

Victorian **Aboriginal Heritage Council**

10 YEAR
ANNIVERSARY
EDITION

Edition VII May 2017



Eleanor A Bourke
Chairperson

**THIS EDITION IS A
VERY SPECIAL ONE,
AS THE VICTORIAN
ABORIGINAL
HERITAGE COUNCIL
CELEBRATES 10 YEARS
OF PROTECTING
AND MANAGING
ABORIGINAL
CULTURAL HERITAGE
IN VICTORIA.**

“It is hard to conceive that the Council has been in operation for ten years. Describing everything that has been achieved in that time is even harder. Established under the trailblazing *Aboriginal Heritage Act 2006*, the Council was formed to ensure that Traditional Owners throughout Victoria play a central role in the protection and management of their heritage.

The Act came into effect on 28 May 2007, commemorating the anniversary of the 27 May 1967 federal referendum which overwhelmingly determined (90.77% ‘Yes’ votes) that Aboriginal peoples could be counted as citizens.

Since its inception, a guiding principle of Council has been that we stand united in our decision making. We have worked hard, we have embraced challenges as opportunities, and we have done so for the collective protection of our irreplaceable heritage.

Many people and organisations have supported us during this journey.

First and foremost, I would like to acknowledge our Elders, past and present, who started and continue to fight for our inherent rights as first peoples.

I would like to acknowledge the contribution of current and former Council members and those that served as Chairpersons during their term.

Finally, I would also like to acknowledge the Council’s Secretariat for its support over the years, and take this opportunity to highlight the contribution of our former Secretariat Manager, Maria Pizzi. Maria is professionally qualified as a lawyer and social worker but has an unique skill set, beyond any formal training, that she shared with us and with which she led the Council’s Secretariat for nine years. Maria’s support and hard work is testament to her passion and commitment to the protection of Aboriginal cultural heritage and its management by Traditional Owners. We will miss her dearly.

Council has had an extremely busy start to 2017 with our new functions and our move towards autonomy, as outlined further in this newsletter.

We look forward to celebrating our ten year anniversary with you throughout 2017 and other milestones in the near future.”



Council members, the Minister for Aboriginal Affairs and Secretariat members Maria Pizzi and Kathy Markotis



L-R: Maria Pizzi and Eleanor Bourke

KEY STAKEHOLDER MEETINGS

Council continuously advocates for the rights of Traditional Owners and regularly seeks opportunities to engage with high-level government officials for this purpose. In February our Chairperson met with the Special Minister of State, Hon Gavin Jennings; whilst in March, Council met with the Attorney General of Victoria, Hon Martin Pakula, to continue discussions about Council's new powers and functions.

Our Chairperson also met with the Chairperson of the Heritage Council of Victoria, Professor Stuart Macintyre AO, reaffirming the desire of both Councils to continue working on the Shared Values project. This project aims to enhance the recognition of Aboriginal and 'shared' cultural heritage values, under the *Heritage Act 1995*, and to see cultural heritage values of significance to Aboriginal people accurately represented in the Victorian Heritage Register.

The Council has also had the privilege of meeting with two interstate bodies responsible for the protection of Aboriginal cultural heritage in their respective jurisdictions. In February this year, Eleanor Bourke and Tim Chatfield, as Chairperson and Deputy Chairperson, were invited to meet with the South Australian State Aboriginal Heritage Committee. And in April Eleanor Bourke, Nellie Flagg and Marie Havea were invited to meet with the Aboriginal Heritage Council of Tasmania over three days (pictured below). These meetings provided valuable learning experiences and opportunities to share how cultural heritage protection is legislated in other states and the role of state-wide bodies in its protection. The Councils look forward to building on these relationships into the future.

Eleanor Bourke, Nellie Flagg and Marie Havea meet with the Aboriginal Heritage Council of Tasmania





Council member Rodney Carter with Yuko Yajima and Tomoko Kase of the International Affairs Division of the Aichi Prefectural Government

EXCHANGE PROGRAM IN JAPAN

In March 2017, the Council was invited to join Aboriginal Victoria's Lucy De Kretser on an exchange program with Victoria's sister state, Aichi, in Japan. Lucy is responsible for implementing the new legislation in relation to the registration of Aboriginal intangible heritage in Victoria, and was awarded the opportunity to explore intangible heritage legislation and policy in Japan.

Lucy was accompanied by Council member Rodney Carter for a week-long learning experience about legal provisions for managing and protecting cultural heritage in Japan. Japanese legislation addresses intangible cultural properties, folk-cultural properties and traditional techniques for conservation of cultural properties.

While sharing his own knowledge, Rodney also learnt about the various initiatives to encourage the safeguarding of intangible heritage. This includes the Living National Treasures program, which invests in training successors and sustaining cultural practitioners, and the subsidising of certain studies to encourage young people to become involved in this work.

**FOR THE LAST TEN YEARS, COUNCIL HAS WORKED WITH ALL
VICTORIANS FOR THE PROTECTION AND ENJOYMENT OF
ABORIGINAL CULTURAL HERITAGE.**

PROMOTING AWARENESS OF ABORIGINAL CULTURAL HERITAGE AND THE RIGHTS OF TRADITIONAL OWNERS

Council is dedicated to ensuring that the cultural rights and responsibilities of Traditional Owners are realised and respected. Some of the ways in which Council has advocated for this in the last six months include:

- Making submissions to reviews of legislation and policy. This has included submissions to the review of the *Flora and Fauna Guarantee Act 1988*, the *Integrated Water Management Framework for Victoria* and the *Game Management Authority's Sustainable Hunting Action Plan 2016-2020*.
- Representation on various external reference, working and advisory groups/committees, including:
 - Aboriginal Treaty Interim Working Group
 - Aboriginal Victoria Certificate IV in Aboriginal Cultural Heritage Management Reference Group
 - Aboriginal Victoria Intangible Heritage Working Groups
 - Right People for Country Program Steering Committee
 - Shared Values Joint Working Group with the Heritage Council of Victoria
 - Victorian Climate Change Advisory Panel
 - Victorian Environmental Assessment Council Statewide Assessment of Public Land Community Reference Group

LOOKING AHEAD

Council's priorities for the next six months include:

- Revision of Council's current 2014-2019 Strategic Plan to ensure our strategic direction aligns with our new functions
- Disseminating information about everyone's responsibilities under the new legislation regarding the treatment of Aboriginal secret and sacred objects
- Consultation with RAPs and other stakeholders, to consider the most effective ways to assist RAPs through our new functions
- Updating the Ancestral Remains database to better manage information regarding the transfer and repatriation of our Ancestors' Remains
- Investigating options for the respectful storage and analysis of Ancestral remains
- Working consistently on updating internal policies and procedures to incorporate Council's new functions
- Establishing Advisory Committees to specifically assist and advise us Council managing the new Aboriginal Cultural Heritage Fund

COUNCIL WELCOMES LANDMARK PROSECUTION UNDER THE ACT

A landmark prosecution under the *Aboriginal Heritage Act 2006* has upheld the importance of Aboriginal cultural heritage to all Victorians.

The Seymour Magistrate's Court found that a Victorian farmer knowingly harmed Aboriginal cultural heritage. The Court then imposed a fine under the Act of \$20,000 for the damage incurred by quarrying sand from an identified Aboriginal place. A survey of the site in 2014 identified that "the quarrying activity resulted in significant alteration to the natural landscape, with sandy rises being removed or truncated through excavation resulting in flat, benched surfaces in stark contrast to the surrounding area".

The magistrate's comment, that the "era of regarding such regulations (the requirement for a Cultural Heritage Management Plan) as a mere convenience must stop", is a clear statement that Aboriginal cultural heritage must be respected and protected in Victoria.

For more information about Council, visit

<http://dpc.vic.gov.au/index.php/aboriginal-affairs/victorian-aboriginal-heritage-council>

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