

# NTSV

Issue 4, August 2004

## From the Chairman

There has been a lot happening in recent weeks – all of which I think confirms that NTSV is making a very positive contribution to addressing the land-related issues of indigenous people in this State.

The opening of our new office in Queensberry Street on 22 July was a very positive event. The opening was conducted by the Attorney General, Rob Hulls, and we were encouraged by the positive comments of the Attorney himself and of the many stakeholder representatives who attended the opening.

Another very positive recent development, also involving the Attorney General, was the meeting held at Lake Boga, near Swan Hill, on 4 August when the Attorney General committed the Victorian Government to an expedited negotiation process for a regional agreement to settle all the North West native title claims. (see photos inside)

The meeting was just the beginning of a negotiation process, but it is a very positive step toward the resolution of the North West claims, in a way that recognises the aspirations of the various native title groups involved while hopefully avoiding some of the more demeaning aspects of native title connection proof.

I want also to mention the fact that I gave a paper at the recent (20-21 July) Cultural Heritage and Native Title Conference in Brisbane. This was an important national conference and I took the opportunity to stress the importance of traditional owners controlling cultural heritage. That is to say, control of cultural heritage should be seen as a native title right.

This matter is, of course, directly related to the current consultations being undertaken by the Minister for Aboriginal Affairs, Gavin Jennings, in relation to cultural heritage arrangements in Victo-

ria and it is a very important issue, as you all know. The NTSV Board recently met with the Minister to discuss these issues and we will be meeting with him again on 17 September.

(Anyone wanting a copy of the paper I gave in Brisbane should ring Sharlene at NTSV on 9321 5300.)

I also take this opportunity to advise all claimant groups that the NTSV Board recently appointed Chris Marshall as CEO for a three-year term commencing 1 July 2004. Chris was the unanimous choice of the interview panel and brings to NTSV not only continuity, but strong native title and management experience.

On behalf of the Board I encourage all claimant groups to remain positive in the struggle for land justice. We will continue with our best efforts to provide every possible support to native title claimant groups, within the limitations of the funding allocation provided by the Office of Indigenous Policy Co-ordination (which replaced ATSIIS on 1 July this year).

**“it is a very positive step toward the resolution of the North West claims”**



L-R: Henry Atkinson (Yorta Yorta Elder) and Graham Atkinson (NTSV Chairperson)



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**Meeting of North  
West Claimants & the  
Attorney General Rob  
Hulls**

**4 August  
at  
Lake Boga**

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## WOTJOBALUK

Wotjobaluk will be the first native title determination in Victoria. A number of outstanding issues have now been resolved. Remaining issues are still under negotiation, and the parties are working towards achieving a successful conclusion to allow a consent determination to be made and the in-principle agreement with the State to be finalised by the end of the year.

## GUNAI/KURNAI

The recent Court hearing of s.66B application to change the registered applicants was inconclusive. Parties are now in discussion towards a resolution of the s.66B application by consent, that is, by negotiation.

## BIDAWAL

A meeting was held in May to update the Bidawal people on the current state of research. Further research commenced in June and a meeting to discuss the results is proposed for October.

## ROBINVALE

The Robinvale Native Title Group have provided their connection material to the State and are currently awaiting the State's response. The

group are also progressing negotiations for several future acts in the claim area.

## DJA DJA WURRUNG

## WADI WADI, WAMBA WAMBA and BARAPA BARAPA YUPAGULK

NTSV submitted preliminary connection evidence and aspirations to the State of Victoria in April 2004, and the State provided its response to the material on 28 May 2004. NTSV will be undertaking further research with claimants throughout the next 18 months.

Members of the Native Title Groups attended the North West Regional Agreement meeting with the Attorney-General in August. NTSV is in the process of formulating a proposal for the resolution of all claims within North West Victoria through a single regional agreement.

## KIRRAE WURRUNG

The Kirrae Wurrung Native Title Group are progressing negotiations under the Future Act process. A workshop to consider the group's aspirations has been set down for September to discuss possible avenues for meeting their aspirations.

## NTSV Official Opening



Above: Wilma Xiberras (Wurundjeri Elder), Eleanor Bourke (NTSV Board Member) and Daphne Yarram (Chairperson Binjirru Regional Council)



Right: NTSV staff members



Left: Attorney General Rob Hulls speaking at the NTSV opening

## From the CEO's Desk

It is now one year since the new company, Native Title Services Victoria, was established to undertake the functions of a Native Title Representative Body (NTRB) as set out in the *Native Title Act*.

NTSV was registered on 12 August 2003 and I am pleased to be able to report that after one year the Company is operating smoothly with a good Board, a competent staff team and a clear sense of direction.

There are many requests being received from various native title groups around the State for assistance from NTSV and we have had to prioritise our activities.

We have to live with the frustration of not being able to provide assistance to as many groups as we would like, but we want to do what we do well rather than spread ourselves so thin that we end up doing nothing well.

Our top priorities for the 2004/05 financial year, as endorsed by the NTSV Board, are to settle the Wotjobaluk claim, to resolve the difficulties besetting the Gunai/Kurnai claim, to progress negotiations with the State in relation to the Gunditjmarra

claim and to facilitate as many agreements as possible between claimant groups and mining companies across the State.

In addition, the recent commitment by the Attorney General to an expedited negotiation of a regional agreement in the North West of the State has obviously meant that this also becomes a very high priority.

I want, however, to ensure other claimant groups that whilst the above-mentioned priorities exist, we are nevertheless intending to provide assistance to several other groups during this current financial year and these are clearly identified in our Operational Plan.

I want also to say that, having been recently appointed as CEO and no longer working just on a consultancy basis, I am absolutely committed to the task of providing best practice professional service and assistance to native title claimant groups in this State – where the effects of indigenous dispossession have been so dire.

### Gunditjmarra Update - National Heritage Listing for the Budj Bim site.

The Gunditjmarra Native Title Group continue to meet monthly to discuss native title issues and their claim is progressing well towards serious negotiation with the State.

An invitation has been extended to the Attorney General, to visit Gunditjmarra country. This included a draft itinerary for a day visiting important places and meeting the Gunditjmarra community. The Attorney General's office has advised that Minister Hulls will definitely accept the invitation this year and a definite date for the visit is expected soon.

In the meantime negotiations are proceeding with the State in relation to land tenure information and the group's Aspirations.

NTSV is engaged with various respondents

trying to address their concerns in an attempt to reduce the number of parties to the claim.

Congratulations to the Gunditjmarra nation on the National Heritage Listing for the Budj Bim site at Lake Condah. This is a tremendous formal acknowledgement by the Federal Government and we hope it will be followed by international heritage listing.



Lake Condah  
in flood