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OPEN LETTER TO CULTURAL HERITAGE ADVISORS

- **NOTICE OF INTENT MUST BE LODGED PRIOR TO COMMENCING PREPARATION OF A CHMP**
- **DESKTOP ASSESSMENT MUST BE UNDERTAKEN PRIOR TO STANDARD OR COMPLEX ASSESSMENT**

I am concerned that some cultural heritage advisors have not been ensuring that a "notice of intent to prepare a Cultural Heritage Management Plan" (notice) has been lodged by the sponsor, prior to commencing preparation of a Cultural Heritage Management Plan (CHMP).

I remind cultural heritage advisors that:

- section 54(2) of the *Aboriginal Heritage Act 2006* (the 'Act') requires that the notice must be given before commencing preparation of a CHMP.
- the desktop assessment (including a search of the Victorian Aboriginal Heritage Register) must be undertaken prior to the standard or complex assessment, to comply with regulation 58(1) and 60(1).

Failure to provide notice prior to commencing preparation of a CHMP, or undertaking a complex assessment prior to undertaking the desktop assessment, may expose a cultural heritage advisor to prosecution under section 27, 28 and/or 34 of the Act. A number of these matters have been brought to my attention and are now being investigated by AAV.

Further information on Aboriginal cultural heritage issues in Victoria can be obtained at AAV's web site (www.aboriginalaffairs.vic.gov.au). Any enquiries about this matter should be addressed to Mr Harry Webber, Senior Heritage Policy Officer on (telephone) 03 9208 3288.

Yours faithfully

IAN HAMM
Executive Director
Aboriginal Affairs Victoria

28 AUG 2009

