

Aboriginal Cultural Heritage Frequently Asked Questions

What if Aboriginal cultural heritage is found on my land?

We are required to report any Aboriginal cultural heritage findings to the relevant Traditional Owners and/or Registered Aboriginal Party and the First Peoples State Relations Secretary for registration on the Aboriginal Cultural Heritage Register.

We will work with you, Traditional Owners and/or the Registered Aboriginal Party to develop management strategies to avoid and/or minimise project related impacts on Aboriginal cultural heritage. The management strategies will be implemented under the approved Cultural Heritage Management Plan (CHMP) for Marinus Link.

Will having Aboriginal cultural heritage on my land stop me from using my land?

In general, having Aboriginal cultural heritage on your land will not stop existing land use from continuing, though ongoing management will need to be considered on a case-by-case basis. Aboriginal cultural heritage (which includes places and/or objects) are protected by law under the Aboriginal Heritage Act.

Once more details are known about the significance of the Aboriginal cultural heritage on your property, we will work with you and the Traditional Owners and/or Registered Aboriginal Party when developing project related CHMP management conditions.

Will it be made public if Aboriginal cultural heritage is on my land?

Information about registered Aboriginal cultural heritage listed on the Victorian Aboriginal Heritage Register (VAHR) is accessed via the Aboriginal Cultural Heritage Register and Information System (ACHRIS). The VAHR is not accessible to the general public.

Further information about who can access the register can be found here: [Victorian Aboriginal Heritage Register | firstpeoplesrelations.vic.gov.au](http://firstpeoplesrelations.vic.gov.au)

Will anyone be able to come on to my property to see the heritage site?

The Aboriginal Heritage Act has rules in place to safeguard Aboriginal cultural heritage. This includes giving specific Authorised Officers (AO) and Aboriginal Heritage Officers (AHO) the authority to enter property to make sure laws are being followed. Officers are appointed by the Minister and independent to the Marinus Link project.

There are conditions which must be met before AOs or AHOs can enter your property. These access conditions include:

- Consent of the occupier of the land
- Access only during normal business hours
- Access with the occupier present, unless the occupier has agreed in writing the AO or AHO may enter in their absence

When seeking permission to enter the property, the AO or AHO must inform the occupier of:

- The purpose of entry
- Whether they intend to inspect the property

- The purpose of the inspection

The AO or AHO must also inform the occupier that:

- The occupier can refuse consent for entry
- The occupier can refuse the inspection or anything found on the property being taken
- The occupier can refuse consent to making a copy of, or taking an extract from a document found on the property
- Anything taken during the inspection, where the occupier has consented, may be used as evidence in proceedings.

AOs and AHOs can enter your property without prior consent if it's necessary to reach the occupant to ask for permission to enter. When trying to contact the occupant, they may access parts of your property where the public is normally allowed to go.

AOs and AHOs can also enter and inspect any areas of the property that are open to the public at the time they arrive for the inspection. Activities they may undertake include searches, measurements, tests, taking photographs, and taking extracts of copies of documents. Other people assisting the AOs and AHOs may be present during these activities.

Where can I find more information about the rights and obligations under the Aboriginal Heritage Act?

Further information regarding the powers and responsibility of AH and AHOs can be found here: [Protecting heritage and enforcing the Act | firstpeoplesrelations.vic.gov.au](https://www.firstpeoplesrelations.vic.gov.au/protecting-heritage-and-enforcing-the-act)

If I am interested in learning more about the local Aboriginal cultural heritage, where can I go?

Marinus Link can provide landholders with additional opportunities to learn about our First Peoples' connection to Country and their cultural heritage. If you are interested in learning more about local Aboriginal cultural heritage, please contact your dedicated Land Agent. Marinus Link will work with you and local Traditional Owners to answer any additional questions you may have.