

Native Title in the News January 2007

Date	State	Subject	Summary	Source
1 January 2007	NT	NT opposed Canberra on native land rights	The release of 1976 Cabinet documents showed that the 'politicians in the Northern Territory tried to thwart Malcolm Fraser's push to grant indigenous land rights'. The documents 'show the Northern Territory Legislative Assembly and the minister for the Northern Territory Evan Adermann opposed the legislation arguing that it would be resented by local residents.' In a submission to cabinet, Malcolm Fraser said: 'early action by the government in this matter will be interpreted. ...as an example of the government's good faith in implementing its Aboriginal affairs policy'.	<i>Australian</i> , 1-Jan-07, pg 5; 'Land gesture taken up' <i>Courier Mail</i> , 1-Jan-07, pg 14; 'Handful of dirt on land rights' <i>Herald Sun</i> , 1-Jan-07, pg 22.
2 January 2007	NSW	Native Title agreement completed in 2007	Negotiator Warren Mundine has said that a landmark native title agreement should be completed by the end of 2007. The agreement is in its final stages and will enable 'joint control of 19 national parks and state forests near the Queensland border to the Githabul people'. He said 'the NSW Government has done a great job in negotiations;' and 'hoped an agreement could also be reached with the Queensland Government'. The NSW Department of Lands said that it 'hoped to finalise the agreement with the Githabul people over parts of their claim covering land in the Kyogle and Tenterfield areas by the end of February'. The Department's General Director Warwick Watkins said 'an important principle of the agreements is to uphold access rights of the wider community to public lands, such as visitors to national parks'. He also said 'recognition will allow the Githabul people to exercise traditional laws and customs including the right to hunt, fish and gather for personal use and to protect cultural sites'.	<i>Australian</i> , 2-Jan-07.
3 January 2007	NSW	Successful native title claim offers encouragement for Tweed push	The Aboriginal people of Tweed are 'planning to fight a legal bid to extinguish any possible future land claims over the bed of the Tweed River'. Widjabul tribal elder John Roberts 'planned to meet NSW National Parks officials in March to discuss a memorandum of understanding and co-management for Mt Warning'. Indigenous Justice Advocacy Network advocate Al Oshlack said 'the neighbouring western Bunjalung people...had so far been unable to secure native title over country which has been logged and mined'.	<i>Daily News</i> , 3-Jan-07, pg 1.

Native Title in the News January 2007

3 January 2007	VIC	Yet another delay prolongs 10-year bid for title	The determination of native title for the Gunditjmara claim has been delayed. It was first lodged 10 years ago and was set to be finalised by December 19 but has been postponed to March 20. An in principle agreement has been reached with the State and Australian Governments, however the State Government's legal representative Mr Neal said that the 'Cabinet process that had to be put in place wouldn't allow a determination until well into 2007'. Justice Tony North said that 'there was an 'artificiality' about doing a consent determination on its own because there would probably be a 'whole package which goes well beyond native title'.	<i>Casterton News</i> , 3-Jan-07, pg 17; <i>Hamilton Spectator</i> , 2-Jan-07, pg 5.
4 January 2007	NATIONAL		Jenny Macklin has said that the 'Government has chronically under funded Native Title Representative Bodies.' She said that this was the 'prime cause of many of the delays in the resolution of native title claims. At the same time funding to groups objecting to native title claims has increased over eight fold since the Howard government came to power'. Ms Macklin said that 'it is no good for the Attorney General to behave like some kind of commentator. He needs to properly resource the Native Title Representative Bodies and put the focus on negotiation'.	<i>Media Releases</i> , 4-Jan-07, pg 13.
5 January 2007	NSW	Arakwal close to native title win	The Arakwal Aboriginal people of Byron Bay 'will settle a native title claim with the State Government before the March election'. A spokesperson for the department said the State Government said 'the Arakwal people had been working on two agreements' that 'cover areas subject to two native title claims made by the Arakwal people over national park and Crown lands in the Byron Bay area'.	<i>Coffs Coast Advocate</i> , 5-Jan-07, pg 9; 'Byron Bay land claim to settle before election' <i>Daily Examiner</i> , 6-Jan-07, pg 8.

Native Title in the News January 2007

7 January 2007	SA	Don't turn boom into a title fight	Parry Agius Executive Officer of the Aboriginal Legal Rights Movement has said that 'SA's Aboriginal people, through the Native Title Congress are keen to ensure certainty for everyone by settling Native Title claims across the state by 2009 and by facilitating shared access to land through negotiated Indigenous Land Use Agreements'. Mr Agius said that 'Aboriginal communities and the resources industry are working together' and but said that it was a 'pity that on the Government's side there hasn't been much progress towards these objectives last year'. He said that without adequate funding, litigation will replace negotiation an outcome which was 'ironic' for a 'government committed to facilitating the state's resources boom'.	<i>Sunday Mail Advocate</i> , 7-Jan-07, pg 44.
7 January 2007			Aboriginal and Torres Strait Islander Social Justice Commissioner Tom Calma congratulated the Githabul people of northern NSW for securing joint partnership arrangements of what is potentially 110,000 hectares of land. Commissioner Calma said. "This native title settlement is positive proof that traditional owners want to work with government and other bodies in true partnerships...this is a defining moment for the Githabul people and the entire reconciliation and Indigenous land reform processes."	Human Rights and Equal Opportunity Commission, <i>Media Release</i> , 7-Jan-07.
9 January 2007	NATIONAL	More Aboriginal park rangers	The Howard Government will 'double funding to the Indigenous Protected Area Program...after research found three quarters of participants said their involvement led to reduced substance abuse and more functional families' The evaluation was carried out by former NSW Parks and Wildlife Service head Brian Gilligan who said that it was the "most successful innovation" in Indigenous conservation. Trainee park manager Leon Brown said 'socially it generates income for our community and it improves health because household income increases'.	<i>Australian</i> , 9-Jan-07, pg 5.
9 January 2007	NSW	Environment grant for Nari Nari Council	The Nari Nari Tribal Council has 'received an Environmental Trust grant to be used on its district property, Glenhope'. The money will 'be used for environmental and Aboriginal cultural heritage protection projects' and is a part of a 'state-wide package to improve the environment at a grassroots level'.	<i>Riverine Grazier</i> , 9-Jan-07, pg 5.

<p>11 January 2007</p>	<p>NSW</p>	<p>Massive land claim agreed: Githabul win rights to national parks</p>	<p>The NSW Government has agreed to 'hand over joint control of a large tract of the Githabul Nation's traditional lands covering more than 6000 square kilometres of World Heritage listed national parks and state forests'. The agreement also includes 'job and business opportunities that Githabul elders hope will help the community end its dependence on welfare'. Githabul elder Trevor Close said: 'this is reconciliation in a practical sense: we have formed a business with the state Government'. He said that the significance of the Githabul agreement was that 'it dealt with the interests of farmers, did not seek compensation for past acts, included the grant of some freehold title, recognised sacred areas and secured such a large tract of interconnected national park and forest reserved'. Friends of the Earth Spokesman Binnie O'Dwyer said 'given the way the native title legislation works, there is very little ability of traditional owners to gain control over their lands; it is only the public lands that are available for claim - therefore we need to be supportive of such claims on national parks as one element in achieving land justice for these communities'. The 'right to continue traditional hunting and food gathering sparked the Githabul's claim over northern NSW, which has been settled by consent after more than 10 years in court'. NSW Environment Minister Bob Debus said that the process 'involved lengthy negotiation... it acknowledges Aboriginal people as traditional owners and gives them a greater say in how national parks are managed and conserved'.</p>	<p>'Historic win for Githabul people' <i>Northern Rivers Echo</i>, 11-Jan-07, pg 2; for a comprehensive discussion see 'More to come? The fabric of culture' <i>Koori Mail</i>, 17-Jan-07, pg 1; 'Diving for turtles is back on' <i>Australian</i> 2-Jan-07, pg 1; 'Massive land claim agreed: Githabul win rights to national parks' <i>Australian</i>, 2-Jan-07, pg 1; 'Githabul deal shows way on native title: negotiated settlements offer best prospects' <i>Australian</i>, 2-Jan-06, pg 11; 'Biggest native title deal nets 19 parks' <i>Daily Telegraph</i>, 2-Jan-06, pg 4; 'Githabul get parks' <i>Coffs Coast Advocate</i>, 3-Jan-07, pg 18; 'Githabul dream of mountain top' <i>Australian</i>, 3-Jan-07, pg 1; 'Native title deal landmark' <i>Illawarra Mercury</i>, 3-Jan-07, pg 14; 'Native Title deal' <i>Launceston Examiner</i>, 3-Jan-07, pg 6; 'Historic native title deal hailed a</p>
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Native Title in the News January 2007

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10 January 2007	QLD	<p>Queensland's shame: the sunshine state has been slow to deal on native title</p>	<p>The 'Queensland government has yet to sign off on a native title claim covering land straddling the border' of the same claim in New South Wales. The Queensland Government 'is believed to have failed to act because of a rival claim from the Yugambah people - but representative of the Yugambah tribe have declared they are certainly not making an overlapping claim'. Sam Bonner, Githabul elder 'said that the New South Wales government had been very cooperative though their Queensland counterparts had proved less accommodating'. Warren Mundine Chief Executive of the NSW Native Title Services 'hoped an agreement could be also reached with the Queensland Government on sections of the Githabul nation on the other side of the state border'. Acting Premier Anna Bligh said that the 'Githabul people had not provided enough detail about the Queensland part of the claim'. The Queensland government has offered an Indigenous Land Use Agreement with correspondence showing that the Queensland Government 'did not recognise native title over the Queensland section' of the claim.</p>	<p><i>Australian</i>, 3-Jan-07, pg 11; 'Githabul Native title on way to being granted in NSW but not QLD' <i>Southern Free Times</i>, 10-Jan-07, pg 3; 'Cross-border title on track' <i>Canberra Times</i>, 3-Jan-07, pg 4; 'Bligh denies stalling on native title' <i>Courier Mail</i>, 3-Jan-07, pg 9; 'Not true State won't talk title' <i>Townsville Bulletin</i>, 3-Jan-07, pg 5; 'Lawyers hit back over delay on native title' <i>Australian</i>, 5-Jan-07, pg 2; 'Native title under cloud: Govt, Githabul lawyers at loggerheads' <i>Daily News</i>, 6-Jan-07, pg 1; 'Githabul title claim denied, not delayed' <i>Weekend Australian</i>, 6-Jan-07, pg 7; 'Native title claim talks' <i>Australian</i>, 10-Jan-07; 'Queensland 'not slow' with native title' <i>Australian</i>, 2-Jan-07.</p>
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Native Title in the News January 2007

10 January 2007	NT	Rio stops \$140m sale of its US uranium mill	Rio Tinto has been 'taking another look at its large Kintyre deposit in Western Australia' even though the WA Government 'has banned all uranium mining in the state, Rio has been speaking to Aboriginal landowners'.	<i>Sydney Morning Herald</i> , 10-Jan-07, pg 23.
12 January 2007	WA	Ord scheme set to double in size under new plan	The Ord River irrigation scheme will expand and could be more than double in size. Acting Premier Eric Ripper 'said that expressions of interest gave him a degree of confidence that the expansion will would go ahead but he stressed the proposals have to be economic to the Government'. He said: 'the project can't be one that is supported at any cost – there has to be a degree of commercial reality about the proposals that are put forward and I will be watching with very close interest to see what comes out of the expressions of interest process'. It is anticipated that 'the Government wants proponents to pay for infrastructure like roads and irrigation'. The expansion follows the settlement of 'native title issues with the Miriuwung Gajerrong people'.	<i>West Australian</i> , 12-Jan-07, pg 8; 'Stage II - strong interest' <i>Kimberly Echo</i> , 18-Jan-07, pg 3.
16 January 2007	NATIONAL	Mundine seeks land use policy overhaul	ALP President Warren Mundine 'wants the party's national conference in April to embrace laws that would give Aborigines the right to buy and sell their own homes and businesses on what is now communal land'. He said that the ALP 'had to stop focusing on the debate about indigenous "rights"' and that 'we have to stop putting in place obstacles, processes and legislative restrictions that retard economic development on Aboriginal land'.	<i>Australian</i> , 16-Jan-07, pg 2.

Native Title in the News January 2007

18 January 2007	WA	South West native title tussle	Native title claimants affected by a proposed residential development in Gracetown have received formal notice 'of the WA Government's intention for the site'. Two claims exist in the area: the Harris Family and the South West Boojarah Two. Glen Kelly Chief Executive of the South West Aboriginal Land and Sea Council said that 'both claims were legitimate descendants of people alive in the claim area at the time of sovereignty'. The overlapping claims have complicated the issue but he said 'the Government was moving towards resolving one South West Native title claim in the next year.'	<i>Busselton Margaret River Times</i> , 18-Jan-07, pg 9.
19 January 2007	VIC	New hope for bridge: Weller	A change in Victorian Government ministers is 'good news in the stalemate over a second bridge crossing for Echuca-Moama' according to Member for Rodney Paul Weller. He said that they will be 'seeking a fresh application under the new Victorian Aboriginal Heritage Legislation so the Yorta Yorta decision to refuse consent to the western option can be appealed to the Victorian Civil Administrative Tribunal'. Yorta Yorta chairman Lee Joachim said ' we need to work on an outcome that has positives for the whole community'.	<i>Riverine Herald</i> , 19-Jan-07, pg 2; 'Bridge refusal queried' <i>Riverine Herald</i> , 26-Jan-07, pg 2.
20 January 2007	WA	Rock art outcry	The Wong-Goo-Tt-Oo native title claimants to the Burrup Peninsula 'say that they will not have anything to do with Woodside Energy's 'wanton destruction' of rock art. They have been asked to 'monitor the removal of rocks to enable site works for its Pluto liquefied natural gas project'. Wong-Goo-Tt-Oo spokesman Wilfred Hicks said that the 'community had fought too long and hard to save their cultural heritage to give into Woodside's 'vandalism of the rock art'.	<i>Adelaide Advertiser</i> , 20-Jan-07, pg 81; 'Mining company accused of rock art vandalism' <i>Barrier Daily Truth</i> , 20-Jan-07, pg 8; 'Wanton Destruction of Rock Art' <i>Daily Advertiser</i> , 20-Jan-07, pg 64; 'Native Title claimants boycott Woodside's Burrup 'vandalism' <i>National Indigenous Times</i> , 25-Jan-07, pg 7.

Native Title in the News January 2007

20 January 2007	QLD	Land title handover	Freehold land at Mt Wheeler 'will be officially handed over to the Darumbal people'. Natural Resources and Mines Minister Craig Wallace 'will hand over the deed of grant of 137 hectares of state land'.	<i>Morning Bulletin</i> , 20-Jan-07, pg 6.
23 January 2007	WA	Government talks on native title proposals	The WA Government has given notice to native title claimants of its intentions for a proposed residential development in Grace town. The notice informs the claimants of the future act and how it might impact on the land. The future act affects the claim of the Harris Family and the South West Boojarah.	<i>The Capes Herald</i> , 23-Jan-07, pg 5.
24 January 2007	WA	Vista Gold officially takes over Mt Todd gold mine	Land will be leased to Vista Gold by the Jawoyn Association which would explore the area. The land covers an area in the Nitmiluk National Park. Jawoyn Association Lands and Infrastructure Manager Mick Pierce said that the 'Jawoyn Association expected a large number of local indigenous people could be employed at the mine'. Mr Pierce said that the 'Jawoyn people entered into the Mt Todd Agreement...with a view to economic development and opportunity'.	<i>Katherine Times</i> , 24-Jan-07, pg 3.
25 January 2007	WA	Maintaining cultural sites	The Kimberly Land Council could receive \$195 505 to 'implement the Saltwater Country Project for the communities of Uunguu, Mayala, Balangarra and Dambimangari.' Local Member Carol Martin said 'traditional owners were able to articulate their values about the natural and cultural resources of this wonderful section of coastline'. The funding will also include capacity building.	<i>Kimberley Echo</i> , 25-Jan-07, pg 10.
27 January 2007	QLD	Aurukan bauxite boost	Chalco is signing two crucial agreements prior to gaining approval for its \$3 billion dollar project. Chalco will 'soon sign an agreement with the indigenous communities at the Cape and also sign off on key commercial issues with the Government to advance the project'.	<i>Courier Mail</i> , 27-Jan-07, pg 71.

Native Title in the News January 2007

31 January 2007	NATIONAL	Dodgy land-use deals 'not investigated'	Warren Mundine, ALP National President and head of NSW Native Title Services said that there was a 'growing number of rogue lawyers [who] "shopped around" looking to find individual Aborigines willing to sign off on agreements cutting whole communities out of financial benefits'. National Indigenous Council member Wesley Aird said that 'government agencies and companies were regularly failing to follow the right process in negotiating settlements'.	<i>Australian</i> , 31-Jan-07, pg 2.
31 January 2007	NSW	Stockton Hand back	The NSW Government will handback Stockton Bight to local Aboriginal traditional owners. This follows 'talks with the Worimi Local Aboriginal Land Council and the Stockton Bight Aboriginal Negotiating Panel for the creation of a new national park'	<i>Koori Mail</i> , 31-Jan-07, pg 7.
31 January 2007	NSW	Aboriginal money not well spent'	Indigenous Affairs Minister Mal Brough has said that 'the squandering of payments to indigenous communities without lasting benefits is a worse problem than the patchy fairness record of native title agreements'. The reports follow the release of a five year study carried out by Professor Ciaran O'Faircheallaigh, which found that 'they had produced few cultural and financial benefits for Indigenous people'.	<i>Daily Advertiser</i> , 31-Jan-07, pg 12; 'John Howard turning native title bodies into toothless tigers' <i>Media Release Jenny Macklin</i> , 30-Jan-07, pg 27.