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NATIVE TITLE IN THE NEWS

National

The Yorta Yorta People have been granted special leave to appear before the High Court of Australia in a long running native title claim for Crown land and water in the Goulburn Valley and Southern Riverina, from Euroa to Jerilderie and from Cohuna to Corowra. The process gives access to the High Court to demonstrate that their case is of national importance. This comes ten months after the full bench of the Federal Court dismissed the Yorta Yorta People's appeal of the 1998 decision rejecting the claim. (*Riverine Herald* 17 December 2001)

New South Wales

A native title claim in area of 14,490 sq km by the Nucoorilma Clan of the Gamilarooy Aboriginal People has prompted the Bingara Shire Council to become a registered party to the claim. The Council will also make an application to the federal government for legal cost involved in participating. (*Bingara Advocate* 30 October 2001)

Two hundred ha of Wellington Common in the state's central west has been handed over to Wiradjuri families, resolving one of the nation's oldest native title claims. Principal claimant Rose Chown, who two years ago moved into the century old tin house on the land where her grandmother Matilda Bell lived, said she does not know why the claim took so long to come to a conclusion. Mrs. Chown shares the Common with her husband and is planing to ask ATSIC to help build about 25 houses for claimant's families. (*SMH* 8 November 2001)

A native title claim in the New England region prompted the NSW Farmers Association to warn lease and license holders that the deadline to become a party was 7 November. The application was lodged by the

Gumbangirri People and involves many interests in the region, particularly regarding water and grazing licenses. Registering with the Federal Court ensures that interested parties have a say in the native title process. (*Guyra Argus* 8 November 2001)

The Darug Tribal Aboriginal Corporation lodged an application covering three sites in the Woollahra area, including historic Strickland House. The application covers parcels of unallocated Crown land in an area running from South Head through to Wiseman's Ferry, Katoomba and Campbelltown. (*Wentworth Courier* 21 November 2001)

The construction of a defence wharf and naval ammunition facility has been given the go ahead in Eden after an ILUA was signed in an historic move that acknowledged Indigenous ownership of the site. The Twofold Bay native title group, representatives from the Defence Department and government officials met at the facilities location to finalise the land management documents. Following a traditional Aboriginal welcoming ceremony, Merv Penrith and Neville Thomas signed the agreement on behalf of the Twofold Bay native title group and Monaro-Yuin nations. (*Eden-Imlay Magnet* 22 November 2001)

The Aboriginal Community in Condobolin have started action to save the sacred Dreamtime Lake at the Lake Cowal Gold Project site near West Wylong. Despite claims by project owners Homestake Mining Company that the native title process has not been breached, the local Aboriginal group claims they have conducted exploratory drilling in the heartland of Wiradjuri country. (*Daily Advertiser* 6 December 2001)

Victoria

An historic agreement was signed at the junction of the Murray and Darling rivers at Wentworth in traditional Barkindji country. The agreement was signed between the Murray Lower Darling River Indigenous national elders and the NSW Department of Land and Water Conservation. Yorta Yorta Nation spokesperson Monica Morgan said, 'The agreement establishes a process that ensures that Indigenous peoples can be involved in the management of the Murray and lower Darling Rivers.' (*Sunraysia Daily* 15 October 2001)

Notices have been sent out by the NNTT inviting people with an interest in land covered by two native title applications which take in areas of Mildura, Robinvale and Ouyen to register for talks aimed at reaching negotiated agreements. Acting state manager Tony Shelly of the NNTT said, 'Separate native title applications by the Latji Latji and Wergaia peoples seek recognition for traditional rights over the area. People and organizations with interest in areas claimed may want to be involved in working out how their rights may co-exist with the native title holders.' (*North West Express* 25 October 2001)

Members of the Gournditch – Mara native title claim group say Mirimbiak Nations Aboriginal Corporation is not communicating collectively nor consulting with claimants before holding meetings with the state government. Coastal claim member Christina Saunders said action needed to be taken immediately to address the clan's concerns, especially since no other body has been established to represent native title claimant groups. (*Portland Observer* 17 October 2001)

Assessment of native title claim on Wilson Promontory is likely to begin in March after a lengthy delay in the registration of the claim. The claims on these areas are being brought jointly by the Gunail Kumai and

Bunurong People. Ian Campbell-Fraser, the NNTT case manager, said that the claim has not passed the registration test but once this was completed the claim would go to the public notification stage. Then the public will have the opportunity to apply to the Federal Court to become parties to the claim. (*Star Leongatha* 23 October 2001)

The Dja Dja Wurrung People have asked that their rights be recognised over an area in central Victoria west of Bendigo in four applications affecting 12 shires. To publicise the claim and call for interested parties to register as parties to the claim, Bendigo Mayor Barry Ackerman and officers from the local councils met with representatives of the NNTT on 10 December. As well, the Dja Dja Wurrung People have registered claim which covers a massive 16,830 sq km in the Woodend, Kyneton, Maimsbury area, but does not include the Macedon Ranges Shire's tourism icon Hanging Rock. (*Macedon Ranges Guardian* 30 November 2001, NNTT Press release, 10 December)

South Australia

A native title claim over the Port Lincoln area has the Barngarla Aboriginal People opposing the fate of the Parnkalla Walking Trail. Committee Chairperson of Barngarla area Howard Richards issued a letter to the Port Lincoln City Council highlighting the group's opposition to major changes to the trail. 'We are wanting it known, as native title claimants and traditional owners of the area, that we are opposed to further destruction of native title vegetation that is adjacent to the existing trail,' Mr. Richard said. (*Port Lincoln Times* 20 November 2001)

The Kurna Aboriginal group has filed a claim to 8000 sq km of land in and around Adelaide. The claim covers mainly public reserves, beaches, the River Torrens and other sites of Aboriginal significance. Holdfast Bay Council's Chief Executive, Stephen Gawler, said that the district would not be largely affected. 'We don't see that it's a

major issue for this area because it's so heavily settled now, but it could have some significance, particularly for the coastal stretch, and we are very happy to be a party of the process so we can have a say if required. This council has already developed a very good relationship with the local Kaurna people.' NNTT state manager Peter Hutchison described the public response to the claim as 'level-headed', saying, 'Most people understand now that a native title application does not overturn other people's valid interest in land.' (*Adelaide Advertiser* 20 December)

Native title is the last hurdle for the Honymoon Uranium Mine after the state government met federal environmental conditions. Native title talks are close to being resolved. The project will add about \$40 million a year onto Australia's economy, Wayne Mathews the Minister of Minerals and Energy said. (*Advertiser Adelaide* 29 November 2001)

Queensland

The Western Yalanji People have asked for their traditional rights to be recognized over an area south of Laura and south-west of Cooktown, covering an area of about 2252 sq km, including Palmer River Goldfields Reserve. NNTT Regional Manager Gary Lui has issued notices to people with interest in the land to register for talks aimed at reaching negotiated agreements. (*Cooktown Local News* 20 October 2001)

The Gunggari People have won land rights to small parcels of land in tiny outback towns in south-west Queensland after a six year legal battle. The hand over represents a victory because previous cases had failed to prove continual links to the land. The state government accepted claims through a negotiated agreement and the Federal Court is expected to ratify the agreement. The Gunggari People will now proceed with other land claims that will include more than 700 grazing properties in some of the states'

prime grazing country between Roma and Charleville. (*Courier Mail* 17 November 2001)

ILUAs between the Kalkadoon People and the Queensland government granting mineral exploration permits are on the verge of completion. The agreements involve a number of exploration companies wishing to work in the Mount Isa region. The permits will be granted subject to protocols regarding cultural heritage protection and access to employment opportunities. (NNTT Press release 12 December)

The Wakka Wakka People have lodged a native title application with the NNTT over land in shires including the Perry and Cherbourg Community Councils. Notices have been issued inviting people with interest in land covered by a native title application to register for talks. (*South Burnett Times* 19 October 2001)

A native title claim over waters, seabed and reefs off far north Queensland has been lodged by local Torres Strait Islanders in an attempt to widen the interpretation of native title rights to seas. Despite the High Court rejecting a native title sea rights bid in October, Chairman of the Torres Strait Regional Authority Terry Waia said the claim, 'Covered the seabed, reefs, shoals, sandbanks and waters within the Torres Strait. The sea country has always been in the back of Torres Strait peoples mind. It's their country; the Torres Strait is their home.' (*AGE* 27 November 2001)

The NNTT has invited people with interest in land covered by a native title claim in central Queensland to register for talks in a claim by the Gangulu People, who have asked for their traditional rights to be recognised over the area which covers shires of Duarlinga, Fitzroy, Banana and Mt Morgan plus small parts of Monto Shire. (*Black Water Herald* 4 December 2001)

The Mamu People have lodged a native title claim over an area of 1600 sq km around Innisfail. The NNTT have invited interested parties to register for talks aimed at reaching negotiated agreements. The claim includes unallocated state land inside the boundaries of Johnstone and Eacham Shires and Cairns City. Gary Lui Senior Case Manager of the NNTT invited people who have valid rights and interests to take part in the mediation process to work out how their rights co-exist with native title holders. (*Cairns Post* 8 December 2001)

Western Australia

The NNTT has issued invitations to people with interest in land covered by several native title applications to register for talks. State Manager Andrew Jaggers said the Wajarri native title claimants had asked for their traditional rights to be recognized over 83,030 sq km north-east of Geraldton. Claims in the Goldfields region include one north-east of Wiluna brought by the Ngalia People, one around Kalgoorlie and to its west by the Kalamaia Kabu(d)n People. In the state's southeast, the Mirning People are claiming 40,000 sq km which extends 12 nautical miles out to sea. By registering interested parties may have the opportunity to participate in mediation meetings with the claimants and other parties. (*Geraldton Guardian* 14 November 2001 and NNTT Press release 28 November)

Deputy Premier Eric Ripper released a major review into native title operations which found that it was in the interest of all Western Australians that the rights of Indigenous people are properly recognised. In the report the state government backs negotiated settlements of native title applications and recommended sweeping legislation and policy changes to achieve more agreements. Mr. Ripper said, 'Ignoring Indigenous aspirations for recognition of traditional ownership's is an invitation for long, costly and bitter legal battle.' The findings were welcomed by the Kimberly Land Council Ex-

ecutive Director Wayne Bergman, who said, 'One of the findings from the report is that there are insufficient resources to organizations like the KLC to advance quickly and adjust settlements of native title. If the native title holders are to be in a position to participate equally in the native title process, then they must be properly resourced to do so.' (*Esperance Express* and *Kimberly Echo* 22 November 2001)

According to the Pastoralists and Graziers Association, the state government is revisiting extreme elements of the native title debate by reviving problems of non-transferable freehold title to Aboriginal claimants. PGA Native Title Chairman John Chaplin said that the former Burke Labor government had discussed the non-transferable freehold title for Western Australian Aborigines when it was offering pastoralists a trade off of perpetual title in exchange for native title agreement in the mid 1980's. 'Pastoralists never got the perpetual leases they were promised, but the Gallop government now wants to go overboard by offering unique freehold rights to native title claimants,' Mr. Chaplin said. (*Countryman WA* 20 December 2001)

Northern Territory

Talks over a landmark native title compensation claim to the exclusive Darwin suburbs of Cullen Bay and Bayview have reached the negotiation stage. Notices have been issued by the NNTT inviting people with interest in the land to register for talks. The claims have been lodged on behalf of the Danggalaba People and the Yirra Bandoo Aboriginal Corporation in attempt to gain compensation through the Federal Court. (*The Northern Territory* 15 November 2001)

Darwin native title claimants became property developers when the Larrakia People gave up over 250 ha of Crown land on the outskirts of Darwin in return for a commercial lease over 20 per cent of it. This

landmark deal with the NT government allows urban development to continue into suburbs of Rosebery and Bellamack free of native title complications over the subdivi-

sions. Larrakia spokesperson Bill Risk said that the deal proved that native title could work in urban Australia. (*AGE* 6 December 2001)

LIST OF ABBREVIATIONS

People are invited to contact the NTRU for additional references. We will try to provide copies of recent items on request.

Ad = Advertiser (SA)

Age = The Age

Aus = Australian

CM = Courier Mail (QLD)

CP = Cairns Post

CT = Canberra Times

DT = Daily Telegraph

FinR = Financial Review

HS = Herald Sun (VIC)

KM = Kalgoorlie Miner

IM = Illawarra Mercury

LE = Launceston Examiner

LR News = Land Rights News

LRQ = Land Rights Queensland

Mer = Hobart Mercury

NTN = Native Title News

SC = Sunshine Coast Daily

SMH = Sydney Morning Herald

TelM = Telegraph Mirror (NSW)

WA = West Australian

WAus = Weekend Australian

APPLICATIONS

The National Native Title Tribunal posts summaries of registration test decisions on <http://www.nntt.gov.au>. The following decisions are listed for November and December. All were accepted. The first number following the name is the NNTT Application Number, the second is that of the Federal Court.

Lake Nash	DC 01/61, D 6061/2001	Mountain Valley- Mainoru	DC 01/63, D 6063/2001
Gunbara Bulara Group #2	QC 01/36, Q 6034/2001	Wongalara	DC 01/67, D 6067/2001
Nutwood Downs	DC 01/59, D 6059/2001	Puutu Kunti Kurrama and Pinikura	WC 01/5, W 6007/2001
Lower Reynolds Channel Point	DC 01/60, D 6060/2001	Thudgari People	WC 97/95, WG 6212/1998
Big River Urapunga	DC 01/65, D 6065/2001	Cape Holding Group	QC 01/40, Q 6038/2001
Chaterhoochee-Mt McMinn	DC 01/64, D 6064/2001	Baryulgil Bundjalung	NC 96/8, NG 6027/1998
Goondooloo Moroak 2	QC 01/66, Q6066/2001	Kiana West	DC 01/68, D 6068/2001

APPLICATIONS CURRENTLY IN NOTIFICATION
