

Native Title in the News - June 2011

Date	State	Subject	Summary	Source
01/06/2011	SA	Changes to SA <i>Mining Act</i>	Amendments to the South Australian <i>Mining Act</i> came into effect on 1 July 2011. In November 2010 a range of changes were passed through SA Parliament. Both Houses of Parliament supported the changes, which included new provisions to support greater transparency, compliance and enforcement, effective regulation, reduction in red tape and greater clarity on rights of access. The changes were made with contributions from the SA Chamber of Mines and Energy, Cement Concrete and Aggregate Association, environment and heritage groups and native title holders plus farming and pastoral interests.	<i>Paydirt</i> (National AU, June 2011), 51.
01/06/2011	AU	Native title onus unjust: Keating & Pearson	<p>Former Prime Minister, Paul Keating, delivered the annual Lowitja O'Donoghue address in Adelaide on the 31 May 2011. At this address, he argued for changes to native title legislation to shift the presumption in favour to Indigenous claimants who he said carried an unjust burden in proving their continued connection to land. Mr Keating reiterated a call by the Chief Justice of the High Court, Robert French, two years ago for reform to make native title more equitable and efficient. "Chief Justice Robert French has suggested a reverse onus of proof where proof of any interruption would need to be established to be proved," Mr Keating said. "I can only add my recommendation that the federal government give legislative effect to such changes so as to enhance the efficiency, effectiveness and equity of the <i>Native Title Act 1993</i>."</p> <p>Aboriginal leader Noel Pearson has backed Paul Keating's call for the onus of proof to be reversed. Mr Pearson, a lawyer and director of the Cape York Institute, was involved in negotiating the <i>Native Title Act</i> in 1993.</p>	<i>Sydney Morning Herald</i> (Sydney NSW, 1 June 2011), 3. <i>The Australian</i> (National AU, 1 June 2011), 1, 3 and 16. <i>Sydney Morning Herald</i> (Sydney NSW, 1 June 2011), 15. <i>The Age</i> (Melbourne VIC, 1 June 2011), 17. <i>Weekend Australian</i> (National AU, 4 June 2011), 10. <i>Daily Advertiser</i> (Wagga Wagga NSW, 4 June 2011), 20. <i>Weekend Post</i> (Cairns QLD, 4 June 2011), 4. <i>Border Mail</i> (Albury Wodonga, VIC, 4 June 2011), 22. <i>Northern Daily Leader</i> (Tamworth NSW, 4 June 2011), 17.
02/06/2011	WA	Wanjina Wungurr Dambimangari Determination	A native title determination took place at an on-country sitting of the Federal Court by Justice John Gilmour on 26 May 2011 at Cone Bay. After making the determination, Justice Gilmour said it was a historic day for the Wanjina Wungurr Dambimangari people. "And it is a privilege and an honour for a Federal Court judge to preside over a sitting of the court on country" he said.	<i>Broome Advertiser</i> (Broome WA, 2 June 2011), 1 and 5. <i>Kimberley Echo</i> (Kununurra WA, 2 June 2011), 10.

Native Title in the News - June 2011

Date	State	Subject	Summary	Source
			<p>The area which takes in more than 27,932 sqkm of land and sea from King Sound to St Georges Basin, in the North West Kimberley was determined as exclusive possession, the strongest form of native title. At the determination hearing, traditional owners declared the 340,000ha of coastline included in the claim would become an Indigenous Protected Area, managed by Aboriginal rangers and Bush Heritage Australia.</p>	
02/06/2011	WA	Miner gives up rights in deal with Yawuru	<p>Buru Energy and joint-venture partner Mitsubishi Corporation have voluntarily given up rights to explore for oil and gas around Broome and Roebuck Bay. The two companies have come to an agreement with Yawuru traditional owners over the exploration permit, which covered much of the area covered by the Yawuru native title determination. In a statement to the Australian Stock Exchange, the company recognised the environmental and cultural importance of the area. Yawuru's Pat Dodson said the announcement was a "demonstration of industry leadership in Aboriginal and resource development co-operation and partnership in the Kimberley". Buru Chairman Graham Riley said the company was pleased to be able to work on the project with Yawuru people. "Recognition and respect for the cultural, environmental and social context we operate in is central to the way Buru runs it business," he said.</p>	<p><i>Broome Advertiser</i> (Broome WA, 2 June 2011), 8.</p>
03/06/2011	NT	Land rights at Pigeon Hole	<p>Traditional owners at the Aboriginal settlement of Pigeon Hole, 700 kilometres south of Darwin were recognised as having rights to hunt, fish, camp and perform ceremonies on their traditional land. The Federal Court's determination of native title over more than 15,000 square kilometres of the Northern Territory, including Pigeon Hole, was an historic day for six Aboriginal clan groups whose land covers six cattle stations. Justice Mansfield granted the determination by consent as the NT Government and station owners accepted claims to native title rights by Aboriginal clans who were represented by the Northern Land Council.</p>	<p><i>Sydney Morning Herald</i> (Sydney NSW, 3 June 2011), 3. <i>Northern Territory News</i> (Darwin NT, 11 June 2011), 36.</p>

Native Title in the News - June 2011

Date	State	Subject	Summary	Source
03/06/2011	AU	Mick Gooda targets 'lateral violence'	<p>At the National Native Title Conference in Brisbane, the Aboriginal and Torres Strait Islander Social Justice Commissioner Mick Gooda said "Aboriginal and Torres Strait Islanders being pressured by governments to achieve "zero tolerance" of abuse in their communities, however they are being hindered in that aim by other government policies, such as native title, which pit Indigenous people against one another."</p> <p>Mr Gooda defined "lateral violence" as "the organised, harmful behaviours that we do to each other collectively as part of an oppressed group, within our families, within our organisations and within our communities". "It is described as internalised colonialism the expression of rage and anger, fear and terror, which can only be safely vented upon those closest to us when we are being oppressed." Mr. Gooda agreed that there is still no excuse for the violence and that a view of zero tolerance must still be taken.</p> <p>See Mick Gooda's speech online at the Native Title Conference Website</p>	<i>The Australian</i> (National AU, 3 June 2011), 6.
03/06/2011	WA	Agreement Rio deal to deliver billions to Aborigines	<p>Aboriginal owners stand to receive more than \$2 billion over 40 years under an agreement with Rio Tinto that sets a new standard for negotiations between miners and Indigenous Australians. Seven years in the making, the agreement will allow about 40 new iron ore mines to proceed in an area of 70,000 square kilometers.</p> <p>The deal commits Rio Tinto to have Aboriginal workers from the Pilbara comprise 14 per cent of its workforce, to support local Indigenous business to a similar level and to provide its entire workforce with cultural awareness training. If it fails to meet the job target, Rio Tinto will be required to spend \$200,000 a year for each of the groups on education scholarships. "This is about people in the Pilbara being in charge of this transforming process in their lives," said Janina Gawler, Rio's chief negotiator in the agreement.</p>	<p><i>The Age</i> (Melbourne VIC, 3 June 2011), 1. <i>Kimberley Echo</i> (Kununurra WA, 2 June 2011), 10. <i>West Australian</i> (Perth WA, 3 June 2011), 1. <i>The Australian</i> (National AU, 3 June 2011), 1. <i>West Australian</i> (Perth WA, 3 June 2011), 4. <i>Australian Financial Review</i> (National AU, 3 June 2011), 10. <i>Illawarra Mercury</i> (Wollongong NSW, 4 June 2011), 50. <i>Sunshine Coast Daily</i> (Maroochydore QLD, 4 June 2011), 18. <i>Weekend Gold Coast Bulletin</i> (Gold Coast QLD, 4 June 2011), 109. <i>Morning Bulletin</i> (Rockhampton QLD, 4 June 2011), 37. <i>Daily Mercury</i> (Mackay QLD, 4 June 2011), 12. <i>Gladstone Observer</i> (Gladstone QLD, 4 June 2011), 18.</p>

Native Title in the News - June 2011

Date	State	Subject	Summary	Source
				<p><i>Courier Mail</i> (Brisbane QLD, 4 June 2011), 75. <i>Sydney Morning Herald</i> (Sydney NSW, 4 June 2011), 5 and 6. <i>Mercury</i> (Hobart TAS, 4 June 2011), 33. <i>Morning Bulletin</i> (Rockhampton QLD, 4 June 2011), 53. <i>Newcastle Herald</i> (Newcastle NSW, 4 June 2011), 39. <i>The Weekend West</i> (Perth WA, 4 June 2011), 32. <i>Canberra Times</i> (Canberra ACT, 4 June 2011), 3. <i>Advertiser</i> (Adelaide SA, 4 June 2011), 77. <i>Launceston Examiner</i> (Launceston TAS, 4 June 2011), 28. <i>Fraser Coast Chronicle</i> (Maryborough QLD, 4 June 2011), 16. <i>Border Mail</i> (Albury Wodonga VIC, 4 June 2011), 77. <i>Sunraysia Daily</i> (Mildura VIC, 4 June 2011), 33. <i>Shepparton News</i> (Shepparton VIC, 4 June 2011), 50. <i>Daily Advertiser</i> (Wagga Wagga NSW, 4 June 2011), 61. <i>Northern Star</i> (Lismore NSW, 4 June 2011), 23. <i>Weekend Post</i> (Cairns QLD, 4 June 2011), 37. <i>The Chronicle</i> (Toowoomba QLD, 4 June 2011), 41. <i>Townsville Bulletin</i> (Townsville QLD, 4 June 2011), 50. <i>North West Telegraph</i> (South Hedland WA, 8 June 2011), 1 and 8. <i>Yamaji News</i> (Geridton WA, June 2011), 3.</p>
07/06/2011	QLD	Katter calls for native title holders to be given formal deeds	Queensland MP Bob Katter has unveiled a policy to give Indigenous Australians formal deeds to land they hold under native title. It's one of a number of policies he has outlined since launching Katter's Australian Party. "We are determined that the first Australians, Aboriginal Australians, will get a title deed ... on the 25 per cent of Australia they are supposed to own," he said. "At the present moment they can't own a home, they can't open up a business - banks want mortgage but you can't get a mortgage if you haven't got a title deed."	<i>Daily Liberal</i> (Dubbo NSW, 7 June 2011), 14.

Native Title in the News - June 2011

Date	State	Subject	Summary	Source
09/06/2011	ACT	Indigenous leaders want more say on carbon farming laws	<p>Australia's Indigenous leaders have told the Gillard Government they must have a greater role in drafting new laws to establish a national carbon farming scheme. Approximately 40 Aboriginal and Torres Strait Islanders leaders from across Australia met Federal Climate Change Parliamentary Secretary Mark Dreyfus at Parliament House to discuss concerns over the scheme's treatment of native title rights.</p> <p>The chief executive of the North Australian Indigenous Land and Sea Management Alliance, Joe Morrison, said the meeting was "the first real engagement" with the Government to resolve the issue. Under the proposed carbon farming initiative, farmers and other land owners can create carbon credits from eligible greenhouse abatement activities and sell them on domestic and global markets. The Kimberley Land Council told the inquiry the scheme failed "to include a provision for the consent of native title holders as eligible interest holders" in cases where carbon offset projects were being planned on land subject to native title.</p>	<i>Canberra Times</i> (Canberra ACT, 9 June 2011), 3.
10/06/2011	QLD	Stradbroke Island determination not far away	<p>Traditional owners of North Stradbroke Island have signed two Indigenous land use agreements (ILUAs), paving the way for the Federal Court to rule on native title for the island on July 4.</p> <p>Native title applicant for the Quandamooka people Ian Delaney says now that the land use agreements have been signed, the future is bright for the island's Aboriginal communities. However, Dale Ruska, a descendent of the original Stradbroke Island people, said he was disappointed with the outcome. He said he and his family refused to consent to the ILUAs because they would "validate invalid acts against Aboriginal people" on "Indigenous land".</p> <p>Queensland South Native Title Service's Graham Hiley QC and barrister Tony McAvoy briefed traditional owners about the content of each agreement and people's rights. They also answered questions before more than a dozen resolutions were passed on the two claims. Celebrations are planned on Stradbroke Island for the Federal Court's recognition of native title rights on July 4.</p>	<i>Redland Times</i> (Brisbane QLD, 10 June 2011), 1, 5 and 6.

Native Title in the News - June 2011

Date	State	Subject	Summary	Source
16/06/2011	NSW	Water workshops for Aboriginal communities	Aboriginal communities across the central west of New South Wales attend a series of workshops on water at Dubbo and Nyngan. The first series of workshops saw members of local Aboriginal communities meet with staff from the NSW Office of Water to find out more about water sharing processes and licensing. The Office of Water's Lillian Moseley, said that issues specific to native title rights surrounding water and Aboriginal cultural and community water licenses were discussed. "Many of the Aboriginal people who came to the first series of workshops said they were not familiar with the opportunities for Aboriginal people under the water reforms, especially those affecting water sharing plans for their local area," Ms Mosley explained. Stage one community engagement workshops provided information on the water planning process, water licensing opportunities and the relevance of water sharing plans for Aboriginal people. Follow-up workshops ("stage two") will be held at the same locations in late June, where Aboriginal people are invited to have further discussions on high priority water dependent assets, cultural flow requirements and sensitivities to water extraction.	<i>Lake News</i> (Cargelligo NSW, 16 June 2011), 10.
18/06/2011	WA	Blockade in the Kimberley	A protest group blocking access to the proposed site for a \$30 billion gas hub at James Price Point in the Kimberley has prevented Woodside Petroleum contractors from accessing the site to clear vegetation and carry out geotechnical work for the liquefied natural gas plant since 7 June 2011. The Kimberley Land Council (KLC), representing Indigenous land claimants, reached an agreement with Woodside and the West Australian government for the gas hub project to go ahead. Under the deal, Kimberley Aboriginal communities would receive an estimated \$1.5 billion in benefits during a 30-year time frame. But people of the blockade said the agreement was forced after WA Minister Colin Barnett threatened compulsory acquisition of the James Price Point site.	<i>Advertiser</i> (Adelaide SA, 18 June 2011), 4. <i>Northern Territory News</i> (Darwin NT, 18 June 2011), 36. <i>Kalgoorlie Miner</i> (Kalgoorlie WA, 18 June 2011), 12. <i>Herald Sun</i> (Melbourne VIC, 18 June 2011), 35. <i>Advocate</i> (Coffs Harbour NSW, 18 June 2011), 22. <i>Townsville Bulletin</i> (Townsville QLD, 18 June 2011), 31. <i>Daily Advertiser</i> (Wagga Wagga NSW, 18 June 2011), 35.
20/06/2011	NT	Temporary fishing arrangements continue	The Northern Land Council has extended the temporary fishing arrangements prompted by the Blue Mud Bay decision until the end of 2011. It will allow commercial and recreational fishers to continue to access waters overlying Aboriginal land without a permit. The July	<i>Northern Territory News</i> (Darwin NT, 20 June 2011), 5.

Native Title in the News - June 2011

Date	State	Subject	Summary	Source
			<p>2008 Blue Mud Bay High Court decision gave Aboriginal landowners control over the inter-tidal zones of waters adjoining their lands. The NT Government has since been negotiating with land councils for temporary fishing permits for access to the waters. A final agreement was due to be reached on 30 June 2011.</p>	
22/06/2011	QLD	Land handed back to its traditional owners	<p>Lakefield National Park will be renamed Rinyirru National Park today when the land is handed back to its Aboriginal owners. After more than 20 years of negotiations, traditional owners will co-manage the park with the QLD Government. The co-management partnership has been welcomed by native title holders which include the Lama Lama people, Kuku Thaypan people, Bagaarmugu clan, Mbarimakarranma clan, Muunydyiwarra clan, Magarrmagarrwarra clan, Balnggarrwarra clan and Gunduurwarra clan. Covering 542,856ha the Rinyirru National Park it is the second largest national park in Queensland and features wetlands, waterfalls and extensive river systems. Traditional owners said it was rich in sacred sites and stories.</p>	<p><i>Cairns Post</i> (Cairns QLD, 22 June 2011), 9. <i>Kalgoorlie Miner</i> (Kalgoorlie WA, 23 June 2011), 4.</p>
29/06/2011	WA	Mayala people agreement with Pluton	<p>Pluton Resources has achieved 50 per cent Aboriginal employment even before striking a formal agreement with the Mayala people yesterday to develop a new iron ore mine on Irvine Island, 250km north east of Broome off the Kimberley coast. Mayala traditional owners will access a royalty stream and milestone payments as well as become the company's biggest shareholders, should they choose to convert their equity options. Pluton managing director Tony Schoer described the deal as the "best native title agreement, possibly in Australia, if not the world". "We went in there with a different approach, a lot of mining companies enter native title deals because it's something they have to do by law," he said. For traditional owners, the deal includes construction of a cultural arts centre and development of a ranger program. The Mayala people will also be consulted on environmental matters. Negotiated by KRED Enterprises led by former Kimberley Land Council chief executive Wayne Bergmann the package also includes regional benefits to be administered by the charitable Ambooriny Burru Foundation.</p>	<p><i>West Australian</i> (Perth WA, 29 June 2011), 40.</p>