

communities were at a crossroad because their rights to traditional lands is currently under dispute in the Federal Court. The current battle between the Torres Strait people and the State over public works is a significant Native Title issue. Since 1992, fourteen islands have gained Native Title determinations in the Torres Strait. All of these communities are now faced with uncertainty until the Federal Court decides on the public works issue. *Torres News*, 06 June 2003.

The Queensland Government stated a landmark hearing in the Torres Strait as to whether public works can extinguish Native Title could have serious implications for future determinations across the nation. The dispute, which reached the Federal Court in Brisbane in a test case, centres on whether infrastructure such as schools and dams extinguish Native Title. The Torres Strait Regional Authority said the case had created a lot of uncertainty for all island councils, due to fears that any new infrastructure built, including housing, would extinguish Native Title. *The Australian*, 16 May 2003. Erubam Le (Darnley Islanders): QC01/20, QG6036/98.

An expected backlog of around 980 exploration permits are expected to be cleared in Queensland within the next 12 months after an agreement was made between the Queensland Mining Council (QMC) and the Queensland Indigenous Working Group

(QIWG). Under the new Native Title Protection Conditions to begin on 01 July 2003, explorers can opt to have applications processed by an accelerated process or finalised through Queensland's Indigenous Land Use Agreement (ILUA) process. The accelerated process is subject to a template set of Native Title protection conditions which protect and safeguard the cultural heritage of land subject to Native Title. In return, objections that are then lodged with the NNTT against the State's use of expedited procedures, will not be recommended or supported by Native Title Representative Bodies. Stephen Robertson, minister for Department of Mines, said it heralded a new era of co-operation and goodwill between Native Title parties and the mining industry. *North West Star (Mt Isa)*, 17 June 2003.

### **Northern Territory**

A Council plan to build an Indigenous sporting complex in the Northern Territory had been halted by Native Title. The multipurpose sports facility has been proposed for land under Native Title of the Larrakia Nation. The NT Soccer Federation has shifted its attention from Marrara to Berrimah, due to the Native Title complexities. The Larrakia originally asked for 50 per cent of employment within the complex, and 50 per cent of gross royalties. *Northern Territory News*, 21 May 2003. Larrakia claim: DC96/7, DG6017/98.

## **APPLICATIONS LODGED**

The National Native Title Tribunal posts summaries of applications that are lodged with them, on their website, <www.nntt.gov.au>. The following lodgements are listed for May/June.

### **Claimant Application**

<b>Date Filed</b>	<b>Application Name</b>	<b>State/ Territory</b>	<b>Tribunal File No.</b>	<b>Federal Court File No.</b>
07/05/03	Tjupan #2	WA	WC03/1	W6001/03
09/05/03	Gingirana	WA	WC03/2	W6002/03

<b>Date Filed</b>	<b>Application Name</b>	<b>State/ Territory</b>	<b>Tribunal File No.</b>	<b>Federal Court File No.</b>
29/05/03	Wik, Iyeny/Bakanh/ Olkol/Olkola Peoples	QLD	QC03/5	Q6005/03
24/06/03	Town of Borroloola	NT	DC03/3	D6003/03

### **Non Claimant Applications**

<b>Date Filed</b>	<b>Application Name</b>	<b>State/ Territory</b>	<b>Tribunal File No.</b>	<b>Federal Court File No.</b>
28/05/03	Darkinjung Local Aboriginal Land Council	NSW	NN03/2	N6003/03

### **REGISTRATION TEST**

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The National Native Title Tribunal posts summaries of registration test decisions at <[www.nntt.gov.au](http://www.nntt.gov.au)>. The following decisions are listed for May to June. If an application has not been accepted, this does not mean that native title does not exist. The applicants may still pursue the application for the 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 or re-submit the application.

<b>Decision Date</b>	<b>Application Name</b>	<b>State/ Territory</b>	<b>Tribunal File No.</b>	<b>Federal Court File No.</b>	<b>Decision</b>
21/05/03	Eringa #2	SA	SC99/4	S6002/99	Accepted
04/06/03	Pine Creek #3	NT	DC02/19	D6020/02	Not Accepted

### **APPLICATIONS CURRENTLY IN NOTIFICATION**

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<b>Closing Date</b>	<b>Application Number</b>	<b>Application Name</b>
22/07/03	NC01/8	Byron Bay Bundjalung People #3
23/07/03	NC01/7	Widjabul Aboriginal People
06/08/03	NN03/1	John Joseph Aquilina, MP, Minister for Land & Water Conservation
06/08/03	WC02/4	Wanjina/Wunggurr-Wilinggin #2
20/08/03	QC02/5	Yulluna People #2
20/08/03	QC02/29	Kullilli People #3
20/08/03	QC02/28	Kullilli People #2
20/08/03	DC02/16	Buchanan Downs
20/08/03	DC02/15	Burrumurra