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Submission to the Parliamentary Inquiry into the establishment and effectiveness of Registered Aboriginal Parties.

Taungurung Clans Aboriginal Corporation (TCAC) was granted Registered Aboriginal Party (RAP) status in July 2009 for a large portion of central Victoria.

The establishment of the Aboriginal Heritage Act 2006 and the appointment of RAPs took great leaps forward in the protection of Aboriginal cultural heritage and acknowledged the significant role that traditional owners play in the protection of our heritage.

The new legislation had a profound effect on the mindset of traditional owner groups. Where previously we had been just involved in the field assessment. As a RAP we now have decision making authority over our cultural heritage and significant input into the protection of that heritage. We are now the ones on the ground doing the work and expressing the equal importance of cultural values associated with the archaeology of heritage sites.

A RAPs key legislative responsibility is to evaluate cultural heritage management plans (CHMPs) within a statutory timeframe. To date we have successfully evaluated 31 CHMPs within that timeframe. This indicates that we are meeting our statutory responsibilities, however we are also required to, as a corporation, report to ORIC and meet other business requirements that impact on time and resources

For smaller regional RAPs like TCAC, there is an opportunity to work on country and develop relationships with developers and other stakeholders on an equal footing. This opportunity did not exist prior to gaining RAP status.

Our vision for the future as traditional owners is to engage with our culture, on country, in a meaningful capacity that includes the possibility of ongoing employment and economic sustainability directly linked to the protection and management of our cultural heritage.

Some of the issues that we, as traditional owners and RAPs have experienced in attempting to achieve these goals are the lack of resources and funding provided:

RAPs are setup on a business model that has unique challenges where the income streams are set by factors such as economic development and regulations outside our direct control.

To operate as a RAP and to achieve the economic sustainability, requires business and governance training as well as cultural heritage management training.

Given income constraints and the consequences of meeting legislative responsibilities, enormous stress is placed on single employees and in many cases, volunteers who give up their own time to ensure functionality of the RAP. Current income does not allow TCAC to meet our operational costs which hampers the growth of our organisation

There are a number of areas where we could see improvement in effectiveness that are directly linked to inequity:

The current administration prioritises archaeological management and expertise over our role as traditional experts and decision makers, this challenges our efforts to protect our heritage and the inequity is clearly visible when you compare the economics associated with cultural heritage.

A recent example: a Cultural heritage advisor conveyed to a TCAC field representative that the discovery of Aboriginal Cultural Heritage at a particular job would mean he would be able to realise a significant profit, as he put it "pay for a beach house". The income we make from one CHMP would be lucky to pay the rent on our office.

At a recent seminar on Aboriginal Cultural Heritage there were statistics quoted on how much money has been spent on the Aboriginal Cultural heritage protection by developers. That figure was estimated at \$250 million in the past five years; how much of that figure has flowed down to RAPs, in my opinion, a very minuscule amount.

In saying this we hope to illuminate the committee and to demonstrate that despite these challenges TCAC RAP is able to be an effective statutory authority and the RAP system does work to represent traditional owners on their country.

We hope that some of these issues that have been raised above will be addressed in the current review of the Act, but as RAPs we should be able to address (if permitted), some of these ourselves.

A demonstrable example of the where we have been able to look outside the CHMP process and develop tangible outcomes which includes partnership development is in The Tallarook State Forest Roding Permit Assessment and RAP Training Project. We see this as a best practice model of engagement with stakeholders that addressed some of the inequity mentioned above.

Case study

The Tallarook State Forest Roding Permit Assessment and RAP Training Project

Presented a scenario presented where 55 Aboriginal places had been identified on tracks within the Tallarook State Park.

This project came out of discussions with DSE regarding the repair and maintenance of access and fire roads that were required in the Tallarook state forest. A conventional industry arrangement would have seen TCAC was requested to provide a single CH field officer for the review of 54 sites. DSE sought tenders from industry however cost became a factor and DSE explored other options with TCAC. This collaborative approach with Taungurung worked because -

- This enabled TCAC to put a number of people on the ground as well as provide an opportunity for trainees to gain experience in working with sites that already exist
- Provided an opportunity for DSE staff and AAV. Staff to spend time on the ground developed a working relationship with TCAC members who were able to verbalise what the sites were and what they meant to them as traditional owners

TCAC were able to identify an opportunity and re-purpose the heritage assessment into a training opportunity for 8 members.

- the administrative and technical burden of new registrations were not present because the area had been previously surveyed as part of the regional forest agreement survey in the mid 90s
- The assessment required only a surface or pedestrian survey to confirm place status to inform a cultural heritage permit application.

The collaborative approach worked because it very early on developed very clear expectations around who was responsible, what was required and when the delivery was required.

Overall cost of the process was lower for DSE approximately half the cost quoted by industry