

# NTSV



*hohoho*

Issue 2, December 2003

## FROM THE CHAIRMAN



I welcome this opportunity to introduce myself as the inaugural Chairman of Native Title Services Victoria. I am a Yorta Yorta and Dja Dja Wurrung man.

I am very pleased to take on this responsibility, having been elected to the position by colleagues on the Board, as I see great opportunities for NTSV to support traditional owners across the State in negotiating agreements that will bring real benefits to indigenous people. It is pleasing to note that some native title groups are already negotiating land use agreements with a diverse range of parties, some of whom until recently have not perceived claimants as equal parties in the negotiation process. I welcome the positive changes emerging in this area, particularly in relation to native title groups engaging effectively in the negotiated agreement process such as ILUAs and mining agreements.

I believe that we need to put the disappointments and failures of the past decade behind us and look forward to what can be achieved through working together over the years ahead.

At the Board's inaugural meeting, it unanimously endorsed the belief that we need to start with a clean slate. We also must ensure that NTSV is able to add value to the process of native title holders constructively asserting their rights.

I am of course aware of some of the differences that have historically divided our people but I am nevertheless hopeful that we will be able to support each other toward achieving the aspirations of various native title groups.

In that regard I want to make particular mention of the Wotjobaluk agreement, which I see as opening a door to positive outcomes which many of us

thought had been closed off to us by the High Court's Yorta Yorta decision. Whilst there are issues surrounding the Wotjobaluk native title determination which have still to be resolved, I encourage traditional owner groups across the State to support the Wotjobaluk people in what will be the first determination of native title in Victoria.

The new Board has already met once and I can assure all traditional owners that the Board is committed to ensuring that Native Title Services Victoria provides competent professional services to all groups in the State, subject of course to the constraints imposed by funding limitations and other factors.

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# COMMONWEALTH CONSENTS TO NATIVE TITLE IN WOTJOBALUK CLAIM



**Wotjobaluk at the Ebenezer Church**

On 19 November the Federal Attorney-General, Phillip Ruddock, made the historic announcement that the Commonwealth will consent to the determination of native title as agreed between the Wotjobaluk people and the State of Victoria.

Most of the other respondents to the claim (farmers, beekeepers and recreation users) have indicated that they will follow the lead of the Commonwealth.

If all parties agree then it is expected that Justice Merkel will make the first determination that native title exists in Victoria early next year.

Uncle Jack Kennedy and Kaylene Clarke, the two registered applicants on the claim were both very pleased to hear the news that may conclude their eight year struggle for recognition. Uncle Jack said: "I knew they'd see sense in Canberra sooner or

later. We've been here for forty thousand years and we're still going strong. This is just the first step for us to make our own future now."

Peter Kennedy and Susie Skurrie, who earlier this year went to Canberra to lobby the previous Attorney-General, Daryl Williams, were also pleased to see that their efforts have paid off. "I hope

Koories that all will support this movement leads the way for other native title groups to get recognition," said Peter Kennedy, the Wotjobaluk Project Officer. "While we have been negotiating this agreement, elders have died. It's important to achieve something for everyone now".

The agreement includes a determination that the non-exclusive native title

rights to hunt, fish, gather, and camp exist on the 22,000 hectare Wimmera River reserve from north of Lake Albacutya to Yarriambiack Creek.

It also includes: the creation of a Wotjobaluk council to advise on the management of Crown Land in the core area of the claim, consultation rights for any infrastructure development in the core area, the grant of 3 areas of freehold land at Antwerp, the Billabong near Dimboola, and Goyura, the funding of a community centre near Dimboola and continuing financial and administrative support for the Wotjobaluk corporate body with 3 salaried positions and vehicles provided.

There are various matters still being discussed, but all parties are hopeful that the native title determination will be made and the agreement with the State Government will be finalised.

**"I knew they'd see sense in Canberra sooner or later."**

## Research Update - New NTSV Research Manager



Phillippa Sutherland is the new Research Manager. Her previous experience includes 15 years working in the heritage field as an archaeologist, museum curator and in heritage interpretation, specialising in Aboriginal heritage.

Phillippa has worked overseas in Canada, the UK and France. Previ-

ous Victorian employers include AAV, Museum of Victoria and the National Trust. She has just finished a 2 and a half year stint as the Manager/Senior Archaeologist with TerraCulture Heritage Consultants P/L, one of Victoria's leading heritage consulting firms.

Her role at NTSV is to manage the Research Unit, assisting communities uncover links between culture, kin and country in order to prove

the existence of Native Title. Phillippa said she is "thrilled to be here" and looking forward to using her expertise to empower people in the here and now.

Phillippa has replaced Pam McGrath, who was recently farewellled by NTSV.

# NTSV Board of Directors



NTSV Board of Directors *left to right*: Eleanor Bourke, Mick Harding, Trevor Edwards, Damien Bell, Daphne Milward (Deputy Chair) and Graham Atkinson (Chairman). *Not pictured Ricky Mullett*

**Graham Atkinson (Chair)** has been elected Chair of NTSV by the other Directors. Graham has his own consulting business and has extensive experience in indigenous affairs. He has an MBA and other tertiary qualifications and held senior management positions in social welfare before starting his consulting practice. He is a member of the Dja Dja Wurrung Native Title Group and of the Yorta Yorta nation.

**Daphne Milward (Deputy Chair)** is a consultant with her own business. She has extensive work experience in the private sector and in indigenous affairs. Daphne, who is a Yorta Yorta woman, has held various positions with community organisations and has wide experience in community planning, policy development, and in staff development and skills training.

**Trevor Edwards** is a member of ATSIC State Advisory Committee and has a long record of serving the indigenous community in Victoria - particularly with the Geelong-based Wathaurong Aboriginal Co-operative, which he was involved in founding. Trevor is a director of several companies in the Geelong area.

**Mick Harding** is a Taungurung man with considerable experience in native title matters. He is currently the Manager of the Gippsland Cultural Heritage Unit and has held positions in the governing bodies of various community organisations over the past fifteen years.

**Eleanor Bourke** is a Wergaia and Wamba Wamba woman with extensive senior management experience. Eleanor was formerly the Professor of Indigenous studies at Monash University and continues as an Adjunct Professor. Eleanor has held many senior positions and is now in semi-retirement, with involvement in three statewide organisations, one of which is NTSV.

**Damein Bell** has had a long involvement in native title matters, having at one time been the CEO of Mirimbiak Nations Aboriginal Corporation. He is a leading member of the Gunditjmarra native title claim group. Damein has had considerable experience in the education field and in other community organisations. Damien is currently an elected member of ATSIC and an advocate for indigenous rights.

**Ricky Mullett** is a member of the Gunai Kurnai native title claim group and has been active in native title and related matters for some time. Ricky has served in both management and governance roles for several indigenous organisations in the Gippsland region.

# Kirrae Whurrong Instructing Committee Meeting



Kirrae Whurrong Instructing Committee meeting with Woodside Energy Ltd on 6 December in Warrnambool

## From the CEO—Chris Marshall

I am pleased to report that the establishment process for NTSV is on track and going well.

All native title staff formerly employed by Mirimbiak have now been switched over to NTSV and Mirimbiak will be wound up sometime in the New Year.

NTSV will continue to operate from the current premises in Chetwynd Street for the time being, but will be moving in the New Year to new office space, also in Chetwynd Street but on the other side of Victoria Street.

Virtually all staff positions at NTSV have now been filled and I am confident that we have a strong staff team, capable of providing professional services to native title groups across the State. The important position of Principal Legal Officer will probably be performed on a job share basis by Alison Murphy, who is already doing excellent work with us on a part-time basis, and another very experienced native title lawyer with whom we are currently in

discussion. I expect to be able to report further on this in the next newsletter.

The first AGM of NTSV was held on 31 October 2003 and the seven new Directors have a 3 year term commencing on that date. The Constitution provides, however, that the position of Chairperson will be subject to an annual election by the Directors themselves.

I take this opportunity to wish all clients of NTSV a very happy Christmas and advise that the NTSV office will be closed from 24 December and reopening on Monday 5 January.

