



# Native Title Services Victoria Limited

## Operational Plan Objectives 2009 - 2010

Activity Name	Objective 2009 - 2010
<b>Gunai Kurnai Native Title Determination Application</b>	<p>Appear as respondent in hearing of Kurnai Clans Native Title application</p> <p>Continue negotiation of aspirations with State</p> <p>Participate in process for connection assessment:</p> <ul style="list-style-type: none"> <li>• further response to State review of connection materials, conduct additional research as required, and</li> <li>• participate in experts conference process if required</li> </ul> <p>Participate in process for tenure analysis</p> <p>Provide legal assistance to the incorporated organisation representing the claim group and ensure corporation is effective and compliant</p>
<b>State Framework Implementation</b>	<p>Develop Claims Resolution Strategic Plan with State</p> <p>Develop legislative reform program with State</p> <p>Develop sustainable funding model with State</p> <p>Executive Group oversight of Framework implementation:</p> <ul style="list-style-type: none"> <li>• ongoing participation in State-convened committee</li> </ul> <p>Develop management regime for access to natural resources including freestanding statutory right for TO non-commercial access and use of natural resources</p> <p>Develop alternative mechanism for native title dispute resolution via Right People for Country project:</p> <ul style="list-style-type: none"> <li>• participate in project design with other stakeholders including membership of project committee</li> <li>• ensure project meets native title legal obligations</li> <li>• ongoing participation in project management group</li> </ul> <p>Traditional owner access to State records:</p> <ul style="list-style-type: none"> <li>• examine current practices and develop agreement with other agencies/stakeholders to improve access and increase efficiencies</li> </ul> <p>Protocol for sharing connection material:</p> <ul style="list-style-type: none"> <li>• work with stakeholders to determine each parties needs and issues</li> <li>• finalise protocol</li> </ul> <p>Strengthening culture template:</p> <ul style="list-style-type: none"> <li>• examine how measures will operate in individual Framework agreements</li> </ul> <p>Develop communications strategy to maximise positive response to Framework amongst stakeholders:</p> <ul style="list-style-type: none"> <li>• participate in regular project specific meetings with government and other stakeholders to develop Framework policy</li> </ul> <p>Develop consultation strategy to allow for traditional owner input to Framework policy, and approval of new process:</p> <ul style="list-style-type: none"> <li>• design meeting schedule for consultations</li> <li>• conduct consultations at significant stages to ensure traditional owner input is maximised</li> </ul> <p>Provide policy advice and liaison to ensure strong governance, build relationships with government, key stakeholders and between traditional owner groups</p>

<b>North West Regional Approach</b>	<p>Convene North West negotiation team meetings as required to provide advice, support, in relation to all options for agreement-making including;</p> <ol style="list-style-type: none"> <li>1. develop strengthening culture template to ensure appropriate incorporation of measures in proposed NW ILUAs;</li> <li>2. develop protocols for sharing connection material and traditional owner access to State records to increase efficiencies and maximise collaborative opportunities,</li> <li>3. collaboratively design joint management aspects of future framework agreement, and legislative amendments required,</li> <li>4. ensure appropriate Board of Management model developed with State including functions, responsibilities, liabilities, decision-making, characteristics of Aboriginal title etc.</li> </ol>
<b>Dja Dja Wurrung</b>	<p>Continue negotiations with State towards agreement-making and settlement:</p> <ul style="list-style-type: none"> <li>• ongoing legal advice in relation to the negotiations;</li> <li>• ongoing mediation in relation to intra and intergroup issues</li> <li>• development of settlement package and agreement: <ul style="list-style-type: none"> <li>– preparatory work with group ensuring understanding of new State policy relating to out of court settlements;</li> <li>– negotiations and drafting of terms, particularly with respect to drafting an adequate Indigenous Management Agreement</li> </ul> </li> </ul> <p>Ongoing research</p> <p>Ensure corporation is effective and compliant</p>
<b>Wamba Wamba, Barapa Barapa and Wadi Wadi</b>	<p>Continue negotiations with State towards agreement-making and settlement:</p> <ul style="list-style-type: none"> <li>• ongoing legal advice in relation to the negotiations;</li> <li>• ongoing mediation in relation to intra and intergroup issues;</li> <li>• development of settlement package and agreement: <ul style="list-style-type: none"> <li>– preparatory work with groups ensuring understanding of new State policy relating to out of court settlements;</li> <li>– negotiations and drafting of terms, particularly with respect to drafting an adequate Indigenous Management Agreement</li> </ul> </li> </ul> <p>Ongoing research in relation to connection issues, including negotiations with State re threshold requirements</p> <p>Mediation and resolution of external boundary issues</p> <p>Facilitate incorporation process to ensure adequate governance</p> <p>Negotiate with NSW groups for the purpose of promoting and protecting NW interests in NSW</p>
<b>Yupagalk</b>	<p>Mediation of intra group issues</p> <p>Negotiations with State for claim settlement, and agreement-making options and outcomes</p>
<b>Robinvale</b>	<p>Ongoing research in relation to connection issues including negotiations with State re threshold requirements under new framework policy</p> <p>Mediation and resolution of Robinvale internal group issues and external boundary issues</p> <p>Re-engagement with settlement negotiations with the State, particularly with respect to new framework policy for out of court settlement and developing land use activity/joint management templates</p> <p>Negotiate with NSW groups for the purpose of promoting and protecting NW interests in NSW</p>

<b>Gunditjmara Related Matters</b>	Finalise connection research into Part B
	Obtain legal advice on Part B related issues
	Negotiate with State and others to settle Part B
	Explore options for utilising new State framework for out of court settlements
	Comprehensive review / re-negotiation of Gunditjmara ILUA and associated settlement agreements, in light of the State's adoption of the Framework
	Review / negotiate alternative Future Acts regime under consent determination ILUA, including developing Land Use Agreement template to ensure categorisation of future acts is appropriate
	Finalise ILUA with South Australia
<b>South West / Kirrae Wurrung Native Title Rights and Interests</b>	Ongoing research in relation to connection issues as required, including negotiations with State re threshold requirements under new policy
	Provide expert legal advice on agreement-making options and protection of native title rights to group and respond to instructions
	Ensure corporation is effective and compliant
<b>Future Acts</b>	Develop Land Use Activity template to streamline agreement-making with third parties, including appropriate categorisation of future acts, incorporating compensation, traditional owner benefits, VCAT's role etc
Gunai / Kurnai	Assist claimants in negotiations with Monash Energy for a mining agreement
	Assist claimants in negotiations with exploration and mining licence proponents
	Assist claimants in negotiations with private land developers
Gunditjmara	Assist in negotiations with Origin Energy for Petroleum Exploration Permit 150, including exploring options for agreement-making using Land Use Activity template
	Assist in negotiations with exploration and mining licence proponents
Dja Dja Wurrung	Assist claimants in negotiations with exploration and mining licence proponents, including exploring options for agreement-making using Land Use Activity template
	Assist claimants in negotiations with private land developers
Wamba Wamba, Barapa Barapa and Wadi Wadi	Finalise NGMA ILUA, including exploring options for agreement-making using Land Use Activity template
	Assist in negotiations with exploration and mining licence proponents
Robinvale	Assist claimants in negotiations with exploration and mining licence proponents, including exploring options for agreement-making using Land Use Activity template
Other Groups	As required, assist other claimants in negotiations with exploration and mining licence proponents and private land developers, including exploring options for agreement-making using Land Use Activity template

<b>Taungurung Native Title Rights and Interests</b>	<p>Ongoing research in relation to connection issues, including negotiations with State re threshold requirements under new policy</p> <p>Provide expert legal advice on agreement-making options and protection of native title rights to group and respond to instructions</p> <p>Ensure corporation is effective and compliant</p>
<b>Land Justice Group Secretariat Support</b>	<p>Convene LJG meetings and LJG co-chair meetings as required</p> <p>Prepare agendas, submissions and policy papers as required to facilitate LJG effectiveness</p> <p>Act as principal point of contact with LJG and relevant stakeholders (both State &amp; non-State)</p> <p>Maintain LJG membership records, minutes etc</p> <p>Assist the LJG to determine and analyse options for its future – including membership and possible incorporation</p>
<b>Traditional Owner Group Capacity Building and Support</b>	<p>Provide ongoing advice and support in relation to:</p> <ul style="list-style-type: none"> <li>• Native Title/future act processes;</li> <li>• Corporate governance and administration;</li> <li>• Dispute resolutions;</li> <li>• Negotiation training</li> </ul>
<b>PBC Support</b>	Provide ongoing advice and support to Victorian Prescribed Bodies Corporate
<b>Trust Funds Administration</b>	<p>Consult with relevant Traditional Owner groups in relation to moneys held in trust on their behalf</p> <p>Provide advice and support on best practice financial arrangements including re: effective trust and tax structures</p>
<b>Assessment Research</b>	As required, undertake assessment research for Traditional Owner Groups to meet the State's threshold requirements and ensure efficient and timely agreement-making
<b>National Native Title Council</b>	<p>Active participation in NNTC activities:</p> <ul style="list-style-type: none"> <li>• Chair and CEO attend all Board meetings</li> <li>• CEO (as Deputy Chair of NNTC) participate in Executive meetings</li> <li>• Active contribution to NNTC policy and administrative management</li> </ul>
<b>Corporate</b>	<p>Governance and administration, including:</p> <ul style="list-style-type: none"> <li>• Participate in development and implementation of Commonwealth and State policies relating to</li> <li>• native title groups and traditional owners;</li> <li>• Review NTSV constitution with view to clarifying membership and Board appointment arrangements</li> </ul>