

## Gunditj Mirring Traditional Owners Aboriginal Corporation

### OVERVIEW

The Gunditj Mirring Traditional Owners Aboriginal Corporation administers land on behalf of the Gunditjmara people. The Gunditjmara's ownership of the land was recognised in the *Gunditjmara determination* of March 2007.

This determination arose from two native title claims made in August 1996 and June 2006 respectively. These claims included Crown land and waters, including state forests, national parks, recreational reserves, river frontages and coastal foreshores.

From 2002-2005 the NNTT convened the negotiations between the claimants and the 170 different respondents. The Victorian Government and the Gunditjmara were unable to reach agreement about the necessary connection to the land. In July 2005, a conference of experts was held to prepare evidence to try this issue in the Federal Court. After their report was released in November, an in-principle resolution was achieved within three months, removing the need to go to trial.

By November 2006, all parties agreed to recognise Gunditjmara native title rights to:

- visit and temporarily reside on the land and waters;
- the use and enjoyment of the land and waters, as well as their resources, for domestic and ordinary use; and
- protect places and areas of importance on the land and waters.

This agreement was affirmed and approved by the Federal Court in March 2007. In his decision, Justice North recognised that the Gunditjmara have 'won their battle to cement their place in this country and in history'.

In addition to this determination, the Gunditj Mirring Traditional Owners Aboriginal Corporation also administers an Indigenous Land Use Agreement made with the Victorian Government. This agreement outlines what future actions may take place upon the claim area and how the ecology will be managed.

### RNTBC PROFILE

NAME OF RNTBC <a href="#">ORIC HYPERLINK</a>	<a href="#">GUNDITJ MIRRORING TRADITIONAL OWNERS ABORIGINAL CORPORATION</a>
TYPE OF RNTBC <a href="#">ATNS HYPERLINK</a>	<a href="#">TRUSTEE</a>
STATE/TERRITORY	VIC
MAP <a href="#">NNTT HYPERLINK</a>	<a href="http://www.nntt.gov.au/Publications-And-Research/Maps-and-Spatial-Reports/Documents/Quarterly%20Maps/Determinations_PBCs_A4.pdf">http://www.nntt.gov.au/Publications-And-Research/Maps-and-Spatial-Reports/Documents/Quarterly%20Maps/Determinations_PBCs_A4.pdf</a>
CONTACT DETAILS <a href="#">ORIC HYPERLINK</a>	<a href="http://www.orac.gov.au/Search.aspx?Search=Gunditj+Mirring+Traditional+Owners+Aboriginal+Corporation&amp;Type=Name">http://www.orac.gov.au/Search.aspx?Search=Gunditj+Mirring+Traditional+Owners+Aboriginal+Corporation&amp;Type=Name</a>

### RNTBC ADMINISTRATION

INDIGENOUS CORPORATION NUMBER	4672
DATE OF INCORPORATION	21/07/2006
CERTIFICATE OF INCORPORATION <a href="#">ORIC HYPERLINK</a>	<a href="http://www.orac.gov.au/document.aspx?concernID=104672">http://www.orac.gov.au/document.aspx?concernID=104672</a>

CORPORATION OBJECTS & RULES <a href="#">ORIC HYPERLINK</a>	<a href="http://www.orac.gov.au/document.aspx?concernID=104672">http://www.orac.gov.au/document.aspx?concernID=104672</a>
LIST & NAMES OF MEMBERS <a href="#">ORIC HYPERLINK</a>	<a href="http://www.orac.gov.au/document.aspx?concernID=104672">http://www.orac.gov.au/document.aspx?concernID=104672</a>

## NATIVE TITLE DETERMINATION INFORMATION

NNTT SHORT NAME <a href="#">NNTT HYPERLINK</a>	<a href="#">GUNDITJMARA</a>
CASE LAW <a href="#">AUSTLII HYPERLINK</a>	<a href="#">Lovett on behalf of The Gunditjmarra People v State of Victoria [2007] FCA 474</a>
DATE OF DETERMINATION	30/03/2007
TYPE OF DETERMINATION <a href="#">ATNS HYPERLINK</a>	<a href="#">CONSENT DETERMINATION</a>
DETERMINATION OUTCOME	NATIVE TITLE EXISTS IN PARTS OF THE DETERMINATION AREA
TRIBUNAL FILE NO	VC99/7
FEDERAL COURT FILE NO	VID6004/98
NATIVE TITLE RIGHTS AND INTERESTS <sup>1</sup>	The native title that exists in the Native Title Area ("native title rights and interests") consists of the non-exclusive: (a) right to have access to or enter and remain on the land and waters; (b) right to camp on the land and waters landward of the high water mark of the sea; (c) right to use and enjoy the land and waters; (d) right to take the resources of the land and waters; and (e) right to protect places and areas of importance on the land and waters. In so far as the native title rights and interests may provide a right to take water from waterways, that right is limited to a right to take water from waterways for domestic and ordinary use.
AREA OF LAND	1,325.3 SqKm
GENERAL LOCATION OF DETERMINATION AREA	VARIOUS LOTS BETWEEN THE GLENELG, WANNON AND SHAW RIVERS, INCLUDING LADY JULIA PERCY ISLAND AND COASTAL FORESHORE BETWEEN THE SOUTH AUSTRALIAN BORDER AND YAMBUK, SOUTH WEST VICTORIA
NTRB REGION <a href="#">NTRB HYPERLINK</a>	<a href="#">NATIVE TITLE SERVICES VICTORIA</a>

## AGREEMENTS

AGREEMENT NAME <a href="#">HYPERLINK TO AGREEMENT INFORMATION ON ATNS WEBSITE</a>	NNTT FILE NO. <a href="#">HYPERLINK TO ILUA AGREEMENT SUMMARY ON NNTT WEBSITE</a>	TYPE OF AGREEMENT	SUBJECT MATTER (NNTT)	SUBJECT MATTER (ATNS) <a href="#">HYPERLINK TO SUBJECT MATTER INFORMATION ON ATNS WEBSITE</a>
<a href="#">GUNDITJ MIRRORING AND THE STATE OF VICTORIA INDIGENOUS LAND USE AGREEMENT (ILUA)</a>	<a href="#">VI2006/004</a>	BODY CORPORATE AGREEMENT	GOVERNMENT	<a href="#">Land Management   Land Settlement   Land Transaction   Native Title   Recognition of Native Title or Traditional Ownership</a>

<sup>1</sup> These native title rights and interests are subject to the laws of the Commonwealth and the State of Victoria. They may also be subject to particular interests specified in the determination.

**ADDITIONAL ELECTRONIC RESOURCES**

Media releases	National Native Title Tribunal, <i>Gunditjmarra to achieve Australia's 100th native title determination</i> (30/03/2007) <a href="http://www.nntt.gov.au/News-and-Communications/Media-Releases/Pages/Gunditjmarra_to_achieve_Australias_100th.aspx">http://www.nntt.gov.au/News-and-Communications/Media-Releases/Pages/Gunditjmarra_to_achieve_Australias_100th.aspx</a>
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