

Native Title in the News December 2007

Date	State	Subject	Summary	Source
01-Dec-07	NT	<b>Consent mightier than litigation</b>	Justice Mansfield handed down a consent determination at a special sitting in Alice Springs. An Indigenous Land Use Agreement was signed immediately between traditional owners and the Northern Territory government which allows for 'native title recognition as well as extinguishment and compensation over some areas and enables native title issues to be dealt with over the entire area'. The agreement will benefit '200 Warumungu native title holders from the Patta estate group.	<i>Mining Chronicle</i> (National, December 2007), 79.
01-Dec-07	NSW	<b>Native rights honoured</b>	The Federal Court came to Wondenbong to officially recognise the Githabul people's native title rights over nine national parks and 13 State forests. The determination recognises the 'Githabul people's non-exclusive rights to practice their traditional laws and customs on 1120 square kilometres of land'.	<i>Coffs Coast Advocate</i> (Coffs Harbour, 1 December 2007), 18; 'Goories get land victory' <i>Daily Examiner</i> (Grafton, 1 January, 2007), 4; 'Hard slog leads to land win' <i>Koori Mail</i> (National, 5 December 2007), 3; 'Win for Githabul nation' <i>Tenterfield Star</i> (Tenterfield, 6 December 2007), 1; 'Native title claim on parts of shire' <i>Beaudesert Times</i> (Beaudesert, 12 December 2007), 15.
01-Dec-07	NT	<b>NLC chief ends his term</b>	Norman Fry has ended his term as executive of the Northern Land Council. Incoming chairman Wali Waunungmurra praised Mr Fry saying his 'service occurred during the most difficult years for land rights in the NLC's history, however his uncompromising commitment to both land rights and economic development outcomes means that the NLC is well placed for the future'.	<i>Northern Territory News</i> (Darwin, 1 December 2007), 23.

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03-Dec-07	QLD	<b>Islanders poised to oppose merger</b>	The failure of the Queensland government to 'properly consult with traditional owners of 15 communities in the Torres Strait could derail its ambitious plan for one super council in the region'. The Badu Island council has received legal advice 'suggesting the community could seek a judicial review of the Government's announced intention to transfer the island's deed of grant in trust - along with the ownership of \$35.5 million worth of community enterprises built on the land - to the proposed new Torres Strait Island Regional Council'.	<i>Courier Mail</i> (Brisbane, 3 December 2007), 14.
04-Dec-07	QLD	<b>MOU spells cooperative approach</b>	A native title claim over 8440 square kilometres of land 'around the Fraser Coast will move a step closer to resolution' after the signing of a memorandum of understanding between the Hervey Bay, Maryborough, Tiaro and Woocoo councils and Wide Bay Water corporation and the Butchalla people. The parties have agreed to 'explore opportunities to settle the claims including negotiating an indigenous land use agreement'.	<i>Fraser Coast Chronicle</i> , (Hervey Bay, 4 December 2007), 5; 'Progress on native land' <i>Courier Mail</i> (Brisbane, 6 December 2007), 27.
04-Dec-07	QLD	<b>Land deal affects 65% of state</b>	A new land deal will extend leases to graziers if they 'improve the condition of their land' forming a part of a 'national emissions trading scheme'. Under the agreement, leases of up to 50 years will be 'offered to farmers who conserve high value environmental areas and reach access agreements with local indigenous people'.	<i>Morning Bulletin</i> (Rockhampton, 4 December 2007), 2; 'Bligh signing land deal for farmers' <i>Townsville Bulletin</i> (Townsville, 4 December 2007), 2; 'Farmers urged to care for land' <i>Queensland Times</i> (Ipswich, 6 December 2007), 14.

04-Dec-07	NT	<b>Blue Mud Bay case enters appeal</b>	<p>The Blue Mud Bay has been heard in the High Court. The Northern Territory government is 'fighting the Federal Court's decision in the Blue Mud Bay land rights case, which granted ownership of tidal waters to Aboriginal land owners'. It argued that the Federal Court 'went too far in its interpretation of the federal Aboriginal Land Rights Act, which predates native title law and governs most indigenous land ownership in the Northern Territory'. Blue Mud Bay elder Djambawa Marawali said that the waters are a 'crucial part of his people's culture, with tidal sites woven into sacred "songs and patterns". The Northern Land Council is representing the traditional owners and says that there is no intention to stop commercial or recreational fishing and that 'Aboriginal people could use the water rights to develop an economic base for communities'.</p>	<p><i>Northern Territory News</i> (Darwin, 4 December 2007), 4; 'NT fights coast rights judgment' <i>Age</i> (Melbourne, 5 December 2007), 9; 'Legal catch in the right to fish' <i>Australian</i> (National, 5 December 2007), 9; 'Traditional owners head to the high court' <i>Cairns Post</i> (Cairns, 5 December 2007), 16; 'Land Fight enters uncharted waters' <i>Canberra Times</i> (Canberra, 5 December 2007), 2; 'Traditional owners fill High Court' <i>Northern Territory News</i> (Darwin, 5 December 2007), 4; 'Rising tide of fishermen arrive to hear landmark court ruling' <i>Sydney Morning Herald</i> (Sydney, 5 December 2007), 7; 'Blue Mud Bay Case challenge' <i>Northern Territory News</i> (Darwin, 6 December 2007), 6.</p>
05-Dec-07	WA	<b>Historic land deal builds joint future</b>	<p>The Kariyarra Mugarinya Joint Venture has signed a 'landmark agreement with Planning and Infrastructure Minister Alannah MacTiernan allocating almost 12 ha of prime residential land in Port Hedland to its traditional owners'. Under the agreement, the 'Kariyarra Mugarinya Joint Venture will acquire Port Hedland land and traditional owners will provide native title clearances for other</p>	<p><i>North West Telegraph</i> (South Headland, 5 December 2007), 3.</p>

			land development in Port and South Hedland to proceed.	
06-Dec-07	QLD	<b>New native title deal largest ever</b>	<p>A hearing will ratify an agreement reached between the Kuku Yalanji traditional owners and the Queensland government. The agreement covers approximately 230 000ha of land in the Douglas and Cook Shires and recognises the 'Eastern Kuku Yalanji people's native title rights and regulates the exercise of native title rights in national parks and other areas'. The consent determination was made by the Federal Court in a special sitting in Cape Tribulation. The agreement also 'provides for parts of the Cow Bay area to become a nature refuge, a beach protection reserve and a reserve for recreational purposes'.</p>	<p><i>Port Douglas and Mossman Gazette</i> (Port Douglas, 6 December 2007), 3; 'Title triumph as heritage land is returned' <i>Australian</i> (National, 10 December 2007), 9; 'Native title granted' <i>Australian Financial Review</i> (National, 10 December 2007), 4; 'Native title deal' <i>Cairns Post</i> (Cairns, 10 December 2007), 2; 'Title rights granted' <i>Canberra Times</i> (Canberra, 10 December 2007), 2; 'Native title agreement reached in Daintree' <i>Geelong Advertiser</i> (Geelong, 10 December 2007), 11; 'Native title rights move for Daintree' <i>Launceston Examiner</i> (Launceston, 10 December 2007), 12; 'Native title over Daintree' <i>Newcastle Herald</i> (Newcastle, 10 December 2007), 17; 'Huge native title win' <i>Sunday Mail Brisbane</i> (Brisbane, 9 December 2007), 28; 'Native title for far north jewel' <i>Sunday Mail Brisbane</i> (Brisbane, 9 December 2007), 28; 'Ceremony for largest</p>

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				indigenous land transfer' <i>Cooktown Local News</i> (Cooktown, 5 December 2007), 6; 'Landmark land deal' <i>Port Douglas &amp; Mossman Gazette</i> (Port Douglas, 13 December 2007), 1.
08-Dec-07	VIC	<b>Traditional owners reach agreement</b>	In an agreement reached between the Dja Dja Wurrung Native Title Group and the State Government, the Victoria police agreed to incorporate Dja Dja Wurrung themes in the complex which has been opened. The complex includes artwork, landscaping and a historical plaque and a welcome to country protocol for official events.	<i>Bendigo Advertiser</i> , (Bendigo, 8 December 2007), 5.
10-Dec-07	WA	<b>Kimberley council meets Woodside on gas project</b>	Woodside has met with traditional owners. Kimberley Land Council executive director Wayne Bergman has said that the meeting was 'aimed at reopening talks with the traditional owners at the One Arm Point, north of Broome, one of the several sites suggested as possible locations for an onshore plant to process the vast untapped reserves of Browse Basin gas'. Land Council executive member Frank Sebastian said that 'two decades of iron ore and Northwest Shelf gas production further south in the Pilbara region had seen few real benefits flow back to Aborigines'. He said that 'native title rights introduced in the intervening years...had given local people a stronger bargaining position'.	<i>Australian</i> (National, 10 December 2007), 9; 'Oil and gas groups face Kimberley title claim' <i>Australian</i> (11 December 2007), 2.
11-Dec-07	NT	<b>Ideology' drove intervention</b>	Former Federal Court judge Ron Merkel will be representing traditional owner Reggie Wurridjal and the Bawinanga Aboriginal Corporation 'challenging the key elements of the invention including the commonwealth's five year acquisition of land and its ability to seize assets of indigenous corporations'. The case will be heard in March.	<i>Australian</i> (National, 11 December 2007), 2.

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11-Dec-07	WA	<b>Justice on ancient land</b>	Justice Gilmour has made a determination, at Pirini that native title existed. It does not give the Ngurrara native title but Justice Gilmour said that 'it determines that this is your land....it is based upon your traditional laws and customs and it always has been. The laws say to all people in Australia that this is your land and that it always has been your land'.	<i>Australian</i> (11 December 2007), 13.
12-Dec-07	QLD	<b>Court dismisses new sea claim application</b>	An application by a Papua New Guinean pastor to join the Torres Strait Sea Claim has been dismissed by the Federal Court.' The claim over 42,000 sq km of sea between Australia and Papua New Guinea is the first time a court has been asked to consider the interests of foreign nationals in a native title hearing.' Justice Robert French said the evidence 'did not show a "relevant interest".'	<i>Torres News</i> (Thursday Island QLD, 12 December 2007), 4.
13-Dec-07	WA	<b>Hedland lots handed back to traditional owners</b>	An agreement signed between the Government and the Kariyarra Mugarinya has led to the return of 12ha in Port Hedland to traditional owners. The agreement is 'designed to make more houses available in Port Hedland and give local Aboriginal people a place in the town's future'.	<i>Farm Weekly</i> (Western Australia, 13 December 2007), 156.
13-Dec-07	QLD	<b>Title win a proud day</b>	The Ngadjon-Jii people have won their 'eight-year battle to have native title rights recognised for national parks and reserves south of Cairns.' Their determination covers more than 13,287ha of land and waters.	<i>Cairns Post</i> (Cairns, 13 December 2007), 2.
13-Dec-07	NSW	<b>Marina falls into place</b>	The NSW Lands Department has approved a riverbed lease for the Chinderah Bay marina to house finger wharves but a Native Title claim on the riverbed is still before the Federal Court which has prevented the marina from going ahead.	<i>Tweed Sun</i> (Tweed Heads, 13 December 2007), 4.

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19-Dec-07	QLD	<b>Ngadjon-Jii victory</b>	The highest peak in Queensland, Mt Bartle-Frere, has 'been included in a second native title consent determination' which was formalised last week. Justice Spender 'determined the Nagadjon-Jii people held exclusive native title rights and interests to a small island in the Russel River as well as non-exclusive rights to the southern portion of the Wooroonoonan National Park, the Topaz Road National Park and the Malanda Falls Conservation Park, along with two other parcels of land.'	<i>Koori Mail</i> (National, 19 December 2007), 15. <i>Townsville Bulletin</i> (Townsville, 13 December 2007), 7. <i>Sydney Morning Herald</i> (Sydney, 13 December 2007), 2.
19-Dec-07	QLD	<b>Daintree struggle ends in success</b>	After years of negotiation the Eastern Kuku Yalanji people have officially been recognised for 'native title to their traditional lands between Port Douglas and Cooktown.' The court's decision recognised exclusive native title rights over 30, 300 hectares of unallocated State land. They also had non-exclusive rights recognised on the 96,000ha of timber reserve and lease areas.	<i>Koori Mail</i> (National, 19 December 2007), 12
19-Dec-07	WA	<b>Iluka signs land deal</b>	Iluka Resources has signed a Native Title agreement with the Far West Coast Aboriginal community covering the Perth mineral sands miner's \$120 million project in South Australia. The agreement covers undisclosed payment and employment programs.	<i>West Australian</i> (Perth, 19 December), 61. <i>Adelaide Advertiser</i> (Adelaide, 19 December 2007), 54.
20-Dec-07	QLD	<b>Havilah big move</b>	Havilah Resources has signed a native title agreement with a representative of the Adnyamathanha native title claimants which covers its Portia gold project northeast of Broken Hill. The terms of the agreement were confidential but included benefits such as training and employment opportunities.	<i>Gold Coast Bulletin</i> (QLD, 20 December 2007), 48. <i>Daily Telegraph</i> (Sydney, 20 December 2007), 76. <i>Adelaide Advertiser</i> (Adelaide, 20 December 2007), 64.
07-Dec-07	QLD	<b>Native Title stakeholders reach historic agreement</b>	Members of the Butchulla Indigenous community signed a memorandum of understanding in the Hervey Bay Botanical Gardens, the MoU resolves two ongoing native title claims over land and water surrounding significant parts of the Wide Bay region.	<i>Hervey Bay City Independent</i> (Hervey Bay, 7 December 2007), 13.

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13-Dec-07	WA	<b>TOs boycott Burrup 'vandalism'</b>	Native title claimants to the Burrup Peninsula in Western Australia said 'they wouldn't have anything to do with Woodside's Energy's "wanton destruction" of ancient West Australian rock art'. The Wong-Goo-Tt-Oo were previously involved in monitoring the removal of rocks from planned site works.	<i>National Indigenous Times</i> (Malua Bay, 13 December 2007), 3.
17-Dec-07	QLD	<b>Mayor leads talks on native title application</b>	Native title negotiations between Cairns City Council and Indigenous chains are continuing 'more than 10 years after they started'. The council has 'agreed to delegate the mayor and chief executive officer to negotiate the native title application by the Yidinji, Malanbarra and Dulabed people'. The council has been firm about some aspects of the claim such as 'walking tracks, such as the Mailman Track, that had historical significance and recreational values'.	<i>Cairns Post</i> (Cairns, 17 December 2007), 2.
18-Dec-07	NT	<b>Kamu elder appeals for her native title rights</b>	Kamu traditional owner Majorie Foster who 'lost a court battle with the Northern Land Council has lodged an appeal with the Federal Court'. Ms Foster claimed that the Northern Land Council 'ignored her wishes to conduct her own negotiations over a planned gas pipeline to run through Kamu Island'.	<i>Northern Territory News</i> (Darwin, 18 December 2007), 8.
20-Dec-07	SA	<b>Mine signing</b>	An agreement has been signed between the Aboriginal Far West Native title Group and mineral sands miner Iluka Resources. The agreement is 'permission from traditional owners for Iluka to proceed with mineral sands mining at its Jacinth-Ambrosia deposit'. In return Iluka will establish a 'charitabel trust, funds from wchihc will be used to improve living standards, eductaion and employment opportunities for members of the native title group'.	<i>West Coast Sentinel</i> (Ceduna, 20 December 2007), 1.
20-Dec-07	NSW	<b>Signing Ceremony with Narrabri Coal a proud day for Gomeroi people</b>	Representatives from the Gomeroi community and Narrabri Coal have formalised an agreement between the parties that 'acknowledge the Gomeroi people as traditional owners of land now being developed for the proposed coal mine new Turrawan'.	<i>Narrabri Courier</i> (Narrabri, 20 December 2007), 2.



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23-Dec-07	NT	<b>Crown land appeal</b>	The Northern Territory Government has 'sought leave to appeal against a native title ruling giving traditional owners exclusive access to vacant crown land' in Timber Creek. The ruling 'was seen as a test case for other towns'.	<i>Sunday Territorian</i> (Darwin, 23 December 2007), 7.
24-Dec-07	VIC	<b>Council rules for Barengi Gadjin</b>	The Victorian Aboriginal Heritage Council has 'declined Goolum Goolum Aboriginal Cooperative's application for registration as an Aboriginal party'.	<i>Wimemra Mail Times</i> (Horsham, 24 December 2007), 6.