

Government has put the onus on successful tenderers to negotiate access agreements with native title applicants. (*FinR*, 19 Nov, p50)

Northern Territory

Alice Springs [NNTT Ref#DC94/2]

The Federal Court hearing into the Alice Springs application will re-open before Justice Olney. The application covers areas of vacant Crown land in and around Alice Springs. It was referred to the Federal Court after the Northern Territory Government refused to negotiate with traditional owners. (*NTN*, 25 Oct, p4)

MINING AND NATURAL RESOURCES

Queensland

Gold Coast – Fishing

A fishing contest has been cancelled at the last minute with State Government departments unable to grant a permit. Under new native title legislation the departments have to notify possible claimants before granting permits or leases. It is understood that the Queensland Fisheries Management Authority would not have had time to do this. (*CM*, 6 Nov, p28)*

The Queensland Government has decided to approve six leases to allow a nickel and cobalt mining project near Rockhampton to proceed. The land is required for extraction of minerals and for a processing and refining plant. Native title is still uncertain in the area and four leases remain to be decided. Premier Peter Beattie believes the native title issues can be resolved. (*CM*, 10 Nov, p4)

Century Zinc Mine

The Queensland Government has announced it will compulsorily acquire the native title rights to a strip of land that is the last section of a power line route from Gunpowder to the Century Zinc mining project. The Government wanted to make sure the project went ahead after talks again broke down between power company NORQEB and traditional owners. The Government faces penalties of \$50 000 a day, in the first instance, if power to the mine is delayed beyond 1 August 1999. The Queensland Indigenous Working Group is concerned that the Government's action may have set a dangerous precedent. (*Aus*, 27 Nov, p8)*

Western Australia

The National Native Title Tribunal today confirmed that 31 Western Australian native title applications would be put through the stringent new registration test earlier than expected because of the Western Australian Government's decision to grant a series of mining related tenements under the provisions of the amended *Native Title Act 1993*.

Tribunal Acting Registrar, Hugh Chevis, said the WA Government had advised the Tribunal of its intention to grant 25 mining tenements, mainly in the Goldfields and Mid West, which impacted on 31 existing native title applications.

The Government's proposal to grant mining related tenements in key areas triggered an acceleration of the registration test. The test will now have to be applied to affected applications within four months. Some of the individual tenements affected as many as eight native title applications, requiring all of them to face the registration test several months earlier. The Tribunal will devote additional resources to managing the registration test process given the shortened time frames.

Goldfields applications affected are Koara, Ngurludharra-Waljen, Wutha, Wutha #2, Harris, Ngadju, Wheelman, Dimer, Pugan family groups, Bullenbuk-Noongar, Waljen people, Tjinintjarra family group, Thithee Birni Bunna Wiya, Yulbarri nomad people, Mugung people, United North East, Nardoo people and Bibila Lungutjarra.

The Miriuwung-Gajerrong applications in the Kimberley are affected, as are the Nyiyaparli people's application in the Pilbara.

In the mid-west region, applications affected were Pandawn, Mullewa Wadjari and Widi Mob, while in the south west the Nyungah petroleum, Nannup people, Clara Nobel, Corbett-Noongar, Kevin Miller, Gnaala Karla Booja, Clarrie Ugle-Noongar applications will now face the registration test sooner. (*NNTT Media Release, 20 Oct*)*

Fitzroy River Dam

The proposal to dam the Fitzroy River at Dimond Gorge to irrigate cotton fields in the Kimberley has been dropped. Western Agricultural Industries aim to grow cotton and crops around Broome, irrigating the land. Now that the Dam proposal has been dropped, the company is looking at alternatives such as the use of groundwater or 'on-farm' storage. (*WA, 10 Nov, p1*) The area proposed for cotton crops is the traditional land of the Karajarri people from the Bidyadanga community. They are worried that pumping groundwater for use in irrigating the cotton crops would dry up waterholes and springs and increase salination. They feel the proposals to be a threat to their traditional way of life. (*WA, 11 Nov, p28*)*

Northern Territory

The National Native Title Tribunal has approved the compulsory acquisition of native title rights and interests in an area that is subject to native title applications by the Larrakia and Dangkalaba peoples. The approval clears the way for the construction of a liquefied natural gas (LNG) plant and ancillary projects on 600 hectares of land at Wickham Point in Darwin Harbour.

National Native Title Tribunal Member Professor Doug Williamson QC, who ruled on the matter, said the proposed development would have a significant adverse impact on the activities and way of life of the Larrakia people. But he said it was equally clear that the development, by Phillips Oil Company, could result in substantial economic and public benefits.

Professor Williamson decided in favour of the project provided that:

- the native title parties were granted access to the land and waters in the Wickham Point precinct;
- cultural and environmental protection obligations were observed;
- native title holders were involved in liaison committees related to the project; and
- employment and training opportunities on the project for native title holders were encouraged.

Compensation is yet to be determined. (*NNTT Media Release, 2 Oct*)