

Introduction

This factsheet provides an introduction to the Traditional Owner Corporations in Victoria which represent and manage the legal and cultural rights and interests, obligations and responsibilities of Traditional Owners.

The information in this factsheet identifies existing Traditional Owner Corporations and their current key statutory roles and other functions, as a way to help facilitate relationships and opportunities.

Legislative basis of Traditional Owner Corporations

In Victoria Traditional Owners establish corporations to meet a number of objectives, particularly to manage interests and fulfil roles arising from the:

- *Native Title Act 1993* (Cth)
- *Traditional Owner Settlement Act 2010* (Vic)
- *Aboriginal Heritage Act 2006* (Vic).

Traditional Owner Corporations may be established under various legislation (and will be subject to the relevant governance arrangements):

- *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (Cth) (CATSI Act)
- *Corporations Act 2001* (Cth)
- Other legislation including the *Associations Incorporation Act 1981* (Vic).

Usually in Victoria the corporations are established under the CATSI Act, in order to settle agreements with the State.

Accountability and oversight

The CATSI Act is very similar to the Corporations Act in many respects, although it provides for some differences in membership and governance requirements to recognise the cultural, collective and 'for ever' nature of the corporations.

The Office of the Registrar of Indigenous Corporations (ORIC) manages registration and provides oversight of the corporations registered under the CATSI Act, like the Australian Securities and Investments Commission in relation to companies registered under the Corporations Act.

Traditional Owner Settlement Act and Native Title

Over time it is expected that close to 100% of the State will be covered by Native Title determinations and/or Traditional Owner Settlement agreements that provide recognition of the special relationship of Aboriginal peoples with their land and waters, and in particular confer a range of procedural rights in relation to activities on Crown land, including consent and negotiation rights, recognition as the Registered Aboriginal Party under Aboriginal Heritage legislation and rights to natural resources.

Agreements may also provide the authority to participate in the State's management of natural resources, including for joint management of parks and may also set out specific responsibilities on government departments.

Summary of Corporations in Victoria representing Traditional Owner interests

Role / Purpose	Number of corporations
Native Title	4
Traditional Owner Settlement	2
Registered Aboriginal Party (RAP)	10

Note: corporations may be counted in multiple categories.

Legislation	Number of corporations
CATSI Act	7
Corporations Act	1
Associations Incorporation Act	1

Federation of Victorian Traditional Owner Corporations

The Federation of Victorian Traditional Owner Corporations is the peak body representing the interests of Traditional Owner Corporations, covering a significant proportion of the State.

Membership is voluntary and corporations which have, or are seeking Traditional Owner representative status, can become members through mutual recognition with other member corporations of their status and interests.

Corporations	NT	TOS	RAP	Fed
Barengi Gadjin Land Council Aboriginal Corporation (1)	✓		✓	✓
Dja Dja Wurrung Clans Aboriginal Corporation (2)		✓	✓	✓
Eastern Maar Aboriginal Corporation (3)	✓		✓	✓
Gunaikurnai Land and Waters Aboriginal Corporation (4)	✓	✓	✓	✓
Gunditj Mirring Traditional Owners Aboriginal Corporation (5)	✓		✓	∅
Taungurung Clans Aboriginal Corporation (6)			✓	✓
Wathaurung Aboriginal Corporation			✓	
Wurundjeri Tribe Land and Compensation Cultural Heritage Council Inc. (7)			✓	✓
Yorta Yorta Nation Aboriginal Corporation (8)			✓	∅
Martang Pty Ltd			✓	

∅ - recognised by the Federation with a standing invitation to become a member.



Connection to Country is at the heart of recognising Traditional Owners

Traditional Owners have a unique connection to their traditional Country. Through the processes of determining native title or negotiating Traditional Owner Settlement agreements with the State, the Traditional Owner groups establish corporations to represent and manage their legal and cultural rights and interests, obligations and responsibilities.

Governance requirements ensure the corporations engage with and are accountable to the members and wider Traditional Owner community. The connection to Country is articulated in plans and strategies that give effect to the economic, environmental, cultural and social aspirations of their communities.

Operational activities of the corporations include services to meet statutory and other responsibilities including for cultural

heritage, native title and other land use activities. Connection to Country is also a key driver for corporations to pursue opportunities for 'working on Country' (natural resource and cultural heritage management) services, often procured by government and other agencies.

Other Aboriginal Corporations

There are many other Aboriginal organisations and people representing a range of community or individual interests. Some of these are referred to as 'Aboriginal Co-ops'. These organisations do not represent Traditional Owner rights and interests, although they often work closely with Traditional Owners and the broader community.

Where there are no recognised corporations, there may be groups or individuals who may be able to speak for that Country. However, it is important to consider whether they have the authority to represent fully the Traditional Owners of that Country.

Traditional Owner Corporations								
Roles and Functions	Barengi Gadjin Land Council Aboriginal Corporation	Dja Dja Wurrung Clans Aboriginal Corporation	Eastern Maar Aboriginal Corporation	Gunaikurnai Land and Waters Aboriginal Corporation	Gunditj Mirring Traditional Owners Aboriginal Corporation	Taungurung Clans Aboriginal Corporation	Wurundjeri Tribe Land and Compensation Cultural Heritage Council Inc.	Yorta Yorta Nation Aboriginal Corporation
Land Use Agreement & Future Act requirements (settled or in negotiation)	✓	✓	✓	✓	✓	✓		
Operating as a Registered Aboriginal Part (RAP) under the Aboriginal Heritage Act 2006	✓	✓	✓	✓	✓	✓	✓	✓
Cultural heritage services – eg welcomes to Country, cultural awareness training	✓	✓		✓	✓	✓	✓	✓
Traditional Owner Land Management Board, Joint Management and Co-Management arrangements over Public lands	✓	✓		✓	✓			✓
Representative role on matters of policy and strategy on Country	✓	✓	✓	✓	✓	✓	✓	✓
Business operations – natural resource management, caring for Country, Rangers	✓	✓		✓	✓		✓	✓
Active business and investment operations	✓			✓				✓

5 fast facts

- Currently 66% (approx. 150,000 sq km) of the State is covered by Traditional Owner Corporations
- Over 40 Joint Management and Co-operative Management arrangements are in place over Victoria's parks and reserves
- 7 of the 8 Traditional Owner Corporations have a strategy, plan or statement of aspirations for Country
- The aggregated asset base of the eight Traditional Owner Corporations is \$42m (June 2014)
- Corporations' business operations include land, heritage and natural resource management, as well as investment in residential and rural property and tourism

Representation on policy and programmes

Traditional Owner Corporations should be consulted on matters relating to Country such as the use, allocation and management of natural resources or cultural heritage matters. Traditional Owner Settlement agreements may include a range of obligations on government and other organisations to engage with corporations (eg on regional strategic planning).

For State-wide and national policy issues and other matters, the Federation works across the Traditional Owner Corporations, and may be the best point of contact. Recent examples of Federation involvement in government processes include: water, fire and coastal action planning, preferential procurement, tax and native title reforms.

For more information, or for assistance in contacting the appropriate bodies, please contact the Federation.

Contact us: info@fvto.com.au www.fvto.com.au

While the Federation of Victorian Traditional Owner Corporations has made every effort to ensure the accuracy of this information, no warrantee is made as to the accuracy of the information contained in this document and no liability is accepted for any statement or opinion, or for an error or omission or for any loss or damage suffered as a result of reliance on or use of any material in the document.