

Native title in the News

National

08-Jul-08 NATIONAL **Aborigines seek climate change input** Aboriginal and Torres Strait Islander Social Justice Commissioner Tom Calma has said that climate change is 'already being experienced by indigenous peoples, particularly on island communities, both in the Torres Strait and other islands and communities along the coastline of Australia, and also those indigenous groups whose lives, and maintenance of culture, depends on the Murray Darling River'. Mr Calma argues that despite these effects, 'Indigenous people had so far been left out of the debate'. *Townsville Bulletin* (Townsville, 8 July 2008), 3.

14-Jul-08 NATIONAL **Giving voice to indigenous in reshaped body** Aboriginal and Torres Strait Islander Social Justice Commissioner Tom Calma has said that 'to be successful in making lasting progress to improve conditions for indigenous people and their communities, they need a strong national voice'. Mr Calma said that the 'Australian Government has acknowledged the need for a representative body' and that 'a new body should be founded on a common understanding of the role indigenous people can play in shaping their own future'. *Age* (Melbourne, 14 July 2008), 13.

18-Jul-08 NATIONAL **Native title sea change** Federal Attorney General Robert McClelland 'announced that the Commonwealth would recognise the fact that non-exclusive native title rights could exist in territorial waters'. The recognition of water rights up to 12 nautical miles is consistent with the High Court's Crocker Island decision. *Financial Review* (National, 18 July 2008), 23; 'Native title flexibility' *Northern Daily Leader* (Tamworth, 18 July 2008), 9; 'Native title water rights extended' *Age* (Melbourne, 18 July 2008), 6; 'Ocean area for native title claims to expand' *West Australian* (Perth, 18 July 2008), 18.

18-Jul-08 NATIONAL **Neate reviews native title** National Native Title Tribunal President Graeme Neate has 'told a NAIDOC week gathering in Toowoomba...that significant change had been achieved in relation to recognition of

Native Title over the years, but plenty of changes remained'. *Rural Weekly*, (Toowoomba, 18 July 2008), 2.

19-Jul-08 NATIONAL **McClelland hails 'historic' opportunity on native title** At a meeting of Commonwealth and State Government ministers in Perth, Federal Attorney General Robert McClelland said that 'there is tremendous opportunity to do great things for the Aboriginal community through the resources boom'. Mr McClelland also said that 'States and Territories would now be able to work together to share 'best practice models' for progressing Aboriginal interests'. *Kalgoorlie Miner* (Kalgoorlie, 19 July 2008), 20; 'Talks 'will benefit' indigenous people' *Illawarra Mercury* (Wollongong, 19 July 2008), 2.

31-Jul-08 NATIONAL **Macklin aims for future benefits from native title** Indigenous Affairs Minister Jenny Macklin has said that 'Indigenous people who secured native title agreements could be forced to ensure the long-term benefits of land tenure were enjoyed by future generations'. The 'Government has revealed it will overhaul native title legislation to allow compensation payments to be used for future generations'. *Australian* (National, 31 July 2008), 2.

07-Aug-08 NATIONAL **Robert French named new High Court Chief Justice** Justice Robert French from the Federal Court has been named the new chief judge of the High Court. He will replace Murray Gleeson on August 29. *National Indigenous Times* (National, 7 August 2008), 11; 'French connection for WA' *Sunday Times* (Perth, 31 August 2008), 74.

12-Aug-08 NATIONAL **Rio already leads the way with Aborigines** Prime Minister Kevin Rudd has launched the new Indigenous Employment Covenant which aims to 'extract commitments from Australian Industry to create employment for 50 000' Indigenous people. The idea extends from the work of Rio Tinto which has created '1300 jobs in the Pilbara'. *Australian* (National, 12 August 2008), 33; 'NLC welcomes Fortescue jobs plan' *Sunday Territorian* (Darwin, 10 August 2008), 8.

14-Aug-08 NATIONAL **Appointment of new NNTT registrar** Associate professor Stephanie Fryer-Smith has been 'appointed registrar of the National Native Title Tribunal'. Professor Fryer-Smith is 'currently Association Professor and Dean International at the Curtin Business School'. *Business News* (Perth, 14 August 2008), 2.

New South Wales

05-Aug-08 NSW Native title claim difficulties discussed

The current native title claim in Bingara and Warialda presents some difficulties to the local council which were discussed at a meeting in Warialda. *Bingara Advocate*, (Bingara, 5 August 2008), 3.

08-Aug-08 NSW Court decision on Aboriginal land claim

The High Court has 'reserved' its decision on a 'land claim by the Wagga Local Aboriginal Land Council on a former motor registry building'. The Minister for Lands had initially refused the land councils claim in 2006 and the land council's appeal was dismissed by the Land and Environment Court. *Daily Advertiser* (Wagga Wagga, 8 August 2008), 3.

19-Aug-08 NSW Graziers oppose Aboriginal land claim

Residents have opposed 'Aboriginal land claims for Crown land, spanning 20 ha on the Red Range Road'. They felt that there could be issues with the land which is used as a travelling stock reserve if it is transferred to Aboriginal management. *Glen Innes Examiner* (Glen Innes, 19 August 2008), 3.

Northern Territory

18-Jul-08 NT NT nuke facility in 'national interest'

Federal Resources Minister Martin Ferguson has said that 'he would consult with indigenous land councils if he selected a site in the Territory' for a proposed nuclear waste dump. Mr Ferguson also said that 'support from the Northern Land Council will 'bolster the case for a Territory waste facility'. *Northern Territory News* (Darwin, 18 July 2008), 4.

18-Jul-08 NT Govt 'roerts' Koori funds The Central Land Council has called for 'a royal commission into claims the Northern Territory Government is radically underspending on Aboriginal Affairs'. Prime Minister Kevin Rudd says 'he wants transparency in indigenous spending'. *Illawarra Mercury* (Wollongong, 18 July 2008), 15; *News-Mail* (Bundaberg, 18 July 2008), 12; *Daily News Tweed Heads* (Tweed Heads, 18 July 2008), 8; *Queensland Times* (Ipswich, 18 July 2008), 20; 'Call for inquiry into Indigenous spending' *Sunraysia Daily* (Mildura, 18 July 2008), 18; *Gladstone Observer* (Gladstone, 18 July 2008), 14; *Daily Mercury* (Mackay, 18 July 2008), 10; 'Indigenous fix 'on the

way' *Northern Star* (Lismore, 24 July 2008), 10; *Fraser Coast Chronicle* (Hervey Bay, 24 July 2008), 16.

24-Jul-08 NT Gove mine talks mark a fresh start Rio Tinto Alcan has announced its plans to 'develop a new relationship with elders over the Gove mine'. This coincides with the federal cabinet meeting on Arnhem Land. The mine is 'on the land of the Gumatj and Rirritjina clans' but may also affect 16 other clans east of Arnhem Land. *Sunshine Coast Daily* (Maroochydore, 24 July 2008), 15; 'Rio teams up with Arnhem' *Australian* (National, 24 July 2008), 5; 'Big miner moves to right an 'historical wrong' *Northern Territory News* (Darwin, 24 July 2008), 4; 'Rio Tinto 'to right wrongs' *Border Mail* (Albury, 24 July 2008), 13.

24-Jul-08 NT Call for change in dealing with Indigenous

At a meeting of Cabinet held in Yirrkala, the Yolgnu and Bininj clans handed the federal government a statement indicating that there should be a 'dedicated futures fund and called for an end to using the Aboriginal Benefits Account to fund the intervention'. There were also calls to strengthen the rights of Indigenous people. *Northern Territory News* (Darwin, 21 July, 2008), 2; 'Plea on bark delivered to cabinet' *Herald Sun* (Melbourne, 24 July 2008), 13; 'Rudd takes cabinet into the heartland' *Advertiser* (Adelaide, 24 July 2008), 6; 'Indigenous leaders attack intervention' *Sydney Morning Herald* (Sydney, 24 July 2008), 7; 'Cabinet meets in Arnhem Land' *Barrier Daily Truth* (Broken Hill, 24 July 2008), 8.

31-Jul-08 NT 'Seas sing' in coast decision Traditional Aboriginal owners 'have won exclusive control of more than 7 000 kilometres of Northern Territory coastline' in a 5-2 ruling that 'will allow Aboriginal people living in coastal communities to reap what are expected to be huge economic benefits'. *Age* (Melbourne, 31 July 2008), 6; 'Land rights reach into the sea' *Australian* (National, 31 July 2008), 3; 'Traditional owners get control of NT coast' *Northern Territory News* (Darwin, 31 July 2008), 3; 'Court adds sea to NT land rights' *Australian* (National, 31 July 2008), 1; 'Aborigines gain exclusive rights to coast' *Daily Examiner* (Grafton, 31 July 2008), 28; '80% of NT coast secured' *Geelong Advertiser* (Geelong, 31 July 2008), 9; 'Traditional owners win sea rights' *Sydney Morning Herald* (Sydney, 31 July 2008), 4.

05-Aug-08 NT Ok for 80 blocks...but no timeline An in principle agreement has been reached 'for the development of 80 residential blocks at Mt John Valley in Alice Springs'. Under the agreement, Lhere Artepe will 'purchase the

government's share to develop the first 40 blocks'.

Centralian Advocate (Alice Springs, 5 August 2008), 5.

06-Aug-08 NT **Tourism concern over Blue Mud Bay** The Guided Fishing Industry Association will be 'talking with the Northern Land Council in the wake of the Blue Mud Bay decision'. *Northern Territory News* (Darwin, 6 August 2008), 23.

07-Aug-08 NT **High Court decision overrides NT Fisheries Act** The High Court decision on the Blue Mud Bay case 'gives Indigenous communities exclusive access and rights to the intertidal areas of 80 per cent of the Northern Territory offshore areas and waterways'. The decision overrides the Northern Territory Fisheries Act. *Guardian News* (Nambucca, 7 August 2008), 23.

20-Aug-08 NT **TSRA congratulate Yolgnu people on Blue Mud Bay Decision** TSRA Chair Toshi Kris has 'has congratulated the Indigenous people of Arnhem land on the historic High Court Blue Mud Bay decision, saying the implications of the decision in the Torres Strait waters remains to be seen'. *Torres News* (Thursday Island, 20 August 2008), 3.

28-Aug-08 NT **Saving turtles and dugongs gets credit** A Northern Territory dugong and marine turtle project has been 'named a finalist in a national environmental award program'. The North Australian Indigenous Land and Sea Management Alliance project covers an area from the Kimberley across the Northern Territory to the Torres Strait. *Northern Territory News* (Darwin, 29 August 2008), 4.

Queensland

03-Jul-08 QLD **Home hopes in limbo** There is a test case being heard in the Federal Court on the State Government's 99 year lease plan 'to allow Aboriginal residents the rights to sign a 99 year lease over their home'. The case is currently heard by Justice Dowsett. *Courier Mail* (Brisbane, 3 July 2008), 15.

04-Jul-08 QLD **New rules, new board for council** The Carpentaria Land Council Aboriginal Corporation has been operated by an administrator since July 3 2006 and has been recently returned back to the community after changes to its constitution and the election of new board members. The measures are designed to increase corporate governance and include a director from each language group in the region. *North West Star* (Mount Isa, 4 July 2008), 7; *Cairns Post* (Cairns, 4 July 2008), 2.

05-Jul-08 QLD **Western power plant a first for Australia** CleanEnergy Australia has received native title approval for a geothermal power plant in the LongReach district. *Townsville Bulletin* (Townsville, 5 July 2008), 9.

12-Jul-08 QLD **National park first for state** Cape York's Lama Lama people 'have regained custody of hundreds of hectares of their traditional country and will be guardians of the state's first Queensland national park declared on Aboriginal land'. *Weekend Post* (Cairns, 12 July 2008), 5.

17-Jul-08 QLD **Chinese giant woos traditional land owners** Chalco Aurukun Shire Council, the Queensland Government and local traditional owner have 'entered into an Indigenous land use agreement recognising the commitment of all parties to a mutually respectful investigation into the possible mine'. *Financial Review* (National, 17 July 2008), 14.

23-Jul-08 QLD **Aurukun elders map out economic future** The elders of family groups of the Aurukun area, the Wik and Wik Way people, are 'holding a visionary workshop' to map their future in light of the historic agreement with the mining giant Chalco. *Cairns Post* (Cairns, 23 July 2008), 31.

06-Aug-08 QLD **Leaders to study High Court ruling** State Minister for Natural Resources and Water Craig Wallace said that the 'judgement in Blue Mud Bay case confirmed the exclusive rights of traditional owners over tidal waters along about 80 per cent of the Northern Territory coastline'. Mr Wallace said that the issues in the case do not apply to the current sea rights case in the Torres Strait. *Torres News* (Thursday Island, 6 August 2008), 3.

07-Aug-08 QLD **Traditional owners win national park after 30 years** Indigenous communities on Cape York will have the 'opportunity to run their own national park...after an agreement that ends 30 years of complex negotiations between Queensland authorities, indigenous groups and environmentalists'. A ceremony was held in Cohen to hand back 182 000 ha of land to the Kaanju Umpila, Lama Lama and Ayapathu people'. *Australian* (National, 7 August 2008), 7; 'Cape's future progressed' *Australian* (National, 6 August 2008), 14.

13-Aug-08 QLD **Cape Protection** The Wilderness Society has 'welcomed the declaration of Cape York Peninsula's first Indigenous Protected Area'. The IPA was reached with the Kaanju traditional owners in central Cape York. The Kaanju Ngaachi Wenlock and Pascoe Rivers Indigenous Protected Area covers 197 500 hectares of Aboriginal freehold land. *Cairns Sun* (Cairns, 13 August 2008), 7.

27-Aug-08 QLD **Conflict of interest compromises Native Title Owners rights and Interests** The Torres Strait

Regional Authority (TSRA) is a Commonwealth Statutory Authority 'yet they have set themselves up as the Native Title Representative Body...taking native title rights from the Traditional Property Owners and giving them back to the Commonwealth to administer says Maluwap Nona a traditional owner from the area. *Torres News* (Thursday Island, 27 August 2008), 5.

South Australia

07-Aug-08 SA **Land use talks called off** Negotiations to 'develop an Indigenous Land Use Agreement (ILUA) around the Eyre Peninsula coast from Cowell to Elliston have been put on hold because of funding cuts to the State-wide ILUA program'. A committee was initially formed in June 2006 but negotiations between the Barngala people, ALRM, South Australian fishing Industry council, the Seafood Council and the State Government have been suspended. *Port Lincoln News* (Port Lincoln, 7 August 2008), 9.

13-Aug-08 SA **Native Title** The Ngarrindjeri people have 'a native title claim over mainly the Coorong areas which extend into Kingston district to the Granites'. Movement of the claim is likely to be 'some time away' according to District Council chief executive officer Martin McCarthy. *South East Coast Leader* (13 August 2008), 5.

22-Aug-08 SA **APY takes housing package** Indigenous leaders in Anangu Pitjantjatjara Yankunytjatjara lands 'have accepted a \$25 million housing package'. Under the agreement, 'housing will be provided through State Government public housing model on land leased for 50 years'. *Kalgoorlie Miner* (Kalgoorlie, 22 August 2008), 4.

Victoria

18-Jul-08 VIC **Yorta summit success** The Yorta Yorta elders have 'achieved a majority victory at the World Indigenous people summit in the lead up to the G8 Summit'. Delegate Wayne Atkinson said that 'the Yorta Yorta won significant support from indigenous representatives from Asia, the Pacific Europe and the Americas'. *Riverine Herald* (Echucca, 18 July 2008), 14.

06-Aug-08 VIC **Pipeline works resume** The 'Cultural Heritage Management Plan for the Supply System 3 and 4 of the Wimmera Mallee Pipeline has been formally approved'. The plan was signed by Aboriginal Affairs

Victoria and the Barenji Gadjin Land Council allowing construction on the pipeline to resume'. *Dimboola Banner* (Dimboola, 6 August 2008), 3; *Buloke Times* (Donald, 5 August 2008), 1; 'Pipeline back on' *Weekly Times* (Victoria, 6 August 2008), 2; 'Pipeline works resumed' *Ararat Advertiser* (Ararat, 5 August 2008), 7; 'Pipe line reaches Marnoo' *North Central News* (St Arnaud, 27 August 2008), 6.

27-Aug-08 VIC **Native Title Claim lodged for Gippsland**

The Kurnai (Gippsland) and Gurnai/Kurnai and Booneroo people have lodged native title claims seeking recognition of their rights and interests over areas in Gippsland. The Kurnai claim covers 39 170 square kilometres of land and waters between Woods point, Waragul and Foster and Omeo and Buchan and Point Hicks. The Gurnai/Kurnai claims covers 7 970 square kilometres of land between Port Franklin and Inverloch. *East Gippsland News* (East Gippsland, 27 August 2008), 1; 'Valley part of native title claim' *Latrobe Valley Express* (Morwell, 28 August 2008), 4.

27-Aug-08 VIC **Koori vie for control** The Kuuyang Maar Aboriginal Corporation has applied to the Victorian Aboriginal Heritage Council (VAHC) for recognition as a Registered Aboriginal Party which means that the corporation 'could soon head the management and protection of Aboriginal sites and culture across the district'. *Cobden Times* (Cobden, 27 August 2008), 6.

Western Australia

12-Jul-08 WA **Cameco, Mitsubishi prepared to play waiting game for Kintyre's uranium** Canadian company Cameco is waiting for approval of the Kintyre Uranium deposit in Western Australia. The development is dependant on Cameco reaching an agreement with the Martu traditional owners of the land. *Weekend Australian* (National, 12 July 2008), 35.

16-Jul-08 WA **Builders facing brick wall over land releases** Planning and Infrastructure Minister Alannah McTiernan has said that Landcorp needs to deal with native title before land can be released to builders in the Pilbara region. *Pilbara News* (Pilbara, 16 July 2008), 19.

17-Jul-08 WA **Owners push for LNG input** The Kimberley Land Council has 'successfully campaigned for two additional sites to be considered for LNG processing hubs, adding to the nine already announced by the Northern Development Taskforce'. KLC executive Wayne Bergmann

said that 'the process is crucial to ensure Kimberley Aboriginal people gain long-term benefits from any development and to ensure robust community support'. *Broome Advertiser* (Broome, 17 July 2008), 3.

18-Jul-08 WA **Boom in tenements** The Western Australian State Government has 'granted the highest number of mining tenement applications in more than a decade in the past financial year'. Resources Minister Francis Logan said '4675 mining tenement applications were granted in 2008-1008'. *Geraldton Guardian* (Geraldton, 18 July 2008), 9.

19-Jul-08 WA **Native title setback** The Fortescue Metals Group will 'abandon a plan to push through a raft of native title applications with two Pilbara based claim groups after the National Native Title Tribunal found the company has failed to negotiate with them in good faith'. *West Australian* (Perth, 19 July 2008), 77.

21-Jul-08 WA **Pilbara left out of talks on ATSIC II** Pilbara Indigenous leaders have 'raised concerns that the region has been left off the schedule for first round consultation meetings on the proposed National Indigenous Representative Body'. Yamatji Land and Sea Council Director Simon Hawkins said that 'we are shocked that the Pilbara wasn't included. We have raised the issue and will be raising it at other meetings we attend'. *Australian* (National, 21 July 2008), 8.

25-Jul-08 WA **Native title needs overhaul** The National Native Title Council has said that the 'native title process needs to be overhauled to give Aboriginal people a better chance of having connection to their traditional lands recognised. According to NNTC Chairman Brian Wyatt, 'an overhaul would see stronger protection of Aboriginal land and customs and allow indigenous people to be economically independent sooner.' *Golden Mail* (Kalgoorlie, 27 July, 2008), 10.

01-Aug-08 WA **Historic agreement applauded by explorers** The agreement between the Ngarluma people and Rio Tinto Iron Ore has been welcomed by the Association of Mining and Exploration Companies. AMEC chief executive Justin Walawski said 'it underscores the importance of mineral exploration for the future of native title owners'. *Mining Chronicle* (National, August 2008), 13.

06-Aug-08 WA **Title victory for group** Members of the Puutu Kuntj Kurrama and Pinikura native title claim group and the Wintarwari Gurama Aboriginal Corporation have 'successfully proved the mining giant [Fortescue Metals] failed to fulfil its obligations under section 31 of the Native Title Act 1993'. The claim group successfully proved that

the mining company did not negotiate in good faith. *Pilbara News* (Pilbara, 6 August 2008), 5.

12-Aug-08 WA **ALP failing on gas plant: Barnett** A Liberal leader has warned that if energy company Inpex moves its operations from the Kimberley to Darwin, the '\$12 billion LNG export plant' could be lost. *West Australian* (Perth, 12 August 2008), 4; 'Darwin firms as site for \$25bn gas project' *West Australian* (Perth, 22 August 2008), 1.

12-Aug-08 WA **Fortescue appeals ruling** The Fortescue Metals Group will appeal a ruling by the National Native Title Tribunal that it has not acted in 'good faith' in negotiations with two Indigenous groups in the Pilbara'. The NNTT found that the 'although negotiations were conducted in a professional and honest manner, the company had not advanced them to a stage where it had discharged its duty to negotiate in good faith'. *Australian Financial Review* (National, 12 August 2008), 14.

20-Aug-08 WA **Elders' stories of country** Aboriginal elders in the Pilbara have 'recounted ancestral knowledge of their laws and customs at a Federal Court hearing' in traditional Puutu Kuntj Kurrama and Pinikura country'. Federal Court judge Neil McKerracher heard the preservation evidence. *Pilbara News* (Pilbara, 20 August 2008), 3.

28-Aug-08 WA **Aborigines 'denied uranium riches'** The Western Desert Lands Aboriginal Corporation, which represents with Martu people of the Pilbara region, has said that the 'Western Australian Government is robbing 'one of the most poor and disenfranchised people in this country'. The Western Australian Government has said that it will 'legislate against uranium mining in the state'. The Martu hold 'native title rights over 136 000 sq km of land within the Central Western Desert region' and 'acknowledges there is no consensus among the Martu, [but] says many hope their people will one day become joint owners of a uranium mine'. *Australian* (National, 28 August 2008), 8; 'Uranium row looms' *Herald Sun* (Melbourne, 28 August 2008), 65; 'Uranium ban upsets traditional owners too' *Sydney Morning Herald* (Sydney, 28 August 2008), 30; 'Mining ban 'robs indigenous people' *Canberra Times* (Canberra, 28 August 2008), 12; 'Uranium move under fire' *Border Mail* (Albury-Wodonga, 28 August 2008), 18.