

Native Title in the News April 2008

Date	State	Subject	Summary	Source
01-Apr-08	WA	Public debate on native title	A national conference to 'promote public debate about native title and Indigenous people's interests in land and waters will take place in Perth from 3 to 5 June'. The event will be hosted by the South West Aboriginal Land and Sea Council and the Australian Institute of Aboriginal and Torres Strait Islander Studies. SWALSC executive Glen Kelly said that 'Noongar native title is not simply about land, it is a historic opportunity for the State and Commonwealth to turn a new page in relation to the Noongar people'.	<i>Western Suburbs Weekly</i> (Perth, 1 April 2008), 39; 'Conference to debate native title issues' <i>Melville Times</i> (Perth, 8 April 2008), 171 'Native Title Conference' <i>Weekend Courier</i> (Rockingham, 11 April 2008), 38.
01-Apr-08	WA	Martu people find hope at Lake Disappointment in historic deal with Reward	Reward Minerals has signed a landmark agreement with the Western Desert Lands Aboriginal Corporation, representing the Martu people in WA. Under the agreement the Martu people will receive 'equity in the firm as a part of native title negotiations and gives Aboriginal approval to Reward' to go ahead with its planned potash mine at Lake Disappointment'. This agreement is the first of its kind with WDLAC securing 7 million unlisted options in Rewards Minerals, in contrast to passive royalty agreements reached with traditional owners. WDLAC chairman Teddy Biljabu said 'gone are the days of the big boys treating us like speed humps in our own country'.	<i>Age</i> , (Melbourne, 1 April 2008), 1; 'Landmark' <i>Adelaide Advertiser</i> , (Adelaide, 1 April 2008), 43; 'Landmark deal promises Reward for WA's Martu' <i>West Australian</i> (Perth, 1 April 2008), 39; 'Martu Reap Reward' <i>Herald Sun</i> (Melbourne, 1 April 2008), 25; 'A share of the rewards' <i>Herald Sun</i> (Melbourne, 1 April 2008), 2; 'Reward sets new custom' <i>Courier Mail</i> (Brisbane, 1 April 2008), 67; 'Martu's landmark deal' <i>Financial Review</i> (National, 1 April 2008), 11; 'Indigenous mining share deal' <i>Sydney Morning Herald</i> (Sydney, 1 April 2008), 7.

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01-Apr-08	NATIONAL	Macklin snubs justice report	Indigenous Affairs Minister Jenny Macklin has stated that the 'Government would conduct an independent and transparent review of the intervention' and has said that the Human Rights and Equal Opportunity Social Justice Report's recommendations may be included in the inquiry. Social Justice Commissioner Tom Calma has argued that there should be a '10 point action plan to hose down the intervention and restore what he sees as basic human rights'.	<i>Australian</i> (National, 1 April 2008), 1; 'Reject measures that are biased' <i>Australian</i> (National, 1 April 2008), 4; 'No evidence of research based policy' <i>National Indigenous Times</i> (National, 3 April 2008), 25; 'Native title progress 'slow or non existent' <i>Lawyers Weekly</i> (National, 4 April 2008), 1; 'Evidence rules cause native title 'nightmare' <i>Australian Financial Review</i> (National, 4 April 2008), 65; ' Time to ask the big native title questions' <i>Financial Review</i> (National, 11 April 2008), 53; 'Chasm in indigenous affairs' <i>Australian</i> (National, 29 April 2008), 15.
01-Apr-08	NATIONAL	Native Title labelled a 'legal nightmare'	Comments made by the Aboriginal and Torres Strait Islander Social Justice Commissioner Tom Calma in his Native Title Report 2007 have been supported by Former Federal Court Judge Ron Merkel who 'accused the High Court of creating a 'factual and legal nightmare' in setting 'horrendously difficult' evidentiary hurdles.	<i>Financial Review</i> (National, 1 April 2008), 11.
03-Apr-08	NT	Old ways to fight climate change	Northern Territory Chief Minister Paul Henderson 'said that indigenous people could help combat climate change while creating jobs that focus on the land'. Mr Henderson said that there can be scope to adopt traditional knowledge and practices for land management in the NT.	<i>Northern Territory News</i> (Darwin, 3 April 2008), 9.

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04-Apr-08	VIC	Native title provides certainty	The Gunditj Mirring Traditional Aboriginal Corporation 'now controls 3000 hectares of land' following the handover of Lake Condah. Chairman Damien Bell said that 'plans for Lake Condah's water restoration could now move forward with more certainty of title'.	<i>Portland Observer</i> (Portland, 4 April 2008), 9.
07-Apr-08	QLD	Bligh opposes title claim	The Queensland Government will attempt to strike out a native title claim that 'threatens the Traverston Dam'. The government owner corporation, Queensland Water Infrastructure is intervening in the case in order to undermine the native title claim of the Gubi Gubi people.	<i>Australian</i> (National, 7 April 2008), 8.
08-Apr-08	WA	Kimberley resources key to indigenous people's future	Chairman of the Kimberley Land Council Wayne Bergman has argued that government, corporations and traditional owners need to work together in order to capitalise on the resource rich Kimberley region. Mr Bergman argues that 'gas developments in the Kimberley present major opportunities 'but at the same time there is a responsibility to bring Indigenous people 'out of poverty'. He argues that traditional owners are now 'negotiating an active role in shaping development' and that 'governments must support this initiative by insisting that development cannot occur without the informed consent of Aboriginal traditional owners'.	<i>West Australian</i> (Perth, 8 April 2008), 20.
09-Apr-08	QLD	Vital watershed moment for mine after agreement	Vital Metals has signed an Indigenous Land Use Agreement with the Western Yalanji people covering an area of 6348 hectares. The agreement was 'negotiated directly between Vital Metals and the traditional owners facilitated by the North Queensland Land Council'. It has been submitted to the National Native Title Tribunal for registration.	<i>Tablelands Advertiser</i> (Marreeba, 9 April 2008), 10.
09-Apr-08	WA	Noongar website	The South West Aboriginal Land and Sea Council has launched a new website to 'keep the community informed about the Single Noongar Claim Appeal'. The site is www.noongar.org.au	<i>Augusta Margaret River Mail</i> (Augusta, 9 April 2008), 3.

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09-Apr-08	NT	Katherine Times	A public hearing will be held April 30 to discuss the changes to the intervention. The Families, Housing, Community Services and Indigenous Affairs and Other Legislation Amendment (Emergency Response Consolidation) Bill 2008 was referred to the Senate's Community Affairs Committee on March 19 for inquiry and report to May 7.	<i>Katherine Times</i> (Katherine, 9 April 2008), 5.
10-Apr-08	WA	Farm futures must be protected	Rob Gillam, president of the Pastoralists and Graziers Association says that 'land tenure and native title issues would continue to dominate the PGA's pastoral agenda'.	<i>Countryman (WA)</i> (Western Australia 10 April 2008), 9.
11-Apr-08	NATIONAL	Push for Aboriginal rights over resources	Jon Altman, the ANU Director of the Centre for Aboriginal Economic Policy Research said that laws should be 'changed to give Aboriginal people greater rights over natural resources'. Mr Altman said that 'consideration needed to be given to the idea [of] amending the law to provide indigenous land owners with legal property rights over resources occurs in the US and most Canadian provinces'.	<i>Australian</i> (National, 11 April 2008), 6; 'Bridging the cultural divide' <i>Earth matters</i> (National, 1 April 2008), 8.
11-Apr-08	NT	Knowledge to save wildlife	The Threatened Species Network has said that there may be a role for local Aboriginal elders in the protection of rare animals in Central Australia at the Arid Zone Recovery Team forum held in Alice Springs.	<i>Centralian Advocate</i> (Alice Springs, 11 April 2008), 9.
11-Apr-08	NSW	Pursuing claim	A native title claim on land at Lake Cowal is still ongoing. The claim was lodged by the Wiradjuri Condobolin Corporation and two unit groups the Mooka united families and the Kalarie united traditional families. The claims are still before the Federal Court and have not been finalised.	<i>Lachlander</i> (Condobolin, 11 April 2008), 5.
12-Apr-08	NATIONAL	Judge Sackville retires	Justice Sackville is retiring from the Federal Court.	<i>Weekend Australian</i> (National, 12 April 2008), 35.

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12-Apr-08	NATIONAL	Getting down to brass tacks on indigenous treaty	The 2020 summit provided the opportunity to consider a treaty between the Australian government and the Indigenous people of Australia. He argues that the 'starting point for a treaty should be acknowledgement of our history, including that indigenous people were the prior occupiers of the land, the injustices done to them and that the settlers who came later are to stay. Acknowledgement should be followed by negotiation rather than consultation.'	<i>Canberra Times</i> (Canberra, 12 April 2008), 7.
14-Apr-08	NT	Gran faces ruin after losing fight	Majorie Forster has lost a fight with her children to 'negotiate over a planned gas pipeline to run through Kamu land in the Daly River region'. Federal Court judge Justice Mansfield dismissed her appeal. It was argued in the appeal by the Northern Land Council, who represented her children that Mrs Foster was not 'acting in her clan's interests'.	<i>Northern Territory News</i> (Darwin, 3 April 2008), 9.
23-Apr-08	QLD	Long term leases under land reforms	Proposed amendments to the Aboriginal and Torres Strait Islander Land Acts mean that 'new land tenure agreements will allow residents [of Cape York] to obtain 99 year leases on house and 30 year leases on businesses'. Natural Resources and Water Minister Craig Wallace said that 'the land tenure reform was vital to family, community and business stability'. This has also been supported by Palm Island Mayor Alf Lacey.	<i>Cooktown local News</i> (Cooktown, 23 April 2008), 3; 'Land leases give island greater scope' <i>Townsville Bulletin</i> (Townsville, 26 April 2008), 18; 'New lease will create 99 year housing and commercial leases for indigenous communities' <i>Western Cape Bulletin</i> (Weipa, 23 April 2008), 5.
23-Apr-08	QLD	Native title farce`	The Gubbi Gubbi group lodged a claim with the NNTT in 1996 to register a claim over the Glasshouse Mountains which was later deregistered under the 2006 amendments. Gubbi Gubbi elder Dr Eve Fels said that 'she had been surprised to learn that the change was retrospective'.	<i>Sunshine Coast Daily</i> (Maroochydore, 23 April 2008), 11.

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23-Apr-08	WA	Mining company helps out	Fox Resources has provided \$17 000 worth of audio equipment to the Ngarluma Aboriginal Corporation as a part of its heritage agreement with the native title holders supporting a cultural heritage recording project.	<i>Pilbara News</i> (Pilbara, 23 April 2008), 5.
24-Apr-08	SA	Forum to protect Aboriginal culture	A caring for country forum will be held in Port Augusta from 25-26 September providing an opportunity 'for Aboriginal people across SA to talk together and hear about successful aboriginal projects that help care for the land and discuss a range of challenges that need addressing to assist Aboriginal communities to get more involved'.	<i>Stock Journal (SA)</i> (South Australia, 24 April 2008), 17.
24-Apr-08	SA	Crucial meeting to discuss 'land grab'	The Federal Government has offered \$25 million for new housing on the Anangu Pitjantjatjara Yankunytjatjara Lands but 'only on the condition that it is leased back to the state government for 50 years'. A meeting has been called so that the traditional owners the Anangu can discuss the conditions under which the leases can override their land rights.	<i>Adelaide Advertiser</i> (Adelaide, 24 April 2008), 28.
29-Apr-08	WA	Call for amendment after Perth claim thrown out	The National Native Title Council has 'called for the Native Title Act to be amended after the Federal Court set aside the indigenous Nyoongar people's claim over Perth'. The appeal was lodged by the Commonwealth and State Governments following the decision of Wilcox J recognising the continuous observance of traditional laws and customs. Bryan Wyatt Chief Executive of the council said that 'its time that the Government had a serious look at amending the Act to ensure the rights of indigenous people are upheld in these matters'.	<i>Kalgoorlie Miner</i> (Kalgoorlie, 29 April 2008), 3; 'Amend Native Title Act, Council' <i>Barrier Daily Truth</i> (Broken Hill, 29 April 2008), 7; 'Calls to review land rights Act' <i>Wagga Daily Advertiser</i> (Wagga Wagga, 29 April 2008), 14.

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30-Apr-08	WA	Support for indigenous land holding groups	The Southern Agricultural Indigenous Landholder Service (SAILS) was established in 2006 and is designed to assist 'farms with implementing sustainable land use natural resource and latest agricultural best practice management' while working collaboratively with indigenous land managers. The organisation has also been involved with assisting Aboriginal corporations 'with the transition from old constitutions' under the CATSI changes.	<i>Esperance Express</i> (Esperance, 30 April 2008), 11.
25-May-08	WA	Court's native title ruling was flawed: claimants	A Federal Court ruling 'that has sent the landmark Nyoongar native title claim over Perth back to the drawing board has significant legal flaws' and may be appealed to the High Court, says claimants. The Court did not decide whether or not the Noongar people hold native title over the area, the merely held that the trial judge didn't follow the right process for determining their connection to the Perth area. The Noongar claimants will have to return to court to give further evidence about specific connection to the Perth area and their continued acknowledgement of the laws and customs presented in the first trial. The South West Aboriginal Land and Sea Council has said that 'the alternative agreements [settlement] lacks certainty and may not go far enough for the Nyoongar claimants'.	<i>West Australian</i> (Perth, 25 April 2008), 10; <i>Daily Examiner</i> (Grafton, 25 April 2008), 13; <i>Queensland Times</i> (Ipswich, 25 April 2008), 26; <i>Kalgoorlie Miner</i> (Kalgoorlie, 29 April 2008), 3; 'Amend Native Title Act, Council' <i>Barrier Daily Truth</i> (Broken Hill, 29 April 2008), 7; 'Calls to review land rights Act' <i>Wagga Daily Advertiser</i> (Wagga Wagga, 29 April 2008), 14; <i>Gladestone Observer</i> (Gladestone, 25 April 2008), 14; 'Setback' <i>Launceston Examiner</i> (Launceston, 24 April 2008), 11; 'Ruling in Perth native title case' <i>Financial Review</i> (24 April 2008), 17; 'Appeal puts native title case in limbo' <i>West Australian</i> (Perth, 24 April 2008), 4; 'Appeal upheld on native title in Perth case' <i>West Australian</i> (Perth, 20 April 2008), 4; 'Native title 'does not exist over Perth' <i>Sunraysia Daily</i> (Mildura, 24 April 2008), 15; <i>Morning Bulletin</i> (Rockhampton, 24 April 2008), 14; 'Ruling on native title overturned' <i>Australian</i> (National, 24 April 2008), 2.