Department of Energy, Environment and Climate Action

Level 3
8-12 Seymour Street
Traralgon, Victoria 3844
Telephone: 03 5172 2111
deeca.vic.gov.au

Chairperson
Gunaikurnai Land and Waters Aboriginal Corporation
27 Scriveners Road
Kalimna West Victoria 3909
By email: notifications@glawac.com.au

Date: 5 March 2026
Our Reference: 1504420

Dear Chairperson

RE: NOTICE CONCERNING WORKS ON NATIVE TITLE LANDS (RIGHT TO COMMENT)
PROPOSED CONSTRUCTION OF A NEW CONCRETE SLAB AND INSTALLATION OF A SHED

The Proposal

Glengarry Mechanics Institute Reserve Incorporated intends to install a new 3-metre by 3-metre storage shed, to be constructed on a concrete slab, at the Glengarry Public Hall.

The proposed shed and concrete pad will be positioned at the rear of the hall reserve, located along the side boundary adjacent to the existing fence.

The location of the area subject to proposal is outlined in the following attachments:

- Cadastral plan showing Crown allotment descriptions.
- Aerial Photo
- Site Plan

Description of The Native Title Land and Waters Affected

Crown allotment 136D, in the Parish of Toongabbie South (P260062)

This allotment is Crown land reserved for a Mechanic Institute by notice published in the Victoria Government Gazette in 1887 on page 383.

Seeking Your Comments

The *Native Title Act 1993* (NTA) requires DEECA to consult and seek comments from the Traditional Owners of Native Title lands and incorporate appropriate conditions into consent to use and develop the land.

We understand that the proponent may also be obliged under Cultural Heritage legislation to contact the Gunaikurnai RAP body concerning this project and we will advise them of those responsibilities as a matter of standard process. However, if you would also like DEECA to raise some specific conditions on cultural heritage protection matters in the exercise of your native

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title right to protect cultural heritage as part of this formal commentary and approvals process, we will be happy to do so at your direction.

Further, your comments on how this proposal might affect your other native title rights and interests, and how that can be managed or addressed as part of this approvals process are also keenly sought.

These recognised rights and interests include the:

- right to have access to or enter and remain on the land and waters;
- right to use and enjoy the land and waters;
- right to take the resources of the land and waters for the purposes of satisfying personal, domestic or communal needs, but not for any commercial purposes;
- right to protect and maintain places and areas on the land and waters which are of importance according to Gunaikurnai traditional laws and customs;
- right to camp
- right to engage in cultural activities;
- right to engage in rituals and ceremonies;
- right to hold meetings and gatherings;
- right to teaching and learning about the physical, spiritual and cultural attributes of places and areas of importance.

Please note that the 'non-extinguishment' principle applies to these works and your native title rights will continue to exist over the site.

The Department intends to advise the proponent that the project can proceed after 40 days from the date of this notification have elapsed. We would appreciate the opportunity to discuss this proposal however in the meantime please contact Sarah Brown at the following details.

Sarah Brown
Program Support Officer, Public Land Services, Gippsland
Level 3, 8-12 Seymour Street, Traralgon
Email: sarah.x.brown@deeca.vic.gov.au
Phone: 0436 642 301

Legislative Basis for this Notice

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

Subdivision J of the *Native Title Act 1993* (NTA) allows for acts to be carried out on reserves provided that the act is in good faith with the purpose of the reservation. Where the act involves the construction of a public work, it is necessary that formal procedural notice be given to any Body Corporate and to any registered Representative Body.

This notice is also prepared and issued cognisant of the agreed terms outlined in Section 7.3 of the Indigenous Land Use Agreement between the State of Victoria and the Gunaikurnai Land and

Waters Aboriginal Corporation dated 22 October 2010 and registered with the National Native Title Tribunal on 8 February 2011.

The proposed works are to be carried out over land that was validly reserved prior to 23/12/96. The future act is in accordance with the purpose of the reservation Mechanics Institute.

The proposed works are considered "a major earthwork" which constitutes the establishment of public works under Part 15, Division 4, Section 253 of the *Native Title Act 1993*.

The non-extinguishment principle applies.

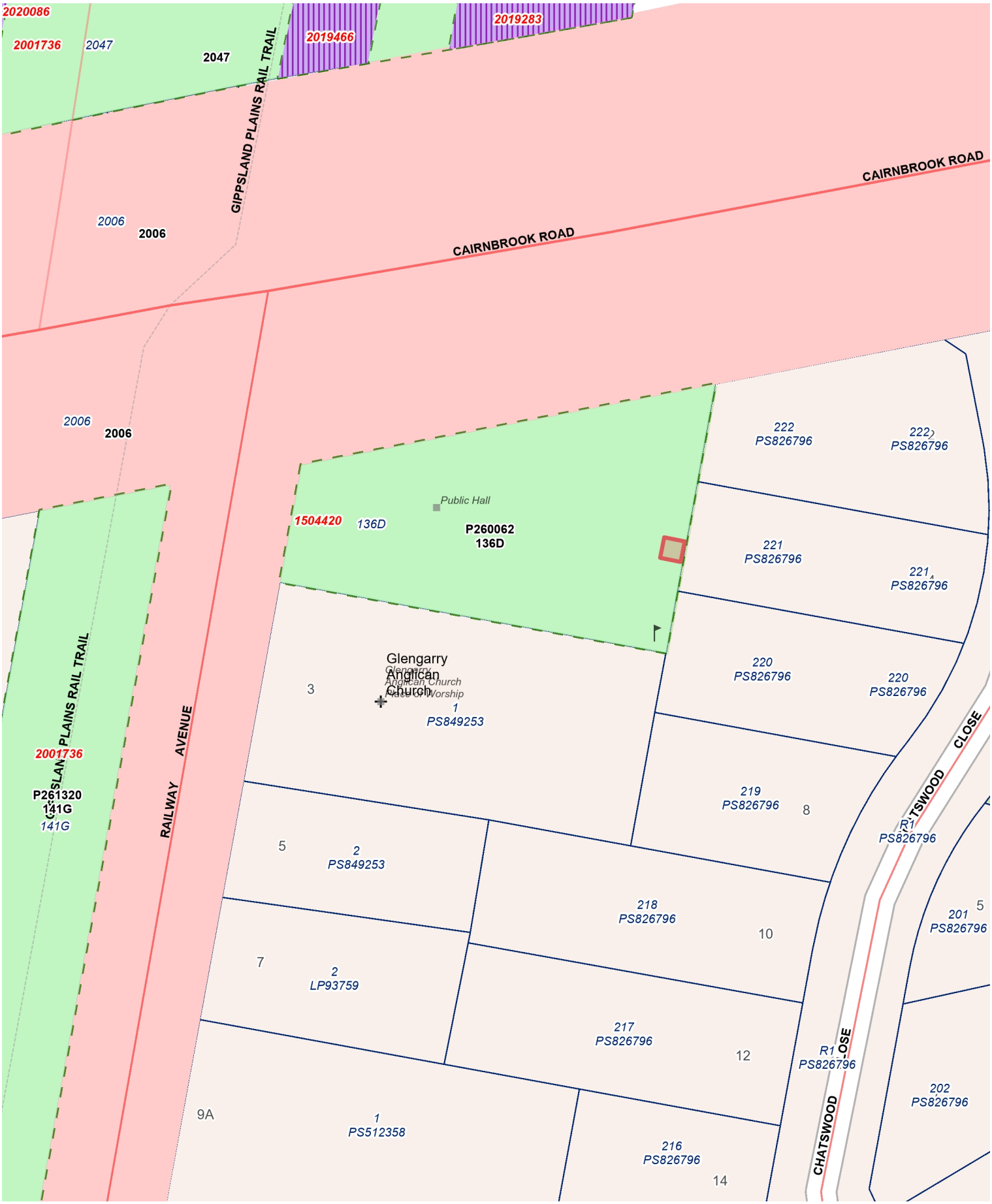
SBrown

Sarah Brown
Program Support Officer
Public Land Services, Gippsland
Department of Energy, Environment and Climate Action

Date of Notice: 5 March 2026

Cadastral plan showing Crown allotment descriptions

Subject area shaded red



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Map Created on 05-Mar-2026

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Crown Land Management A4 Portrait

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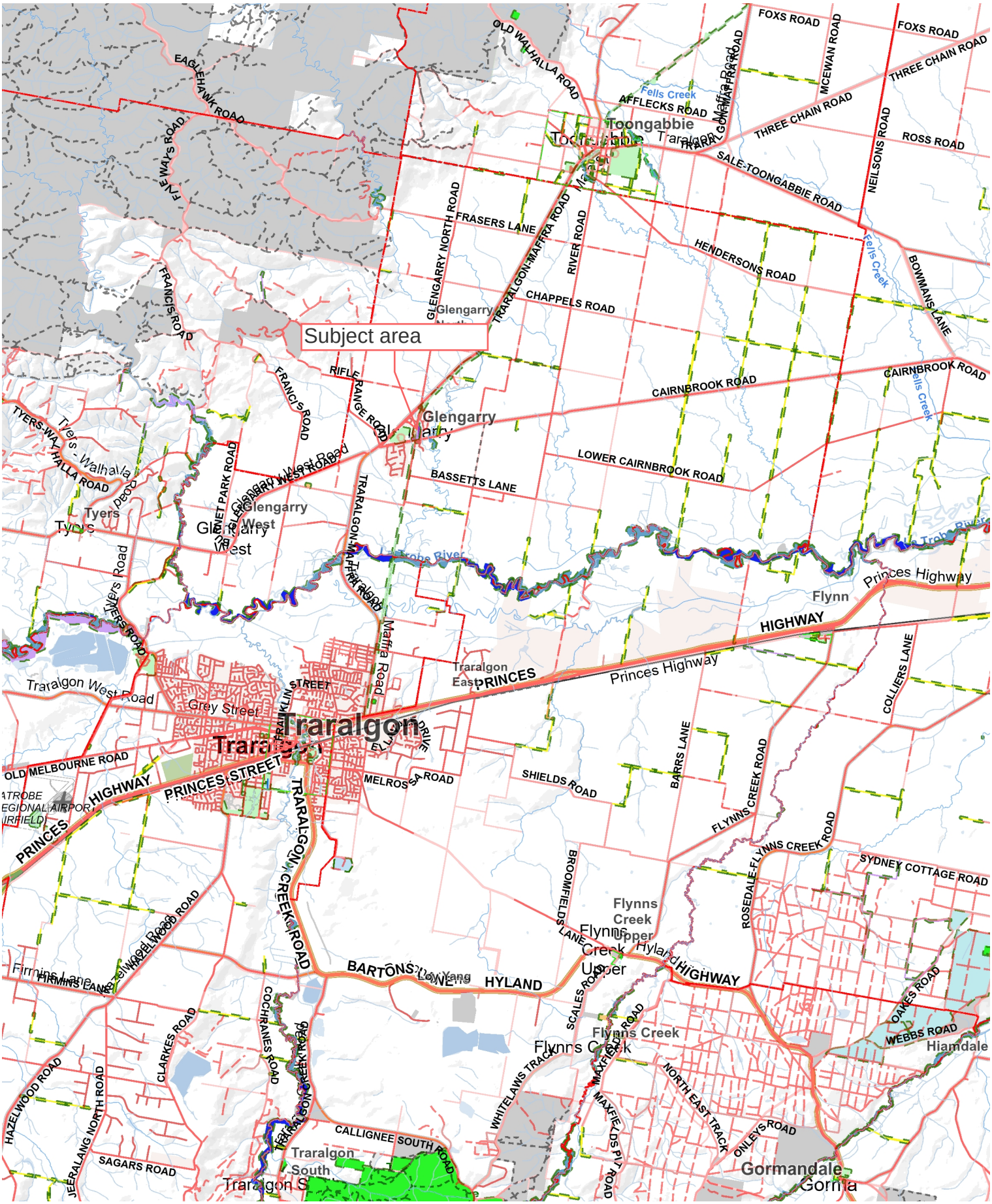
Cadastral plan showing Crown allotment descriptions

Subject area shaded red



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Aerial Photo

Subject area shaded red

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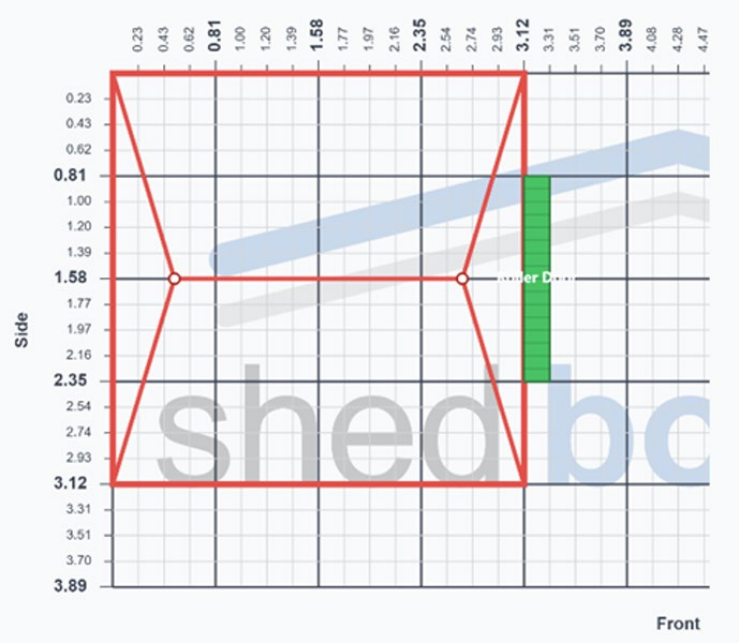
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