

NATIVE TITLE IN THE NEWS

JUNE 2013

| DATE | STATE | SUBJECT | SUMMARY | SOURCE |
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| 1/6/2013 | Aus. | Judge says native title is biggest disappointment | Retiring Federal Court Judge Peter Gray has said in his farewell speech that Eddie Mabo's High Court win has been 'squandered', with native title reduced to something of little practical significance. Mr Gray said that the opportunity given to Australia through the Mabo High Court decision has been missed by judges and legislators who have been averse to the unique relationship between Indigenous peoples and their lands. Mr Gray insisted that future generations should be looking to devise a new native title system that 'recognises and respects the rights of our Indigenous peoples and returns them a measure of control over what, but for colonisation, would have been indisputably theirs.' | The Age (Melbourne Vic., 1 June 2013) National Indigenous Times (Malua Bay NSW, 5 June 2013) 3 |
| 2/6/2013 | WA | Noongar People and Government of Western Australia to consider their options | The Noongar native title claim group, represented by the South West Aboriginal Land and Sea Council (SWALSC), are considering their options with regards to their claim over lands and waters in the south-west of the state. SWALSC Chief Executive Officer Glen Kelly said Noongar people are close to achieving the comprehensive outcome that they hoped for. | Eureka Street (Richmond Vic., 2 June 2013) |
| 5/6/2013 | Qld | Minister insists traditional owners will be consulted in World Heritage nominations | Former Minister for Environment Tony Burke MP insists that traditional owners will be consulted in any push to recognise areas in Cape York that are eligible for world heritage listing. The comments were made following concerns raised by Nationals Senator Ron Boswell that the Federal Government was not engaging tradition owners over the application. | National Indigenous Times (Malua Bay NSW, 5 June 2013) 8 |

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| 5/6/2013 | Aus. | Concerns for native title backlog | Senator Nigel Scullion has raised concerns over the backlog of native title claims yet to be processed through the courts. The Senator announced at the National Native Title Conference in Alice Springs that, if elected, the Federal Coalition would speed up the process. | SBS News (5 June 2013) <i>The Centralian Advocate</i> (Alice Springs NT, 11 June 2013) 5 <i>National Indigenous Times</i> (Malua Bay NSW, 12 June 2013) 6 <i>Koori Mail</i> (Lismore NSW, 19 June 2013) 15 |
| 6/6/2013 | Aus. | Human rights policies in mining sector | McCullough Robertson Lawyer Charles Gregory spoke at the National Native Title Conference about the increase in human rights policies in multi-national mining companies. Mr Gregory highlighted, 'in Australia, we have a very weak human rights background... However, because of the impact it's had on Europe, America and South America, human rights have come to be incorporated into mining company policies, setting out the rights of Indigenous people and specifically the responsibility of companies when they are developing projects on lands owned by Indigenous peoples.' | Mining Australia (Sydney NSW, 6 June 2013) |
| 6/6/2013 | NSW/SA | Native title claim about recognition | A lawyer representing the Malyangapa native title claim group says that the claim over lands between Lake Frome in South Australia and the Barkandji area along the Darling River in New South Wales is not motivated by an increase in mineral exploration throughout the area. Karl Kirsten has said, 'what motivates people is the symbolic returning of their ancestral land.' | ABC News (Sydney NSW, 6 June 2013) |
| 7/6/2013 | Aus. | Terms of reference for native title inquiry announced | Attorney-General Mark Dreyfus QC has announced the terms of reference for an inquiry into the <i>Native Title Act 1993</i> (Cth). The inquiry will examine the economic potential for title for native title holders. The National Native Title Council (NNTC) has welcomed the inquiry but says that the terms of reference do not go far enough. NNTC Chief Executive Officer Brian Wyatt stated that 'the terms of reference do not mention anything about more fundamental amendments to the <i>Native Title Act</i> such as reversing the burden of proof about connection to country'. | Byron Shire News (Byron Bay NSW, 7 June 2013) <i>Koori Mail</i> (Lismore NSW, 19 June 2013) 15 |
| 13/6/2013 | WA | Aboriginal businessman concerned about lawyers | Indigenous Construction and Resource Group chairman Clinton Wolfe has raised concerns over the contracting of environmental lawyers representing Indigenous groups. Mr Wolfe stated, 'representative bodies need to be extremely careful about who they engage as their lawyers internally.' | <i>West Australian</i> (Perth WA, 13 June 2013) 4 |
| 17/6/2013 | NT | Exploration agreement signed | Native title claimants have signed an exploration agreement with Imperial Oil & Gas and the Northern Land Council. The area covers 11,220 square kilometres throughout the Urapunga region in the central trough of the McArthur Basin, south of the Roper River. | Proactive Investors Australia (Sydney NSW, 17 June 2013) |

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| 19/6/2013 | ACT | Supreme Court refuses bid to halt development | ACT Supreme Court Justice Hilary Penfold has refused an application by Ngambri elder, Mr Shane Mortimer, to halt development of a new suburb in Canberra's west. Mr Mortimer had argued that in his original decision, Justice John Burns was wrong in his approach to land sales in the 1800's and had based his decision on an incorrect legal precedent. | Canberra Times (Canberra ACT, 19 June 2013) |
| 19/6/2013 | Qld | Hand back of lands in Cape York | The Queensland State Government has handed back a freehold title deed over a 240,000 hectare area of western Cape York to Kowanyama traditional owners to be held in trust by the Prescribed Body Corporate. The handover, which did not include the township of Kowanyama, was described by traditional owner Monty Gilbert as being of 'special significance for the people of Kowanyama'. | ABC News (Sydney NSW, 19 June 2013) Western Cape Bulletin (Weipa QLD, 19 June 2013) 3 |
| 19/6/2013 | WA | Rio Tinto sign ILUA with Yindjibarndi | Rio Tinto has signed an Indigenous land use agreement (ILUA) with the Yindjibarndi people. The deal will allow Rio Tinto to commence Iron Ore mining at the Soloman Hub operations site. The deal was struck after negotiations with Fortescue Metals Group broke down. | Herald Sun (Melbourne Vic, 19 June 2013) The Australia (Canberra ACT, 20 June 2013) 18 The West Australia (Perth WA, 20 June 2013) ABC News (Sydney NSW, 20 June 2013) Pilbara Echo (Karratha WA, 20 June 2013) Mining Weekly (Perth WA, 20 June 2013) North West Telegraph (South Hedland WA, 26 June 2013) 21 |
| 19/6/2013 | Aus. | National Native Title Conference | The National Native Title Conference was held in Alice Springs from 3–5 June 2013, with hundreds of delegates from around the country in attendance. The 2014 National Native Title Conference will be held in Coffs Harbour in northern New South Wales. | Koori Mail (Lismore NSW, 19 June 2013) 42 |
| 20/6/2013 | WA | Traditional Owners to challenge Canning Basin agreement | KRED Enterprises, which represents three traditional ownership groups in the Kimberly region, has stated their intention to challenge a new statute that recognises an agreement for shale gas exploration in the Canning Basin. The agreement was signed by the Government of Western Australia and joint venture development partners, Buru Energy and Mitsubishi Corporation. KRED Chief Executive Officer Wayne Bergmann stated his concern that the Bill 'has major effects on the procedural rights afforded to the traditional owners under the <i>Native Title Act</i> .' | Herald Sun (Melbourne Vic, 20 June 2013) ABC News (Sydney NSW, 21 June 2013) |
| 20/6/2013 | WA | Gooniyandi native title recognised | The Gooniyandi native title group celebrated during a ceremony to mark the Federal Court's decision to recognise their claim over lands in the central Kimberly region, 15 years after the original claim was lodged. Gooniyandi member Russell 'Rusko' Smith stated at the ceremony, 'I'm real happy, not only me but the elders, the TOs [traditional owners] and all of them for getting our land back.' | ABC News (Sydney NSW, 20 June 2013) |