

Native Title in the News - August 2010

Date	State	Subject	Summary	Source
02/08/2010	WA	Sacred Site defence in Court	Two Indigenous brothers, Lenny and John Hopiga, who are accused of assaulting two non-Indigenous men on a claimed sacred site, are arguing in court they were defending their land under traditional law. The Kimberley Land Council (KLC) said the 2008 alleged assault took place in an area deemed 'exclusive possession native title', KLC are arguing that the brothers have the right to exclude people from their land and use reasonable force to defend it against trespassers. The case which is being heard in Broome could end up in the High Court and is expected to set a precedent over the extent of rights traditional owners have over their land.	<i>Australian</i> (Australia, 2 August 2010), 3.
03/08/2010	QLD	Jangga ILUA	Charters Towers Regional Council, Isaac Regional Council, Whitsunday Regional Council and the Jangga People have celebrated the signing of an Indigenous land use agreement (ILUA) at a ceremony at Mt. Coolon. The ILUA covers more than 20,700 sq km centred on the township of Mt. Coolon, 120km west of Mackay and 150km south of Townsville under a native title claim. The ILUA protects Aboriginal cultural heritage and sets out how councils will provide services and develop infrastructure. The National Native Title Tribunal registered the legally binding agreement on February 11, 2010.	<i>Northern Miner</i> (Charters Towers QLD, 3 August 2010), 3.
05/08/2010	VIC	Native Title Framework	The Traditional Owner Settlement Bill 2010 (Vic) was introduced into Victorian Parliament by the Hon. John Brumby on 27 July 2010. The Victorian and Federal Governments say it could lead to better economic opportunities for Aboriginal groups in managing Crown land. The Victorian Attorney General Rob Hulls said "It will mean quicker resolution of claims, reduced transaction costs, reduced compensation liability for the state, finality and certainty for the state, for business and for industry in relation to native title matters." The Co-chairman of Victorian Traditional Owner Justice Group Graham Atkinson says it will result in better economic development opportunities in Indigenous communities. "This is a groundbreaking reform for traditional owners in Victoria. It allows groups to work in an agreement-making context rather than litigation," he said.	<i>National Indigenous Times</i> (Malua Bay NSW, 5 August 2010), 7. <i>Lakes Post</i> (Lakes Entrance VIC, 4 August 2010), 21. <i>Hamilton Spectator</i> (Hamilton VIC, 31 July 2010), 41. <i>Portland Observer</i> (Portland VIC, 13 th August 2010), 5.

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05/08/2010	WA	Gas Hub at James Price Point	<p>A meeting of the Goolarabooloo and Jabirr Jabirr claim group was held in Broome WA, and voted to change the named applicants on their native title claim. This in affect, opens the way for resumed negotiations on the \$30 billion gas hub project.</p> <p>The meeting followed a Federal Court decision in Perth dismissing legal action by Mr. Roe who had sought to prevent the KLC from representing native title claimants in negotiations over the proposed liquefied natural gas hub. Mr. Roe and other claimants are against the plant being built at James Price Point as they say it is an important sacred area and a crossing point of song lines.</p>	<p><i>National Indigenous Times</i> (Malua Bay NSW, 5 August 2010), 6. <i>Advertiser</i> (Adelaide SA, 5 August 2010), 54. <i>Sydney Morning Herald</i> (Sydney NSW, 5 August 2010), 5. <i>West Australian</i> (Perth WA, 4 August 2010), 16. <i>Canberra Times</i> (4 August 2010), 13. <i>Age</i> (Melbourne VIC, 4 August 2010), 10. <i>Barrier Daily Truth</i> (Broken Hill NSW, 4 August 2010), 8. <i>West Australian</i> (Perth WA, 3 August 2010), 15. <i>General News</i> (Broome WA, 12 August 2010), 3.</p>
06/08/2010	WA	Traditional Owners warn Explorer's	<p>West Australian exploration company, Groote Resources, have been urged to talk to traditional owners before exploring for manganese near Groote Eylandt, off Arnhem Land.</p> <p>Traditional owners and the Northern Land Council are concerned that "in the 21st century despite the High Court's Mabo decision and the Native Title Act any mining company would come to Arnhem Land and commence exploration without consultations and agreement with traditional owners".</p> <p>Walter Amagula, chairman of the Anindilyakwa Land Council, which represents traditional owners in the area, says "The sea country has immense cultural and environmental significance, including sacred sites and song cycles which connect Groote to the mainland as well as dugong, turtle and seagrass habitats".</p>	<p><i>Age</i> (Melbourne VIC, 6 August 2010), 3. <i>National Indigenous Times</i> (Malua Bay NSW, 19 August 2010), 8.</p>

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12/08/2010	WA	Milestone for Yawuru	<p>The registration of the Yawuru people's Indigenous land use agreement with the State and Broome Shire by the National Native Title Tribunal marks the end of a six month transition period, opening up a new era in Broome's development. Registration of the ILUA resulted in the delivery of the first instalment of benefits from the \$200 million Native Title agreements signed in February this year. WA Attorney General Christian Porter said "the first benefits will be transferred to the Yawuru people as soon as possible and will include \$29m for capacity building, economic development, cultural preservation and social housing," Mr Porter said "An additional \$6m will be provided to the Department of Environment and Conservation for joint management of a conservation estate." The ILUA covers 5291sqkm of land in and around the Broome townsite.</p>	<p><i>Broome Advertiser</i> (Broome WA, 12 August 2010), 1. <i>Farm Weekly</i> (WA, 12 August 2010), 138. <i>National Indigenous Times</i> (Malua Bay NSW, 19 August 2010), 15.</p>
12/08/2010	QLD	Levy to be paid	<p>Under the terms of an Indigenous Land Use Agreement signed in 2007, the Mount Isa City Council will pay the Kalkadoon Aboriginal community more than \$575,000 to compensate them for surrendering native title claims on a parcel of land flagged for a housing development. Mt Isa City Council moved to pay off a 10 per cent instalment of \$57,500 to the Kalkadoon Community as an upfront payment. The remaining \$517,500 must be paid within three months to keep within the terms of the ILUA between the council, the Aboriginal organisation and the State Government in 2007.</p> <p>Ratepayers are paying a three-year "Kalkadoon levy" in their rates starting from this year to help pay the outstanding debt. Mount Isa City Council have confirmed that the Kalkadoon levy will be paid in full by October 1, 2010.</p>	<p><i>North West Star</i> (Mount Isa, QLD, 12 August 2010), 3. <i>Townsville Bulletin</i> (Townsville QLD, 14 August 2010), 23.</p>
24/08/2010	QLD	Largest Aboriginal Agreement on LNG	<p>The largest set of Aboriginal agreements in Australia's resources history was signed in Gladstone yesterday. The Gladstone Liquefied Natural Gas (GLNG) project representatives and local Aboriginal traditional owners signed the seventh and final Indigenous land use agreement (ILUA) for the project during a ceremony at the GLNG office. Signing this final agreement, called the Murribindi Gap B agreement, which is one of 42 individual agreements with Aboriginal people for the GLNG project, means the project can begin construction.</p>	<p><i>Gladstone Observer</i> (Gladstone QLD, 24 August 2010), 5. <i>Gladstone Observer</i> (Gladstone QLD, 24 August 2010), 5.</p>

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25/08/2010	NSW	NSW Farmers' Association information forum	<p>About 30 people attended a NSW Farmers' Association information forum in Orange concerning a native title claim lodged by the Wellington Valley Wiradjuri people. The claim extends from south Dubbo and takes in Orange, Wellington and Mudgee.</p>	<p><i>Central Western Daily</i> (Orange NSW, 25 August 2010), 5.</p>
26/08/2010	WA	James Price Point Gas Hub	<p>Traditional owner of James Price Point have said they could withdraw support for the \$40 billion Kimberley gas hub after WA Premier Colin Barnett broke off talks and said he would move to compulsorily acquire the land. Mr Barnett has warned of a forced acquisition of the 2500ha site and 1000ha of sea if the parties could not reach an agreement by June 30. Wayne Bergmann, CEO of Kimberley Land Council accused the Premier of unfairly criticising the \$16 million cost of negotiations which requires extensive consultation on social, cultural and environmental effects as well as complex talks with experienced dealmakers from big corporations.</p>	<p><i>West Australian</i> (Perth WA, 26 August 2010), 13. <i>West Australian</i> (Perth WA, 26 August 2010), 13. <i>Australian</i> (Australia, 26 August 2010), 4.</p>
28/08/2010	WA	Pilbara Agreement	<p>The Kariyarra native title group has signed a native title agreement with Hancock Prospecting to cover a proposed railway to carry iron ore from its Roy Hill project in Port Hedland. The agreement is designed to protect cultural heritage sites throughout the planning and construction of a rail corridor in the Pilbara. The native title agreement provides for a range of financial and non-financial benefits for the region's Aboriginal community including a policy to promote employment of Kariyarra people on the project. Under the agreement, Hancock employees will go through cultural awareness training and the company will build an Aboriginal arts centre in the Port Hedland area in consultation with the Kariyarra people.</p>	<p><i>Shepparton News</i> (Shepparton VIC, 28 August 2010), 22. <i>Daily Liberal</i> (Dubbo NSW, 28 August 2010), 14. <i>Weekend Gold Coast Bulletin</i> (Queensland AU, 28 August 2010), 126. <i>Advertiser</i> (Adelaide SA, 28 August 2010), 87.</p>