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NOTIFICATION OF A FUTURE ACT UNDER DIVISION 3 OF PART 2, NATIVE TITLE ACT 1993

"OPPORTUNITY TO COMMENT – 28 DAYS"

This notice relates to the proposal to upgrade the Wilsons Promontory Wildlife Walk which is a valid future act under section 24JA of the *Native Title Act 1993*.

GIVEN TO: First Nations Legal and Research Services
PO Box 431
NORTH MELBOURNE VICTORIA 3051
By email: info@fnlrs.com.au

GIVEN BY: PARKS VICTORIA

DATE OF ISSUE: 19 April 2024

The proposed future act

Parks Victoria is proposing works to upgrade the Wilsons Promontory Wildlife Walk including the extension of the existing carparking area, extension of walking track, compacted gravel track topping and the installation of several seats along the walk.

The upgrade works will improve the visitor experience and provide better access to visitors.

Works proposed include:

- The construction of three formal accessible car parking bays, topped with compacted gravel.
- Extension to the existing Wildlife Walk and topping the track with compacted gravel.
- The installation of signage and seating along the walk.

Wilsons Promontory National Park was reserved for the purpose of a national park before December 1996. The Prom was first reserved in 1898, with various additional areas added at times until 1969. Since 1975, the park has been included in Schedule Two of the *National Parks Act 1975*. The proposed upgrade works are in accordance with the purpose of the reservation.

The proposed construction of the carpark extension and track upgrade are considered to constitute the establishment of public works under Part 15, Division 4, Section 253 of the *Native Title Act 1993*.

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The future act is valid

The proposed activity is a valid future act pursuant to Section 24JA of the *Native Title Act 1993*.

Subdivision J of the Native Title Act 1993 allows for acts to be carried out on reserved land provided that the act is in good faith with the purpose of the reservation, or of no greater impact. Where the act involves the construction of a public work, (which extinguishes native title rights and interests), it is necessary that formal procedural notice be given to any registered claimant and to any registered Representative Body.

The proposed works are to be carried out over land that was validly reserved prior to 23 December 1996. The future act is in accordance with the purpose of the reservation.

The extinguishment principle applies to the footprint of the works only.

Description of the land or waters affected:

Allotment 1 Parish of Yanakie South

SPI: 1\PP3946

Wildlife Walk, Wilsons Promontory Road, Wilsons Promontory

See Attachment 1 and 2 for location and site plan

Invitation to comment

The State is extending an invitation to comment on the proposed future act described above. Please forward all comments to:

Sharna Foon
Land Use and Statutory Planning Officer
Parks Victoria
Email: sharna.foon@parks.vic.gov.au

All comments received within **28 days** of the date of this notice will be considered.

Disclaimer

This notification is given to you under the provisions of Division 3 of Part 2 of the NTA. By giving such notice, the State makes no admission or acknowledgment of any kind for the purposes of any pending or future application for a determination of native title, whether made under the NTA or at common law, for the land or waters in respect of which this notice is given.



Kerri Villiers
Regional Director East Region
Parks Victoria

Date of Notice: 19 April 2024

Notification of a Future Act under Native Title Act 1993

Attachment: Wilsons Promontory Wildlife Walk Location (red dot)



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Disclaimer: This map is a snapshot generated from Victorian Government data. This material may be of assistance to you but the State of Victoria does not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for error, loss or damage which may arise from reliance upon it. All persons accessing this information should make appropriate enquiries to assess the currency of the data.

Map Created on 18-Apr-2024
Scale 1:352,358



PROPOSED CONSTRUCTION LAY DOWN AREA
FINAL DETAILS TO BE CONFIRMED WITH CIVIL PRIOR TO
CONSTRUCTION