

## Negotiating a boundary agreement and shared joint management

### Story

In 2013 Gunaikurnai and Taungurung Traditional Owner groups requested support from the Right People for Country program to negotiate a boundary agreement over Country extending approximately 185km between Warburton and Mt Hotham in eastern Victoria.

Gunaikurnai and Taungurung representatives held an initial meeting in June 2014 to discuss the boundary and review detailed maps of Country, and reached an in-principle agreement for the majority of their boundary, being the Great Dividing Range. An area of further negotiation was identified and representatives agreed to visit Country together.

#### Visiting Country

The Right People for Country program provided a grant to each group and worked with Traditional Owner representatives to develop a plan to visit the negotiation area. There was a slim window of opportunity to visit Country due to fire and snow seasons, but after much planning, Taungurung and Gunaikurnai representatives spent two days on Country together in April 2017, visiting the negotiation area and discussing an agreement.

“It was good to be out on Country together” says Taungurung representative Michelle Monk, “to hear Gunaikurnai’s side of the story and for them to hear our side. We also got to yarn about other things going on in our corporations, to share knowledge and learn from each other.”

Gunaikurnai representative Russell Mullett adds: “It was about people meeting together, talking and hearing each other, clarifying misunderstandings, talking about what the future looks like—open respectful discussions.”

#### Negotiating an agreement

*“Negotiating is not about losing rights, it’s about what we can gain.”*

**Russell Mullett, Gunaikurnai**

Following the visit to Country, representatives obtained detailed maps of the boundary area, sought legal advice and explored a range of options for progressing their interests.

“Negotiating requires a shift from thinking we have everything to lose, to focusing on what we have to gain” says Taungurung representative Marcus Stewart. “You need a level of flexibility about the outcome you are seeking. Both parties are going to make compromises—it’s about give and take. We need to ask ourselves: what does it mean within the big picture? And not get caught up in the small stuff.”

Michelle adds, “For our mob, it’s a matter of respect for our neighbours. We want to sit down and talk and come to agreements, so we need to be willing to compromise to reach an agreement that works for us and our neighbours.”

Representatives from both groups were empowered to negotiate, however all agreements were taken back to their groups for endorsement. “We were clear about our authority—that we could talk about sharing Country, but that as negotiation representatives, we can’t make a decision,” explains Gunaikurnai representative Nicky Moffatt, “It needs to go back to the full group.”

## Boundary Agreement

The Great Dividing Range, as represented by Gunaikurnai's Recognition and Settlement Agreement, is the boundary line between Gunaikurnai and Taungurung. Gunaikurnai recognise Taungurung as Traditional Owners to the north and Taungurung recognise Gunaikurnai as Traditional Owners to the south.

Gunaikurnai and Taungurung also agreed to seek joint management of the Alpine National Park which straddles the Great Dividing Range, recognising the traditional patterns of movement of Gunaikurnai and Taungurung across the range and the sharing of resources between the two groups.

"We agreed waters flowing south are Gunaikurnai and waters flowing north are Taungurung, but that we could also share Country" says Michelle, "This builds on our history and stories—of Gunaikurnai travelling over to Taungurung Country for ceremony and the other way round—and shows we are still coming together like our Ancestors did."

Marcus adds: "This agreement means future generations jointly manage Country with neighbours. We are reclaiming cultural practices together and building ongoing relationships. Our children and grandchildren will inherit this boundary agreement."

## Shared joint management of the Alpine National Park

Taungurung and Gunaikurnai agreed to seek shared joint management of the Alpine National Park, valuing this as an opportunity for both groups to have increased involvement and greater influence over the management of Country.

"There is very little Aboriginal involvement in Alpine management," explains Russell. "This agreement is a way forward. We have a long history of connection to this place. This agreement is an opportunity to reconnect, and build our knowledge and capacity to teach and learn about this unique environment and how it should be managed into the future."

"The Alpine National Park is unique Country and needs to be cared for differently" says Marcus, "Joint management with both groups gives us greater influence, greater say in managing Country and better outcomes for Country."

## Outcomes

Taungurung and Gunaikurnai wrote a joint letter to the Victorian Aboriginal Heritage Council and the Department of Justice & Regulation notifying them of the agreement. In March 2018 the Council made a decision to vary both groups' Registered Aboriginal Party areas to reflect the boundary agreement. The Department of Justice and Regulation have stated that the boundary agreement will be reflected in Taungurung's future Recognition and Settlement Agreement.

Reflecting on the negotiation process and boundary agreement, Russell says "We came to it with an open mind and sense of respect. We need to be prepared to take a step forward in order to achieve better outcomes for Country and our communities."

"Negotiating a boundary agreement is self-determination in practice" says Marcus. "When we make a boundary agreement we are assessing 45,000+ years of history and then the next 45,000+ years. I'm accountable for this decision to future generations. This is about creating stories and relationships for the future."

For more information about the Right People for Country program visit:

[www.aboriginalvictoria.vic.gov.au/right-people-country-program](http://www.aboriginalvictoria.vic.gov.au/right-people-country-program)