

Native Title in the News December 2006

Date	State	Subject	Summary	Source
1-Dec-06	NT	Govt paves way for nuke dump	Plans to place a nuclear waster depository in Tennant Creek 'moved a step closer this week with the passing of an amendment to a Parliamentary Bill which blocks the rights of traditional owners to challenge any nomination of Aboriginal land for a dump site'. The amendments to the Commonwealth Waste Management Legislation have been opposed by Aboriginal elders, pastoralists, environmentalists and members of the Northern Territory Government. The amendments were made 'following confidential discussions between the Northern Land Council and the Department of Education, Science and Training'. The changes mean that 'traditional owners from Muckaty will have no say in whether or not the nuclear dump is constructed on their land, despite the fact many have been vociferous in their opposition to the plan'.	Tennant & District Times, 1-Dec06, pg 3; for editorial comment see 'Territory Government shifts into Disraeli gear over waste: Labor's nuclear nonsense' Sunday Territorian, 3-Dec-06, pg 20; 'N waste dump: the rush is on' Territory News, 15-Dec-06.
1-Dec-06	NSW	Recently opening mine to inject millions into NSW economy	Construction of the 'Cowal Gold Mine has injected \$440 million into the economy of New South Wales' south-west according to Barrick Gold Corporation President and Chief Executive Officer Greg Wilkins'. Barrick has also negotiated a Native Title Agreement with the Wiradjuri Condobolin popple and 'benefits for Indigenous people for the life of the project include more jobs for the Wiradjuri people at Cowal, facilitated by the establishment of an Education, Training and Business Development Committee, with equal representation from the Wiradjuri and Barrick; and the funding of tertiary scholarships, apprenticeships and preemployment training'.	Mining Chronicle. Dec-06, pg 43.
1-Dec-06	WA	Win-win native title agreement in WA	West Australian mineral sands miner and titanium dioxide producer Tiwest has 'struck a win-win Native Title Agreement with native title claimants north of Perth'. Under the Agreement with the Yued people 'Tiwest will provide apprenticeships, traineeships, work experience, create business opportunities and help develop and deliver a cultural awareness program, to Tiwest employees'.	Mining Chronicle. Dec-06, pg 9.

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1-Dec-06	WA	Meredith elected GLSC chairperson	Dion Meredith has been elected as the new Chairperson of the Goldfields Land and Sea Council. He paid tribute to the outgoing chairman Ian Tucker saying that 'he has done an excellent job raising the GLSC to its secure position'.	Kalgoorlie Miner, 1-Dec-06, pg 5; 'New Chairman for land council' Esperance Express, 14-Dec-06, pg 9.
2-Dec-06	NT	Canberra accused in title case	The Federal Government has 'been accused of launching a back-door attempt to wind back native title law after its last minute intervention in a native title claim over Darwin'. Lawyers working with the Larrakia say that 'Canberra's intervention appears to be an attempt to overturn precedents set in earlier native title cases and make it much harder for Aborigines to prove native title'. They say that 'most of the arguments made by the federal Attorney General Philip Ruddock where not relevant to the Larrakia case. Instead they appeared to be an attempt to shift the legal goal posts ahead of other native title cases such as the Federal and West Australian governments' appeal against the Noongar people's successful native title claim over Perth'.	Age, 1-Dec-06, pg 8.
4-Dec-06	NT	Rein in the land councils'	A report written by John Cleary for the Centre for Independent Studies has suggested that 'Aboriginal land councils have a monopoly of power and the Commonwealth Government needs to rein them in if remote communities are to move forward'. The report claims that 'corruption and widespread dysfunction typify the running of Indigenous communities because there are no clear governance structures'. Mr Cleary said that 'land councils should be confined to their primary role as land managers because many of them had expanded their roles to cover issues such as housing'.	Northern Territory News, 4-Dec-06, pg 6.
4-Dec-06	WA	Call for mining support	Barry Haase, Federal Member for Kalgoorlie 'has joined the chorus of politicians and industry leaders calling for assistance for the State's booming mining industry'. He said that the 'protection of places of significance to Aboriginal and Torres Strait Islander people should not come at the expense of other Australians'.	Geraldton Guardian, 4-Dec-06, pg 8.

4-Dec-06	NT	Black town offers own lease plan	<p>The Aboriginal Affairs Minister Mal Brough 'rejected a draft proposal from the community of Wadeye...that would allow 20 year leases on community owned land'. He said that the 'plan was economically unsound and would not lead to the stated goals of 99 year leases - private home ownership and commercial business development'. However Wadeye's Thamarrurr Council Chief Executive John Nerto 'dismissed the Government's argument saying it was a workable plan'.</p>	<p>Canberra Times, 4-Dec-06, pg 4; 'Lease plan rejected: Wadeye to fight on' Adelaide Advertiser, 4-Dec-06, pg 10; 'Wadeye fights for land: council slams Brough's rejection of 20 year lease plan' Northern Territory News, 4-Dec-06, pg 7; 'Land Fight' Launceston Examiner, 4-DEc-06, pg 10.</p>
5-Dec-06	NT	Quick payback tipped for new mine operation	<p>Thor Mining has completed a feasibility study of the Molyhil Tungsten Molybdenum Project near Alice Springs. Thor is 'currently in negotiations with the Central Land Council for the mining rights' and Thor chief executive officer John Young 'expects Indigenous workers will be a requirement of the mining agreement'.</p>	<p>Centralian Advocate, 5-Dec-06, pg 14.</p>

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5-Dec-06	NSW	Protesters relying on Native Title Claim	Five people charged with entering onto the property of the Cowal Gold Project are arguing 'they had lawful excuse and believe the native title claim on the land to be heard in the Federal Court will help prove it'. With the agreement of both parties the defendants were restricted from 'going within one kilometre of the Barrick Boundary'.	West Wyalong Advocate, 5-Dec-06, pg 5.
5-Dec-06	WA	Active Awareness in Blackwood basin	The Blackwood Basin Group (BBG) has written a manual to 'educate people about local Indigenous culture'. It focuses on 'land management and resource use by the Noongar people'. Nerilee Boshammer from the BBG said that 'it was important for students to learn about traditional Noongar environmental management, as it is related to contemporary concepts of sustainability and environmental stewardship'.	Donnybrook Bridgetown Mail, 5-Dec-06, pg 9.
6-Dec-06	WA	South West Boojarah lodge new claim	People are being invited to lodge their interest to participate in native title negotiations over 10,000sq km of coastal land about 30km south of Bunbury. The claim areas 'falls within the Augusta-Margaret River, Bridgetown-Greenbushes, Busselton, Capel, Donnybrook-Balingup, Manjimup and Nannup shires'. Registered on 5 September 2006 ,this is a new claim by the South West Boojarah people seeking to have native title rights recognised over the area. After the notification period has closed, the Federal Court is likely to refer the claim to the National Native Title Tribunal for mediation.	Media Release, 6-Dec-06; 'claim takes in big area of SW' South Western Times, 14-Dec-06, pg 5; 'SW native title claim starts again' West Australian, 7-Dec-06, pg 10.

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6-Dec-06	QLD	Subdivide pastoral land says Katter	Federal Member for Kennedy Bob Katter 'wants the State Government to free up a "land locked" Mt Isa'. Landholders who have 'occupational licences or grazing leases on land surrounding the city have faced difficulties under native title legislation when trying to convert the land to freehold' land which can be subdivided and sold. Mount Isa MP Betty Kiernan said that the 'State government's policy was to help councils sort through native title'. Mr Katter maintained that the 'State Government was a sovereign power and it could "do what it liked" with the land. He further said that 'native title holders can sue for compensation' and could 'not see the native title holders holding out on this'.	North West Star, 6-Dec-06, pg 3.
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6-Dec-06	WA	This land is ours': A celebration of native title for the Miriuwung Gajerrong	The Miriuwung Gajerrong people are 'celebrating recognition of their native title over 6758 square kilometres of land'. The determination covers 'land extending from near Kununurra to the Northern Territory Border, and brings the total area where native title is recognised in the Kimberly to more than 35 per cent'. The Kimberly Land Council 'welcomes the determination'. Executive Director Wayne Bergmann said that the 'resolution of the MG #4 claim demonstrates what can be achieved by all parties working co-operatively together, and recognising that native title is a reality that cannot be ignored'. Edna O'Malley from the Miriuwung Gajerrong Corporation said 'having full native title on our country means that we can have small business development on our living area, make business expertise come our way and we've also got a big future with the whole Ord Agreement'.	Koori Mail, 6-Dec-06, pg 6.
6-Dec-06	NATIONAL	Wik ruling led a new era	National Native Title Tribunal President Graeme Neate has said that the Wik ruling 'was a turning point for Indigenous communities because it meant that claimant groups could have a seat at the negotiating table with pastoralists, and others who use pastoral lease land'. According to him 'much has changed in the past decade. Many pastoralists involved in native title claims have come to realise that agreement making is the best way forward, and that constructive relationships with native title claimant groups can be developed along the way.'	Koori Mail, 6-Dec-06, pg 22.

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6-Dec-06	WA	Landmark management deal for Lake Argyle area	The Western Australian Government has entered into an agreement with the Miriung Gajerrong people 'for the joint management of a 127 000 reserve of land at the southern end of Lake Argyle.' Deputy Premier Eric Ripper said 'this agreement recognises the important role that traditional custodians have to play in the protection and management of the State's water and wetlands'. Water resources Minister John Kobelke said 'that partnerships and co-operations were the key to successful long-term projects'.	Koori Mail, 6-Dec-06, pg 73.
6-Dec-06	WA	Land council calls for Goldfields training foundation	Goldfields Land and Sea Council Executive Director Brian Wyatt has said that 'an Aboriginal training foundation is urgently required to bring people in Western Australia's goldfields up to work ready status comparable with the non-Indigenous community'. He 'told the Indigenous employment forum in Kalgoorlie-Boulder that the foundation should be resourced by government and industry'.	Koori Mail, 6-Dec-06, pg 74.
7-Dec-06	SA	Native title fishing	The fourth meeting between the Barngarla and Nauo-Barngarla native title claimants and the South Australian Fishing Industry Council, the Seafood Council of SA, the Aboriginal Legal Rights Movements and the State Government has concluded. The talks were designed to reach an Indigenous Land Use Agreement which aimed to 'provide recognition of the Eyre Peninsula's Barngarla and Nauo-Barngarla people and agreement on how they would operate in the future'.	West Coast Sentinel, 7-Dec-06, pg 3.
7-Dec-06	WA	Plea on rates rejected	The request by 'the Yahnging Aboriginal Community for a council rates exemption because of the length of its tenancies has been rejected'. The group 'who provides low cost housing for Aboriginal tenants, wanted the exemption for five of its houses in Koondoola and Girraween'.	Joondalup Times, 7-Dec-06, pg 31.

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8-Dec-06	QLD	Tourists pay for hoons	Visitors to the Kalpowar Station will need to pay to access fishing spots 'after traditional owners threatened to lock the gates last week'. Kalpowar spokesman and chairman of the Cape York Land Council Michael Ross 'said Indigenous owners of the station were drawing up plans to charge an entry fee similar to those applies to national parks in a bid to halt the wanton destruction of private property and anti-social behaviour'. He 'defended his decision to ramp up his rhetoric, saying the behaviour of a minority has been shoddy in the extreme'.	Cairns Post, 8-Dec-06, pg 4.
8-Dec-06	NSW	Land Council pushing for home ownership in Wilcannia	David Clarke head of the Wilcannia Local Aboriginal Land Council says 'the best way forward for the Darling River town is home ownership.' According to him 'transferring the title from the Land Council to the individual would serve the purpose of restoring people's pride and dignity as well as changing the flawed rental system'. He proposed the 'transfer of tenants to home owners' which 'will create an immediate cash flow for the Land Council. This should enable them to borrow future money to build more houses and continue to provide housing for population that is increasing in numbers'.	Barrier Miner, 8-Dec-06, pg 5.
8-Dec-06	NT	Lhere Artepe backs temporary visits	Aboriginal Corporation Lhere Artepe 'says it supports setting up dongas at Dalgerty Road and Tyeweretye Club'. Betty Pearce a representative of the Lhere Artepe said that 'native title holders in Alice Springs want somewhere for visitors to stay'. She said 'we have to look at where we can have people go. We need infrastructure set up'. She also said that 'once the facilities were set up, Lhere Artepe would call on the Alice Springs community to help monitor their management'.	Centralian Advocate, 8-Dec-06, pg 4.

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8-Dec-06	WA	Native title upgrade	<p>The 'native title process will be streamlined under amendments to the Native Title Act announced by Attorney General Phillip Ruddock'. Four amendments were introduced in the House of Representatives. Mr Ruddock said 'none of them undermined the wide intent of the native title.' He said: 'measures in this Bill do not seek to wind back or undermine native title rights and focus largely on the framework for determining native title claims'. One of the reforms includes 'offering financial assistance to claimants who choose to participate in negotiated settlements'. Other changes include removing 'the possibility of courts and the National Native Title Tribunal doing the same work'.</p>	<p>Kalgoorlie Miner, 8-Dec-06, pg 4; 'Jagera sign MOU' Koori Mail, 6-Dec-06, pg 17; 'Memorandum recognises past' South West News, 13-Dec-06, pg 12.</p>
8-Dec-06	QLD	Moreton Border News	<p>The Ipswich city council and the Jagera people have signed a memorandum of understanding (MOU) 'setting out a framework that will protect and manage public land within the Jagera people's native title claim'. Ipswich Mayor Paul Pisasale said 'the MOU is the culmination of 18 months of formal negotiations between council and the Jagera people'. According to him, it is a 'tremendous step forward for Ipswich as it establishes the framework for an Indigenous Land Use Agreement' (ILUA). Under the 'proposed ILUA council and native title claimants will establish how they will deal with future infrastructure development, cultural heritage issues and community relationships in the area'.</p>	<p>Moreton Border News, 8-Dec-06, pg 14; 'Tears of joy shed' Ipswich Advertiser, 13-Dec-06, pg 5.</p>

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13-Dec-06	NATIONAL	Native Title Tribunal appointments	<p>Attorney-General Philip Ruddock today announced the re-appointment of Mr Graeme Neate as President of the National Native Title Tribunal, the appointment of Mr John Sosso as a Deputy President and the re-appointment of Mr Graham Fletcher and Mr Alistair (Bardy) McFarlane as members of the Tribunal. Mr Sosso has been a full time member of the Tribunal since February 2000. He is a former consultant in public administration, native title and infrastructure and a former Deputy-General of the Queensland Premier's Department, during which time he was involved in several successful native title settlements and in establishing the Queensland Native Title Legal Unit. Along with experience in mediation and arbitration of land claims in several jurisdictions as a member of the Tribunal, Mr Sosso has also been involved in the negotiation of several significant mining and infrastructure ILUAs. Mr Fletcher has been a full time member of the Tribunal in Cairns since March 2000.</p>	Media Release, 13-Dec-06.
14-Dec-06	NSW	Claim case adjourned	<p>The Mooka and Kalara United families claim over the Lake Cowal gold mine site has been adjourned by Justice Madgwick for further directions.</p>	Daily Advertiser, 14-Dec-06, pg 10.
14-Dec-06	NSW	Project wins grant funding	<p>The Tibooburra local Aboriginal Land Council has 'been given \$20 000 to spend on environmental and Aboriginal cultural heritage protection'. The funds 'will be used to connect water from the town supply to the Tibooburra Aboriginal Reserve, allowing native title vegetation to grow'. Member for Murray Darling Peter Black said 'the grants help local communities find solutions to local environmental problems'.</p>	Barrier Daily Truth, 14-Dec-06, pg 4.

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14-Dec-06	NATIONAL	Learning to dig the mining industry	Graham Ring from the National Indigenous Times has argued that the relationship between the mining industry and Indigenous people has evolved: 'The softening of their position was motivated much more by enlightened self-interests than a late awakening passion for social justice. The mining industry needs to strike agreements with Indigenous communities in order to dig the dirt they so value'. This is also linked to the labour force available in remote areas in Australia.	National Indigenous Times, 14-Dec-06, pg 18.
14-Dec-06	WA	Green Swamp - finally	Green Swamp Agriculture (GSA) has 'started work developing the first land for irrigated agriculture under the terms of the Ord Final Agreement'. GSA has 'formally accepted the State Government's offer of conditional purchase' and has introduced a number of innovations including an Aboriginal heritage site.	Kimberley Echo, 14-Dec-06, pg 2.
14-Dec-06	NT	Its time...for informed permit debate	Professor Jon Altman, argues that the FaCSIA Discussion Paper 'Access to Aboriginal Land under the Northern Territory Land Rights Act - Time for Change?' provides no 'empirical examples of the economic restrictions that the permit system creates'. He also argues that the permit system 'operates over land that is generally owned by corporate groups who, as a group, have a right to be consulted and consent to commercial development on their land'. He notes that the 'permit system enhances the property rights of Indigenous people', noting that the livelihoods of remote communities are dependant on natural resources and rely on the permit system to manage these resources. He also adds that even though the permit system fails to protect artists from unscrupulous dealers this is based on the 'inadequate resources to police the permit system rather than a problem of the permit system itself'.	National Indigenous Times, 14-Dec-06, pg 17.

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15-Dec-06	NT	LCA disputes Title land rights for schools tie in	The Law Council of Australia (LCA) has criticised Mal Brough, the Federal Minister for Indigenous Affairs' plan to make \$10 million 'available to the Tiwi Island community for school facilities only if they sign a lease over their township to the Commonwealth'. The LCA said that 'making the provision of school funding conditional on the signing of a lease leaves the Tiwi people with no reasonable choice in the matter' and 'such a lease may lock up land rights for a number of generations'.	Lawyers Weekly, 15-Dec-06, pg 8.
15-Dec-06	NATIONAL	Ministers meet on native title	The Attorney General Philip Ruddock and other native title ministers 'have met in Canberra...to discuss ways of improving the way in which the native title system works'. Mr Ruddock said 'the success of the native title system depends on cooperation, coordination and communication between all governments in Australia'. He said that 'State and Territory governments need to actively engage with all other stakeholders and seek opportunities to share information in order to resolve claims more efficiently'.	Media Release, 15-Dec-06, pg 1.
16-Dec-06	WA	Star debut by iron ore miner	West Australian Iron Ore miner BC iron is in the 'process of dealing with native title claimants and the mines departments before a planned drilling campaign in March' on tenements in the Pilbara area. The company has determined that 'there are about 200 million and 600 million tonnes of channel material on the tenements'.	Hobart Mercury, 16-Dec-06, pg 38.
16-Dec-06	NT	Aboriginals granted freehold title to formed NT reserve land plus the right to claim crown land	NO FURTHER TEXT PROVIDED	Northern Territory News, 16-Dec-06, pg 13.

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16-Dec-06	WA	Big demand for Broome land	The demand for housing in Broome 'continues unabated'. Government developed Land Corp's Chief Executive Ross Holt said that 'native title negotiations were under way to free up additional land'.	West Australian, 16-Dec-06, pg 4.
19-Dec-06	WA	Goldfields land and sea council	Information about the 'native title and services delivered by the Goldfield Land and Sea Council' is provided at www.glc.com.au . It has staff profiles, outlines decision making processes within the organisation and provides links to meetings of Native Title Claim groups in the area. It also provides detailed information about native title and the current claims in the Goldfields area are displayed on a map.	Kalgoorlie Miner, 19-Dec-06, pg 9.
19-Dec-06	WA	Adjourned	A hearing 'involving Perth Airport's alleged breach of the WA Heritage Act' has been adjourned by Perth Magistrate Paul Heaney until February, The 'airport had been accused of damaging an Aboriginal heritage site by clearing land for an industrial development'	Canning Times, 19-Dec-06, pg 2; 'Hearing set' Southern Gazette, 19-Dec-06, pg 2.
19-Dec-06	WA	Ore road risks telescope project	The Western Australian Government's bid for a '\$2 billion outback telescope is at risk' after mining proponents 'successfully lobbied for a busy mining road to run through the middle of the radio sensitive site'. Scientists have 'spent \$4 million and three years researching the telescope site, running radio interference tests and negotiating native title'.	Australian, 19-Dec-06, pg 4.
20-Dec-06	QLD	Committee meeting	The Emerald Shire Council held its 'last Gemfields Advisory Committee meeting' and has 'some native title and acquisition issues' to resolve before proposed plans can be completed between January and March.	Central Queensland News, 20-Dec-06, pg 14.

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20-Dec-06	QLD	Naming ceremony to recognise the Wiri People	Rio Tinto Coal Australia has 'recognised the regions' traditional Indigenous owners by giving one of its draglines an Aboriginal name'. Minister for Natural Resources Craig Wallace said "Wiri Bimbi translates to Wiri, the landowners' name, and Bimbi, which represents the notion of good - a promising symbol in the traditional owners' new relationship will Hall Creek'.	Daily Mercury, 20-Dec-06, pg 12.
20-Dec-06	WA	Date set for claim decision	The Federal Court decision on the 160 000 sq km Wongatha claim will be handed down February 5 according to the Goldfields Land and Sea Council. The claim covered land from Kalgoorlie into the northern Goldfields.	Kalgoorlie Miner, 12-Dec-06, pg 3.
21-Dec-06	WA	Wik decision fall-out	Ten years ago, Western Australian Premier at the time Richard Court 'demanded that a definition of native title be written into the federal Native Title Act this week'. At the time, the Wik decision had been handed down which ruled that native title could coexist with pastoral leases. This created pressure to 'rework the act' and the State's were wary of the possibility of widening the validation provisions which 'could increase the liability of both the states and the commonwealth to compensate native title holders.'	Business News, 21-Dec-06, pg 26
21-Dec-06	WA	Prospecting still a part of Fields	Amalgamated Prospectors and Leaseholders Association President Sean Ashcroft said that 'land access was the biggest problems for non-corporate miners'. He said that this was 'due to native title and other aspects which tie the land up'. Mick Photios has prospected in WA and South Australia and the Northern Territory and said that 'native title stalls the granting of mining tenements. Until then nothing can be done at the site'.	Kalgoorlie Miner, 21-Dec-06, pg 14.

