

engagement with the legislative context (notably through the citation of detailed evidence for anthropological findings in native title reports) as the 'native title era' has developed.

In the first of the day's presentations by an employee of a State native title office, Liz Dalgleish (from Victoria's Department of Justice) discussed the role of inference in demonstrating connection in native title. Both Dalgleish's presentation and the later presentation by Debbie Fletcher from Western Australia's Office of Native Title (on flexibility and transparency) spurred a number of questions about the assessment of connection materials from members of the audience. Whilst their inclusion in the Colloquium usefully added insights on State Governments' role in assessing arguments about connection, it was also obvious that some members of the audience were unconvinced by the presentation of the State Governments' good faith in the native title process.

The current state of native title anthropology was perhaps best summed up by Lee Sackett and Phil Vincent's presentations, which were the last two papers of the Colloquium. Sackett's paper was a passionate argument for the benefits of native title for anthropologists, which he suggested provides both opportunities for fieldwork in a range of Indigenous contexts and intellectual challenges for anthropologists. Taking a somewhat different view, Vincent argued that the usefulness of native title was increasingly questionable – not least to many potential or actual claimants – and that we should not be surprised that Indigenous Australians are increasingly seeking to have their interests confirmed outside of the framework of the Native Title Act. Certainly, the problems are now evident to all of those involved in native title, whether as claimants, other parties or professionals. However, the intellectual challenges of native title work are also evident – even if, as many argued, native title is

now predominantly a 'lawyer's game' – and anthropologists continue to engage usefully with native title practice, both as practitioners and in thinking more broadly about native title's social effects.

Beyond the Native Title Colloquium, the main Conference also had much to offer participants working in 'Indigenous Australia'. Perhaps in spite of a relatively loose theme ('Beyond Art and Science'), the keynote speech by Bruce Kapferrer (on the substance underlying the 'anthropological attitude'), the plenaries and the various parallel sessions maintained the interest and enthusiasm of audiences. A number of papers dealt with research undertaken with Indigenous Australians, including papers on the Palm Island 'riots', the bureaucratization of Aboriginal knowledge, personhood, the use of kava in Arnhem Land, the relationship between aesthetics and affect in Aboriginal art, and the relationship between ghosts and photographs in Arnhem Land and in Cape York Peninsula, and 'joking' in Aboriginal Australia and the Torres Strait Islands. Papers by a number of younger scholars, notably Tony Redmond, Katie Glaskin and Yasmine Musharbash, made it clear that Australian Aboriginal Studies is entering an exciting new phase.

Outside of the formal conference sessions the location of most of the participants at Trinity Beach allowed the conference to continue informally across the week. I am certain I was not the only participant who enjoyed a number of meals and late night discussions while listening to the sound of waves breaking on the beach nearby! James Cook University are to be congratulated for hosting such a successful event, and many of those who attended will be looking forward to another Cairns-based Conference in the future.

[Back to contents](#)


WHAT'S NEW

Recent Cases (Australia)

***Bennell v State of Western Australia* [2006] FCA 1243**

Overlapping claimant applications in respect of land and waters in and around Perth - Applications in respect of five areas made on behalf of Bodney Family Group claim based on descent from Ballarruk and Didjarruk 'clans' - Whether these were land-holding groups at sovereignty or moiety groups - Lack of evidence of connection between members of

claimant group and any Ballarruk or Didjarruk person alive at sovereignty - Lack of evidence of continued acknowledgement and observance of traditional laws and customs - These claims dismissed - Consideration of separate question arising out of application by the Noongar community in respect of an extensive area of south-west Western Australia - Separate questions related only to land and waters in and around Perth, however the claim was that this was part of a greater area in respect of which the Noongar community held native title rights and interests - Whether at sovereignty the normative system governing the whole of south-west Western Australia was that of a single Noongar community or whether there were a series of separate normative systems of smaller communities - Whether the single Noongar community has continued to acknowledge



and observe some traditional laws and customs concerning land and waters - Identification of persons entitled to native title rights and interests - Identification of surviving rights and interests - Discussion of, and orders about, belated motion to strike out single Noongar claim for lack of proper authorisation.

Yankunytjatjara/Antakirinja Native Title Claim Group v The State of South Australia [\[2006\] FCA 1142](#)

An application for a determination of native title the *Native Title Act 1993* (Cth) over part of central northern South Australia that covers approximately 19,000 sq km over Alberga Creek and Neales Creek and the catchment areas of Arkaringa Creek. The application was filed with the National Native Title Tribunal on 21 November 1997 and referred to the Court on 30 September 1998.

The claimants are members of the Western Desert Social and Cultural Bloc. The claim group comprises 19 families and approximately 1300 people. It is predominantly made up of claimants identifying as Yankunytjatjara. The main respondents to the application are the State of South Australia and the owners of several pastoral leases over the claim area.

The principal parties to the proceeding have agreed that a determination should be made that native title exists in the claim area other than that part of the claim area comprising the Marla Township, and have negotiated a consent determination.

Cruse v New South Wales Native Title Services Ltd [\[2006\] FCA 1124](#)

Hillig as Administrator of Worimi Local Aboriginal Land Council v NSW Native Title Services Ltd [\[2006\] FCA 1184](#)

Griffiths v Northern Territory of Australia (No 2) [\[2006\] FCA 1155](#)

Involved discussion of post determination matters. It was held that the native title is not to be held in trust and an Aboriginal Corporation whose name is to be provided within 12 months, or such further time as a Judge of the Court to be the PBC and carry functions of the PBC according to s 57(2)-(3) of the NTA. In the interim, any notices required under the act will be accepted by the Northern Land Council.

Wakaman People # 2 v Native Title Registrar and Authorised Delegate [\[2006\] FCA 1198](#)

This case involved the delegate's refusal to accept claim for registration. It discusses the nature of court's jurisdiction to review the requirements for registration and whether it is a matter for the registrar or delegates. It also looks at certification of application by representative body and whether registrar may consider authorization process where application certified or whether earlier certification may apply to later application. The case also considers the meaning of 'cognatic descent' and whether delegate may consider change of description and effect.

Akiba and Others on behalf of the Torres Strait Regional Seas Claim People v State of Queensland (No 2) [\[2006\] FCA 1173](#)


Parties - joinder - Torres Regional Seas Claim - nationals of Papua New Guinea having traditional connection with parts of the claim area - claim for joinder based on 'interests' of PNG nationals in relation to the pursuit of traditional activities - Torres Strait Treaty - recognition by exchange of notes between governments of certain PNG communities as traditional inhabitants - applicants for joinder not included under Treaty - native title determination proceedings inappropriate vehicle for resolution of disputes between PNG village communities - inappropriate vehicle for advancing case for recognition by executive governments under Treaty - Commonwealth appropriate party to ensure protection of traditional activities of PNG nationals in Torres Strait - joinder application refused on discretionary grounds.

Dann on behalf of the Amangu People v State of Western Australia [\[2006\] FCA 1249](#)

Native title determination application - parties - interest - industry association - insufficiency of direct interest based on members' interests - participation of industry association in statutory committees - whether sufficient interest - interest insufficient - joinder refused - association able to act as agent if so requested by parties.

Wakaman People # 2 v Native Title Registrar and Authorised Delegate [\[2006\] FCA 1251](#)

Registration of native title claim - whether court has authority to direct the Registrar to make a back-dated entry on the Register - purpose of Register and registration - notification of future acts and ability to negotiation.



Recent Cases (International)

The Concerned Land Claimants' Organisation Of Port Elizabeth v The Port Elizabeth Land And Community Restoration Association and Ors [Constitutional Court of South Africa CCT 29/06 21 September 2006](#)

The applicant is an association of land claimants who were dispossessed of their land under a racially oppressive law (Community Development Act 3 of 1966)

(Sourced from NNTT Judgements and Information email alert service and the Federal Court's Native Title Bulletin)

Legislation

[Aboriginal Land Rights \(Northern Territory\) Amendment Act 2006](#) Number: No. 93, 2006

Amending Act Consolidated version of the Aboriginal Land Rights (Northern Territory) Act 1976 [Explanatory Memorandum](#)

Native Title (Tribunal) Amendment Regulations 2006 (No. 1) Number: SLI 2006 No. 244

These Regulations amend the *Native Title (Tribunal) Regulations 1993* to enable a more flexible means of exempting persons or bodies assisted by Native Title Representative Bodies (NTRBs), or bodies performing NTRB functions, from the application fee in respect of right to negotiate applications to the National Native Title Tribunal.

[Corporations \(Aboriginal and Torres Strait Islander\) Consequential, Transitional and Other Measures Bill 2006](#)

The *Corporations (Aboriginal and Torres Strait Islander) Consequential, Transitional and Other Measures Bill 2006* supports implementation of the *Corporations (Aboriginal and Torres Strait Islander) Bill 2005 (CATSI Bill)*. The CATSI Bill will replace the Aboriginal Councils and Associations Act 1976 (ACA Act) and was introduced into the Australian Parliament on 23 June 2005. The Bill comprises three parts: consequential amendments, transitional provisions and amendments to the *Native Title Act 1993* (Native Title Act).

[Back to contents](#)

Publications

BOOKS

Marnie Leybourne and Andrea Gaynor (eds) **Water: histories, cultures, ecologies** Nedlands, UWA Press, 2006

A new book of likely interest to those working in the interdisciplinary fields of human/environment relationships (focusing on water) in Australian and other settings (e.g. in Brazil, England, Israel, North America, Syria, Vietnam).

Christa Scholtz **Negotiating claims: the emergence of indigenous land claim negotiation policies in Australia, Canada, New Zealand, and the United States** New York; London: Routledge, 2006.

This book explores the development of Indigenous land claims politics in four countries, primarily since the Second World War: Australia, Canada, New Zealand, and the United States. It looks at the response of States to Indigenous peoples claims for recognition of their land rights. These responses of states have 'varied in form, timing, intent, and effects.' This book asks 'what factors in each country truncated the set of considered policy options, and whether the negotiation option was among them'. It also examines 'the legacies of previous policy choices in light of the set of options available at later choice opportunities.' (p. 4)

Toni Bauman & Samantha Wells **Aboriginal Darwin: A guide to exploring important sites of the past and present** Aboriginal Studies Press 2006

Aboriginal Darwin provides insights into the enormous economic, cultural, social and historical contributions of Aboriginal people to the city. It includes contemporary and historical sites that range from the harbour to the beaches, monsoon forests, gardens, parks, camping places, exhibitions, cultural displays and buildings in the CBD, supplemented by information about sites not accessible to visitors.

The new approach revisited: a discussion paper on the Waitangi Tribunal's current and developing practices Waitangi Tribunal, 2005

'This publication updates the Tribunal's new approach to the conduct of inquiries into historical claims. It appears in the aftermath of an election in which much attention was focused on the Treaty sector, and especially on accelerating the negotiation of Treaty settlements.' (pg 1)



REPORTS

Administration of the Native Title Respondents Funding Scheme Canberra: Australian National Audit Office, 2006

Report of audit conducted by the Australian National Audit Office into the administration of the Native Title Respondents Funding Scheme. The Scheme was established by Section 183 of the *Native Title Act 1993* (Cth), and provides for the Attorney-General to formulate Guidelines which set out criteria for grants for financial assistance to respondents in native title matters. Respondents to native title matters include pastoralists, miners, fishers and local government councils. The objective of the audit was to assess the effectiveness of the AGD's administration of grants provided under the Respondents Scheme. The ANAO concluded that, overall, AGD effectively manages the administration of grants under the Scheme. However, the ANAO identified key areas of AGD's administration of the Scheme that could be strengthened. In particular, clearer specification of performance measures; closer monitoring of grant commitment (individually and in total); and enhancements to AGD's Data and Workflow Grants System.

Allison Rickett and Sean Brennan **Aboriginal Land Rights (Northern Territory) Amendment Bill 2006: report on parliamentary process** The Gilbert + Tobin Centre of Public Law, 2006

'The *Aboriginal Land Rights (Northern Territory) Act 1976* (Cth)...is the high water mark in Australian land rights legislation and for much of its history it has enjoyed bipartisan political support. The *Aboriginal Land Rights (Northern Territory) Amendment Bill 2006* introduced some of the most dramatic changes yet proposed to the Act but for the most part they slipped under the radar of media and public scrutiny. ...this summary document is designed to provide a factual report on what happened to the Bill in Parliament.' (pg 1).

[Reforms to improve management of native title rights](#) Commonwealth of Australia, 2006

Mr Ruddock and Mr Brough have released a report examining the current structures and processes of PBCs, the bodies established to manage native title where it is found to exist. 'PBCs are a key element in the native title system and need to operate effectively so native title holders can utilise their native title rights to gain economic and other benefits, and discharge their obligations regarding management of land,' Mr Ruddock said. Mr Brough said the reforms would provide native title holders

with better access to services and 'promote better access to existing resources and enable some reduction in the demands placed on PBCs in performing their functions'.

The Government will implement all of the report's recommendations, which include measures to:

- improve the ability of PBCs to access and utilise existing sources of assistance, including from Native Title Representative Bodies (NTRBs)
- improve the information available to PBCs on their statutory roles and responsibilities
- authorise PBCs to recover costs reasonably incurred in performing specific functions at the request of third parties
- encourage greater State and Territory government involvement in addressing PBC needs
- improve the flexibility of the PBC governance regime while protecting native title rights and interests, and
- clarify the circumstances under which NTRBs may assist PBCs.

The recommendations, which were developed following targeted consultation with key stakeholders, comprise a significant element of the Government's package of reforms to ensure the native title system delivers better and more expeditious outcomes.

CASE NOTES

Jango v Northern Territory of Australia *Australian Indigenous Law Reporter* (2006) Vol 10 No 2 pp 23-40

Rubibi Community v State of Western Australia (No 7) *Australian Indigenous Law Reporter* (2006) Vol 10 No 2 pp 43-54

JOURNAL ARTICLES

Marshall McKenna **A note on the Native Title Claims Resolution Review and the government response to it** *Native Title News* (2006) Vol 7 Iss 10 pp 180-181

The Government response to the Native Title Claims Resolution Review by Graham Hiley and Ken Levy, was published on 21 August 2006. This article lists and briefly discusses the key recommendations of this review that have been accepted by the government, as well as those that were not accepted or which the government has identified that it will give further consideration.



Aboriginal Land Rights (Northern Territory) Amendment Bill 2006 (Cth) *Australian Indigenous Law Reporter* (2006) Vol 10 No 2 pp 70-73

Article detailing some of the concerns raised by the Northern Land Council regarding the recent *Aboriginal Land Rights (Northern Territory) Amendment Bill 2006 (Cth)*.

Addressing Aboriginal land rights in Ontario: an analysis of past policies and options for the future---- Part II *Queens Law Journal* (2006) Vol. 31 No. 2 pp. 796-845

This paper 'outlines the development and operation of the Aboriginal land claims processes at the federal and provincial level and their inadequacy in reaching timely and cost effective solutions.' It 'discusses past efforts to remedy the system failings, and suggests that a number of systemic disincentives may be at the core of the government's resistance to change. Alternative approaches that offer practical solutions for improving the claims resolution process are identified.' The paper 'argues that an effective land claims process should satisfy five criteria: (i) it should be timely, (ii) it should be fair and should be seen to be fair by all parties, (iii) it should be designed to strengthen the relationship of the parties, (iv) the division of constitutional responsibilities should not delay settlements or valid claims against the Crown, and (v) claims processes should address the interests of the public. While reforms to the aboriginal claims process will require substantial investment, the author concludes that continued deferral of the adjudication of claims will also have high costs in both financial and human terms.' (p 796)

Thomas Isaac and Anthony Knox **Canadian Aboriginal law: creating certainty in resource development** *Journal of Energy & Natural Resources Law* (2005) Vol. 23 No. 4 .pp. 427-464

'This paper discusses legal developments relating to the relationship between Canadian governments and Canada's Aboriginal peoples regarding certainty of access to natural resources.' The influence of the common law and Canadian administrative law 'have moved Canadian Aboriginal law from a comfortless uncertainty to a legal certainty in which Canadian governments continue to manage natural resources, but do so subject to fair treatment of Aboriginal peoples.' (p 427)

Bruce Harvey and Simon Nish **Rio Tinto and Indigenous community agreement making in Australia** *Journal of Energy & Natural Resources Law* (2005) Vol. 23 No. 4 .pp. 499-510


'The common law and statutory recognition of Aboriginal land rights and native title in Australia have had a profound impact on the minerals industry. In particular, the High Court's recognition of native title in *Mabo v Queensland (No 2)* has changed the social landscape for mining company/indigenous agreement making in Australia. At the same time Rio Tinto has undertaken a programme of internal cultural change focused on improving community engagement exemplified in its direct agreement-making with indigenous communities. The Argyle Participation Agreement signed in September 2004 between Argyle Diamond Mine, local Aboriginal people and the Kimberley Land Council, and registered as an Indigenous Land Use Agreement in March 2005, illustrates this change. The agreement herein described, is the most progressive, mining company/Aboriginal community agreement negotiated to date in Australia and represents a business-oriented and community empowered approach that complements statutory consent for mining development.' (p 499)

Judge Antonie Gildenhuys **Indigenous People's rights to minerals and the mining industry: current developments in South Africa from a national and international perspective** *Journal of Energy & Natural Resources Law* (2005) Vol. 23 No. 4 .pp. 465-481

'There is a distinct difference between the recognition of customary law title in countries where the indigenous population constitutes a small minority within the total population and in countries (particularly African countries) where it constitutes a vast majority. In post-colonial Africa the focus is not so much on the recognition of customary law title as it is on providing access to land and natural resources to local (mostly black) people, as distinct from the immigrant population (mostly white people). Indigenous customary law rights over land can co-exist with civil law rights over the same land, and need not vest in the same persons. Developers of projects on such land will have to accommodate both customary law and civil law title holders over the land.' (p 465)

Alto BíoBío **Indigenous peoples, energy and environmental justice: the Panguel/Ralco hydroelectric project in Chile's** *Journal of Energy & Natural Resources Law* (2005) Vol. 23 No. 4 .pp. 511-528

'In recent months, the reservoir of the Ralco dam, one of a series of dams along the Alto BíoBío River in Southern Chile, has destroyed a pristine mountain ecosystem and permanently and irreversibly disrupted the semi-nomadic lifestyle and world view



of the Mapuche/Pehuenche people. At the same time, the communities affected by the dam will attempt to reconstruct their lives and culture using resources and rights provided by a 'friendly settlement' reached by them with the Chilean Government and approved by the Inter-American Human Rights Commission (IACHR). This is the aftermath of a decade long struggle by indigenous communities and environmental groups in defence of their rights against the project sponsor Endesa (a formerly public but now privatised company), the Chilean Government and the World Bank's International Finance Corporation (IFC).' (p 511)

DISCUSSION PAPERS

[Access To Aboriginal Land Under The Northern Territory Aboriginal Land Rights Act - Time For Change?](#) Department of Families, Community Services and Indigenous Affairs, 2006.

The purpose of this discussion paper is to examine options for an improved system of access to Aboriginal land under the ALRA and related legislation that both respects the integrity of Aboriginal land and facilitates the normal interactions necessary for social and economic development. Comment is invited from interested parties on these and any other options for addressing the problems identified with current arrangements.

OTHER

[Crown Land Administration and Registration Practice Manual](#) WA. Dept of Planning & Infrastructure

The practice manual sets out everything you need to know about Crown Land procedures for reserves, roads, sales, leases and licenses, easements and repeals or transitions. It also provides a point of reference for the processing of Crown Land transactions under the Land Administration Act 1997 and Transfer of Land Act 1893.

(Sourced from NNTT Judgements and Information email alert service and the Federal Court's Native Title Bulletin)

[Back to contents](#)

Online Publications

AIATSIS

Toni Bauman ['Waiting for Mary: Process and Practice Issues in Negotiating Native Title](#)

[Indigenous Decision-making and Dispute Management Frameworks'](#) (2006) *Land, Rights, Laws: Issues of Native Title* 3(6).

Michael Dodson and Diana McCarthy (2006)
[Communal land and the amendments to the Aboriginal Land Rights Act \(NT\)](#) Discussion Paper 19

CAEPR

Foley, Dennis *Indigenous Australian entrepreneurs : not all community organisations, not all in the outback* Centre for Aboriginal Economic Policy Research, 2006

Available online: [Series Discussion paper; no. 279/2006](#)

NATIONAL NATIVE TITLE TRIBUNAL

[Talking South Australia - September 2006](#)

Issue No 20 of Talking Native Title has been published and includes:

- Attorney-General's proposed changes to the claims resolution process
- South Australia's first native title determination by consent for the Yankunytjatjara and Antakirinja peoples
- Youth gain skills caring for country
- National native title statistics

[Talking native title: news from the National Native Title Tribunal](#)

Issue 20. September 2006

Contents:

- More agreements, better system
- From the President Graeme Neate
- Gold Course agreement tees off -- Landmark struggle for recognition ends
- Blueprint for comanagement
- Hope and prosperity for the future
- Northern Territory industry guide
- Native title exists in Timber Creek
- Native title and land rights are different
- Youth gain skills caring for country
- Waterhole celebration closes ten-year journey
- Explorers use regional agreements to fast track licences -- Native title statistics

[Talking native title in Western Australia](#)

Contents:

- Future act activity
- What's happening in the regions?
- South West and Goldfields
- Kimberley and Central Desert
- Pilbara and Geraldton
- Notification
- Legal workshops
- Contacts in the WA Registry

Hot Spots

Issue 21 of Native Title Hot Spots includes summaries of cases about:

- The interim decision in relation to the Single Noongar application covering parts of Perth
- The determination that native title exists at Timber Creek in the Northern Territory
- The Yankunytjatjara/Antakirinja determination by consent in South Australia
- Federal Court decisions about matters such as the registration of an ILUA, imposition of split proceedings and the application of the registration test
- A National Native Title Tribunal decision in relation to the validity of a future act notice.

What's new in the Library

This issue details new items in the NNTT Library.

A Guide to Developing Indigenous Shared Management Arrangements for Conservation Areas in Queensland. NNTT Research Unit

The guide brings together a number of key issues about Indigenous shared management of conservation areas in a format that is accessible and relatively easy to understand.

OTHER

Anthony Smith [Indigenous development-Without community, without commerce](#) Australian Review of Public Affairs Sept 2006-09-25

There is much discussion about policy alternatives, but the growing separation between the commercial aspirations of Indigenous business and the need to deal with the negative effects of economic development remains largely unexplored. On one hand is a call for Indigenous business interests to be released from responsibility for solving community problems and administering government welfare and employment programs. In other words, Indigenous business needs to be set on a more equal footing with mainstream business. On the other hand is a call for greater focus on law and order to combat

lawlessness. How these divergent policy goals might be reconciled is not clear.

Fisheries Research and Development Corporation [Atlas of Australian Marine Fishing and Coastal Communities.](#)

This Atlas focuses on mapping and analysis of Australian wild capture commercial, recreational and Indigenous fisheries and their adjacent coastal communities. The Atlas is the first Australia-wide, comprehensive and authoritative mapping of fishing activities and their related coastal communities and provides decision makers with a valuable scientific resource to inform current and future marine and coastal planning initiatives.


Ian PS Anderson [Mutual obligation, shared responsibility agreements & indigenous health strategy](#) Australia and New Zealand Health Policy 2006, 3:10

Since 2004 the Howard Coalition government has implemented a new policy framework and administrative arrangements as part of its program of reform in Indigenous affairs. This paper describes both the parameters of this reform program and review the processes established to support the implementation of national Indigenous health strategy. It considers both the shift from a policy framework based on self-determination to one based on mutual obligation, and the implementation of Shared Responsibility Agreements (SRAs) that are based on the latter principle. It focuses on the example of the Mulan SRA to illustrate the difficulties in articulating the new arrangements with current approaches to Indigenous health planning and strategy implementation.

Davies, Jocelyn. 2006. **"Addressing Uncertainty in Multiple Use Landscapes of Desert Australia."**

Presented at "Survival of the Commons: Mounting Challenges and New Realities," the Eleventh Conference of the International Association for the Study of Common Property, Bali, Indonesia, June 19-23, 2006.

In South Australia, native title groups decided in 2000 to participate in a statewide approach to resolution of their native title claims with the vision that it would restructure the state's institutions 'with native title built in'. Five years on there has been some significant progress on this aim on pastoral lands, as well as other sectors, through negotiation at local and statewide levels. A strategic two-tiered approach to the negotiations has enabled legislative



change to create incentives for local agreements and address barriers to sustainability of agreements.

[Back to contents](#)

Recent and Upcoming events

[Respect and care for the land and waters we share: Rick Farley Lectures 2006](#)

When: 13 October – 9 November 2006

Where: Various (see [program](#) for details)

Focusing on the need for sustainable management of our natural resources the Natural Resources Advisory Council (NRAC) supported by the NSW Government has held six lectures honouring Rick Farley's commitment to natural resource management.

Speakers included:

- Professor Ian Lowe – *How can we create a sustainable future for Australia*
- Professor Michael Archer – *The importance of protecting Australia's threatened eco systems*
- Professor Larrisa Behrendt – *Sharing the country co-existence, reconciliation and the environment*
- Robyn Williams – *inventing the future: what is our future? Where are we headed?*
- Wendy McCarthy – *women and leadership in rural Australia's future*
- Phillip Toyne – *Rick Farley: His vision and place in the History of land management: Linkages with indigenous people*

[Native Title and cultural heritage](#)

When: 28 – 30 November 2006

Where: Carlton Crest Hotel, Brisbane

The Native Title and Cultural Heritage Conference organised by the Institute for International Research will explore current issues in managing native title and resources with the interests of traditional owners. The conference program is available on the conference website.

[Norman B Tindale Memorial Lecture](#)

When: 02 Dec 2006 (04:00 PM to 05:30 PM)

Where: South Australian Museum Armoury Building

To commemorate the work of the South Australian anthropologist, Norman Tindale, the Anthropological Society of South Australia presents an annual lecture on a topic relating to Australian Aboriginal anthropology or archaeology. It will be presented by Professor Peter Sutton (Research Fellow University of Adelaide & South Australian Museum) "Norman Tindale and Native Title: His Appearance in the Yulara Case"

[Australian Archaeological Association Conference 2006](#) *Modern Humans in Asia, Australia and Oceania: Timing, Impact, Signatures and Spread*

When: 8-10 December 2006

Where: La Trobe University, Beechworth Campus

This year's conference explores a wide range of issues relating to the settlement of Asia, Australasia and the Pacific by populations of modern humans. It is designed to broaden ongoing discussion about the dispersal of modern humans and the origins of behavioural modernity by enrolling the archaeological record of our own region into those debates. Topics for discussion include the timing and palaeoenvironmental context of initial settlement, dispersal through the region, human impacts on the region and the idea that the modern behavioural repertoire has a single, diagnostic signature.

[Negotiating Native Title Forum](#)

When: 26 – 27 February 2007

Where: Rendezvous Hotel Melbourne

The forum focuses on agreement making, joint venture business partnerships and a cooperative approach towards native title. Key discussion themes include:

- What is native title?
- The Full Court as the source of contemporary native title jurisprudence
- The proposed technical amendments to the Native Title Act
- Analysing institutional policy and agreement making
- Analysing the potential new powers and functions of the NNTT
- Managing the administrative, financial and legal burdens requires for Indigenous communities to enjoy their legal rights to land
- Various case studies

[Cosmopolitanisms and Indigenities](#)

When: 8-11 May 2007



Where: Toronto,

The Department of Anthropology at the University of Toronto is organizing a joint conference of the Canadian Anthropology Society (CASCA) and the American Ethnographic Society (AES).

The "indigenous" and the "cosmopolitan" seem to exist as oppositional formations in the imaginary field demarcated by the local and the global. While the former seems rooted, timeless, and traditional; the latter appears mobile, contemporary, and (post)modern. As recent work by anthropologists has shown, both of these characterizations are quite deceptive. "Indigeneity" is a deeply current issue, which, over the past decade, has relentlessly forced itself onto social, political and academic agendas across the planet. While the question of who is and who is not "indigenous" was never innocent, it is becoming increasingly crucial in today's global and globalising world. At the same time, the genealogy of the "cosmopolitan" has been moved back in time. It now appears as a quasi-primordial reference point for a social and political vision beyond the nation-state and empire.

Native Title Conference 2007

When: 6-8 June 2007

Where: Cairns Convention Centre

The annual national Native Title Conference remains the leading Indigenous policy conference in Australia and a flagship event for AIATSIS. The Conference will be co-convened by Queensland South Native Title Services and hosted by the native title claimants/holders on whose land the conference is held. The Conference is the primary professional development and capacity building opportunity for people working in the native title system as well as a strategic opportunity to discuss native title policy and directions. For further information contact 02 6246 1161 or ntru@aiatsis.gov.au.

[The Oral, The Written, and Other Verbal Media: Interfaces and Audiences": A Conference and Festival](#)

When: 19 – 21 June 2008

Where: University of Saskatchewan, Saskatoon, Saskatchewan, Canada

The organizers of the first international, interdisciplinary, cross-cultural, and trans-historical conference and festival focusing on the interface of the oral and the written invite proposals for participation.

Contact: Professor Susan Gingell Professor Neal Mcleod, Department of English Department of Indigenous Studies, University of Saskatchewan First People's House of Learning Saskatoon, SK Canada S7N 5A5 Peter Gzowski College
sag178@mail.usask.ca

Enweying Building
1600 West Bank Drive
Peterborough, ON K9J 7B8
nealmcleod@trentu.ca

[Back to contents](#)

Opportunities

NTRU Call for Publications

The Native Title Research Unit is calling for papers to be published as a part of its *Land, Rights, Laws: Issues of Native Title* series. Papers should be approximately 3000 – 3500 words. The Issues Papers series is a multi-disciplinary series of short research papers. Issues Papers allow the NTRU to target a number of emerging issues in native title research, reflecting on 'bigger picture' issues in a form that is of high academic quality but in a size and format that is useful to practitioners and researchers.

Papers can be submitted to the editor for consideration, the editor can also invite papers from certain people or on certain topics. Papers are peer reviewed by two independent experts in the area the paper covers.

Contact: 02 6246 1161 or ntru@aiatsis.gov.au.


[Australian Institute of Aboriginal and Torres Strait Islander Studies Research Grants 2007](#)

Applications close: 15 December 2006

The Australian Institute of Aboriginal and Torres Strait Islander Studies is calling for applications for research grants. Research can be conducted on topics including history, politics, law, public policy, health, education, linguistics, social anthropology, archaeology and the arts.

Applications with an emphasis on Indigenous wellbeing, Indigenous knowledge systems and intellectual property and strengthening community are encouraged.

Contact [the research grants administrator](#) if you require further information about the AIATSIS



Research Grants Program , assistance with completing your Research Grants Program Application Form or a hard copy of the Research Grant Application Information Package.

Balayi: Culture, Law and Colonialism Call for Publications

The editors of *Balayi* are seeking submissions of articles, reports, commentaries, viewpoints, book reviews and poetry that fit the [theme of the journal](#).

All enquiries regarding contributions should be directed to:

The Journals Co-ordinator
Jumbunna Indigenous House of Learning
University of Technology, Sydney
PO Box 123 Broadway NSW 2007
Ph: 02 9415 1902
Fx: 02 9514 1894
Email: jumbunna.journals@uts.edu.au

Indigenous Law Reporter for Publications

Volume 11, issues 1–4 (2007)

Deadlines:

Vol 11.1 – 23 February 2007

Vol 11.2 – 27 April 2007

Vol 11.3 – 31 August 2007

Vol 11.4 – 30 November 2007

The *Australian Indigenous Law Reporter* is a quarterly DEST-approved publication of the Indigenous Law Centre, which aims is to provide access to a broad range of legal information and commentary on issues affecting Indigenous peoples in Australia and around the world.

The publishers are looking for new and different perspectives on issues and debates in Indigenous law including:

- commentary articles,
- case notes and
- introductory notes relating to current Australian and international legislation, policies, inquiries and reports.

Submissions should be addressed to the Editor, Erin Mackay, and submitted in Word format via email to air@unsw.edu.au . Suggestions as to content and general enquiries should be addressed to the Editor and made via email or telephone (02) 9385 1496.

Regional Recruitment Services

Regional Recruitment Services are calling for applicants: Regional

Recruitment Services is a joint venture between WorkBase and Nyaarla Projects. This joint venture company aims to bring together the expertise of recruitment (WorkBase) and Indigenous community links and experience (Nyaarla) to support the recruitment, selection and retention of staff at remote communities and organisations.

Further information: contact Tina Pickett admin@regionalrecruitment.net.au

OIPC Leadership Program

The Australian Government delivers innovative leadership programs for Indigenous women, men and youth. Places are now being offered to individuals to undertake the program. All travel and accommodation costs associated with the program will be met by the Office of Indigenous Policy Coordination (OIPC).

Further information: available on the OIPC Website at www.oipc.gov.au or by calling them on their toll free number: 1800 202 366 or by emailing them on: leadership@oipc.gov.au

HRC activities in 2008: Visiting Fellowship Program

Closing date: 5 January 2007

The Humanities Research Centre was established by the Australian National University in 1972 to foster innovative research in the Humanities and provides funds to support both scholars of demonstrated achievement and promising younger scholars to work in the Centre. The HRC will fund a number of short-term [Visiting Fellows](#) (of up to 12 weeks) to take up residence at the HRC. The [Freilich Foundation](#) will fund a few scholars (up to 12 weeks).


Application forms for HRC 2008 Visiting Fellowships are available at: http://www.anu.edu.au/hrc/grants/2008app_form.doc
Referees Comment Form is available at: http://www.anu.edu.au/hrc/grants/2008referees_comment.doc

2008 Visiting Fellows Guidelines are available at: <http://www.anu.edu.au/hrc/grants/2008VFGuidelines.doc>

PHD In Anthropology at the University of Maryland

Closing date: 15 January 2007

A major focus of the Doctor of Philosophy (Ph.D.) program is to direct original research and to



encourage theoretical and methodological advancement in such a way as to reflect upon the specific practices of anthropology, with the aim of improving those practices and thereby increasing the value and usefulness of the discipline. Doctoral students are typically prepared for research and development careers outside of academic settings, as well as for academic careers in anthropology departments and other disciplinary settings.

Contact: [Michael Paolisso](#) , Graduate Director
0131 Woods Hall College Park, MD 20742

Phone: 301-405-1433
Fax: 301-314-8305

[ANU's Master of Applied Anthropology and Participatory Development \(MAAPD\) program](#)

This program is aimed directly at development practitioners including Government, NGO, and consulting company staff who have to grapple with the issues of designing, implementing, monitoring, and evaluating development programs and projects on an everyday basis.

The MAAPD program has a very practical focus, and it increasingly attracts experienced development practitioners to its courses. It also has an added advantage in that the core courses in the general MAAPD and the Gender Specialisations can be taken through distance education, and there are also intensive on campus electives also available.

Contact:
Dr. Patrick Kilby
Master of Applied Anthropology and Participatory Development (MAAPD) Program
Room G24 A.D. Hope Building
Australian National University ACT 0200, Australia
Ph: (612) 61254041
Fax (612) 61252711

Research Training Opportunities Tropical Rivers and Coastal Knowledge Research Hub

The Tropical Rivers and Coastal Knowledge (TRACK) research hub has recently been established with significant funding from the Commonwealth Department of Environment and Heritage, Land and Water Australia, and other research partners.

The partner Universities of the TRACK consortium (Charles Darwin, Griffith and Western Australia) are seeking applications from prospective PhD and research Masters students who are interested in contributing to this program. Co-supervision by researchers in our research agency partners will also be encouraged.

Candidates will need to complete an application for admission and for a scholarship following the process at each partner University, noting their respective closing dates for applications.

Contact:
Professor Stuart Bunn
Australian Rivers Institute Griffith University
NATHAN, Qld, 4111
Ph: 07 3735 7407
Email: ari@griffith.edu.au

Professor Peter Davies
Centre of Excellence in NRM, The University of Western Australia Albany, WA, 6330
Ph: 08 9842 0836
Email: pdavies@cyllene.uwa.edu.au

Dr Michael Douglas
Theme Leader, Aquatic Ecosystems & Water Resources, Charles Darwin University
Darwin, NT, 0909
Ph: 08 8946 7261
Email: michael.douglas@cdu.edu.au
TMP D030300

[Back to contents](#)

NATIVE TITLE IN THE NEWS

NATIONAL

1-Sep-06 **Change to native title claims** The Federal Government's 'proposal to reform the native title claims resolution process last week aimed to improve the system'. Labor 'expressed concern over

the ability of the government to increase its control of native title representative bodies'. Graeme Neate president of the National Native Title Tribunal has said that the reforms 'have the potential for positive outcomes to be reached by agreement'. Labor Senator Chris Evans said that the 'government is considering using the review recommendations to justify resurrecting the so-called Wik 10 point plan'. Lawyers Weekly, 1-Sep-06, pg 8; 'Outcomes will be streamlined' Koori Mail, 13-Sep-06, pg 35.