

TALKING NATIVE TITLE

in Victoria

NEWS FROM THE MELBOURNE REGISTRY

Overwhelming interest in Indigenous Partnership Strategy

Patrick Fricker, manager of Parks Victoria's Indigenous Branch, drew a large audience when he unveiled Parks Victoria's draft Indigenous Partnerships Strategy at the registry's native title forum in August. The crowd included staff from Native Title Services Victoria and government agencies, Indigenous people, recreational fishers and environmental groups.

The draft strategy was approved by the Parks Victoria board in May 2004. From July to December 2004, it will be rolled out to relevant Indigenous communities and stakeholders so that they can comment on it.

The primary purpose of the strategy is to provide opportunities for Indigenous communities to have their rights and aspirations incorporated into all aspects of park management.

At the forum, Mr Fricker highlighted the key components of the strategy, which include: relationships and partnerships with Indigenous communities, cross cultural awareness training for Parks Victoria staff, indigenous employment and training, tourism and education, and managing indigenous cultural heritage and environmental values.

The strategy, which Mr Fricker hopes will be implemented by December 2004, will support the Victoria Government's 'whole of government' approach to native title and attempts to proactively contribute to mediation outcomes.

To join the mailing list for native title forums, please contact Nadja Mack on (03) 9920 3018 or email nadjam@nntt.gov.au

Traditional owners meet Attorney-General

Traditional Aboriginal owners of north-western Victoria met at Lake Boga near Swan Hill on 3 and 4 August 2004 to discuss a regional resolution of their native title claims. The meeting was one of the largest gatherings of traditional owners in the region since their involvement in the native title process.

Representatives of six claimant groups — the Dja Dja Wurrung people, Barapa Barapa, Wamba Wamba and Wadi Wadi people, Latji Latji people, Latji Latji and Wergaia people and the Robinvale Aboriginal Community — are proposing a regional agreement that would cover land use and management issues, including hunting, fishing and gathering rights and the right to protect cultural heritage within a combined area that extends from the Bendigo region to Mildura and to the border between South Australia and Victoria.

State Attorney-General Rob Hulls joined the gathering on the second day and said that 'a regional agreement with the north-west claimants would be a first for Victoria and signifies the ongoing commitment of the Bracks Government to negotiate with native title claimants'.

The traditional owners presented the Attorney-General with a bark etching to commemorate the meeting.

Tribunal members and staff also attended as guests of the traditional owners. Tribunal member Professor Doug Williamson said 'the agreement to enter into negotiations for a north-west region comprehensive settlement has the potential to be a ground-breaking development. It looks beyond the confines of native title to grapple with the broader cultural, social and economic issues within the region. The concept calls for cooperation amongst all stakeholders, and the Tribunal will continue to be closely involved'.

Most of the six native title claims over Crown lands were lodged during 2000. The proposal for a regional agreement with the state government was first made by the claimants in late 2003.

The role and future of Native Title Services Victoria

On 17 April 2003, the then Minister for Immigration and Multicultural and Indigenous Affairs withdrew the recognition of Mirimbiak Nations Aboriginal Corporation as the native title representative body for Victoria. Four months later Native Title Services Victoria was incorporated.

One year on, chief executive officer Chris Marshall talks to us about the organisation and its future.

How does Native Title Services Victoria perform the functions of a representative body, given that it has not been formally recognised by the Australian Government?

CM: While there are certain functions we cannot perform, for example certification of claims or indigenous land use agreements, the fact that we are not formally recognised generally has little practical effect. We are funded to perform the functions of a representative body, and we do that in all significant respects.

How would you describe the role of your organisation?

CM: Our core business is to perform the functions of a representative body as defined in the Native Title Act. In addition, however, we also represent native title groups in relation to a range of land matters. For example, in Victoria, cultural heritage protection is subject to a statutory regime that does not allow for control to be exercised by native title holders. Given that across Australia, control of cultural heritage protection is regarded as a fundamental native title right, we'd be remiss if we did not represent the interests of native title groups in relation to cultural heritage.

What is your main objective for the organisation?

CM: My objective is to ensure that the organisation properly carries out its charter by providing high quality professional services to native title claimant groups across Victoria; rather than by political lobbying or activities of an overtly political nature.

What is your vision of native title in Victoria?

CM: There is the potential for real outcomes — not the 'pure' native title outcomes, such as exclusive possession, that are only possible in remote Australia — but, rather, outcomes achieved from negotiated agreements. The clear policy position of the Victoria Government is to settle native title claims by negotiation, and Native Title Services Victoria will assist Indigenous groups to articulate their aspirations and pursue agreements.

The organisation's stated 'mission' is to assist Indigenous people in the State of Victoria to maximise native title and related outcomes, and to ensure that their native title rights and interests are recognised and protected.