

Turrbal People [NNTT Ref#QC98/26]

The Turrbal people lodged a native title application for unallocated state and local government land in and around Brisbane. The applicants expressed the wish to share in the management of forests and reserves covered in the application. (*CM, 22 May, p9*) National Native Title Tribunal Registrar, Chris Doepel, stated the application indicated that the Turrbal people accepted that 'native title if existing on unallocated State land, was subject to the validly granted existing rights of others'. (*CM, 23 May, p6*)

Western Australia

Mirriuwung Gajerrong [NNTT Ref#WC94/2]

Mirriuwung and Gajerrong people, who had lodged native title application over large tracts of Ord River valley, concluded their case in the Federal Court. The WA and Northern Territory governments, Shire of East Kimberley, several mining companies and 150 Kimberley groups opposed the application. (*ST, 12 Apr, p34*)

Ngtullee Ba Marbithar Boogoola [NNTT Ref#WC98/19]

Eight Goldfields women have lodged a native title application over 469,329sq km stretching west from the South Australian to Esperance, north to Wiluna and east to the Gibson Desert. The Goldfields Land Council Executive Director Yvonne Brownley asserted that the new application over 84 existing applications threw into doubt recent progress in cutting rival applications in the Goldfields region. (*WA, 23 Apr, p10*)*

Northern Territory

Bradshaw Station [NNTT Ref#DC97/8]

Denis Burke, member for Brennan, criticized the Northern Land Council for delaying building of a new defense training area at Bradshaw Station. The Federal Government would be spending \$55 million on the station, on which the NLC put a claim last year. (*NTN, 27 Apr, p4*)

MINING AND NATURAL RESOURCES

National

Mining Company Rio Tinto pledged to conduct private negotiations with parties in native title disputes regardless of the Government's 10-point plan. Executive Director of Rio Tinto's Bougainville Copper operation Peter Taylor speaking at a native title forum in Brisbane expressed doubts that the inclusion of a 'sunset clause' in the 10-point plan would purge the threat of protracted and expensive litigation for mining companies and pastoralists. (*CM, 17 Apr, p9*) Speaking at the same forum Shell Australia Chair, Mr Roland Williams, stated Shell was an upholder of voluntary agreements with Indigenous communities. (*Aus, 21 Apr, p24*)

A federal survey found that despite the uncertainties that followed the Wik ruling there is a continuing boom in resource based investment. Contrary to the Howard Government's concern that the native title issue is discouraging new exploration, the Department of Primary Industries and Energy found that 122 projects worth more than \$24 billion were under way or committed across all States and Territories. A further 174 projects worth more than \$75 billion were being considered. (*Aus, 23 Apr, p23*)*

Western Australia

Agreement signed between Audax Resources NL and the Mirriwung and Gajerrong people allows exploration to recommence at Ivanhoe about 10km north of Kununurra. After more than two years Audax and its partners Carnegie Minerals NL and Quicksilver Holdings successfully negotiated on the basis that they were not required to recognize native title. (*FinR*, 18 May, p25)* The agreement protects Aboriginal heritage and sacred sites and gives Aboriginal people continued access to the land for hunting, fishing, and ceremonial purposes. The company had put drilling on hold pending further negotiation to increase the amount of land available for exploration. (*WA*, 26 May, p27)

Queensland

The Carpentaria Land Council wants the Federal Court to stop the Burke Shire Council from constructing a \$1.3 million bridge across Gregory River to service the Century Zinc mine. The CLC maintained the bridge would disturb significant Aboriginal sites and that compulsory acquisition of land by the State was illegal under the *Native Title Act* and the Queensland's *Acquisition of Land Act*. (*CM*, 18 Apr, p16)* As a witness in the case, Mayor Anne Clarke told the Federal Court that the Council had acquired the land required to build the bridge to discharge its responsibility under a roads agreement held with Pasminco. (*CM*, 21 May, p2)

South Australia

After a year of negotiations Australian based US Oil Company, Hemley Exploration signed an agreement with Aboriginal groups. The agreement grants the company exploration and production rights over land subject to native title applications by the Yankunytjatjara and Antakirinja people. It also provides the Aboriginal groups with compensation rights and the ability to veto exploration at significant sites. (*FinR*, 7 Apr, p4)* Yankunytjatjara Council chairman Mr Yami Lester said this highlights that agreements can be reached through negotiations. (*Ad*, 7 Apr, p4)

AMENDMENTS

Prime Minister John Howard told a meeting of Coalition members the High Court's Hindmarsh Bridge judgement would not set a precedent for the Native Title Amendment (NTA) Bill as the Bill only benefits the Aboriginal community. (*DT*, 1 Apr, p15)*

Greens Senator Dee Margetts asked the Government to explain why it opposes insertion of a *Racial Discrimination Act* clause in the Native Title Amendment Bill, when it accepted a *Social Security Amendment Act* being subject to the RDA. (*CT*, 1 Apr, p5)*

Senator Nick Minchin reiterated that the fundamental principles governing the Government's response to the Wik decision have always been to respect the common law native title rights recognised by the High Court and also to ensure a workable land management system which treats all Australians equitably. (*SMH*, 1 Apr, p19)

Democrat's native title spokesperson, Senator John Woodley, said that the Senate should be given ample time to make decisions about the 10-point plan after analyzing the full implications of the High Court's decision on the Hindmarsh Island Bridge case. (*Media Release*, 1 Apr)

Independent Tasmanian Senator, Brian Harradine, indicated he would require substantial amendment to the 'right to negotiate' provisions in the Native Title Amendment Bill, before