

## Western Australia

Democrats MLC Helen Hodgson claimed the Western Australian Government may face a United Nations reprimand over its extinguishment of native title on 1300 of the State's land leases. The legislation validating the leases has been passed in the Lower House and has passed the second reading in the Upper House. *(WA, 15 Nov, p37)*

The Native Title (State Provisions) Bill to introduce a State-based native title regime for Western Australia was passed by the Legislative Assembly. Labor voted against the Government Bill after failing to amend it. *(WA, 27 Nov, p51)\**

Participants in the North Eastern Goldfields Ranges project have established a committee to negotiate future land-use plans for the region. Members from sector groups including Aboriginal, pastoral, mining, tourism, conservation and recreation groups agreed at a workshop, to start combining their own land-use plans into one major management plan. *(KM, 5 Nov, p6)*

A policy advocating a new approach to native title based on negotiation rather than legislation has been developed by the WA Aboriginal Native Title Working Group which represents all Western Australian land councils and representative bodies. Aboriginal spokesmen Pat Dodson and Brian Wyatt joined executives from Rio Tinto and Hamersley Iron to discuss the policy at a meeting in Perth. *(WA, 15 Dec, p4)\**

## Northern Territory

Innesvale station, covering 2820 square kilometres south-west of Katherine, has been returned to its traditional Aboriginal owners, the Wardaman people, following a 1996 agreement with the Northern Territory Government. *(Ad, 5 Nov, p13)\**

## APPLICATIONS

### National

The National Native Title Tribunal posts summaries of registration test decisions on their website at: <http://www.nntt.gov.au>

The following decisions are listed for November and December.

Arabunna People's Native Title Claim	pass	Doris Fletcher	pass
Edward Landers Dieri People's Native Title Claim	pass	Taungurung People (Combined Application)	pass
Arnold Franks	pass	Howard River East	pass
		Howard River East TQ	pass

Sec 4131 Hundred of Strangways	pass	Broulee Claimant Group	pass
Section 4131 Strangways (TQ)	pass	Swanbourne	sff
Lot 5976 East Point	pass	Wanneroo Road	sff
Turrbal People	pass	Daly River	sff
Innawonga, Bunjima & Niapaili	pass	NW Victoria Combined Clans	sff
Ivy Bindaye	pass	Ngalia & Mantjintjarra Peoples	sff
Kombumerri	sff	Ballina, Bunjalung #3	sff
Kombumerri People #2	sff	Boigu Islanders	sff
Pamela Simon	pass	Jabiru Township	pass
Gumbaynggirr	pass	Cosmo Newberry	pass
Taungurung People	pass	John Dudu Nangkiriny & Ors	pass
Kalkadoon People		Martu Idja Banyjima People	pass
(Combined application)	pass	Ning Bingi	pass
Madigan Thomas & others	pass	Middle Arm	pass
Town of Katherine	pass	s2413 Hundred of Cavenagh	pass
Dharawal People	pass	Pandawn Descendants	
Stephen Seiver	dnp	(amended 22/12/99)	dnp
Worimi Aboriginal People	sff	Baker Lake	pass
		Tjirrkarli Kanpa	pass

Sff - Short form failure - means that the application was tested against a limited number of conditions.

Dnp - did not pass - does not necessarily mean that native title does not exist. The applicant may still pursue the application for determination of native title. If an application does not pass the registration test the applicant may seek a review of the decision in the Federal Court.

## Queensland

A native title claim over Malanda Falls has been withdrawn and a new claim covering the same area as the original application but excluding the falls area has been lodged with the Federal Court. (*CP, 27 Nov, p7*)

### Wakka Wakka People [NNTT Ref# QC99/33]

The Wakka Wakka People's application was lodged in the Federal Court on 18 November 1999. The new claimant application covers an area in Central Queensland around the townships of Biggenden, Kingaroy, Gayndah and Monto. (*NTN (Qld), Dec '99, p2*)

## South Australia

Six overlapping native title claims on South Australia's far west coast have been combined into one application. The combined claim covers an area from near

Streaky Bay in the east to the South Australian/Western Australian border in the west and from the transcontinental railway line in the north to the south coast and stretches 30 kilometres out to sea from the SA/WA border. The claims which amalgamated are the Mirning, Wirangu No. 1, Maralinga Tjarutja, Yalata, Western Kokatha (Yabi Dinah) and Ted Roberts. The new application will be known as the Urlparirra Wilurarra native title claim. (*Ad, 6 Nov, p13*)\*

## **AGREEMENTS**

### **Victoria**

A mining agreement has been reached between Yallourn Energy Pty Ltd and representatives of the Gunai/Kurnai People of Gippsland. The 30 year, confidential agreement is a result of negotiations between the parties after the right to negotiate process was implemented following the Victorian Government's announcement of its intention to grant a mining licence to Yallourn Energy for coal mining in the La Trobe Valley near Morwell. Yallourn Energy asked the National Native Title Tribunal to arbitrate after initial negotiations failed to resolve the issues between the parties. After the Tribunal had begun to hear evidence and arguments on the matter the Gunai/Kurnai group and Yallourn Energy told the Tribunal they had reached an agreement and requested a consent determination. Tribunal Member Mr Chris Sumner congratulated the parties on resolving the matter by agreement. Yallourn Energy will establish a trust fund to help educate and train local young Aboriginal people. A joint plan is also being developed to manage sites of Aboriginal significance in the area. (*NNTT Media Release, 4 Nov*)\*

Victoria's first Indigenous Land Use Agreement was registered on 15 November following a 3 month public notification period. The Agreement between BHP Petroleum, Aboriginal groups in western Victoria and the State Government has been registered under the amended Native Title Act. The parties to the agreement are the Kirrae Whurrong Native Title Group, the Framlingham Aboriginal Trust, BHP Petroleum Pty Ltd and the State of Victoria. The agreement covers access to land affected by the Minerva Gas Field Development project near Cape Otway. (*The Standard (Warrnambool), 19 Nov, p5*)\*

### **Queensland**

The Queensland Government is to negotiate an Indigenous Land Use Agreement in relation to the proposed development of a park and recreation reserve in the township of Blackall. The proposed agreement involves the establishment of a new park and recreational facility including seating, shelter sheds and walkways. (*NTN (Qld), Dec '99, p2*)