



GUNDITJ MIRRORING
Traditional Owners
Aboriginal Corporation
RNTBC

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continuing connection to country.

GUNDITJ MIRRORING TRADITIONAL OWNERS' ABORIGINAL CORPORATION CULTURAL HERITAGE PROTOCOLS, CONDITIONS & FEES FOR SERVICES

Gunditjmara recognise and respect our ancestor's spiritual and physical association with the land. For countless thousands of years Gunditjmara have walked, lived, and worked the land. This association has left the Gunditjmara with a legacy, connection, obligation, and responsibility for Gunditjmara Country that is an ongoing cultural inheritance and governed by Gunditjmara lore.

1. Introduction

The Gunditjmara established the [Gunditj Miring Traditional Owners Aboriginal Corporation \(RNTBC\)](#), (GMTOAC) in 2005 to continue our connection to Gunditjmara Country and to progress our rights and interests in our cultural identity, social justice, native title, cultural heritage, and land justice for Gunditjmara. GMTOAC is governed by its members, Gunditjmara traditional owners and native title holders in line with the [Corporations \(Aboriginal and Torres Strait Islanders\) Act 2006](#) (Cth).

The [Aboriginal Heritage Act 2006 \(Vic\)](#) and the [Aboriginal Heritage Regulations 2018 \(Vic\)](#) recognizes Traditional Owners as the primary guardians, keeps and knowledge holders of our cultural heritage. At a regional level, Registered Aboriginal Parties (RAP) are the voice of Traditional Owners in the management and protections of our cultural heritage in south-western Victoria.

As a RAP, GMTOAC has [roles and responsibilities](#) under the *Aboriginal Heritage Act* relating to the management of our cultural heritage, including:

- Participating in the preparation of Cultural Heritage Management Plans (CHMP).
- Participating in the Preliminary Aboriginal Heritage Tests (PAHT).
- Providing advice on applications for Cultural Heritage Permit (CHP).
- Archaeological surveys and investigations.
- Providing advice on applications for interim or ongoing [Protection Declarations](#).

Under the *Aboriginal Heritage Act*, there are [prescribed fees payable to RAPs](#) for the evaluation of Management Plans. A RAP can charge fees to consult with a sponsor or on a proposed cultural heritage assessment and recommendations to be included in a Management Plan, and/or to participate in the conduct of a cultural heritage assessment; these are outlined in detail below.

2. Sponsors

It is important for sponsors to protect Gunditjmara cultural heritage. The activities described in this document assist sponsors intending to conduct works on Gunditjmara Country to determining the best way to protect Gunditjmara cultural heritage through engaging Gunditjmara to conduct cultural heritage surveys (and walkovers) to best advise where to construct their buildings, tracks, pipelines, infrastructure, etc.

Cultural heritage protection activities provide advice to determine infrastructure sites prior to any construction and/or ground disturbance. Cultural heritage protection activities reduce the Sponsors risk if any cultural heritage material is found during ground disturbance.

Subject to Division, s.91, [Aboriginal Heritage Act 2006](#) works can be stopped for thirty (30) days or a period specified in a stop order, while the cultural heritage material is properly investigated, recorded and managed. A high degree of significance of the cultural heritage may mean that a new site is to be identified.

3. Protecting Cultural Heritage

The best way to ascertain whether an area/site may have cultural heritage material on and/or under the ground's surface is to conduct a cultural heritage survey. An Archaeologist and/or appropriately qualified Heritage Advisor is required to be engaged to prepare CHMPS, PAHT, CHP, archaeological surveys, investigations, and reports with the assistance of Guditjmara representatives.

4. Site Investigations

To protect cultural heritage and progress land developments, the Guditjmara recommend at a minimum the following activities be conducted:

1. **Desktop assessment** as per Part 3, Division 1 – s.59 [Aboriginal Heritage Regulations 2018](#):
E.g. determine where previously recorded cultural heritage sites are by gaining information from Aboriginal [Affairs Victoria](#) (AAV) and produce the information in a map format.
2. **Standard Assessment** as per Part 3, Division 1 – s.62 [Aboriginal Heritage Regulations 2018](#):
Engage Guditjmara (2 representatives – male and female), to conduct a cultural heritage survey to identify the cultural heritage value and significance of an area/site and the potential of cultural heritage material being present; including any intangible cultural heritage collected by the heritage advisor, anthropologist and/or historian.
3. **Complex assessment** as per Part 3, Division 1 – s.65 [Aboriginal Heritage Regulations 2018](#):
Engage Guditjmara (2 representatives – male and female), to conduct sub-surface testing on areas/sites that have a high potential to reveal cultural heritage material. The sub-surface activity may involve excavation, auguring or emergency declaration.

Sponsors may be required to facilitate one or all the above investigative activities depending upon the results of each investigation. Outcomes of any of these activities will be included in a Cultural Heritage Management Plan. Choosing all the recommended activities will decrease the risk level of any cultural heritage material being located or exposed during a construction stage.

5. Guditjmara Cultural Heritage Workers

Cultural Heritage site investigation is conducted to identify, protect and manage any tangible and intangible cultural heritage which may be disturbed during a high impact activity as defined by the [Aboriginal Heritage Regulations 2018](#). Cultural Heritage Workers include (as described in section 8):

- *Aboriginal and Cultural Heritage Compliance Officer*. When culturally appropriate *male and female* representatives are nominated by the GMTOAC to coordinate all RAP roles and responsibilities pursuant to the *Aboriginal Heritage Act* relating to the management of Guditjmara cultural heritage.
- *Cultural Heritage Worker (Cultural heritage induction and awareness)*. When culturally appropriate *male and female* representatives are nominated by the GMTOAC to supervise and/or conduct any cultural heritage inductions and awareness.
- *Cultural Heritage Worker (Standard and complex assessment)*. When culturally appropriate *male and female* representatives are nominated by the GMTOAC to supervise any cultural heritage survey, complex assessments and CHMP contingency activities. Note that a 1:1 ratio Guditjmara to Heritage Advisor is required where available.
- When culturally appropriate *male and female* representative are nominated by the GMTOAC to supervise any intangible cultural heritage recording and/or assessment. Note that a 1:1 ratio Guditjmara to Heritage Advisor is required.

6. Gunditjmara Cultural Heritage Final Outcomes

When the cultural heritage work is completed, a final report on the activity is produced and presented to the Sponsor, Aboriginal Victoria and GMTOAC.

7. Sponsor Requirements

The Sponsor will be required to pay for the following services:

- Gunditjmara Cultural Heritage Worker(s) rate (see section 8) as agreed to once the [Site Worker Quote](#) (see separate form attached) has been submitted.
- Travel reimbursement (Vehicle hire)
- Accommodation will be provided per participant if working more than 100 kilometers from participant's home base (including any required induction).
- Meal allowance will be paid as per the Australian Taxation Office rate (including any required induction).
- Supply any Occupation Health and Safety work equipment and/or work wear as required for each participant.
- The hire of sub-surface testing equipment and associated materials (as required).
- To supply an agreed Archaeologist and/or qualified Heritage Advisor to work on the project, (as required).
- To supply an agreed Anthropologist, Historian and/or qualified Heritage Advisor to work on the survey, (as required).

8. Fee Schedule for Gunditjmara Cultural Heritage Workers

| Aboriginal and Cultural Heritage Compliance Officer | |
|--|--|
| Hourly Charge | <p>On-line: \$150 per hour (min 1 hour), per worker</p> <p>On-site: \$150.00 per hour (min 2 hours), per worker **Motor vehicle hire</p> <p>Please note: The preference is for on-site meetings and consultations, however due to Covid-19 restrictions on-line options are available on request.</p> |
| Duties & Requirements | <p>Where culturally appropriate a male or female Aboriginal and Cultural Heritage Compliance Officer will be assigned responsible for coordinating all RAP roles and responsibilities under the <i>Aboriginal Heritage Act</i> relating to the management of our cultural heritage, including:</p> <ul style="list-style-type: none"> • Compliance with job safety analysis as required. • Meetings and liaising with Sponsors: including inception meeting pre-project commencement. • Meetings and liaising with the Archaeologist and/or Heritage Advisor: as required. • Coordination of all Gunditjmara Cultural Heritage Workers. • Compliance inspections. |

Gunditj Mirring Induction for Cultural Heritage Management Plan (CHMP)

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|----------------------------------|--|
| Fee | \$950.00 per day* and/or \$475.00 per ½ day per worker **Motor vehicle hire |
| Duties & Requirements | <p>Gunditjmara Cultural Heritage Worker will be responsible for conducting the Induction which can be on site or at a nominated office with the Archaeologist and/or Cultural Heritage Advisor if requested.</p> <p>Induction will include:</p> <ul style="list-style-type: none">• Job safety analysis as required.• RAP responsibilities• <i>Aboriginal Heritage Act 2006</i>• Maps (ACHRIS System)• AAV mini posters• CHMP recommendations• Question time allocated. |

Cultural Heritage Worker (Standard and complex assessment)

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|----------------------------------|--|
| Fee | \$1,700.00 per day * and/or \$950.00 per ½ day # per worker **Motor vehicle hire |
| Duties & Requirements | <p>Gunditjmara Cultural Heritage Worker(s) will be nominated by GMTOAC.</p> <p>Standard: Gunditjmara Cultural Heritage Worker(s) will be required to work under the direction of the Aboriginal and Cultural Heritage Compliance Officer and with an Archaeologist or qualified Heritage Advisor.</p> <p>They will be required to conduct a pedestrian survey of country and provide advice on physical and spiritual value and significance of a prescribed area.</p> <p>Complex: Gunditjmara Cultural Heritage Worker(s) will be required to work under the direction of the Aboriginal and Cultural Heritage Compliance Officer and with an Archaeologist or qualified Heritage Advisor. They will be required to excavate and/or augur prescribed sited.</p> |

****Motor Vehicle Hire**

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|------------|---|
| Fee | \$100 per day per vehicle - ATO rates if over 100km |
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* A standard day is considered 7.6 hours.

A ½ day is considered up to 3.5 hours.

GST – All fees are exclusive of GST.