

Aboriginal Object Collections

Frequently Asked Questions

Introduction

Dja Dja Wurrung Clans Aboriginal Corporation (trading as DJAARA) shares the following information for people interested to know more about the management of Aboriginal Object Collections. DJAARA is an appointed Registered Aboriginal Party (RAP) under the provisions of the *Aboriginal Heritage Act 2006* (the Act). DJAARA's area of responsibility and functions are set out in the Act which include responsibility for functions in the protection, management and involvement in Aboriginal cultural heritage decision-making across a wide area of central Victoria.

What is an Aboriginal Object Collection?

Aboriginal Object Collections are one or more Aboriginal artefacts or objects that have been collected or removed from their original location on Country. These collections may be in the ownership or possession of private individuals, Aboriginal Traditional Owner organisations, museums or local historical societies. Object collections may have been transferred between safekeeping places, or reburied or redeposited after having been salvaged during archaeological assessments or excavations.

An Aboriginal Object Collection does not include Aboriginal Ancestral Remains, or objects made, or likely to have been made, for the purpose of sale, for example, a souvenir made by an Aboriginal person for the purpose of sale in a shop.

What is an Aboriginal Object?

All Aboriginal cultural heritage is protected in Victoria by the Act, which defines an Aboriginal Object as an object in Victoria or the coastal waters of Victoria that:

- relates to the Aboriginal occupation of any part of Australia, whether or not it existed prior to the occupation of that part of Australia by people of non-indigenous descent and;
- is of cultural heritage significance to the Aboriginal people of Victoria; or
- is an object, material or thing that is removed or excavated from an Aboriginal Place and is of cultural heritage significance to the Aboriginal people of Victoria.

Aboriginal Objects include artefacts made by Aboriginal people, for example, stone tools, grinding stones, wooden implements, and shell and bone artefacts.

Secret or Sacred Objects

A Secret or Sacred Object is secret or sacred according to Aboriginal tradition. Secret or Sacred objects may include objects that are: directly associated with a traditional Aboriginal burial; created for ceremonial, religious or burial purposes; used or seen only by certain Aboriginal people; sourced from or containing materials that only certain members of the community can use or see. Legal ownership is held by the Aboriginal person who is the rightful owner of the Secret or Sacred object. Aboriginal Traditional Owners can say what Aboriginal objects are Secret or Sacred. Objects made for sale are not Secret or Sacred objects. For further information, please contact the Ancestral Remains Unit, Office of the Victorian Aboriginal Heritage Council by email: ancestral.remains.unit@dpc.vic.gov.au.

See further information below.

What to do if you think you have found an Aboriginal object or cultural heritage place on your land, or any other land in Victoria?

The Act requires that the discovery of Aboriginal places or objects on any public or private land in Victoria be reported to First Peoples State Relations (FPSR). If you suspect you have discovered Aboriginal heritage on your land, you may complete a Preliminary Report Form to notify FPSR (download at: [Report and protect a possible Aboriginal place or object | firstpeoplesrelations.vic.gov.au](#)). The form is intended for use by anyone who wishes to report discovery of Aboriginal heritage. You may notify DJAARA regarding any suspected discovery.

Discovery of human remains

If suspected human remains are discovered, you must contact the Victoria Police and the Coroner's Court of Victoria immediately. If there are reasonable grounds to believe that the remains are Aboriginal, the Coronial Admissions and Enquiries hotline must be contacted on 1300 888 544.

Secret and Sacred objects

Legal ownership of secret or sacred objects is held by the Traditional Owners. Anyone who has a secret or sacred object should report it to the Victorian Aboriginal Heritage Council:

Phone: (03) 9651 2643 Email: VAHC@dpc.vic.gov.au (See further links below)

Who will inspect and record the Aboriginal object or cultural heritage place?

First Peoples State Relations (FPSR) will endeavour to organise inspection of reported discovery of an Aboriginal place and regarding Object Collections at the earliest possible time. You are encouraged to notify suspected discovery to DJAARA for Aboriginal places and Object Collections on Djandak (Dja Dja Wurrung Country). Inspection will be carried out by FPSR staff who will notify and may invite participation of a DJAARA representative. Aboriginal objects and places should be recorded by a person who is suitably qualified or has relevant Aboriginal cultural heritage experience.

What are Aboriginal Places?

Aboriginal people have lived in southern Australia, including Victoria, for over 60,000 years. During that time, they left physical evidence of their activities all over Victoria which now survive as cultural heritage sites or places. Aboriginal places are most common near rivers, lakes, swamps and the coast. Aboriginal places are often present on private and public property including Crown land. Examples of Aboriginal Places on Djandak (Dja Dja Wurrung Country) include scatters of stone objects, oven mounds, shell middens, stone quarries, scarred trees, stone arrangements and Ancestral burial places. Find out more information about Aboriginal places and objects online at: firstpeoplesrelations.vic.gov.au/aboriginal-places-and-objects

What is the Victorian Aboriginal Heritage Register?

The Victorian Aboriginal Heritage Register (the Register) established by the Act is important for the successful management of Aboriginal cultural heritage records. The Register holds details of known locations of Victorian Aboriginal places and objects. The Register maintains and includes records about Dja Dja Wurrung cultural heritage on Country. For further information visit: firstpeoplesrelations.vic.gov.au/victorian-aboriginal-heritage-register

Why should Aboriginal Object Collections be registered?

“Registration for our people is very important because it is a record of what our Ancestors have left behind. The old tools are important to have registered on our system for the future, for us all. With our cultural education, we can share and pass on our Ancestor’s wisdom through the ancient tools our Elders have left behind by teaching this knowledge to our younger generation here on Djaara Country. That connection overall is very significant. Registration works to hold knowledge for our people. Many tools are 1,000 to 20,000 years and older. Through registration of our collections, we can bring our Ancestors’ influence to show how Djaara (Dja Dja Wurrung People) were making tools, what they used them for and when they used them in different seasons. Having all of our cultural heritage registered to teach our younger generation is important for our culture. It allows us to keep our cultural foundations going and to be recognised as First Nations People in the wider community. It’s our footprints in the landscape, the movements of our Ancestors over time and place.” Jason Kerr, Djaara Traditional Owner.

- Aboriginal heritage places and objects are irreplaceable, non-renewable resources and include significant traditional and spiritual sites and landscapes. These places or objects are often identified during archaeological surveys, and recorded by heritage advisors on forms approved under the Act.
- The quality of information available to users of the Register offers effective management of Aboriginal heritage now and into the future.
- Over 39,000 Aboriginal objects and places have been recorded on the Register and many of these places and objects are located on private property. Registration means that Aboriginal Object Collections and Places are recorded in detail so that unique information and knowledge of Aboriginal heritage values will not be lost.
- Registration of object collections provides a lasting record of objects. These records can help to document who was collecting, original find locations, what object types a collector focussed on – among many other details. Importantly, these collections provide a window on the past.
- The records in the Register allow for research to be carried out to learn more about our rich, ancient, and culturally significant Aboriginal heritage.
- The Register is recorded proof of the provenance and great diversity of Victorian Aboriginal cultural heritage.

Who may access the information in the Victorian Aboriginal Heritage Register?

The Register can only be accessed by people or organisations who need detailed information on cultural heritage places and objects to protect and manage them. The Register is not a publicly accessible register as it contains culturally sensitive information. First Peoples State Relations website sets out information about applying for access (see firstpeoplesrelations.vic.gov.au/victorian-aboriginal-heritage-register).

Further Information

Is it against the law to have a Collection of Aboriginal Objects?

No. The law does not prevent people from keeping Aboriginal objects (artefacts). Discovery of Aboriginal places and objects must be reported, as set out above. Objects (other than those originally made for sale) may not be sold without seeking a Cultural Heritage Permit.

People may continue to hold Object Collections that have been in their possession prior to the Act coming into force. It is important to know that all Aboriginal places and objects are protected by the Act and must not be harmed. Removing Aboriginal objects from their original location without the relevant authorisation required under the Act is harm. When objects are taken from their location, doing so often takes away opportunities to learn more about Aboriginal people’s past occupation and use of land. When we study the way Aboriginal places are located on land, what their contents or features are, how they were made through the evidence of materials left behind and where they are positioned, so much more about Djaara’s ancestors’ lives are revealed. DJAARA continues to share and

celebrate the stories of the richness of our wonderful Aboriginal heritage and assist people to protect and manage places and objects together.

As outlined above, Ancestral Remains must be reported immediately, and Secret or Sacred Objects should be reported to the Victorian Aboriginal Heritage Council. Owners of Object Collections of Aboriginal objects can seek the services of Dja Dja Wurrung Clans Aboriginal Corporation (DJAARA) to document their collections.

What can be done with unwanted Collections of Aboriginal Objects?

It is not always possible for people to keep Object Collections. This can happen for reasons such as changing land use and moving away from a farm, or finding a collection in a home that has come to light after losing a family member. FPSR will receive unwanted collections of Aboriginal objects. Such collections will be documented, then arrangements made for repatriation, or transfer to an appropriate keeping place or museum for storage or display, in consultation with the relevant Registered Aboriginal Party.

DJAARA can be contacted about collections containing known Dja Dja Wurrung Aboriginal objects.

Is it against the law to possess Aboriginal Ancestral remains?

Yes. It is illegal to possess or display Aboriginal Ancestral remains. Anyone who has human remains must follow the guidance set out above without exception. The Victorian Aboriginal Heritage Council will be contacted regarding Aboriginal Ancestral remains.

Are Aboriginal Places and Objects protected?

All Aboriginal cultural heritage in Victoria is protected by law. Aboriginal places and objects are protected regardless of whether these are present on private or public land, or registered, unregistered or previously unknown. It is against the law to harm (disturb or remove or destroy) an Aboriginal place or object unless in accordance with an approved cultural heritage management plan or granted cultural heritage permit. Aboriginal objects must not be removed from Victoria unless in accordance with a granted cultural heritage permit.

Why protect Aboriginal Places?

Aboriginal places are a precious part of the heritage of the whole community. They are of immense cultural, scientific, educational and historic interest. Aboriginal cultural heritage and places provide Dja Dja Wurrung people (Djaara) today with an important link to their culture and their past. Aboriginal places and objects are also fragile. When they are harmed by destruction or damage, information about past traditional, cultural and environmental changes may be lost forever. In many cases, information about the past occupation of Australia can only be obtained through archaeological investigation of Aboriginal places.

If there is an Aboriginal Place on my Land, can it be subject to a Native Title Claim?

Generally, no. Only vacant Crown land may be subject to a Native Title claim. Freehold land, which is almost all private property, is not subject to Native Title claims even if Aboriginal places are present. In general, having Aboriginal places on your land will not affect ownership, or stop existing continued use of the land.

What are threats to Aboriginal Places?

Erosion, flooding, bushfire and other natural processes, including pest plants and animals, threaten some Aboriginal places. Human activities may also be a threat, particularly when changes to the way land is used are planned, such as development. Consultation with DJAARA upfront and before changes to land use and development activities are carried out is encouraged. Seeking advice from suitably qualified heritage advisors to assist with determining the requirements of the Act is also encouraged.

Is agriculture a threat to Aboriginal Places?

Aboriginal Places that have survived many decades of agricultural use generally will not be further disturbed by continuing land use practices. In many cases, sound land management has helped preserve Aboriginal places. Major changes to the landscape, such as leveling sand bodies like sand dunes, laser levelling, or clearing native bushland, may harm Aboriginal places. Some practices such as ripping to destroy rabbit burrows may also be undesirable in areas that are likely to contain Aboriginal places.

DJAARA recognises and acknowledges farming families who have respectfully safeguarded Aboriginal heritage places and have been the custodians of Object Collections for successive generations and periods of time.

Who is responsible for Aboriginal Places?

First Peoples State Relations (FPSR) is the State Government agency responsible for delivering Aboriginal heritage services to the wider community. Everyone is responsible for avoiding harm and notifying discovery of Aboriginal places and objects (see above).

Can anyone look for Aboriginal Places on private property?

Only if a landowner gives permission and if administrative requirements are met. Many Aboriginal places have only survived because private landowners have not permitted public access (including for example, consciously avoiding impacts and harm to Aboriginal places and objects on their land). It is illegal to harm, by disturbing or excavating Aboriginal places without a cultural heritage permit or an approved cultural heritage management plan.

Useful links

DJAARA (Dja Dja Wurrung Clans Aboriginal Corporation) website: djadjawurrung.com.au

- Malamiya | Cultural Heritage is the Team to contact for cultural heritage enquiries and to book consultation and engagement services. Visit: djadjawurrung.com.au/dhelk-djuwima-our-services/
- **First Peoples State Relations** is the state government agency that administers the Aboriginal Heritage Act 2006. The following links are available through the FPSR webpages:
- Aboriginal cultural heritage: firstpeoplesrelations.vic.gov.au/aboriginal-cultural-heritage
- Aboriginal cultural heritage *Fact Sheet Series*: firstpeoplesrelations.vic.gov.au/aboriginal-places-and-objects
- Fact sheet: Aboriginal places on private property addresses important questions including those covered in the points above: firstpeoplesrelations.vic.gov.au/fact-sheet-aboriginal-places-private-property
- Report and Protect a possible Aboriginal Place or Object: firstpeoplesrelations.vic.gov.au/report-and-protect-possible-aboriginal-place-or-object
- Victorian Aboriginal Heritage Register: firstpeoplesrelations.vic.gov.au/victorian-aboriginal-heritage-register
- Heritage Advisors: firstpeoplesrelations.vic.gov.au/heritage-advisors

Victorian Aboriginal Heritage Council

- Office of the Victorian Aboriginal Heritage Council, about us and contact details: aboriginalheritagecouncil.vic.gov.au/office-victorian-aboriginal-heritage-council
- Report Ancestral Remains: aboriginalheritagecouncil.vic.gov.au/report-ancestral-remains-submit
- Secret or Sacred Objects: aboriginalheritagecouncil.vic.gov.au/report-secret-or-sacred-objects

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