

## Media Statement

Thursday 28 October 2022

### IMPORTANT SETTLEMENT AGREEMENT SIGNED WITH THE WOTJOBALUK, JAADWA, JADAWADJALI, WERGAIA AND JUPAGULK PEOPLES

Today we celebrate the fortitude and dedication of the Wotjobaluk, Jaadwa, Jadawadjali, Wergaia and Jupagulk Peoples (**WJJWJ Peoples**), and their representative body Barengi Gadjin Land Council Aboriginal Corporation RNTBC (**BGLC**).

For today they have signed a landmark settlement agreement with the State under the *Traditional Owner Settlement Act 2010 (Vic)*.

This Agreement affords them the respect of acknowledgement of their Country, their cultural connection and rights. It also allows them the opportunity to apply their own principles to management of Country and provides capacity for economic development, benefitting the entire community.

Supporting Traditional Owners to come together to negotiate native title and settlement agreements is a privilege and responsibility valued by First Nations Legal & Research Services (**FNLRS**). Through five years of negotiation, and in conjunction with Nick Testro of King & Wood Malleson, we have provided legal advice to the WJJWJ Peoples and BGLC to arrive at today's important agreement.

The negotiations have been long and complex, involving extensive consultation and its success is a testament to the inclusiveness and collective decision making that the process was accorded.

The settlement establishes a framework and ongoing funding for joint management of 12 parks and reserves, including Mount Arapiles-Tooan State Park, Wyperfeld National Park and Little Desert National Park.

It also provides for transfer to BGLC of freehold title to land, including at Sisters Rocks and Wail State Forest and allows WJJWJ Peoples to exercise Traditional Owner rights, including hunting and collecting resources, on Crown land across the settlement area.

We congratulate all WJJWJ Peoples and the Hon. Jaclyn Symes, Attorney General on realising this long held vision.

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## **Details of the Settlement Agreement**

The settlement includes substantial financial benefits, including:

- more than 15 million dollars for BGLC, most of which is to be invested, with returns providing an ongoing sustainable source of income for BGLC's operational costs;
- more than 18 million dollars for WJJWJ business and economic development; and
- more than 9 million over the first five years for establishment and operation of a WJJWJ ranger program.

The historic agreement will transform the way that the WJJWJ Peoples engage and communicate with government. For instance, it includes:

- a recognition statement, by which the State of Victoria recognises WJJWJ law and custom, connection to country and the history of dispossession;
- a strategy for BGLC's engagement with local councils;
- a protocol for welcomes to country and other cultural services; and
- obligations on State agencies to contract with WJJWJ businesses for provision of natural resource management services on WJJWJ country.

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## **Quotes**

### **Ken Stewart, Chair, First Nations Legal & Research Services**

*"Each Settlement Agreement is recognition of Aboriginal Peoples' rights and cultural connections to Country, passed down from generation to generation for over 40,000 years."*

*"Today is a significant day for not just the Wotjobaluk, Jaadwa, Jadawadjali, Wergaia and Jupagulk Peoples but for all Victorians with whom they share their Country and Culture."*

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## **About Ken Stewart**

Ken is a Wamba Wamba man with extensive experience in corporate governance, native title, cultural heritage and natural resource management. Ken was on the working group that established the Murray Lower Darling Indigenous Nations (MLDRIN), he has worked with the North West Clans Aboriginal Corporation, has been a Living Murray Indigenous Facilitator with the Mallee Catchment Management Authority and is a former Member of the Victorian Aboriginal Heritage Council. Ken is also Public Officer with the Wiran Aboriginal Corporation.



## About First Nations Legal & Research Services

In the wake of the 2002 High Court decision in *Yorta Yorta v Victoria* there was a common view that native title as a doctrine would have little application in Southern Australia. Since its creation in 2003, First Nations Legal & Research Services (previously Native Title Services Victoria) has proved this view wrong. Victoria now has four successful determinations of native title covering much of the crown land of the State and a settlement under the *Traditional Owner Settlement Act 2010* (Vic).

We work with groups who wish to pursue land justice outcomes in Victoria through formal recognition. We do not make decisions formally recognising Traditional Owners for Country, their work is to assist Traditional Owners in seeking formal recognition.

We are the Native Title Service Provider for Victoria. This is a role established by the Native Title Act to provide assistance in relation to native title matters.

We also receive funding from the State through the Traditional Owner Nation-building Support Package to provide a range of services.

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## About the Barengi Gadjin Land Council Aboriginal Corporation (BGLC)

BGLC represents Traditional Owners from the Wotjobaluk, Jaadwa, Jadawadjali, Wergaia and Jupagulk peoples, who were recognised in a 2005 Native Title Consent Determination, the first in south-eastern Australia.

BGLC is the Federally recognised authority to speak on behalf of the Wotjobaluk peoples. We are also the only body in the region with the legislative authority to make legal decisions about cultural heritage.

We are the Prescribed Body Corporate for the Wotjobaluk claim area, as outlined in the Native Title Act, giving us legal authority and obligation to work on behalf of Traditional Owners.

BGLC is a Registered Aboriginal Party, as appointed by the Victorian Aboriginal Heritage Council, under the *Aboriginal Heritage Act 2006*.

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## More information

[www.fnlrs.com.au/what-we-do](http://www.fnlrs.com.au/what-we-do)

[www.fnlrs.com.au/traditional-owner-settlement-act](http://www.fnlrs.com.au/traditional-owner-settlement-act)

[www.bglc.com.au/](http://www.bglc.com.au/)

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