

Media Release

The Hon Martin Pakula MP
Attorney-General
Minister for Racing



Thursday, 1 September, 2016

TRADITIONAL OWNER RIGHTS STRENGTHENED IN VICTORIA

Victorian traditional owners will be able to more easily exercise their rights to Crown land and natural resources for cultural, social and economic reasons, thanks to new legislation introduced by the Andrews Labor Government.

The Traditional Owner Settlement Amendment Bill 2016 responds to calls from traditional owner communities to improve existing laws, and has been developed in close consultation with the Federation of Victorian Traditional Owner Corporations and Native Title Services Victoria.

The reforms to the Traditional Owner Settlement Act 2010 support the rights of traditional owners and their unique spiritual, material and economic relationship with the land and its natural resources.

The changes will streamline the process for authorising traditional owners to access and use natural resources by using the natural resource agreement itself, without requiring further administrative processes.

Activities which can be authorised under a natural resource agreement include the right to hunt wildlife and game, fish, and gather flora and forest produce.

The Victorian Civil and Administrative Tribunal will also have greater power to resolve disputes by making enforcement orders to protect traditional owner rights on Crown land when non-compliance with the Act occurs.

The Bill also ensures that all existing leases, licences and other interests on Crown land are preserved after a grant of Aboriginal title is made, in order to protect essential public interests.

The amendments strongly align with the Government's support of self-determination for Aboriginal Victorians, which is also being progressed through work to develop a treaty.

Victoria is the only state to have co-designed with traditional owners a comprehensive alternative to the Native Title Act.

Quotes attributable to Attorney-General Martin Pakula

"The Andrews Labor Government recognises the rights of Victoria's traditional owners to access Crown land and natural resources for cultural, social and economic reasons."

"Making improvements to the Traditional Owner Settlement Act 2010 will make settlements under the Act a more attractive option for traditional owner groups compared to the costly and onerous processes under the Federal Native Title Act."

"This is about improving the way traditional owners can use and enjoy the land and supporting the self-determination goals of Victoria's traditional owners."

Quotes attributable to Chair of Native Title Services Victoria Aunty Di Kerr

“The Traditional Owner Settlement Act represents a true act of reconciliation and partnership between traditional owners and the State.”

“Traditional owners championed this ground-breaking legislation and led its development so we welcome the State’s commitment to working with us to make these essential improvements.”