLCAC represents Bunurong People's rights and interests and manages the statutory responsibilities of the Corporation. We are recognised as the RAP for an area of 8,172km<sup>2</sup>, or 3.44% of Victoria, including the Mornington Peninsula, Westernport and part of South-West Gippsland.

Bunurong People were amongst the first Indigenous people in Victoria that were involved in cross-cultural entanglements with Europeans, and though reduced to just a handful of individuals by the mid-1800s, we are still here and we continue to maintain our cultural obligations to care for the people, the flora and fauna, the lands and the waters within the Bunurong cultural landscape, which is alive with our stories.

Still a relatively young RAP, we have experienced huge growth which has enabled us to employ new staff. We moved into a new building on the foreshore and finalised a two-year strategic plan. However, arguably the most notable development over the past year was our consent to Council's proposed

variation to its registration boundaries, which took effect 1 July 2021. This includes, in part, the local government areas of Baw Baw, Bayside, Brimbank, Cardinia, Casey, Glen Eira, Greater Dandenong, Hobsons Bay, Kingston, Knox, Maribyrnong, Melbourne, Melton, Monash, Port Phillip, Stonnington, Wyndham and Yarra Ranges.

*"This is a highly significant moment for not just the BLCAC, but for Bunurong People. The recognition of the extended RAP area is another important step in a long journey for us. We look forward to the determination taking effect and the work that lies ahead."*

– BLCAC Board

During 2020-21, we had a staff member dedicated to helping the West Gippsland Catchment Management Authority (**the Authority**) develop their renewed Regional Catchment Strategy. Through ongoing steering committee meetings, we provided Traditional Owner perspectives across their projects and plans. Our Memorandum of Understanding (**MoU**) with the Authority continues to guide our partnership and outlines how we will work together, ensuring that from the outset we are involved in all projects within our RAP area.

To help landcarers understand Aboriginal Cultural Heritage, we also helped the Authority to develop a Cultural Heritage Information Pack. The pack

is the first of its kind in Victoria and was used in conjunction with On Country presentations to help landcarers in the region better understand their responsibilities to protect Aboriginal Cultural Heritage.

In the lead up to National Reconciliation Week in May, three sessions involving us, Gunaikurnai Land and Waters Aboriginal Corporation (**GLaWAC**) and Landcarers were held, with more than 60 attendees. On the eve of National Reconciliation Week, the BLCAC representatives Uncle Mik Edwards, Eric Edwards, and Bradley Ward hosted an event at the Powlett River to learn about their Corporation and Cultural Heritage in the landscape.

Uncle Mik spoke about the difference in cultures, and the fact that members of the oldest culture in the world are constantly operating within the parameters of European culture. He encouraged people to be aware and considerate of this.

*"We all have the same colour blood [and should be] walking together."*

– Uncle Mik Edwards, BLCAC

*"It's an ongoing but very rewarding challenge to meet the demands of all the requests we get and balance it against the protection of our heritage."*

– Robert Ogden, Heritage Manager





Image: Drew Berick, I am Djarra, Tourism Bendigo



Image: Ed Dunens , Mount Beckworth

## DJAARA (DJA DJA WURRUNG CLANS ABORIGINAL CORPORATION)

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info@djadjawurrung.com.au  
www.djadjawurrung.com.au



The Dja Dja Wurrung Clans Aboriginal Corporation (**DDWCAC**) proudly strives to represent Dja Dja Wurrung People in their continued rights of recognition as Traditional Owners. We persist in building the aspirations of our Djaara Elders; that every Dja Dja Wurrung person is happy, healthy, and secure in their identity, livelihood, and lifestyle. We are the recognised RAP for an area of 17,369km<sup>2</sup> in the north and centre of the state, and the Corporation covers 7.32% of Victoria.

Over the past year, the DDWCAC transformed and is now trading as DJAARA. Djaara means People, Dja Dja Wurrung People, and without their resilience, determination and strength, the Corporation would not exist. Dja Dja Wurrung People are our foundation, and we must instil that respect. We turn respect into action as we are Balaki Wuka (Giving to community), for our future generations. Our updated logo continues to honour Djaara our People, our Martiinga kuli (Ancestors) and our Community.

Our new brand identity has provided a great tool to reimagine our website. Our website is filled with the many colours of Country, our Dja Dja Wurrung language and most importantly, Dja Dja Wurrung voices and faces.

As a result of lockdowns, we developed new systems and redefined how we yarn, talk and communicate to members. We introduced staff and community language lessons, increased urban planning/architectural consultation and language requests, created a members' area and started the waterways and kangaroo grass projects.

We also participated in the Djaara lights which explored the Dja Dja Wurrung six seasons through projections, a large scale illuminated artwork and an Augmented Reality experience. With Creative Victoria's Creative Activation Fund funding, the artworks are expected to be on display for at least three years.

As part of the Victorian Governments \$105.6 million commitment to Victoria's Great Outdoors, \$2 million has been committed to develop and improve camping and recreation across greater Bendigo. As a result, a Dja Dja Wurrung Camping village will be developed in the Bendigo Regional Park to provide improved outdoor and camping facilities. We are leading the planning design and expenditure of the project, working closely with

partners, Parks Victoria, the City of Greater Bendigo, and Coliban Water throughout. We strive to revive, reinvigorate, and reinstate our language, cultural practices, and knowledge systems. With an expected delivery by June 2022, the Dja Dja Wurrung camping village will showcase Dja Dja Wurrung presence in its thriving box-ironbark landscape.

*"Many homes existed on Country, and there were villages and places of community living; sadly those homes are no longer standing. This village concept for camping on Country will be the first to be built in nearly 200 years and will provide, not only for Dja Dja Wurrung People but visitors to central Victoria, a unique experience of connecting to Country; please enjoy this achievement with us."*

– Rodney Carter, Dja Dja Wurrung Group CEO



## EASTERN MAAR ABORIGINAL CORPORATION

PO BOX 546, Warrnambool  
VIC 3280  
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Eastern Maar Aboriginal Corporation (**EMAC**) is the professional organisation that represents and manages the Native Title rights, Cultural Heritage protection and Interests of the Eastern Maar People of South West Victoria. This includes Ararat, Warrnambool, Port Fairy, Great Ocean Road and an area that stretches 100m out to sea from low tide which encloses the iconic Twelve Apostles.

The name 'Eastern Maar' is a collective reference adopted by people who identify as:

- Maar
- Eastern Gunditjmara
- Tjap Wurrung
- Peek Whurrung
- Kirrae Whurrung
- Kuurn Kopan Noot and/or
- Yarro waetch (Tooram Tribe), amongst others.

EMAC has a board of directors consisting of Traditional Owners and is a registered organisation under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006*. Each of the 12 identified Eastern Maar family groups has a position on the board. Directors have two-year terms. Recognised as the RAP for an area of 19,177km<sup>2</sup>, the Corporation covers 8.08% of Victoria.

EMAC is in a growth phase, transitioning into a more strategic phase of the organisation.

The first weekend of April 2021 marked tragedy for the Eastern Maar group, as Traditional Owners were traumatised following the destruction of part of an ancient ceremonial landmark. An estimated 60-metre section of the 176-metre eel-shaped structure was removed from the Kooyang Stone Arrangement at Lake Bolac.

*"We cannot understate the importance of this site or the devastation that this destruction has caused. The stone arrangement at Lake Bolac is steeped in cultural and historic importance and was a major gathering place prior to European colonisation. Different language groups and different nations came to this space to celebrate the life cycle of eels, which are of great cultural importance and the basis for an entire aquaculture industry."*

*It is traumatic and heartbreaking...We will continue to keep watch and await the outcome of Aboriginal Victoria's investigation into the factors and circumstances that led to the damage."*

*– Statement from Eastern Maar Aboriginal Corporation*

In positive news, Eastern Maar citizens began consulting with the DELWP in September to change the lookout on Great Ocean Road by installing new artwork. Working in partnership, Traditional Owners are helping to influence the colours and the design, including the endangered Red-tailed Black cockatoo which resides in that area. This project has been a good way to inject Maar Culture back into the landscape.

EMAC is also working closely with the Gunditjmara and Barengi Gadjin groups with a view to endorsing the Greater Management Plan. If signed off, this will bring the focus of places like the Grampians back to Culture, rather than simply recreational. It will help mitigate rock climbing in places where there is rock art or intangible significance.

In October, Warrnambool's Maar Nation Gallery received state-wide recognition with the Archival Survival Award for Small Museums and Galleries. Instrumental to this was the work of the steering committee – upon which EMAC's member John Clarke sits.





Image: Ed Dunens  
Mt Buangor, Mt Buangor State Park

Along with 6 other members, John cultivated a space where history and Culture can be interpreted and celebrated. A space where First Nations people of South West Victoria can strengthen their identity and their sense of pride by keeping the stories alive. A space where the broader community can learn and protect Maar Nation culture.

No longer denied access to viewing or learning about Ancestral Objects, this Aboriginal-led initiative highlights the importance of Traditional Owners leading and making critical decisions about their own Cultural Heritage – with outcomes that everyone can benefit from.

*“We are extremely proud of the work we have carried out with respect to cultural and environmental heritage. This work is broad and varied. It involves partnering with various stakeholders to ensure the repatriation of our Ancestors; the preservation of various sites, middens and artefacts; and the successful negotiations with governments to ensure major construction projects do not threaten sacred aspects of our history and landscape.”*

– Marcus Clarke, CEO



Image: Ed Dunens, Port Fairy





Images: K Stewart, Wallapolla Island



## FIRST PEOPLE OF THE MILLEWA-MALLEE ABORIGINAL CORPORATION



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The First People of the Millewa-Mallee Aboriginal Corporation (**FPMMAC**) represents the Ngintait and Latji Latji Traditional Owners of the Millewa-Mallee lands in the far north-west of Victoria.

As a Traditional Owner Corporation, we seek to represent the interests and well-being of our members and community. **Country, Culture and People** are our guiding principles, as we seek to provide Indigenous employment opportunities in caring and healing our traditional lands and

waterways. Recognised as the RAP for an area of 7,870km<sup>2</sup>, the Corporation covers 3.31% of Victoria.

Throughout the 2020/21 year we have grown capacity and expanded with increased Biocultural Landscape programs, staff and resources. We employ 27 *Cultural Rangers: Custodians of Country*, to heal the landscape and waterways. These Cultural Rangers are working on the development of Australia's largest native animal sanctuary, have developed the largest native seed bank in the north-west of Victoria, operate our native plant nursery and undertake feral animal controls and noxious weed eradication, as well as engineering and construction roles. This year has also seen the introduction of a River Ranger component of our program, with training being undertaken to operate our proposed native fish hatchery, with a focus upon small bodied endangered native fish species.

The native plant nursery, native seed bank and the development of a 20-hectare Native Seed Production Area are being developed in order to undertake mass plantings throughout Neds Corners Station and the Murray Sunset National Park for the healing of Country.

First People of the Millewa-Mallee have also undertaken significant Cultural Heritage protection activities throughout the year, employing many

Traditional Owners working on Country to protect and enhance the environment. We have also continued the development of our Ponnun Pulgi: Healing Country Together ancestral reburial program, which has led to our application for National Heritage listing, to allow for greater protection of the thousands of burial sites within our RAP area.

*"Over the past year we have continued to grow our capacity and employ our Indigenous people. We have worked particularly on Cultural Heritage protection along the Murray River and recovering ancestral burial grounds. Our Biocultural Landscape programs benefit our Country, Culture and People, as we pay our respects to our Ancestors and care for our lands."*

– Uncle Norman 'Tinawin' Wilson, Chairperson





Image: Mick Stanic, Bulltown Spur Track



Image: Mick Stanic, The View North near Mt. Grant



## GUNAIKURNAI LAND AND WATERS ABORIGINAL CORPORATION



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www.gunaikurnai.org

The GLaWAC represents the Traditional Owners of a large area of Gippsland, the five clans of Gunaikurnai – Brataualung, Brayakaulung, Brabralung, Krauatungalung and Tatungalung.

We are recognised as the Traditional Owners of approx. 1.33 million hectares including 200m of offshore territory (an area of 25,770km<sup>2</sup>). Our country spans from Warragul in the west to the Snowy River in the east, and from the Great Divide in the north to the coast in the south, 10.85% of Victoria.

Over the past year, we have celebrated the 10th anniversary of our Recognition and Settlement Agreement and registered Aboriginal party status,

launched our new website for members and community, developed the Gunaikurnai Indigenous Cultural and Intellectual Property (ICIP) Protocol, and received water rights on the Mitchell River in East Gippsland to restore our customary practices.

The RAP team continue to partner with the Monash University Indigenous Studies Centre, to uncover the ways of the old people, with several scientific papers published. At Cloggs Cave near Buchan, the team found the first archaeological remains of Bogong moths on a small grindstone. As far as we know, these are the first remains of insects as a food source on stone artefacts anywhere in the world. There is also evidence that the cave was a place actively used for special, magical purposes with a standing stone uncovered toward the front of the cave and a 23,000 year-old crushed mineral deposit – stalactites likely broken off by a mulla-mullung – in a small alcove at the back of the cave.

GLaWAC have been working together with neighbouring mobs to share knowledge and care for Country. In South Gippsland, we have been collaborating with Bunurong and Boon Wurrung to determine the long-term management of Ancestral Remains at Venus Bay and coastal erosion at Shallow Inlet. In the high country, GLaWAC are working together with Jathmiathang to investigate the reduction of the Bogong Moth population and the

impacts this is having on the critically endangered Mountain pygmy-possum. This knowledge sharing helps to reconstitute the Bogong Moth as a significant totem and reconnects us to the shared ceremonies and celebrations held by our Ancestors.

Protecting Gunaikurnai Sea Country continues with the stabilisation of a culturally significant site at Round Head on the Gippsland Lakes known to contain middens, artefact scatters and burial sites. We have finalised the report for the Gippsland Lakes and Ninety Mile Beach Cultural Heritage assessment, and delivered the South Gippsland Coastal Erosion Climate Change Sea Rises Report to DELWP.

In the wake of the Black Summer bushfires, GLaWAC has established a Bushfire Recovery Crew to help read and heal Country by monitoring totem animals and plants across the fire footprint. The project is an opportunity to rediscover traditional knowledge, build the capacity of our young ones and work together with agency partners to shape land management practices that will benefit Country as a whole.



*"This one grindstone is telling the story of the Bogong Moth connection - that the caves connected with the alpine area - and informs of a past that a lot of Elders can't experience anymore. If collaboration and partnerships are based on mutual respect and understanding, communities have got an opportunity to learn together and to gain more knowledge about our old people. That knowledge of the past can then provide a roadmap for the future."*

*- Russell Mullett, RAP Manager*

*"I find it very rewarding and educational to work on my Country; it makes me even prouder to be a Gunaikurnai man getting to know more about the rich Indigenous history of our ancestors who walked this land before us"*

*- Shay Terrick, Joint Management Ranger*







Image: Ed Dunens  
Brolgas, Bryan Swamp, Gariwerd



## GUNDITJ MIRRORING TRADITIONAL OWNERS ABORIGINAL CORPORATION



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The Corporation represents the Gunditjmara  
People of south western Victoria as the Traditional

Owners of the areas encompassing Portland, Heywood, Hamilton, Casterton all the way up to Harrow and across to the Grampians. We hold culturally significant properties across Gunditjmara Country on behalf of the Gunditjmara community. Recognised as the RAP for an area of approximately 13,924km<sup>2</sup>, including shared Country with Eastern Maar Aboriginal Corporation. GMTOAC covers 5.86% of Victoria.

On 18 December 2020, the Hon. Gabrielle Williams MP, Minister for Aboriginal Affairs toured the UNSECO World Heritage Listed Budj Bim Cultural Landscape. The area includes our Keeping Place/ Business Centre, Lake Condah/Tae Rak with its 6,600 year-old aquaculture systems and Allambie's stone house villages.

Cultural burning is just one example of the work we do to care for Mirring (Country). All activities that we do on Mirring as the World Heritage Unit, play

an important role in healing our Mirring. Healthy Mirring means Healthy Mara (people). Cultural burning is one of many practices we have worked hard to revive to ensure our continued connection to Gunditjmara Mirring. Our cultural practices were suppressed for so long and we are still healing our Mirring from the destruction caused by colonisation.

Currently we deliver the Weeyn Yarkeen Fire Strategy which assists us in revitalising our practice of burning Mirring. When we burn our Mirring, we burn it with purpose, which helps all the plants and animals of that area.

We burn Puunyart grass to help it regenerate so we have the resources to make our Ngarrapeen (eel basket) and we burn the swamps which is the habitat for the endangered Australasian Bittern (among many other purposes). Restoring this traditional practice benefits everything by healing Mirring and Mara.



## TAUNGURUNG LAND AND WATERS COUNCIL ABORIGINAL CORPORATION



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www.taungurung.com.au

The Taungurung Land and Waters Council (**TLaWC**) represents the interests of the clans of the Taungurung — Benbendore-balluk, Buthera-balluk, Gunung-Yellam, Leuk-willam, Moomoomgoonbeet, Nattarak-balluk, Nguraillam-balluk, Nira-balluk, Tenbringnellams, Walledriggers, Waring-illam-balluk, Warrinillum, Yaran-illam, Yirun-ilam-balluk, and Yowungillam-balluk. Recognised as the RAP for an area of 20,215km<sup>2</sup>, the Corporation covers 8.51% of Victoria.

The 2020/2021 year saw immense growth in the provision of services and outcomes for Taungurung People and Country, which included the launch of the Taungurung sovereign flag on 7 May – the first Traditional Owners in Victoria to launch a flag of our own. The Taungurung flag was designed by Aunty Loraine Padgham from a competition that involved engagement from community.

There were significant renovations undertaken to both the Broadford and Alexandra offices to accommodate increased staff numbers, creating a welcoming space focused on natural landscapes and colours.

With funding acquired from Bushfire Recovery Victoria (BRV), Fire Story camps were held in 2021. Our staff presented to members about the impacts of the devastating bushfires of 2020 on Taungurung Country, and the response from staff in protecting Cultural Heritage in locations affected by the actual fires or by the preparatory and suppression works.

Our Tourism team has been working with Parks Victoria to develop “ecopod” accommodation at Mount Buffalo National Park. We are also currently exploring sustainable Taungurung-led operating

models that will generate revenue in the long-term, job opportunities, and support community aspirations for activities on Country.

Biik Environmental was established by TLaWC to provide cultural and natural resource management (CNRM) services right across Taungurung traditional Country. TLaWC expects that Biik Environmental will always be the go-to body for local government and for all State departments and agencies in relation to NRM services, consistent with the procurement rights that Traditional Owners have in Victorian Government policy. Biik Environmental’s work is undertaken in accordance with the TLaWC principles of healing Country, reading Country and caring for Country.

We have been investigating possible Mountain Pepper economic development opportunities through the commissioning of a scoping paper into the feasibility of different Mountain Pepper production options. TLaWC has received funding to develop infrastructure to support the growing, harvesting and processing of Mountain Pepper and other native botanicals both at its King Valley property and across Taungurung Country.





Since commencement of the Recognition and Settlement Agreement (**RSA**), we have received a significant volume of Land Use Activity Agreement (**LUAA**) notifications. Many of these notifications of 'Public Works' on Crown Land require a site or 'works' inspection to understand the full extent and impact of any proposed works. The LUAA specifically states that all works undertaken on Taungurung Country are to be assessed for their

impact on Taungurung rights. We therefore ensure that we receive Taungurung feedback on any notified activities prior to providing our formal response.

We will be increasing our engagement with the mob to inform the development of many key strategies and policies. Our aim is to create a set of well-informed goals and objectives to support the Taungurung Nation to activate rights, and to heal and care for Country. We are also working on creating

a system to support the healing of Taungurung knowledge and practices, and learning/sharing opportunities to empower the mob to heal our systems of knowledge and practice.

We look forward to connecting with you all and going on this journey together to create opportunities for the Taungurung Nation to heal and care for Country, and to be empowered in decision making and direction setting across our territories.





Image: Ed Dunens, Boundary Gap, Lake Wongan

## WADAWURRUNG TRADITIONAL OWNERS ABORIGINAL CORPORATION



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The Wadawurrung Traditional Owners Aboriginal Corporation (**WTOAC**) proudly strives to represent Wadawurrung People in their continued rights, authorities and ongoing connections as the recognised Traditional Owners for their vast area of Country.

Wadawurrung's RAP area covers over 10,000km<sup>2</sup> on the western side of Melbourne and includes the major regional cities of Geelong and Ballarat. This area incorporates the activities of 11 separate local councils – including many that are experiencing very high rates of growth in terms of population, infrastructure, commercial and residential development. Wadawurrung Country

also incorporates the start of the Great Ocean Road, one of Australia's most iconic and popular tourist destinations.

On 5th August 2020, the Corporation was renamed to Wadawurrung Traditional Owners Aboriginal Corporation. Along with a name change, we were pleased to announce an updated corporate logo that maintains the essential elements of the one originally developed by Wadawurrung Elders. The background is Jarosite ochre and when the logo is shown sitting on top of the ochre, it represents Wadawurrung People protecting Country. The colour Black represents the People, the Murrnong flower represents the Women and the Chevrons represent the Men.

This year we have continued working with the community, responding to increased requests for language, Cultural Ceremonies, Reconciliation Action Plans for review, CMA engagement and urban planning/architectural consultation.

The launch of the Wadawurrung Country Plan, *Paleert Tjaara Dja* (Let's make Country good together) was certainly a milestone during the year that has provided the Corporation with a clear direction and focus. The plan, written and endorsed by Wadawurrung Traditional Owners, details the values and key threats that Wadawurrung People want their partners and stakeholders to consider

in working together to help heal and strengthen Wadawurrung Country and Culture.

On 19th March 2021, a special ceremony was held to mark Boral's gifting of a culturally significant 3.6 hectare parcel of land to Wadawurrung Traditional Owners. The site includes a one-acre parcel of land that in 1861 was set aside as a reserve for Wadawurrung People to reside. This is the first time ever any Wadawurrung land has been returned to its rightful Traditional Owners. It is planned that over the coming year, the Corporation will look to engage with Members about possible and appropriate uses for the site.

We have continued to protect Wadawurrung heritage and Country through the naming of waterways. Four watercourses in Ballarat were added to the VICNAMES register including Black Hill Creek, Gladstone Street Creek, Gnarr Creek and Redan Creek. Naming of waterways helps protect Cultural Heritage as unnamed waterways are deemed to not have Cultural Heritage sensitivity under the *Aboriginal Heritage Act 2006* and, depending on the nature of activities proposed, this can mean that areas of potential cultural significance can be at risk.

We have grown significantly, and there are now many more Wadawurrung Traditional Owners working within the Corporation. The Victorian Government recently announced their support for a new team





Image: Ed Dunens, Reflections at Sunset, Lake Wogan

of specialist teachers to help revive endangered Aboriginal languages on Country and in classrooms across Victoria. Through this program, Wadawurrung Traditional Owner, Corrina Eccles, is teaching Wadawurrung language to students at Moolap Primary School.

Cultural fire management is an important element for healing Country. During the year, Wadawurrung Traditional Owners were involved in a number of cultural burns on Wadawurrung Country. One burn was at the western edge of the You Yangs, and another was conducted on a private property at Stockyard Hill.

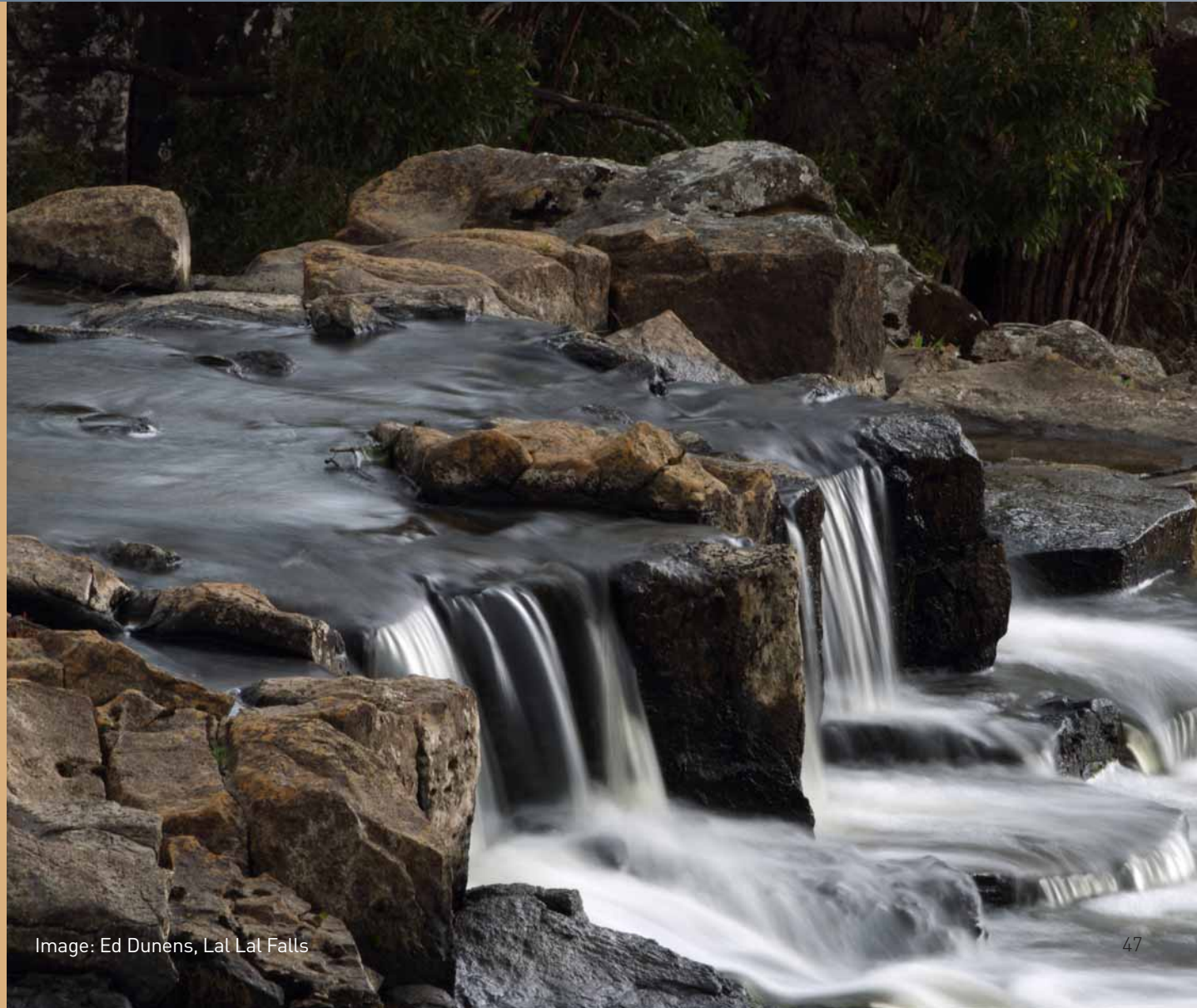


Image: Ed Dunens, Lal Lal Falls





Image: neekla, Mt Donna Buang View



Image: thedinostrategy, Forest Gallery, Mt Donna Buang



Image: thedinostrategy, View from Mt Donna Buang

## WURUNDJERI WOI-WURRUNG CULTURAL HERITAGE ABORIGINAL CORPORATION

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The WWWCHAC is a registered Aboriginal party appointed under the *Aboriginal Heritage Act 2006* that holds statutory responsibilities for the protection and management of Aboriginal Cultural Heritage places and objects; other functions of the Corporation include water governance, the provision of cross cultural training and events, cultural heritage and land management services. We are the RAP for an area of 7,089km<sup>2</sup>, covering 2.99% of Victoria.

The end of last year was marked with a nursery workshop as the first part of a multi workshop study tour. There have also been the removal of Arum Lilly at Gresswell Forest, and of Gorse and Boxthorn along Merri Creek.

The Yarra River Action Plan and Waterways of the West program has enabled us to document our cultural values within the Bulleen-Banyule Flats and Jacksons Creek at Sunbury. These studies identified highly significant cultural landscapes and provided the basis for asserting Wurundjeri Woiwurrung aspirations within future planning processes.

In February, we commenced work with Melbourne Water on a 5-year project in Macedon Regional Park. The key objectives of 'Healing Geboor though Wurundjeri Wiiiñ' is to improve the health of creeks and gullies in the park. Our team are using Wurundjeri fire practice to manage weeds and regenerate the indigenous vegetation. The crew has mainly focused on manually treating radiata pines and blackberry. We have used a variety of techniques, including 'drill and fill', 'frill and fill' and 'girdling'. We have also set-up several monitoring plots and recorded the plant species and densities in each. This data will act as a baseline against which we will assess the impacts of Wurundjeri burning practices.

We look forward to leading this multi-year project and having Melbourne Water work alongside us to help regenerate our Country!

In early 2021, the Wurundjeri Woi-wurrung People were recognised as the Traditional Owners of the area that is now the Melbourne CBD and large parts of metropolitan Melbourne. This meant that 2,738 km<sup>2</sup> of Country and Waters would now be formally cared for and protected by its Traditional Owners. This includes, in part, the local government areas of Baw Baw, Brimbank, Cardinia, Glen Eira, Knox, Maribyrnong, Melbourne, Melton, Monash, Port Phillip, Stonnington and Yarra Ranges.





Image: Alan Dusk, Pelicans on Barmah Lake

## YORTA YORTA NATION ABORIGINAL CORPORATION



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*"We have worked our way into a solid foundation for YYNAC people of the future. This year has been very challenging for the Elder's Council due to Covid which meant we were not able to hold many meetings.*

*For YYNAC many milestones were achieved, we were overwhelmed with the crowd we saw on the Dharnya NAIDOC day with up to 800 people there. YYNAC staff displayed all the fantastic projects such as the Dharnya Centre redevelopment, Ulunja*

*Farm Project, the Barmah Lakes Project which could be a living pathway from Dhanyina Centre to the Lakes, and I see the YYN Parks Victoria Rangers as a part of the YYN BNP Joint Management Plan. I would like to pay respects to each and every one of our staff who make it all happen; I look forward to working with you all in the future and seeing all of our plans come to fruition."*

*YYNAC Chairperson Council of Elders 2017 – 2021.*

The Yorta Yorta Nation Aboriginal Corporation (YYNAC) represents our People with undeniable bloodlines to the Original Ancestors of the Land of the Yorta Yorta Nation. These bloodlines link Yorta Yorta peoples' past, present and future to one another, with traditional laws, customs, beliefs, and sovereignty intact.

Our Yorta Yorta People forged a path through a long fought battle in the courts on the streets and through petition for recognition, which has eventuated in successfully signing off on agreements with the Victorian Government. We have maintained our status as a Victorian Recognised Aboriginal Party for an area of 13,199km<sup>2</sup>, with Yorta Yorta Nation covering 5.56% of Victoria. We still have a long way to go but recognition of First Nation Peoples Self Determination and Self Governance is truly the destination set by Government; our future generations have a lot to look forward to.

Within the Governance of the YYNAC the Board and CEO have successfully undertaken a turnaround over the last five years, which is reflected in our 2021 to 2030 YYNAC Strategic Plan, which outlines four key objectives:

1. Assert cultural authority and gain greater autonomy and independence
2. Empower family groups to be strong in their identity and to determine their own futures
3. Safeguard and promote Yorta Yorta cultural knowledge and intellectual property
4. Build a sustainable organisation that reflects the aspirations of Yorta Yorta Nation People

We kicked the year off with the move into our new administration building at 35 Schier Street Barmah, which was officially opened on 31 April 2021 by the Minister for Aboriginal Affairs, the Hon. Gabrielle Williams, in attendance to help us mark this momentous occasion.

The Yorta Yorta Nation Whole of Country Plan 2021-20 has been an important guiding document for the preservation and protection of our Culture and Country. Our focus is caring for Country, providing a sustainable environment by applying cultural principles to its management. This includes



more access to water through cultural flows water across Yorta Yorta Country, expanding our cultural burns process and development of the cultural mapping of our country.

One of Yorta Yorta Nations most significant and sacred places is the Ghow Swamp. In partnership with the DELWP, First Peoples - State Relations and of course our Yort Yorta Elders and Staff we developed the Ghow Swamp Landscape Conservation Management Plan and recently submitted Ghow Swamp for listing on the Victorian Heritage List and Commonwealth Heritage List for the 22-23 assessment period.

Of great benefit has been development over the past year of the Yorta Yorta Barmah Nation Park Joint Management Implementation Plan which provides a partnership with Park Victoria under our Yorta Yorta Co-Management Agreement struck in 2004. Access to funding under the Victorian Governments Economic Stimulus has seen a huge investment into redevelopment of the iconic Dharnya Centre Complex, which provides a gateway to one of our most culturally significant parts of Yorta Yorta Country; our Barmah National Park. It is a place of the last frontier wars, an important place for our Culture and Stories, a place to teach and hand over responsibility for our Culture and Environmental protections to our future generations. It also provides a top class tourism destination which will grow the opportunities for our Yorta Yorta People in a culturally economical and sustainable way. The Dharnya Centre will have an opening in late 2022.





Image: Barmah Millewa Collective, Misty Red Gum Barmah



