

TRANSCRIPT

LEGISLATIVE COUNCIL ENVIRONMENT AND PLANNING COMMITTEE

Inquiry into Climate Resilience

Traralgon – Tuesday 3 September 2024

MEMBERS

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David Ettershank – Deputy Chair

Melina Bath

Gaelle Broad

Jacinta Ermacora

Wendy Lovell

Sarah Mansfield

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Rachel Payne

Richard Welch

WITNESS

Daniel Miller, Chief Executive Officer, Gunaikurnai Land and Waters Aboriginal Corporation.

The CHAIR: Welcome back to the hearings of the Legislative Council Environment and Planning Committee's Inquiry into Climate Resilience in Victoria. Welcome, representative from the Gunaikurnai Land and Waters Aboriginal Corporation.

All evidence we take today is protected by parliamentary privilege, as provided by the *Constitution Act 1975* and provisions of the Legislative Council's standing orders. Therefore the information you provide during the hearing is protected by law. You are protected against any action for what you say during this hearing, but if you go elsewhere and repeat the same things, those comments may not be protected by this privilege. Any deliberately false evidence or misleading of the committee may be considered a contempt of the Parliament.

All evidence is being recorded, and you will be provided with a proof version of the transcript following the hearing. Transcripts will ultimately be made public and posted on the committee's website.

My name is Ryan Batchelor. I am the Chair of this committee and a Member for Southern Metropolitan Region.

Rikkie-Lee TYRRELL: Hello. I am Rikkie-Lee Tyrrell, Member for Northern Victoria Region.

Wendy LOVELL: Wendy Lovell, Member for Northern Victoria.

Melina BATH: Hello. Melina Bath, Eastern Victoria.

Gaelle BROAD: Hi. Gaelle Broad, Member for Northern Victoria.

John BERGER: John Berger, Member for Southern Metro.

Sarah MANSFIELD: Sarah Mansfield, Member for Western Victoria.

Jacinta ERMACORA: Jacinta Ermacora, Member for Western Victoria Region.

The CHAIR: Mr Miller, welcome today. To start, if you could state your name and the organisation you represent for Hansard, and then I will invite you to make an opening statement.

Daniel MILLER: Thank you. Thanks, committee. My name is Daniel Miller. I am here as the CEO of the Gunaikurnai Land and Waters Aboriginal Corporation, or GLAWAC. Happy for me to kick off?

The CHAIR: Yes, kick off.

Daniel MILLER: Thank you. I am here as the CEO and a representative of the First Nations people from most of Gippsland and rights holders. The Gunaikurnai people have native title as well as a settlement agreement as well as RAP status over 1.33 million hectares of what is now called Gippsland, from about Warragul to Orbost and Hotham and several hundred metres offshore. It is a dynamic landscape, from snowy mountains down through some coastal plains right down to the coast. It includes the Gippsland Lakes. Some of those landscapes are and will be significantly impacted over time as the climate changes. Out of anyone in the landscape, the traditional owners are not going anywhere. They have been here the longest time. They have been through several ice ages and are continuing to adapt through change. I welcome the opportunity to be a part of the committee today.

The CHAIR: Thanks very much. We welcome you and appreciate you taking the time to be here. We have just got about 5 minutes. We will ask a set of questions – a pretty standard free-flowing exchange. From your perspective, what do you think are the biggest risk factors facing the community, and how well do you think that the existing built infrastructure that is part of the community is set up to withstand those pressures?

Daniel MILLER: For the first part of the question, I think the biggest challenge we are all facing, and the traditional owners are facing it with the broader community, is the changing nature of climate, I suppose. We are seeing it again this week, where we have had windstorms which in some ways are unprecedented. We can

say that quite often, whether it be a tornado event at Mirboo North, bushfires which burn most of Gunaikurnai country or even a wind event on the lakes, Gippsland Lakes, which might whip up some waves and damage some of the outer barrier, and then we have got a whole stack of ancestral remains that are exposed. And that is our highest level of cultural heritage impact – ancestral remains. So I think the greatest impact is the extreme weather events that are becoming more frequent, and I do not think we are prepared enough. We are not adapting to be able to cope with those extreme events, which are becoming quite regular.

When we talk about infrastructure of the landscape, I guess from our perspective there is the built infrastructure as well as the natural infrastructure, if you can call it that. And the Gippsland Lakes is a great risk to us. The outer barrier is at risk of being breached in a number of places and that will have significant impact, again, on ancestor remains, as well as a whole stack of other cultural heritage which is in that area. The Gunaikurnai people have just demonstrated through some research in Buchan that we have the longest continuous cultural practice on the planet – some 12,000 years – and that is one part of Gunaikurnai culture and it is across the whole landscape. But those sorts of impacts are going to be felt more and more often. Our ability to partner with the state, for example, to be able to deal with those sorts of climate events – I will continue to refer to a major wind event on the lakes – is a challenge. We are not funded to do that. We are not resourced to do it. We are well equipped and we are able and we have the expertise to do it, but we do not have the resources to do it, so we rely on a partnership with particularly state government to be able to activate and be part of the remediation works, I suppose.

The CHAIR: You might have read my next question. Was there any support that you got particularly for preservation of cultural heritage, either sites or artefacts, from a physical infrastructure point of view? Do you get any sort of specific support on that front?

Daniel MILLER: We do not get specific support. GLAWAC is a fairly large Aboriginal corporation in Victoria, and as such we can call to arms to do things if we need to.

The CHAIR: You can move your resources. You can figure out your resourcing.

Daniel MILLER: To a point, yes. The amount of – and this is represented across all traditional owner groups in Victoria – core funding that you get or the funding to be able to do this sort of work is very limited or non-existent. It does rely on a lot of partnerships, and we have strong partnerships, and that will continue to be a key factor in success. It might be through a state or it might be through landholders, for example. And we continually provide feedback to royal commissions or major events review-type committees like this one to that effect: that the resources are not there. But the ability and the spirit in the room is there; we just have to be able to resource it.

The CHAIR: Ideally from your perspective, leaving aside the quantum issue, what do you think the mechanism for that resourcing to be delivered could or should be?

Daniel MILLER: That forms a part of our feedback that several staff members, including Uncle Russell Mullett and I, provided to those major events reviews and royal commissions. This is our view: it is a way of being recognised in the formal structures, the standing orders, the processes that come into play when we have a major event, an emergency event, whatever we want to call it. Sometimes it might be an emergency event for the traditional owners but it might not constitute an emergency event for the state, as an example, in which case it completely does rely on the goodwill of partners and any resource that GLAWAC can pull together. Again, a wind event on the Gippsland Lakes would not constitute an emergency event for the state – it is not listed in the emergency manual – but if we had a stack of ancestral remains exposed, we would need a call to arms straightaway to deal with that so that we protect that cultural heritage.

The CHAIR: Thanks very much. Ms Bath.

Melina BATH: Thank you. Thanks very much, Daniel, for being here. There are so many questions again. As part of GLAWAC, is there still a focus on healing the bush through firestick? Is that still part of GLAWAC's, I will say, operations?

Daniel MILLER: Yes. We actively participate in fire as it stands. We have described 'fire' in three ways with the state, and we have done that in a way that includes the state. So there is state business as usual, because we do not want to and we are not resourced to be fire across the whole landscape. We recognise that the state

has some fuel management targets, so that is DEECA business as usual. We have got a level of fire that we do together, and then we have a level of fire that Gunaikurnai people want to do, which may be cultural fire or it might be just any type of fire. That is a long way of saying yes. We do not necessarily say it is firesticks, but we talk about Gunaikurnai fire.

Melina BATH: And in that progression, do you see it moving forward, Gunaikurnai fire, or do you feel like there have been any brakes put on it? Could you describe, I guess, your ideal and where you are at now?

Daniel MILLER: There are lots of challenges, for sure. It has progressed. In the past years – I have been CEO for three years and been with GLAWAC for eight years – it definitely has progressed. We have staff that participate in DEECA fire, which is good now they get deployed. And we look to activate fire in our own way as well. We now are under an agreement with DEECA which is similar to other large agencies like Parks Victoria or Melbourne Water, which adds a whole stack of bureaucracy to it but also adds some layers of protection and risk management for us, so that is important for GLAWAC. So I think we are on a positive journey, yes, but there is still lots of work to do.

Melina BATH: That insurance that you need in a modern world as well.

Daniel MILLER: Exactly. Yes.

Melina BATH: Great. I am going to change track now. Can you give us an update on your renewable energy strategy – GLAWAC’s renewable energy strategy – what that is looking like and what we can learn, in making our recommendations, from it?

Daniel MILLER: Yes, no problem. I think the key point – we have not released it yet; it is still getting worked through – with the energy strategy and renewable energy work is GLAWAC and traditional owners are not trying to be energy experts. We really value partnerships, and we want to partner with people who have the same spirit, the pathway that we see as the right one and we can align to. Just today we have launched a document called *Pathways to Partnership*, which has five steps that we have identified – and it is not radical thinking, it is pretty much what we do when we do this well anyway, but it describes getting into that space where we can work together. I think to me, and the reason I am talking about that is, that is key to being a part of this new energy future. So there are a lot of international companies, a lot of leaders of those companies, who have a limited exposure to Australia, Victoria and who the hell are the Gunaikurnai people.

Melina BATH: Can you provide that document to the committee?

Daniel MILLER: Yes, absolutely.

Melina BATH: I also wrote down: how does Gunaikurnai show leadership, but also how do you get the broader community to participate and have a greater understanding and an acceptance or feel like they have got some good connection there?

Daniel MILLER: That is a really good point. We have had, to date, probably 400 or more of our community participate in some engagement tours on energy projects. A lot of it has been the old energy, but we try and link the conversation to the new energy options as well. In this very room we presented to the elders council on some of the older new energy projects, be it the mines, the decommissioning of rigs as well as the options for offshore wind. That is a part of taking everyone on that journey. Sorry, what was the first part of your question?

Melina BATH: No, you have answered it. That is great. Thank you. The other question that I have is: the government have stripped landholder rights – if you have got a renewable energy project on your land or next door, they have removed the right for you to be able to appeal to VCAT. Do you know if that has applied to people on Gunaikurnai-owned land as well? I know the owned is an interesting point, but property that is owned by Gunaikurnai, or is there a carve out for Gunaikurnai?

Daniel MILLER: I do not know, to be honest. The land that would be within the Gunaikurnai footprint, if it is freehold, I imagine it would fall into that category. Whilst there is a stack of land that has Aboriginal title and a joint managed estate, they are either national parks or a state reserve, so they are separate from this.

Sorry, back to the last question, the point I did want to make as well, Melina, was that the way that GLAWAC are doing it is to take some really deliberate steps and to shape the interaction we are having with both state and federal governments and proponents. We have given time to proponents. Last night we had meeting number 5, as we call it, and it was the first time we have brought all of the offshore wind proponents together. Before that we had done it separately. I guess we are being in control of our time and space, yes.

Melina BATH: Thank you. Thanks, Chair.

The CHAIR: Thank you, Ms Bath. Before I call Dr Mansfield, I would just like to acknowledge Martin Cameron, the Member for Morwell, joining us in the gallery. Dr Mansfield.

Sarah MANSFIELD: Thank you. Thank you for appearing today. I am interested in what work GLAWAC may be engaged in at the moment in terms of building climate resilience in different parts of the area.

Daniel MILLER: It is a really good question, Sarah. I think one thing that we recognise is that often it is seen as traditional owners are supposed to lead, and that is not right. This is a challenge for everyone. Whilst we are the custodians of a large piece of country and we have views, we do not have the resources to take major action in any area. What we can do, again through partnerships and some deliberate planning, is get our point across and support things like the remediation of these coal mines and what happens there. There is a lot of land associated with that and a lot of resources, like water, probably required to be part of that journey. But also be ready to respond – be ready for fire response or, like I was saying before, wind or flood response. It is hard for us to do too much, Sarah, because we do not have unallocated resource, if you like, that we can use for many things.

Sarah MANSFIELD: Yes. You have touched on this a little bit already, but in terms of the partnerships and the structural changes that would assist in ensuring that you can be part of those government responses and that your experiences and the impacts of climate are considered in a structural way, are there other changes you would like to see? You mentioned, for example, just some of the progress that has been made and some agreements with DEECA, but are there other things that you think need to change at a structural level?

Daniel MILLER: I think, for the Gunaikurnai people, understanding and participating in the development of a plan for the large areas of public land that we have – and the forest is a great example at the moment. We are at a point of transition for forest country in the Gunaikurnai area as well as the far east, and they do impact each other. Logging has changed, I guess. As far as we are concerned the health of country is intimately linked with the health of people, and we want people to continue to interact with country. We are keen to see whatever models in the future include active management, I suppose. Our role in that we will consider continually. It will hopefully evolve as the corporation grows and it can take some action that is self-directed. I am trying not to use the word ‘self-determined’ because it is used a bit too much and there are no real examples of it yet. But we want to be able to self-direct how we get involved in those things, Sarah. I think to be able to build the ability to respond to focused discussions – building policy, building practice, all that sort of stuff – is really important. So for me, for example, to fund a senior policy person I have to cobble that money together from other areas.

Sarah MANSFIELD: Thank you. I was interested in the comments you made previously about how there can be weather events that have an impact on cultural heritage that may not necessarily be responded to currently by authorities in the same way that other natural disasters might be. You gave the example of a wind event on the Gippsland Lakes. Do you have examples and/or suggestions for how the cultural heritage impacts of climate change can be better accounted for in the way we respond?

Daniel MILLER: I think because of the complexity of Gunaikurnai country my answer might be a bit general, Sarah. I think to have proper recognition, that goes back to these sorts of standing order procedures or whatever that emergency response agencies have where they are obliged to or directed to reach out to the traditional owner group to ask for advice, help, participation or whatever it may be. At the moment it does rely on relationships. For example, if I know a person who is an incident controller in a fire response in Gunaikurnai country, then he will probably ring and say, ‘We’ve got this happening. How would you like to be involved?’ But if it is a leader from a different region or interstate or international, they currently do not have that direction to do it. And all that really needs to be, Sarah, is a reach-out to say, ‘Is there something here of value or concern to the traditional owner group and how would you like to respond?’ It may well be ‘No, thank you’ or ‘We can’t at the moment’ but there are plenty of times where we would and could. One example during the last big

bushfires – and it is not necessarily related to climate – was we had a cultural site damaged by a bulldozer because we did not have the reach-out. We would not have said ‘No bulldozer’, we just would have said ‘Do it here instead of there’ – that sort of thing. That site would have been protected and the bulldozer work would have occurred. We still value life and property and all those things above all else. But that is the sort of thing we need to be able to do, Sarah, with confidence to know that we are embedded in a process.

The CHAIR: Thanks, Dr Mansfield. Ms Ermacora.

Jacinta ERMACORA: Thanks, Chair. Thanks for coming, Daniel. I just want to acknowledge that I am coming from Gunditjmara and Eastern Maar land in Western Victoria. I appreciate that we are in your space, and I appreciate your time today putting your perspective. I am particularly interested in landscape and fire management, and given some of the other questions, taking my next questions a little bit further. I think since European settlement or invasion there was this tendency to clear the landscape, and then in more recent decades there has been from our side of things, generally speaking, a bit of a ‘Lock it up and don’t do anything with it’ in terms of bushland and landscape. Having had a good look at Bruce Pascoe’s work and the evidence and the stories in there, there was a lot more detail and sophisticated scientific knowledge of the landscape management, particularly burning. Would you say that fire risk is perhaps higher because we have just left it and that perhaps it might be managed better if there was a stronger cultural contribution or influence?

Daniel MILLER: Yes, I do, Jacinta. We have all seen country which is now too thick to walk through because it has not been managed well. Let us just generalise that. I think the fire risk is significantly different. I know that this is shared by other traditional owner groups; I am currently the chair of the cultural fire leadership group in Victoria. The view is that a greater involvement with the traditional owner people in fire would be of benefit to the whole landscape and to the broader community. Having said that, we never want to be seen as the silver bullet to manage major events. Whenever they do happen, inevitably we get a lot of media that says, ‘What do you think, GLAWAC? Would you have fixed this?’ It is not appropriate to ask that, and it is not appropriate to engage in that conversation. But I guess the landscape is really diverse, and DEECA I think have a real challenge in managing fuel loads and in responding of course. It makes sense that a greater level of involvement from groups that have an intimate relationship with, love of and connection to country is going to be helpful. That is to my point also, Jacinta: just because a GLAWAC crew are doing fire does not mean it is a cultural activity – that is just GLAWAC doing fire. If we nominate it for cultural practice, then that is when we say it is a cultural fire. Again, that is a long way of saying yes, I think, to your question.

Jacinta ERMACORA: Thanks, Daniel. We are here at this climate resilience inquiry. Are there any resources, structures or changes in the way things are currently done that might strengthen the influence of cultural management for fire prevention? I know that that is not the only reason why land is managed, but only from that perspective.

Daniel MILLER: Jacinta, I think one of the concepts that the traditional groups in Victoria have been talking about is – we are not calling it a cultural fire authority, because the acronym would be too confusing – a traditional owner authority that has some authority over fire in Victoria and to work through some of the barriers that we currently have, and the barriers are around process, procedure and things like that. We are challenging a system that has been in place for a long time, and it does have high levels of risk – it could be catastrophic if things go wrong. My view is that we do not want to push it too far, too fast. We need to be able to protect the traditional owner groups and landholders in the state and do it in a deliberate, judicious way, but I think to give some authority to the traditional owner groups to be able to work through those changes is a really significant step. As the cultural fire leadership group that is the path we are exploring at the moment.

Jacinta ERMACORA: Thank you.

The CHAIR: Thank you, Ms Ermacora. Ms Lovell.

Wendy LOVELL: Thanks, Daniel, for your presentation. It was really great. I was just wondering, do cultural heritage provisions apply to the declared offshore wind area?

Daniel MILLER: No.

Wendy LOVELL: No. That is really interesting because in a document provided to the Commonwealth about the Bass Strait offshore wind area, the Victorian government stated that gaining social licence through a

partnership mindset with traditional owners and Aboriginal Victorians is imperative as we work towards treaty and that considerations go beyond visual impact and should consider cultural heritage. So I am just wondering what conversations both the Commonwealth government and the state government have had with GLAWAC regarding the offshore wind area.

Daniel MILLER: A lot, I suppose. The relationship is really strong between GLAWAC and both levels of government in this space, and also proponents. And whilst governments have been interested and able to come to the table and work with us, I think it has been, in my view, driven mostly by us. So whilst the zone itself is not covered by those regulations in the Act, a lot of associated work and infrastructure will be and is. In particular – and I keep talking about the dunes and the foreshore – that energy needs to come ashore, and the dunes is an area of particular interest to us. It also relates to the decommissioning of the oil and gas rigs. Thirteen of those rigs are going to be decommissioned, so there is a question on how much of that infrastructure gets removed and how much, if any, can stay in place. So we are concerned about any of that infrastructure that crosses the foreshore – it being removed will do a lot of damage. Putting it in did damage, and we are worried about doing more damage taking it out. So it is impacted in associated parts of that project, I suppose.

Wendy LOVELL: Yes. But only to the onshore parts, not to any of the offshore parts.

Daniel MILLER: Sorry, it is no to the zone, which is significantly just an offshore, but as we get closer to the shore – native title currently extends 200 metres offshore. It has not been fully explored or tested, but there is evidence of cultural heritage, which in other parts of the country has been discovered undersea, which was in place during probably ice ages or whatever. There is a high chance that there will be something of that nature underwater. To what extent, we do not know.

Wendy LOVELL: Okay. Has any level of government actually provided the corporation with an update on the construction timeline for the offshore wind projects in the declared area?

Daniel MILLER: Yes, we work pretty closely with the state on that. Again, we are not driving or influencing the timeline. We are purely working on the interests of the Gunaikurnai people in relation to this major project, yes.

Wendy LOVELL: Okay. And how do you think that the offshore wind development should be viewed in the negotiations or in the context of treaty negotiations?

Daniel MILLER: There is so much treaty, even the concept of treaty, to be explored, so I do not have a fully considered position on that yet. I guess my expectation, and it is one that we have at the moment is that we are engaged respectfully – and we need to share that respect back as well – on any major project that touches on or impacts Gunaikurnai country. So how that is realised, I am sorry, I do not have this for you yet.

Wendy LOVELL: That is fine. I am aware that the corporation met with Minister D’Ambrosio on 31 May a couple of years ago – 2022. Are you able to advise us what that meeting was about?

Daniel MILLER: That specific meeting, no. But I have met with Minister D’Ambrosio several times since then as we progress Gunaikurnai interest in being part of the future of energy in Gunaikurnai country. I have made deliberate steps to keep the minister involved in the progression of our thinking and our engagement with the industry, and the minister, through the state department, has kept us up to date on their engagement with the industry and their progression on the project. So I am sorry, I do not have the details of that exact meeting. But we work really hard to have respectful relationships, and I think we do with the minister and her department.

Wendy LOVELL: Excellent. Thank you.

The CHAIR: Thanks, Ms Lovell. Mrs Tyrrell.

Rikkie-Lee TYRRELL: Thank you, Chair, and thank you, Daniel. In regard to your discussions with the elders councils, have there been any discussions of concerns regarding climate resilience and preparedness that we have not touched on yet today?

Daniel MILLER: Look, the elders council – I am generalising here, and it is tricky for me to speak for them without having specific messages. So it is making me nervous, this question.

Rikkie-Lee TYRRELL: Do you want me to look away while you –

Daniel MILLER: No, nervous of me getting into trouble from the elders council. The elders council are concerned with the things we have talked about today, so the impacts to country, certainly the impacts from all of these sorts of major events that happen – be it fire or whatever – and the impact they are going to have on things like the Gippsland Lakes, where we know the richness of the cultural heritage is there. So they share all of our concern on that and we continue to try and brief them on the work we are doing and initiatives that are happening. The role of the elders council is to provide cultural governance and advice to the board, so we keep them up to speed and we get them exposed to some projects and we catch their general advice.

Rikkie-Lee TYRRELL: Yes. I was just wondering if there was anything that they are concerned about – say, they have noticed a change in the climate over generations and they want to address that. So clearly –

Daniel MILLER: Yes. Sorry. To that question it is a strong answer of yes.

Rikkie-Lee TYRRELL: Do we have any examples apart from the lakes?

Daniel MILLER: I think the lakes is the best one only because it is one that is so obvious and I think that is where we are noticing probably the greatest change in the outer barrier, in the impact to the cultural heritage that is there.

Rikkie-Lee TYRRELL: Yes, that is right. Before you were talking about a sacred burial site being unearthed due to the changing climate and the government not noticing or not taking on the knowledge that that is an emergency, but for your people – for the people that you represent – that it is an emergency. What happens? What actions are taken in the community to deal with that emergency? I am just curious, because we might be able to help.

Daniel MILLER: This is my view: it would not be recognised by any of the state departments as an emergency event in itself. I am confident that I could contact a state agency and say, ‘I need some support. Can you, for example, provide me with a boat that can get us to a place?’ And then our appropriate staff would go and reinter those ancestral remains and protect them as best they can depending on the site. So the support would come in kind, I would think, and it is through relationships more than embedded in a strong policy or in legislation.

Rikkie-Lee TYRRELL: So just local networking?

Daniel MILLER: Exactly. Yes. The spirit in the room is right; we could make that happen quite quickly. But when things rely on relationships, it is risky. If someone leaves or the relationship changes whatever, it can get harder to do that sort of stuff.

Rikkie-Lee TYRRELL: Yes, it is a bit dicey.

Daniel MILLER: Yes. So having it embedded in, like I was talking about, the standing orders or the policies or whatever gives it a strength that does not rely on me and you being good friends – me being able to call you and say, ‘Can you please help?’

Rikkie-Lee TYRRELL: Yes. So when there is a big emergency and everybody is running around like headless chooks, do you find that you are not heard in regard to that kind of thing happening?

Daniel MILLER: At times. I think GLAWAC has a reasonable influence over what happens on Gunaikurnai country, and we do work hard to foster the relationships. Again, it is a risk if someone is not in that relationship. So the challenge comes when we have people who are perhaps not from the region, for example, or are from a different region who might have the same personal values but do not understand the regional relationships and know who to call and know how to call.

Rikkie-Lee TYRRELL: Beautiful. Thank you very much.

The CHAIR: Thank you, Mrs Tyrrell. Mrs Broad.

Gaelle BROAD: Thank you very much. The transition to renewable energy certainly brings lots of opportunities and challenges. I guess you have got a number of large projects in the region. Can you speak to some of the challenges that it presents?

Daniel MILLER: The challenge to date has been around understanding how the project fits into the landscape, which is Gunaikurnai country, and then identifying ways to be involved. It is simple metrics. With offshore wind, for example, there are currently 10 proponents with 12 feasibility licences. If all of those projects were to happen – GLAWAC has 100 staff over 1.33 million hectares of Gippsland – we could not get deeply involved in all of them because we just do not have the people power to do that. Understanding where our value touch points are, the value for us and where we can contribute meaningfully are the challenges at the moment – to understand what these projects are and how we get involved for the future, and to create a relationship that is going to last beyond the immediate future. We want to create a relationship that lasts for the life of the project and then seek some community benefit beyond that. There is a history, as in many regions, of resources from Gunaikurnai country being taken off country. There are three big coal mines here, where Gunaikurnai country has been dug up and burnt and energy sent out, so that is a big impact on country. We have sent water away, we have sent forestry away and we are about to send wind away. There is a history of resources being taken away with no tangible benefit to the traditional owners, who are rights holders.

Gaelle BROAD: So how are you wanting to be involved in these projects?

Daniel MILLER: There is no single answer to that. It depends on the trust that we think we can build and the relationship that we think we can have with the proponent who is looking to develop something. We want to measure that in a way that is sustainable. Initially it is to be respected and to be at the table early on to look at what that community benefit model can look like. It is a ‘horses for courses’ situation. The partnership document, which we released today and which I will provide to committee, sets out five steps. Again, there is nothing radically new to it, but it is about establishing the trust, the relationship and the respect and working through that.

Gaelle BROAD: You talk about trust and respect, which is interesting. I know in northern Victoria there have certainly been a lot of communities very concerned about VCAT and the removal of that local community right to appeal renewable energy projects. What is your view on the decision to remove that right to appeal?

Daniel MILLER: I think everyone should have the right to have a say. I think that the position of GLAWAC is that the Gunaikurnai people are rights holders, which we see as slightly separate from the rest of the community, but we value the whole community’s view.

Gaelle BROAD: So do you feel that that removal of the rights has removed a bit of the social licence for the move to renewables? Has it undermined community confidence?

Daniel MILLER: Potentially. The ability to answer that in a deep sense is probably not with me at the moment.

Gaelle BROAD: That is fine. You manage a huge area. Can you talk a bit about joint management? What does it look like in practice? How does it work?

Daniel MILLER: There were originally 10 and now there are 14 parks and reserves across Gunaikurnai country where Aboriginal title has been granted, which means through the *Traditional Owner Settlement Act* we have a joint management agreement with the state on those parks. There used to be park management plans and we created joint management plans, which take the place of those earlier park management plans, and they step out and highlight the role of all parties. They recognise the Gunaikurnai people as joint managers of that part of the estate and start to set out some steps of how we are going to work together. The how – also perhaps the what, I suppose – is reliant on resources that come from the state. As project funding gets more limited at the moment, we will be able to do less, I suppose. But in practice for the Gunaikurnai people, we are funded for a team. We are funded for some rangers specifically – that is for their hours – to participate in working on the joint matters of state. And then associated with that, the traditional owner land management board, which is a separate entity sort of attached to GLAWAC and has a direct line to the minister, has a small resource to provide a bit of policy work and a bit of higher level engagement between all the parties. So they are responsible for developing the joint management plan, for example.

Gaëlle BROAD: Thank you.

The CHAIR: Thanks, Mrs Broad. Mr Berger.

John BERGER: Thank you, Chair. And thank you, Daniel, for your appearance. You mentioned the five steps before. I am just curious and interested to know: is there an order of priority for those steps, or is it just a succession of things that you would plan through?

Daniel MILLER: I think, John, it is not a hard list, let us say. They do all fit together and I think they probably have a natural progression, but we do not need to step through them one after the other if we do not need to. The *Pathways to Partnership* document is really an operational piece of work, it is not a strategy or a policy per se. It is designed to be a conversation starter and a bit of a guide to working together.

John BERGER: All right. That is all I had. Thanks, Chair.

The CHAIR: Thank you, Mr Berger. Mr Miller, thanks so much for taking the time to come in and give evidence before the committee today. You will receive a copy of the transcript for review. Just before we go I should mention – you mentioned oil and gas infrastructure and decommissioning – this committee is going to do an inquiry into the decommissioning of oil and gas infrastructure in Victoria at some point in the next couple of years. It is not this inquiry, not the next one, but the one after that that we have got to do. So we will be interested in your views on that when the time comes around, in probably 18 months or so, I would suspect.

Daniel MILLER: No worries.

The CHAIR: With that the committee is going to break for lunch. We are going to close the public gallery now, and we will reopen the proceedings at 1:45 pm.

Witness withdrew.