

graduates working within NTRBs graduated from universities where native title practice is actively supported.

The survey sought information about the skills and knowledge (both anthropological and general) required by anthropologists involved in native title work and considers to what extent anthropologists are (or should be) prepared for native title work through their university studies. The survey also sought feedback from practitioners on the extent to which they believed that native title work made a positive contribution to the development of their careers.

The report also examines the position of native title anthropology within the discipline more broadly. Martin observes that applied native title practitioners feel that their form of anthropology is marginalised or dismissed by many in the academy. Exploring this theme the report considers recent debates among subscribers to the electronic discussion forum operated by the Australian Anthropological Society (AAS) regarding the role and status of native title anthropology. This discussion also examines the position of anthropology within the academy more broadly citing the keynote address given by Professor Annette Hamilton at the 2002 AAS conference which outlined a

number of the challenges facing Australian anthropology.

The Report concludes with discussion of the challenges facing anthropologists engaged in native title practice. Martin suggests that there is a certain degree of 'entrenched amateurism within anthropology as a form of professional practice...which in turn means that anthropology is ill equipped to engage as an equal with the other professions involved in native title practice'. The survey results indicate that there are ongoing difficulties in the relationship between native title anthropology and native title law. Such difficulties often extend to relations between anthropologists and lawyers through the provision of inappropriate or inadequately scoped instructions, or a lack of understanding of the role of expert witnesses as outlined in the Federal Court's guidelines. The report highlights the need for more effective cross-disciplinary understanding and communication between native title anthropologists and lawyers.

The report also includes an extensive bibliography relating to anthropology and native title compiled by Dr Hugo Green of the National Native Title Tribunal. The report is available at <http://www.anthropos.com.au/>.

NATIVE TITLE IN THE NEWS

National

ATSIS has ordered all tax-payer funded native title representative bodies to cease all cash payments to traditional owners in relation to native title claims. Indigenous Affairs Minister Amanda Vanstone said this has occurred as some of these organisations may not have accounted for taxpayer funds properly. *The Australian*, pg 7. 11 March 2004.

The National Native Title Tribunal has produced a new video/DVD titled 'Native Title Stories - Rights, Recognition, Relationships'. The DVD explains native title through real

stories of people around Australia, focusing on six different communities, and looking at the ways people handle the challenges of the native title process. For a free copy of the video/DVD, contact the NNTT on freecall 1800 640 501 or e-mail publicaffairs@nntt.gov.au. *Koori Mail*, pg 4. 10 March 2004.

New South Wales

Lake Cowal will be the location of a peaceful bid by the Wiradjuri people from central western New South Wales to show their opposition to the Cowal Gold project. The gathering will be led by Wiradjuri elder Neville "Chappie" Williams. Mr Williams

who has been litigating against Barrick for more than two years, said that Lake Cowal must be protected for future generations. West Wyalong, pg 5. 30 March 2004. Wiradjuri People.

Supporters of Wiradjuri elder Neville Williams, have renewed protests in relation to a sacred site at Lake Cowal near West Wyalong. This is days before site clearing is due to commence for development firm Barrick Gold's \$278 million dollar mine. Mr Williams has also mounted a number of legal actions, in regards to this development including lodging a native title claim. Daily Advertiser (Wagga Wagga), pg 4. 19 April 2004.

Northern Territory

An Indigenous Land Use Agreement, which will lift native title from Crown land at Larapinta is expected to be signed within two weeks. This agreement, which took years of negotiation, will be the first of its type in Australia, being a commercial resident development in a municipal area on land subject to native title. Centralian Advocate, pg 1. 19 March 2004. Lhere Artepe ILUA.

A Northern Territory Aboriginal leader has backed Labor's pledge to scrap ATSIC. Galarrwuy Yunupingu, Northern Land Council chairman, welcomed ALP leader Mark Latham's idea of replacing the organisation with a new regionalised framework. Prime Minister John Howard, has also stated that his party are considering totally abolishing Indigenous self-representation all together. Northern Territory, pg 4. 01 April 2004.

An Indigenous Land Use Agreement is expected to be signed on 22 April 04 between the Territory Government and the Lhere Artepe Aboriginal Corporation. This deal is expected to free up land in the Central Australia region and should lay the foundation for future land releases. Northern Territory, pg 6. 08 April 2004. Territory Government

and Lhere Artepe Aboriginal Corporation ILUA.

The Mirrar people of the Northern Territory have recently signed an historic agreement with Rio Tinto's Energy Resources Australia (ERA). The landmark deal will give the traditional owners the right to veto any future developments in Kakadu National Park, in particular, uranium mining. The Northern Land Council, on behalf of the Mirrar People have also unanimously voted to ratify the agreement. Canberra Times, pg 2. 23 April 2004. Mirrar People.

Traditional owners were joined by Lhere Artepe Chairman Brian Stirling and Chief Minister Clare Martin in the signing of Stage Four of a land release agreement at Larapinta. This ends years of negotiations and setbacks. This is the first agreement of its type to be signed in Australia for the release of land in a municipal area subject to native title. Centralian Advocate, pg 4. 23 April 2004.

Queensland

The Department of Main Roads has said upgrades planned for creek crossings on the Barkley Highway are being held up by native title claims over the stretch between Mount Isa and Camooweal. The delay has frustrated the Queensland Livestock Transport Association (QLTA) as floodwaters regularly cut the crossing in the wet season. The overlapping native title claims were lodged on behalf of the Indjilandji-Dithannoi people and the Kalkadoon people. North West Star (Mt Isa), pg 4. 04 March 04. Indjilandji-Dithannoi claim: QC02/36, Q6034/02. Kalkadoon claim: QC02/34, Q6032/02.

Two registered Indigenous Land Use Agreements (ILUAs) in the north-west of Queensland are expected to be signed in May. The agreements cover Mount Isa and Boulia and Cloncurry shire council areas and covers almost 3000sqkm. The joint ILUA lodged on behalf of the Yulluna and Kalkadoon people,

is the first time two Indigenous groups with overlapping claims have worked together for the benefit of cultural heritage. North West Star (Mt Isa), pg 2. 05 March 2004. Yulluna ILUA & Kalkadoon ILUA.

Winton's opal miners hope that an increase in the number of mining leases will boost the western Queensland region. In the past two months nineteen leases have been approved, which is an increase on previous years. Queensland Boulder Opal Association president Colin Duff said that miner numbers had dramatically decreased since the introduction of native title in 1997. Mr Duff further stated miners were starting to reap the benefits of ILUAs, but the industry still required assistance in cutting some red tape. Cairns Post, pg 19. 10 March 2004.

The National Native Title Tribunal has welcomed the finalisation of an ILUA which will enable Queensland's central highlanders to mine gemstone. The agreement was mediated by NNTT member John Sosso, between the Queensland Sapphire Producers' Association, the State of Queensland and the Kangoulu people. The ILUA has brought together the local Indigenous group and the small miners from Sapphire, Rubyvale and Emerald. Mr Rosso also stated that the ILUA will bring many benefits into the community and certainty to small miners who are able to have their mining tenement applications processed. Koori Mail, pg 51. 10 March 2004. Kangoulu people ILUA: QI01/47.

Five north Queensland pastoralists have recently signed agreements with the Ewamian Indigenous group. Pastoralists from Ballynure, Percyvale, Eight Mile, Ados and Gum Flat joined with representatives from the Ewamian group at the township of Kidston about 500km south-west of Cairns to sign five separate Memorandums of Understanding. The agreements acknowledge the Ewamian people as traditional owners of the area, and give them an assurance that significant sites on the pastoral land will be protected. Ballynure pastoralists George and Miranda

Ryan said the agreements were a good starting point towards negotiating an ILUA in the future. Cairns Post, pg 7. 16 March 2004. Ewamian people MOU.

The Federal Court has recently made a decision that native title exists over areas of sea in Queensland's Gulf of Carpentaria. This decision has been welcomed by Aboriginal groups in the region and the commercial fishing industry. Murradoo Yanner from the Carpentaria Land Council has said that this native title decision would improve relationships between gulf fishermen and Indigenous groups. The Queensland Seafood Industry is also pleased with the decision, as it clarifies what their rights are under state and federal fisheries laws. Torres News (Thursday Island), pg 3. 02 April 2004. *Lardil Peoples v State of Queensland* [2004] FCA 298 (23 March 2004)

James Cook University is looking to lead the way in native title research and assistance through the facility's native title centre. The centre will act as a focal point for research and assisting negotiating parties in an effort to avoid unnecessary court cases. To date, the centre has already started delivering a 'Future Acts' program to the majority of land councils in Queensland. Koori Mail, pg 13. 07 April 2004.

A proposal has been put forward to traditional owners in the Torres Strait in relation to resolving native title issues for five Islands in the region. The QLD Government proposal will recognise native title over all land outside of townships on the affected Islands, as well as concluding ILUAs for the townships. This approach is hoped to settle the problems which occurred following the 1996 public works extinguishment decision. Torres News (Thursday Island), pg 1. 14 April 2004.

Fishing and mining industry leaders will be negotiating with four Aboriginal groups, after the Federal court established that native title exists over waters off the Gulf of Carpen-

taria. One of the claimants, Murandoo Yan-ner, said the decision now gave the Aborigi-nals of Mornington Island the legal right to negotiate with industries. *The Australian*, pg 6. 25 March 2004. *Lardil Peoples v State of Queensland* [2004] FCA 298 (23 March 2004)

The Murweh Shire Council and the Bidjara Indigenous group have recently signed a deed to allow the continued construction of the Charleville levee bank that is designed to pro-ject against flooding. The deed was signed by Rodney Mailman and Patricia Fraser on their own behalf and on behalf of the native title claimants. *Western Times* (Charlesville), pg 1. 25 March 2004. Bidjara group.

An ILUA which will enable the granting of four backlogged exploration permits has been registered with the National Native Title Tri-bunal. The Kalkadoon and Waluwarra ILUA has been accepted by the respective parties and also allows for part of another explora-tion permit to be granted. *North West Star* (Mt Isa), pg 3. 26 March 2004. Kalkadoon and Waluwarra ILUA: QI2003/30.

People claiming native title rights and inter-ests in the Central Highlands region are being urged to respond to an application to register Indigenous Land Use Agreements (ILUAs) for mining areas. The National Native Title Tribunal has issued a notice of application for the agreements which will streamline mining applications near Clermont and on the Gemfields. Any party claiming to hold native title in relation to the above mentioned areas has three months to object against the registration of the agreement. *Central Queen-sland News* (Emerald), pg 2. 26 March 2004.

South Australia

The first South Australian Indigenous Land Use Agreement between a pastoralist and native title claimants has recently been signed. The agreement involves Todmorden station, a 7167sq km property in South Aus-tralia's far north, the Lillecrapp family and the

Yankunytjatjara/Antakarinja Indigenous groups. Michael Atkinson, South Australia's Attorney-General said the agreement allowed the local Indigenous people to access the property to practice their culture in the area. Parry Agius from the Aboriginal Legal Rights Movement has urged other pastoralists to follow suit. *Ballarat Courier*, pg 13. 15 March 2004. Yankunytjatjara/ Antakarinja claim: SG6002/98, SC97/9.

Victoria

The Gourditch-Mara native title claim in-volving 20,350 sq kilometres of crown land and coastal waters has been adjourned. Areas involved in the claim are in the shires of Glenelg, Moyne, Northern Grampians, Southern Grampians and West Wimmera. *Warrnam-bool Standard*, pg 8. 18 March 2004. Gourditch-Mara claim: VC99/7, VG6004/98.

Baw Baw Shire councillor, David Balfour has called for a report on native title claims in the shire. Counsellor Balfour has said these na-tive title claims are affecting proposed devel-opments in the area in specific Walhalla. *Warragul Gazette*, pg 8. 20 April 2004.

A mediation conference has been called by the NNTT in relation to the Gourditch-Mara claim in south-western Victoria. The dates are the 05/06 May 2004, at Cape Bridgewater. The claim incorporates, Hor-sham Rural City, the shires of Northern Grampians, West Wimmera, Southern Grampians, Moyne and Glenelg, and the Dis-trict Council of Grant, in South Australia. A Federal Court directions hearing for the claim is listed for 09 June 2004. *Wimmera Mail Times*, pg 10. 26 April 2004.

Western Australia

The Kimberley Land Council has been forced to withdraw from native title litigation due to inadequate resources. The KLC will suspend representation of Kimberley tradi-

tional land owners currently before the court until further funding is secured. KLC executive director Wayne Bergmann said the representative body was being denied the funding and resources it needed to secure justice for Indigenous people. The KLC has called for meetings with the Minister for Indigenous Affairs to discuss options for further funding. Broome Advertiser, pg 2. 04 March 2004.

Mediation in the Esperance Nyungar claim will continue until a directions hearing in the Federal Court later this year. The claim covers 49,115 sq km of land and sea. The parties involved include the Goldfields Land and Sea Council, on behalf of the Esperance Nyungar people, Commonwealth and Western Australian Fishing Industry Council and the State Government. An early neutral evaluation process has been received which may help speed up the mediation process. Kalgoorlie Miner, pg 4. 11 March 2004. Esperance Nyungar claim: WC96/64, WAG6097 and part WAG6130, WAG6221 & WAG6181/98.

A landmark native title agreement has been finalised between mining giant Hamersley Iron (a subsidiary of Rio Tinto) and the Eastern Guruma Indigenous people of the Pilbara region. This agreement will unlock millions of dollars in potential iron ore exports for the mining company and allow them to explore and mine 8700sq km area near the town of Tom Price. The eastern Guruma people in the state's northwest around the towns of Karratha and Roebourne will receive \$38 million dollars over 20 years, held in trust, to fund education, employment, training and community development. Australian, pg 6. 16 March 2004. Eastern Guruma claim: WC97/89, WG6208/98.

Land access and native title negotiations between Indigenous groups and the mining industry will be streamlined after amendments to the *Mining Act 1978 (WA)*. The WA government's proposed amendments to the Mining Act now mean that explorers will not be forced to convert to a mining lease after five

years of exploration. The current 5,400 mining lease applications will be able to be converted back to exploration licenses. According to National Native Title Tribunal member Barty McFarlane, this is a positive development in the recent success of the Heritage Protection Working Group in developing template agreements. Mining Chronicle, pg 10. March 2004.

Two Goldfield Land and Sea Council senior leaders have claimed that the Federal Government has been hampering native title applications and denying Indigenous people their rights by under-funding the land council. Chairman Ian Tucker and executive director Brian Wyatt said they would raise these concerns at the annual Aboriginal and Torres Strait Islander Studies leaders forum in Canberra during late March. Kalgoorlie Miner, pg 5. 24 March 2004.

The shire of Derby/West Kimberley and the Nyikina Mangala Indigenous group have recently signed an agreement outlining steps for negotiating native title agreements in the shires. The signing ceremony took place at the Jarlmadangah Burru community, 188 km east of Broome and 88 km south-east of Derby. The agreement sets out the process for developing an ILUA, outlines a process for the development of agreements and cooperative working relationships in relation to cultural and community matters, and the delivery of services to communities. Kimberley Echo, pg 5. 25 March 2004. Nyikina Mangala agreement.

The Bunuba people and the Kimberley Diamond Company have drafted a multi-million dollar agreement that would trade shares and royalties for mining rights in the west Kimberley. Under the ILUA the Bunuba people would receive a direct stake in the company in the form of 250,000 shares, valued at \$400,000, plus five million share options over five years. The deal has to be approved by Company shareholders by 30 April 2004. West Australian, pg 54. 27 March 2004. Bunuba ILUA.

Four native title applications in relation to petroleum permits located in the Perth Basin involving Empire Oil and Gas, have been settled. This settlement is a legal requirement before the Western Australian Government can formally grant the permits. Empire has no more matters of concern in the Perth Basin region. Business News (WA), pg 26. 01 April 2004.

A senior Indigenous Goldfields Land and Sea Council member has warned Aboriginal unemployment would rise between 70 and 80 per cent if ATSIC was to be shut down. Mr Bryan Wyatt also said that there needed to be a forum available to promote interests and culture for Aboriginal people, and that ATSIC was the biggest employer of Indigenous people in the Goldfields region. Kalgoorlie Miner, pg 5. 02 April 2004.

Federal Heritage and Environment Minister, David Kemp, recently overturned a heritage claim, which will allow mining at Yakabindie, north of Leinster. Aboriginal groups were distraught at the announcement to allow WMC Resources \$10 billion nickel project to commence, which is likely to effect culturally sensitive sites in the area. Mr Kemp has

promised to release a report outlining his reasons. Kalgoorlie Miner, pg 3. 07 April 2004. Swan Coastal Plains group.

In a bid to clear a backlog of exploration and mining leases, the State Government has drawn up major changes to the Mining Act.1978 (WA). This backlog is holding up more than 12,000 applications for many years. This proposal will allow explorers to convert existing mining lease applications back to exploration licenses if they are not immediately seeking commencement of mining operations. West Australian, pg 79. 24 April 2004.

The Wadjari people of Murchison Gascoyne will have a collection of sacred objects returned to them. This is due to a grant to Geraldton's NgunhungurNgurra from the Western Australian Indigenous Affairs Department. Geraldton MP Shane Hill has said the sacred items will be returned from the Museum of WA to a storage site at the group's traditional land. This grant is among 12 community projects totalling \$54,820 to benefit from Indigenous heritage grants around Western Australia. Geraldton Guardian, pg 8. 28 April 2004.

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 March/April.

Claimant Applications

Date Filed	Application Name	State/ Territory	Tribunal File No.	Federal Court File No.
19/04/04	Amangu People	WA	WC04/2	WG6002/04
23/04/04	The Ngaanyatjarra Lands Native Title Claim	WA	WC04/3	W6004/04

REGISTRATION TEST DECISIONS

The National Native Title Tribunal posts summaries of registration test decisions at <www.nntt.gov.au>. The following decisions are listed for March to April. If an application has not been accepted, this does not mean that native title does not exist. The applicants may still