

DJA DJA WURRUNG

Following a period of uncertainty in the first half of the year, the State and the Dja Dja Wurrung commenced negotiations under the *Traditional Owner Settlement Act* in late June.

As well as monthly meetings with the State, representatives of the State and NTSV have met a total of sixteen times to progress matters.

To date the negotiations have focussed on elements of the Land Agreement and the Natural Resource Agreement. The Dja Dja Wurrung have also been working towards finalising the external boundary of the area that will be subject to the proposed Recognition and Settlement Agreement, and this has involved boundary meetings with neighbouring groups.

A Natural Resource Working Group has been established to develop and progress the Dja Dja Wurrung Country Plan. It is anticipated the country plan will be finalised before April 2012.

WWB

The Wamba Wamba Wadi Wadi Barapa Barapa are also back in negotiations with the State under the *Traditional Owner Settlement Act*, the Government having confirmed its intention to negotiate the full set of agreements available under the Act.

The WWB face some unique challenges having their separate identities recognised and resourced while negotiating a combined settlement. Nonetheless they anticipate reaching agreement on key elements by early 2012 and on all elements by September 2012.

GUNAIKURNAI

The Gunaikurnai Land & Waters Aboriginal Corporation (GLaWAC) now has a fully staffed office in Bairnsdale.

The corporation is focussed on the implementation of their settlement agreements, including the joint management arrangements for ten parks and reserves. Recommendations have been made to the Minister on appointments to the joint management board.

In addition, GLaWAC is currently undertaking business and strategic planning and is about to commence negotiations with the State on their outstanding agreements—the Land Use Activity Agreement and the Natural Resource Agreement.

GUNDITJMARA

Discussions are continuing with the State of Victoria on the ILUA Review and sustainable funding for the Corporation as well as with the State of South Australia for the recognition of Gunditjmara rights and interests in the Lower Glenelg River.

The Gunditj Mirring Traditional Owners Aboriginal Corporation is continuing to hold full group meetings every first Wednesday of each month.

EASTERN MAAR

The Eastern Maar Aboriginal Corporation (EMAC) was incorporated this year and is now a PBC holding native title jointly with Gunditj Mirring over the area between the Eumerella and Shaw rivers. EMAC held their first Annual General Meeting in November. They are looking forward to pursuing their rights and interests in relation to their broader claim area.

ROBINVALE

The Robinvale Aboriginal Community claim will have the opportunity to consider the findings of the Central Murray research project this month. This project, now completed, consolidated all of the research material gathered by NTSV over the life of the claim in both Victoria and NSW and, combined with more recent research, provides a comprehensive understanding of the Central Murray Aboriginal communities at the time of first European settlement and now.

This material has been considered by a senior native title barrister, whose advice will allow NTSV to assist Traditional Owners in the area to decide the best way to pursue their land justice aspirations.

YUPAGALK

Earlier this year the State flagged the possibility of pursuing a negotiated settlement of the Yupagalk claim in conjunction with a review of the Wimmera settlement ILUA. Once the details of the State's negotiation parameters are known and confirmed, a meeting of the full group will be held to consider options for resolution of the claim.



Chairman's Report

On behalf of the Board I wish to thank all who have contributed to another successful year at NTSV.

This will be the last newsletter sent out under the leadership of our CEO Chris Marshall. I want to acknowledge Chris's outstanding contribution to native title in Victoria over the past nine years and thank him for his vision and commitment to the role of CEO since 2003. We will miss his valuable contribution to native title, cultural heritage and land justice issues in Victoria.

Chris gave the Board one year's notice of his intention to resign last December and we appreciate that it was not his intention to continue indefinitely in the CEO role. The Board's successful recruitment process has resulted in the appointment of Matthew Storey as new CEO. We are delighted that Matthew has accepted the position and we

look forward to his leadership as we work to turn the tide of history for Victoria's Traditional Owners.

I also want to take this opportunity to thank Eleanor Bourke who will be standing down from the Board early in 2012. Eleanor was a founding member of the NTSV Board and has been tireless in her commitment and contribution to the organisation.

I believe both Chris and Eleanor's legacy to native title and land justice issues will long be remembered by Board and staff members of NTSV and the wider community.

Best wishes for Christmas and the new year.

Yours in the struggle

Graham Atkinson

Sincere Thanks to Eleanor Bourke



Eleanor Bourke is a highly credentialed Wamba Wamba and Wergaia woman. She has had an outstanding career in both academia and the bureaucracy and was a foundation member of the NTSV Board, having been appointed in 2003 at the time of NTSV's establishment.

Eleanor will be standing down from the Board in the New Year. NTSV has benefited greatly from her wisdom and experience, and the Board will be the poorer for her leaving.

We wish her well and thank her for a wonderful contribution.

First meeting of Victorian PBCs

At the initiative of the NTSV Board, Victoria's four Prescribed Bodies Corporate (PBCs) met as a group for the first time on 12 October at the Aboriginal Advancement League.

Eastern Maar Aboriginal Corporation, Barengi Gadjin Land Council, Gunditj Mirring Traditional Owners Aboriginal Corporation and Gunaikurnai Land and Waters Aboriginal Corporation were all represented and were welcomed to Wurundjeri country by Margaret Gardiner.

The meeting was an opportunity for PBCs to compare notes about the business of managing native title and to address issues of concern with a number of State government agencies. The PBCs sought and received a commitment from NTSV to hold twice yearly meetings of the Victorian PBCs, starting in 2012.

In related news, the Australian Institute of Aboriginal and Torres Strait Islander Studies will conduct a PBC workshop in Melbourne in December as part of a national series of workshops under its PBC Support Project.



FAREWELL MESSAGE FROM THE CEO

Dear all

I will be finishing as NTSV's CEO at the end of January so I take this opportunity to offer a few farewell comments.

At the end of this year I will have been managing native title service delivery to claimant groups in Victoria for nine years, having first come to Victoria in early January 2003. I worked with the Mirimbiak Governing Committee and with the elected ATSIC leadership to set up a new native title services organisation, Native Title Services Victoria – which was registered as a company in August 2003.

It has been a great privilege to have served the traditional owners of Victoria in this role over the years. Those years have seen four consent determinations of native title (Wimmera Clans 2005, Gunditjmara 2007, Gunai-Kurnai 2010 and Eastern Maar/ Gunditjmara 2011).

In addition, the formation of the Victorian Traditional Owner Land Justice Group and the lengthy process of advocacy and negotiation leading to the passage through the Victorian Parliament last year of the *Traditional Owner Settlement Act* have been significant in the process of turning the tide of history for Victoria's first nations groups.

Many people have contributed to the outcomes I have mentioned – outstanding Aboriginal leadership, committed NTSV staff and consultants, and State and Commonwealth politicians and officers – but particular mention is due to the former State Attorney-General Rob

Hulls, who consistently championed land justice outcomes through the years 2003-2010 and whose political will enabled the progress I have outlined.

I hope that all reading this newsletter will appreciate the quality of the superb group of people who have over the years made up the Board of NTSV. Graham Atkinson, Daphne Milward, Eleanor Bourke, Damein Bell, Mick Harding, Eileen Alberts, Aileen Blackburn, Ricky Mullett, Trevor Edwards, Sandy Atkinson and Joy Wandin-Murphy have all provided wise oversight and direction – several of them over the entire period of NTSV's existence. Graham, in particular, has been as staunch a Chairman as any CEO could ever hope to work with.

Over the years NTSV has had many skilled and committed staff – but one person is due special mention: Debbie Heeney, who has been my Executive Assistant since the day I first walked into Mirimbiak and who has been tireless in her commitment.

I look forward to handing over to Matthew Storey in January. Matthew has excellent credentials for the role and will, I am sure, have a transformational impact as he leads the staff team in facing future challenges.

May God bless the traditional owners of Victoria,

Chris Marshall

Introducing our new CEO



Matthew Storey

The NTSV Board is delighted to announce the appointment of a new CEO, Matthew Storey. Originally from Victoria, Matthew currently holds a senior position in the Northern Territory administration, with particular responsibility for Indigenous land tenures, encompassing native title, economic development, environmental law and natural resources law. He has strong native title experience and has a rich and varied background in government, in academia and in the Indigenous community sector. Matthew has been President of the Law Society of the Northern Territory for the past two years.

The Board is delighted to have a person of Matthew's capacity and experience to take up the CEO role following Chris's departure and we are confident that he is the right person to lead NTSV through the next phase of its operations. Matthew will take up the position on Monday 30 January 2012 and Chris will finish with NTSV the following day.

Board of Directors - Call for Expressions of Interest

Expressions of Interest are invited from Victorian Traditional Owners interested in sitting on the NTSV Board.

Board members do not represent their own particular group or region and are appointed on merit in accordance with their capacity to contribute to NTSV's good governance in the interests of all Victorian Traditional Owners.

The selection criteria for Board appointments are as follows:

- Experience in corporate governance;
- Good standing in the Aboriginal community;
- Some knowledge of native title issues; and
- A Traditional Owner in Victoria.

Expressions of Interest should be directed, by 31 December, to:

Company Secretary, Native Title Services Victoria

Email: C/- dheeney@ntsv.com.au Phone: Debbie Heeney on 03 9321 5305

If you have applied previously and would like to be considered again, please contact Debbie.



Current Board Members & CEO (left to right); Eileen Alberts, Damein Bell, Daphne Milward (Deputy Chair), Chris Marshall (CEO), Graham Atkinson (Chairman), Mick Harding, Aileen Blackburn and Eleanor Bourke.

Trust Money Update

NTSV currently holds moneys on behalf of a number of Traditional Owner groups throughout Victoria. These moneys were received under various future act agreements negotiated between the groups and various companies undertaking projects on traditional lands.

Since the last update in the April 2011 newsletter, NTSV has held meetings with the priority groups - Gunaikurnai, Gunditj Mirring and the Dja Dja Wurrung. NTSV has been assisted with advice from an expert trusts lawyer at Freehills.

Some of the groups have expressed a preference to have the money managed by their own Traditional Owner corporation. Corporations will need to consider the effects of the Corporation's rules on their ability to manage such moneys.

Many Traditional Owner corporations include objects in

their rules which state that the Corporation is to operate for the following purposes: *"the relief of poverty, sickness, suffering, distress, misfortune, destitution and helplessness of traditional owners."* These objects are usually included in corporation rules in order to obtain certain tax benefits.

If the Corporation manages agreement monies then they will primarily be required to use the monies for these purposes. Corporations who don't wish to be limited in such a way may need to amend their rules to remove such objects or consider other ways to hold their agreement moneys.

NTSV and lawyers from Freehills will be meeting further with the priority groups to progress these discussions in 2012.

Please direct any enquiries to:

Paul Simmons (Future Acts Co-ordinator).