

Native Title in the News May 2006

<u>Date</u>	<u>State</u>	<u>Subject</u>	<u>Summary</u>	<u>Outcome</u>	<u>Source</u>
24-Apr-06	WA	Agreement with Aztec allows for recommencement of mining	The Dambima-Ngardi people have signed off on an agreement with Aztec Resources which will lead to the recommencement of mining on Koolan Island. Under the agreement Aztec will "provide employment and training opportunities for indigenous people in Derby, and guarantee a 30 per cent indigenous workforce by the sixth year of operation". The agreement will also "employ indigenous cultural heritage officers, protect culturally significant sites and involve traditional owners in environmental and land management issues". A capital trust will be established to manage the funds generated from the sale of iron ore, with half being invested and the other used for community development. The agreement has been welcomed by both parties.	Mining agreement reached	Australian 24-Apr-06, pg 5; Broome Advertiser, 27-Apr-06, pg 1; Kimberly Times, 27-Apr-06, pg 1; Barrier Daily Truth, 24-Apr-06, pg 10; Koori Mail, 10-May-06, pg 61.
25-May-06	QLD	Native Title recognised in North Queensland	The federal court has recognised the Mandingalbay Yidinji people's native title rights over 3 140 hectares of land south east of Cairns after a 7 year legal fight. The Mandingalbay Yidinji people can "now undertake their traditional activities and help manage and protect the land". However the decision covers "only part of [the] clan's country with the rest...tied up in a combined claim that is still to be determined".	Native title recognised	Cairns Post, 25-Apr-06, pg 6; National Indigenous Times, 4-May-06, pg 11; Koori Mail, 10-May-06, pg 15.

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26-Apr-06	SA	SA sets target for native title	Native title claim groups in South Australian have set a timeframe for the settlement of claims. The Interim Congress Executive Committee (ICEC) a body formed by claimants to develop policies agreed on a plan to settle by 2020. The body was formed after a push by the SA Government and the Aboriginal Legal Rights Movement (ALRM). This involves plans to incorporate ALRM to create legal and political weight, recognising the role of Aboriginal people as traditional owners, supporting the state-wide ILUA program and recognising that the "local community must be in a position to create its own future with the support of the wider community".	South Australia develops plan for native title recognition	Koori Mail, 26-Apr-06, pg 17.
26-Apr-06	SA	Marina development likely to lead to opportunities	Parry Agius, Aboriginal Legal Rights Movement chief executive officer is confident that a proposed waterfront residential development at Port Wakefield "can be successfully negotiated to respect Aboriginal heritage in the area". Under the Aboriginal Heritage Act the developers, Gulf Harbour Pty Ltd was required to consult with the native title group. Mr Agius said that the agreement would "offer opportunities for not only the rural people, but also the Aboriginal people of the Yorke Peninsula and Adelaide".	NA	Plains Producer, 26-Apr-06, pg 3.

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26-Apr-06	WA	Mining agreement reached with Wajarri Yamatji claim group	An agreement has been reached in principle between the Wajarri Yamatji Native Title Claim Group and the Midwest mining exploration corporation. The agreement will boost the development of the iron ore industry in the region while also addressing the concerns of the Wajarri people to ensure the protection of their land. Both parties have welcomed the agreement which covers the Weld Ranges. In particular the agreement protects the reserve surrounding the old Wilgie Mia which is of cultural significance to the traditional owners. Ike Simpson of the Wajarri people said that "it was essential that any exploration activity be conducted in liaison with the traditional owners".	In principle exploration agreement reached	Koori Mail, 26-Apr-06, pg 35; Perth Lawyer, 4-May-06, pg 4.
26-Apr-06	QLD	Badu and Mua (Moa) recognised as traditional owners	The Badu and Mua (Moa) have been recognised as traditional owners in the Torres Strait over 80 uninhabited islands, islets and rocks located in the Western group of Islands. Torres Strait Regional Authority (TSRA) chairman Toshie Kris welcomed the decision saying that the consent determination "recognises that traditional owners continue to protect and enjoy their traditional rights". He said that the result was a "formal acknowledgement" from the Federal Court that cultural ties to land and sea continue to exist today. The claim was initially filed in the Federal Court in 2002 and one of the 20 successful consent determinations out of 27 in the area.	Consent determination reached in the Torres Strait	Koori Mail, 26-Apr-06, pg 34; Tablelands Advertiser, 26-Apr-06, pg 20.

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27-Apr-06	NSW	Handback will return significant sites back to traditional owners	The ownership of the Gulaga and Mumbulla mountain has been transferred to the Wagonga, Merrimans and Bega local Aboriginal land councils. The registration of owners has been managed by the Department of Aboriginal Affairs. Claimants need to "prove they are descendants of at least one of the 25 original families...and have a cultural association with the lands". Under the agreement the parks will remain open to the public and money paid by the Government will be put into the land.	Cultural site returned to traditional owners	Sydney Morning Herald, 27-Apr-06, pg 8..
28-Apr-06	VIC	History of sacred site contested	The cultural significance of the Convincing Ground has been contested by shadow planning minister Ted Baillieu. However Andrew Levings, a key Portland fishing industry member has dismissed the claim saying that the "idea that the Convincing Ground never happened...is just ridiculous". The site is significant for the killing of the majority of an Aboriginal tribe in the 1830s and has been the subject of a 15 month legal fight over the lands future use.	NA	Portland Observer, 28-Apr-06, pg 3.
28-Apr-06	NT	Handover of Northern Territory Parks	The Yulara and Larrakia claims have prompted the Northern Territory Government to take note of the decisions and reconsider the handover of Territory Parks to Aboriginal ownership. After receiving advice that the ownership of Territory Parks could be challenged under the Native Title Act, the Chief Minister Claire Martin decided that the government would not challenge this in the courts but negotiate the handover of the parks with Aboriginal Interests and lease back arrangements. However these recent decisions have prompted a call by Dr Richards Lim to reconsider this decision.	Parks handover questioned	Territory News, 28-Apr-06, pg 5.

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29-Apr-06	QLD	Yawuru community wins native title claim	The Yawuru community in Western Australia has won a 12 year legal battle over Broome and the surrounding Kimberly area. In his judgment Justice Ronald Merkel said that the Yawuru were the traditional owners of the Rubibi claim covering about 6000sq km of reserve land and pastoral leases. He also noted that native title was in a 'state of gridlock' and recommended changes such as focusing on mediation. Justice Merkel found that the "case highlighted a native-title system hampered by protracted mediation, a lack of funding for claimants, internal community disputes, logistical complications and flawed legislation". Frank Sebastian, a Yawuru elder said that the it was a 'long struggle' and that they "will be involved in decisions about how Broome is to develop, that means a better future".	Native title recognised	Gold Coast Bulletin, 29-Apr-06. pg 4; Weekend Australian 29-Apr-06, pg 2; West Australian 29-Apr-06, pg 15; National Indigenous Times, 4-May-06, pg 13; Koori Mail, 10-May-06, pg 3; Perth Lawyer, 18-May-06, pg 6.
01-Apr-06	VIC	Native title claim over Mornington Island	The Lardil, Yangkaal, Gangalidda and Kaiadilt people have lodged a claim over an area of Mornington Island to "exclusively use and occupy some land and waters on the island for hunting, fishing and camping purposes". The National Native Title Tribunal public affairs officer said that the claim had passed the registration test and that they had a "fairly good chance" since native title has been proved in the area.	Native title claim lodged	North West Country, Apr-06, pg 12.

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02-May-06	QLD	East point development delayed	The development of the East Point spit near Mackay harbour has been delayed by a series of native title claims from 1997 to 2003. During that period about 10 claims were "whittled down to three legitimate claims and the signing of an Indigenous Land Use Agreement aided the process". The development also faces a number of other hurdles from conservationists.	NA	Daily Mercury, 2-May-06, pg 15.
03-May-06	NSW	Council will not contest claim at Tuncurry	The Great Lakes council will not contest a claim for land at Tuncurry which is currently under the control and ownership of the Department of Lands which has lodged a development proposal to subdivide the land. The claim was lodged in April last year by the Karuah Local Aboriginal Land Council under the Aboriginal Land Rights Act.	NA	Great Lakes Advocate, 3-May-06, pg 5

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03-May-06	QLD	Wild Rivers act impacts on native title rights	<p>In its submission to the Queensland Government, the Cape York Land Council (CYLC) criticised Premier Beattie's Wild Rivers Act for "it impact upon the Native Title rights of the indigenous people of the Cape York". Michael Ross, CYLC chair said that the "law impacts Native Title and yet the State Government refuses to meet and negotiate a solution with traditional owners". He said that under the Native Title Act "acts that affected Native Title rights required consultation with Native Title holders and payment of compensation" which the Queensland government had ignored. The legislation aims to protect rivers in non-settled areas for exploitation and impacts on the predominantly Indigenous communities living in the area by restricting their ability to "clear any timber, build any business or home, build enterprise or mine, on or near rivers on their onwn land". Noel Pearson from the CYLC has said that it was "ludicrous" for the Government to talk about economic independence and then legislate to preclude that opportunity.</p>	NA	<p>Cooktown Local News, 3-May-06, pg 7; Western Cape Bulletin, 4-May-06, pg 3; Weekend Australian 6-May-06, pg 29.</p>
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03-May-06	VIC	Initiative to involve Indigenous groups in park management announced	John Thwaites, acting Premier and Environment Ministers has announced an initiative to involve Indigenous groups in the management of the state's parks and reserves through providing training and employment opportunities. The recruitment program and the Indigenous Partnership Strategy and Action Plan "would enable traditional owners and their communities to take part in decisions making processes surrounding land and water resources management". He also said that "this [was] a crucial step towards ensuring Aboriginal Victorians have opportunities to maintain important social and cultural ties with the land".	NA	High Country Times, 3-May-06, pg 10.
04-May-06	NSW	Administrator appointed after land council fails to abide by Land Rights Act	Aboriginal Affairs Minister Milton Orkopoulos has appointed an the administrator to the Darkinjung Local Aboriginal Land Council after it breached a section of the Land Rights Act for failing to provide an audit of its affairs last year. A spokesman for Mr Orkopoulos said that the law "exists for the purposes of ensuring Aboriginal people have access to benefits derived from the land council system and that too many land councils are characterised by a revolving door of investigators, administrators...that feed off the inadequacies of the current management system". He also said that his "duty is to ensure councils follow due process and are acting in the best interests of their members".	NA	Newcastle Herald, 4-May-06, pg 2; Koori Mail, 10-May-06, pg 4.

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04-May-06	WA	Dandenong Paddocks subject of land claim	Ronald Terrick, one of the leaders of the Kings Domain protest has said that he wants to claim the Dandenong Police Paddocks as Aboriginal property. He said that he wanted to "commence talks with parks Victoria and other authorities about turning [the] place into a place of cultural significance." However a spokesman for Environment Minister John Thwaites said that Mr Terrick needed to "go through the appropriate channels to make a claim on the site".	NA	Berwick Leader, 10-May-06, pg 1.
04-May-06	WA	Yawuru win native title claim	The Yawuru people have won a native title claim over land in and around Broome. Pat Dodson a Rubibi applicant and national indigenous figure said that "the determination would provide corporate entities in Broome with some legal and economic certainty, and that Yawuru...input would be sought in the development of the town". He said that the next step would be to set up a prescribed body corporate (PBC) in which the native title could be vested. However he noted that this would be limited by the criteria for membership to the Yawuru dictated by the court. The Walman Yawuru have been opposing the Rubibi claimants since they left after concerns over a "pan-Aboriginal approach" to their traditional lands. Both groups are now contesting who should control the PBC.	Yawuru awarded native title	Broome Advertiser, 4-May-06, pg 1; Native Title Finalised, 4-May-06, pg 3.
04-May-06	QLD	Native Title recognised in North Queensland	The federal court has recognised the Mandingalbay Yidinji people's native title rights over 3 140 hectares of land south east of Cairns after a 7 year legal fight. The Mandingalbay Yidinji people can "now undertake their traditional activities and help manage and protect the land".	Native title recognised	National Indigenous Times, 4-May-06, pg 11.

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04-May-06	WA	Native title claim creates risk for home owners	<p>The State Government has assured home owners on beachfront land that their freehold titles would be protected even though title to the land is unclear. The lots near cable beach were originally created from vacant crown land by the Court Liberal Government under the Western Australian Native Title Act in 1993 which was found to be invalid by the High Court in 1995 and has not been rectified by subsequent governments. The freehold title of the landowners to the land has been technically invalid and Justice Merkel has said that the "extraordinary situation...will have to be resolved between owners of the freehold, the State and the native title holders". The government will need to negotiate with the Rubibi people to give up their native title rights and receive compensation under an indigenous land use agreement.</p>	Freehold title technically subject to native title	West Australian, 4-May-06, pg 32; Australian, 2-May-06, pg 4-5.
05-May-06	NT	Amendments to the <i>Radioactive Waste Management Bill 2005</i> maximise the rights of traditional owners on land	<p>The amendments to the <i>Radioactive Waste Management Bill 2005</i> moved by Senator Nigel Scullion "ensure[s] that claimants are party to the negotiations and minimise possible legal challenges in the future". Norman Fry, Chief executive of the Northern Land Council (NLC) has "agreed to work with the Commonwealth Government to help secure a site for nuclear waste". However the "problem is that although the traditional owners from the land trust are able to give permission to build the facility at least some of them feel they haven't been given the full picture."</p>	NA	Tennant & District Times, 5-May-06, pg 6.

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05-May-06	NT	Home ownership on Aboriginal land	<p>The Tiwi Islands traditional owners have committed to negotiate an agreement to allow for home ownership and commercial business on their traditional land at Nguiu on Bathurst Island. In exchange, the Federal Government has pledged an additional \$10 million to establish a college on the island. This follows changes to land rights laws that "make it easier for developers and indigenous groups to negotiate". This agreement also commits the traditional owners to further negotiations to allow for 99 year leases which would promote private home ownership and alleviate the housing crisis in the community.</p>	NA	<p>Geelong Advertiser, 5-May-06, pg 8; Shepparton News 5-May-06, pg 14; Newcastle Herald, 5-May-06, pg 2; Adelaide Advertiser, 5-May-06, pg 27; Age 5-May-06, pg 2; Toowoomba Chronicle, 5-May-06, pg 14; Illawarra Mercury, 5-May-06, pg 14; Sunday Territorian, 7-May-06, pg 14; Border Mail, 5-May-06, pg 12; Barrier Daily Truth, 5-May-06, pg 8.</p>
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05-May-06	NT	Tiwi deals allows for home ownership	Indigenous Affairs Minister Mal Brough has said that he hoped that agreements creating long term leases will lead to similar agreements with other Aboriginal communities . He said that "its not only home ownership, it's economic development through the energy and commitment of these people". The agreement between the Tiwi community and the federal government commits the parties to the "normalisation of land tenure agreements" creating certainty for landowners, residents and commercial land users.	NA	Australian, 5-May-06, pg 7; Media Releases, 4-May-06, pg 31.
08-May-06	NSW	National Parks returned to traditional owners	The Biamanga and Gulaga national parks have been returned to the Yuin people in a ceremony in Tilba Tilba. The parks contain important cultural sites including the Gulaga Mountain (the "heart of the Yuin nation") and the Mumbulla Mountain which are "recognised as significant ceremonial meeting places". Aboriginal Elders Mary Duroux and Lionel Mongta received the land titles to Gulaga and Biamanga National parks. The Aboriginal owners will lease back the parks to the NSW Government which will continue to manage them under a "joint board with majority Aboriginal owner representation". Minister for aboriginal affairs, Mr Milton Orkopoulos said that "restoring cultural pride and identity is a vital part of..efforts to end Aboriginal disadvantage in NSW".	National parks returned	Illawarra Mercury, 8-May-06, pg 12; Sunday Canberra Times, 7-May-06, pg 6; Bega District News, 9-May-06, pg 1; Sunday Canberra Times, 14-May-06, pg 24; Cooma Monaro Express, 11-May-06, pg 7; Eden Imlay Magnet, 11-May-06, pg 8; Narooma News 10-May-06, pg 2; Land The, 18-May-06, pg 13; Koori Mail, 24-May-06, pg 14.

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09-May-06	NATIONAL	Funding to help Aboriginal people buy their own home	<p>The budget has been expanded to help Aboriginal people to buy their own homes on communal land. About 460 families will benefit from the \$54 million set aside for cheap loans. The loans would be offered at cheap interests rates of 4.5 per cent and are capped at 1 per cent less than the Commonwealth Bank standard home loan. The scheme is currently running only in the Northern Territory but the government wants to "lure the states into changing their laws to allow home ownership to flourish across the country". The Government has promoted the scheme believing that "private home ownership can break the poverty cycle." According to the 2001 Census data, only 32 per cent of Indigenous Australians own or a repaying for a loan compared to 74 per cent of the rest of the community.</p>	Cheap home loans announced	Australian, 9-May-06, pg 2.
09-May-06	NT	Nuclear waste site near Tennant underway	<p>There have been proposals to build a nuclear waste facility on indigenous owned land near Tennant Creek. Negotiations have been going on between the Northern Land Council and the traditional owners of the Warlmanpa Land Trust who have been asked to allow the water depository to be built on the Indigenous owned Station. The station was not originally on the short list drawn up by the Federal Government but under new amendments to Territory law "traditional owners could ask for the facility to be built on their land".</p>	NA	Northern Territory News, 9-May-06, pg 2.

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10-May-06	NATIONAL	Badu ranger program initiated	Badu Island has initiated its own ranger program to "participate in resource management and community and visitor education". The program is one of the outcomes negotiated under an Indigenous Land Use Agreement (ILUA) between the Badu and Mura native title holders over the establishment of a radar facility on Pumpkin Island. The project "ensuring appropriate local management and protection of land" and "pioneers an approach to Torres Strait Islander participation in activities that contribute to border protection".	Ranger program initiated	Koori Mail, 10-May-06, pg 30.
10-May-06	NSW	NSW heritage group named	A new committee has been formed to advise the New South Wales Government on "identifying, assessing and managing the State's Aboriginal cultural heritage". The 11 member committee has been established under the National Parks and Wildlife Act. The members represent Aboriginal Elders, registered native title claimants and Aboriginal owners registered under the Aboriginal Land Rights Act and the NSW Aboriginal Land Council.	Heritage committee formed in NSW	Koori Mail, 10-May-06, pg 26.

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10-May-06	NATIONAL	Retiring judge criticises Australia's native title system	Retiring Judge Ron Merkel has said that the current native title system is in a "state of gridlock and that the only way out is for parties to mediate". He said that the present system "imposed demands on the parties and the court that were unprecedented in adversarial litigation". He said that the process was generally protracted with "ongoing mediation, [a] lack of financial resources for claimant communities to pursue their claims, the failure to resolve intra-communal disputes and many logistical difficulties" undermining the possibility of reaching mediated outcomes which is a "better more efficient, more effective and fairer way of resolving native title disputes". This approach has been supported by Federal Attorney General Philip Ruddock.	NA	Koori Mail, 10-May-06, pg 14.
11-May-06	NATIONAL	NT courts call for indigenous access	Chief Justice Brian Martin from the Northern Territory Supreme court has said that "courts should make every effort to sit regularly in indigenous communities". However he said that the permit system controlling access to Aboriginal communities meant that there was a "potential for conflict between the fundamental policy that the sittings of the court are conducted in public and are open to view". Jon Tippett, president of the NT bar association said that "courts should not sit on Aboriginal land if media access could not be guaranteed in open court proceedings".	NA	Australian, 11-May-06, pg 17; Northern Territory News, 13-May-06, pg 232.

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11-May-06	WA	Yawuru claim affects building of oval	Two proposed ovals at the Broome Recreation and Aquatic centre will be affected by the recent Yawuru claim win. Graeme Campbell, Broome Shire president said that the Shire "was very keen to engage with the claimants regarding any proposed usage of the land".	Council will negotiate with Yawuru	Broome Advertiser, 11-May-06, pg 3.
11-May-06	WA	Land claim affected by Rubibi claim	Deputy Premier Eric Ripper has said that the recent Rubibi claim will not affect 140 homes that were not legalised by the native title process. The land was sold under a land scheme that was later rejected by the High Court which was pointed out by Justice Merkel when he handed down his decision. Mr Ripper said that "the situation was one created by the Court Government, which the current government would now have to deal with". It is likely that compensation relating to the "grant of freehold on the non-exclusive native title rights...would be handled as a part of larger negotiation under the Native Title Act".	NA	Broome Advertiser, 11-May-06, pg 7.
12-May-06	QLD	Land rights payouts will benefit community	Native Title rights have been used by the six families to benefit the South Burnett. The traditional owners have created a working group with the Rio Tinto to assess how the money would be spent. The money would be then be given to the Wakka Wakka Cultural Heritage Aboriginal Corporation and the Aboriginal Community Interest Consultative Committee to distribute the money ensuring that "Native Title rights helped the regional community rather than individuals". Projects have included the renal unit at Cherbourg, the Barambah Valley store and the Murgon Art Gallery.	NA	South Burnett Times, 12-May-06, pg 5.

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13-May-06	NSW	Land Council set to reject sale	The Worimi Local Aboriginal Land Council will consider a resolution about a disputed land sale a Port Stephens. The land was sold to the Winten Property Group which the land council believes was undervalued. The administrator wants the transaction to be "declared void on the grounds it did not comply with the Aboriginal Land Rights Act". Worimi elders have said that there were "significant cultural sites" on the land and did not want it to be "disposed of".	NA	Newcastle Herald, 13-May-06, pg 21.
13-May-06	ACT	ACT Indigenous groups back new representative body	The Indigenous community in the ACT has backed a proposal to set up a new representative body to represent their interests in the territory. In its report to Chief Minister Jon Stanhope, the Aboriginal and Torres Strait Islander Consultative Council "called for an elected body, created through legislation and with bipartisan support, to replace the current council". The body is designed to replace the role of the abolished Aboriginal and Torres Strait Islander Commission and "lobby for changes in funding and programs". The Government will formally respond to the report at the end of the year.	Representative Body to be formed in the ACT	Canberra Times, 13-May-06, pg 11.
14-May-06	NT	Land Council lodges appeal	The Central Land Council has lodged an appeal against the Federal Court's dismissal of a compensation claim over land extinguished in Yulara. The appeal will be heard by the Full Bench of the Federal Court in Darwin in November. The court will also consider the Larrakia claim.	NA	Sunday Territorian, 14-May-06, pg 12.

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15-May-06	NATIONAL	Death of reconciliation ambassador Rick Farley	Rick Farley, former director of the National Farmers Federation and co-founder of Landcare has died at the age of 53. He has been described as "working with every fibre of his being to try and ensure that Aboriginal people assumed their proper place in Australian society" and could unite a diverse group of people by bridging farming, environment and indigenous interests.	NA	Australian Financial Review, 15-May-06, pg 60; Australian 15-May-06, pg 8; Age 17-may-06, pg 16.
18-May-06	SA	Aquaculture and fishing affected by native title	Aquaculture and fishing on the Eyre Peninsula may be affected by native title. The Seafood Council of South Australia has begun negotiations for Indigenous Land Use Agreements covering coastal land and waters from Cowell to Venus Bay. It believes that "leases are secure but will keep close tabs on the progress of the negotiations".	NA	Adelaide Advertiser, 18-May-06, pg 24.
20-May-06	NT	NT Government loses a land battle	The Northern Territory Government has lost the Davenport Murchison claim after an 11 year battle. As a result, the Alyawarr, Kaytetye, Warumungu and Wakay peoples will have native title over 1143sq km of land near Tennant Creek. They will have the right to hunt and live in the Davenport Murchison National Park which is jointly managed by the Parks and Wildlife service and Indigenous groups.	Native title rights recognised	Northern Territory News, 20-May-06, pg 3; Centralian Advocate, 26-May-06, pg 20.
20-May-06	VIC	Cultural heritage can be protected as a part of farming	At a workshop for landholders it was revealed that indigenous cultural heritage could be "integrated into farm planning". The Mooramong is protecting its cultural heritage sites as a part of overall farm planning and sought to show that native title does not apply to private land. For example this may include signage or acknowledging cultural sites.	NA	Hamilton Spectator, 20-May-06, pg 23.

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20-May-06	WA	Pending legal battle over failure to consider Indigenous interests	Minara Resources will face a legal battle after failing to stop litigation by Goldfields native title claimants over an agreement made 10 years ago. The company is now claiming that an agreement made when developing its northern Goldfields Murrin Murrin site to negotiate benefits and compensation for the Wutha people was unenforceable. Brian Wyatt Goldfields Land and Sea Council executive said that the process had occurred because the Government "had not fully considered Indigenous people's rights and claims to the land". Supreme Court judge Master Craig Sanderson has ruled that the evidence needs to be examined in more detail. He said that if "Minara prevailed, right-to-negotiate provisions in native title legislation would amount to nothing".	Mining company faces legal battle	West Australian, 20-May-06, pg 79; Kalgoorlie Miner, 22-May-06, pg 1; Business News, 25-May-06, pg 14.
20-May-06	WA	Indigenous bodies enter talks about farm transfers	The Goldfields Land and Sea Council and the Department of Indigenous Affairs has entered into successful talks in establishing a "closer working relationship" between the two. Some of the issues discussed included the "transfer of trust owned farms to the control of traditional owners" which will give them "autonomy and control of an income producing enterprise". However these plans have not been settled.	NA	Kalgoorlie Miner, 20-May-06, pg 21.

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20-May-06	QLD	Sacred site on the path of a runway	Indigenous groups have said the extension of the Gold Coast airport will destroy a sacred site. A midden - a site made of shells, bones, charcoal, cooking stones and stone tools - is in the pathway of the extension project. Native Title committee member Wesley Aird said that the "desecration" was "another example of big business breaking the law and dismissing the concerns of Aborigines". The site has both "scientific, social and regional significance" and "plays a key role in understanding the way indigenous people used land".	NA	Gold Coast Bulletin, 20-May-06, pg 27; Tweed Sun 25-May-06, pg 3.
21-May-06	VIC	Mildura Aboriginal Corporation reaches agreement over marina development	Brisbane developers have met with two Aboriginal groups to address concerns that the Mildura Aboriginal Corporation was not party to discussions regarding the marina and that its members were not "afforded similar benefits" received by the North West Claimants. Legislation requires that "in matters of Native Title, consultation must take place with the local Aboriginal Corporation".	NA	Mildura Independent Star, 21-May-06, pg 6.
22-May-06	NT	Native Title Conference	About 500 traditional owners, academics, legal counsel and government representatives are expected to attend the national native title conference in Darwin.	NA	Northern Territory News, 22-May-06, pg 4.
22-May-06	NT	Parks campaign continues	A "save our parks" campaign to prevent national parks being returned to traditional owners continues in the Northern Territory. Campaigner Françoise Builder says that "parks are free, they are for everybody, so why hand it to a group of people and then lease it back with taxpayers money".	NA	Northern Territory News, 22-May-06, pg 8.

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23-May-06	NSW	RTA's report circulating	A report into the historical significance of the areas designated for the Coolac bypass has been circulated. Neville Williams a Wiradjuri elder asked for the study and said that the "ball is in the RTA's court and it is up to them to decide when work commences".	NA	Daily advertiser, 23-May-06, pg 5.
24-May-06	SA	SA Government move disappointing	The South Australian Government's has decided to "downgrade" the Department of Aboriginal Affairs and Reconciliation and "sideline the last Aboriginal senior executive". This move has "disappointed and angered" the SA Indigenous community. Parry Agius from the Aboriginal Legal Rights Movement says that the decision may "turn Aboriginal Affairs into a division" and "putting Aboriginal Affairs under a non-Aboriginal bureaucrat doesn't do anything to develop Aboriginal leadership. He also said that "at a time when governments across the nation are asking Aboriginal community members to be more accountable and to show more leadership so that we can break away from the welfare mentality...the SA Government has basically taken away the little power we had".	Senior Aboriginal administrator sidelined	Koori Mail, 24-May-06, pg. 24
24-May-06	NSW	Land sale meeting	The sale of land at Shoalhaven Heads will be discussed in a meeting of the Jerrinja Local Aboriginal Land Council after City Councillor Gareth Ward moved a notice requesting the council to encourage JLALC to sell the land. Matt Brown member for Kiama said that he saw the sale as "an issue of land management" and that the "best way forward is for the two communities to sit down and discuss a way forward".	Land council to attend meeting over land sale	South Coast Register, 24-May-06, pg 2.

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24-May-06	WA	Pilbara claim groups in process of negotiating agreements	Six pilbara native title claim groups are had discussions with Rio Tinto Iron Ore to settle Binding Initial Agreements (BIAs) for native title over the Pilbara region. The BIAs provide "traditional owners' consent to, and support for, the mining company's present and future operations and would streamline its native title approval processes". Even though full agreements have not been reached this paves the way for a "smoother negotiation process". According to Kuruma Marthuduners native title working group chairman Neil Finlay, contentious issues such as financial compensation have been resolved which "will allow future negotiations to focus on broader economic and social issues".	Binding Initial Agreements reached	North West Telegraph, 24-May-06, pg 3; Pilbara News, 24-May-06, pg 6; Australian Financial Review, 19-May-06, pg 62.
24-May-06	NATIONAL	Darkinjung challenge appointment of administrator	A legal challenge has been initiated against the appointment of NSW Aboriginal Affairs Minister Milton Orkopoulos of an administrator to the Darkinjung Local Aboriginal Land Council. The appointment occurred after allegations of a "lack of good governance". Darkinjung chairman Jeffrey Bradford said that the appointment was "politically motivated and the culmination of a vicious and vindictive witch-hunt".	Legal action launched against appointment	Koori Mail, 24-May-06, pg 4.

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25-May-06	WA	Funding shortfall for NTRBs	Both business and Aboriginal groups have said that the funding provided to Native Title Representative Bodies is not enough. The Minerals Council of Australia has said that "these bodies are chronically under resourced even though they are considered the fundamental component of the native title system". The lack of government funding means that "mining companies must step into the breach". Proper resourcing is "critical to settling the 600 outstanding native title applications...and responding to mining and exploration applications in a timely way".	NA	Business News, 25-May-06, pg 13.
27-May-06	QLD	Native title claim lodged	The Gugu Badhun people have lodged a claim over 9470sq km area north-west of Townsville including parts of Thuringwa and surrounding shires. The claim mainly involves pastoral leases.	Native title claim lodged	Townsville Bulletin, 27-May-06, pg 32.

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27-May-06	NATIONAL	New rapport developed between mining and Aboriginal communities	The Argyle Mine is producing a "strong indigenous workforce" with about 25 per cent being Aboriginal a figure which Rio Tinto hopes to double in the next few years. This is a "radical change in attitude" away from the "grim warnings and antagonism" that came when Native Title legislation was first introduced. Executive directors of the Mining Council of Australia, Mitchell Hooke said that "its the right thing to do but the primary driver is the business case". The change comes as a result of the labour shortages created by the mining boom as well as a broader attempt to "address an extraordinary mismatch" that so much of "Australia's wealth is produced in areas populated by its most disadvantaged and fastest growing population". The indigenous population in more remote areas is well suited to address these labour shortages but there are still significant challenges in training indigenous staff and developing infrastructure.	NA	Australian Financial Review, 27-May-06, pg 20.
27-May-06	NSW	Sandon Point launch buyback plan	Sandon Point activists have launched a plan to raise \$20 million to buy back land. The campaign was initiated by the Sandon Point Community Picket and Aboriginal Tent Embassy (SPATE) and the Northern Illawarra Residents Action Group (NIRAG) who hope to "buy about 40 ha of land owned by Stockland".	Buyback plan announced	Illawarra Mercury, 27-May-06, pg 15.

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27-May-06	WA	Minara loses new round in title fight	Minara Resources has failed in a second attempt to "extricate itself from legal claims by Goldfields Aboriginal groups "peeved over their treatment" since forming native title agreements ten years ago. In successive legal actions Minara has "tried unsuccessfully to use court procedures that give judicial officers discretion to throw out claims". The Wutha claim is "aimed at forcing Minara to comply with an alleged obligation to negotiate over a series of potential benefits". The second claim by Bibila and Goolburthunoo concerns trust funds that have not been paid.	Agreement dispute continues	West Australian, 27-May-06, pg 70.
28-May-06	NSW	NSW land claim amended	The National Native Title Tribunal has approved amendments to a claim over land located in Murray and Alice Streets in Wentworth. The application has incorporated additional names.	Land claim amended	Mildura Independent Star, 28-May-06, pg 5.
29-May-06	NT	Book of native title published	The Australian Institute of Aboriginal and Torres Strait Islander Studies has published a book by Dr Lisa Strelein exploring the flaws in native title in Australia. <i>Compromised Jurisprudence: Native title cases since Mabo</i> looks at the native title case law in Australia.	NA	Northern Territory News, 29-May-06, pg 5.
31-May-06	NT	Land Rights Amendments	Labor has acknowledged in an official media release that the proposed amendments to the Aboriginal Land Rights (Northern Territory) Act includes a number of means that "facilitate economic development" but wants to ensure that "traditional owners are not pressured into trading off their legal rights in return for basic entitlements".	NA	Media release, 31-May-06, pg 57.

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31-May-06	NSW	Gold Coast airport maintains that it did consult Indigenous groups	The Gold Coast airport has "denied not consulting with local indigenous groups" about the impact of a planned runway extension. The airport's management said that the "they [had] gone beyond fulfilling their legal responsibility and tried to communicate with all community groups". Details of preserving the culturally significant site have been included in the Cultural Management Plan for the site. However traditional owners say that the airport has not done all that it can to protect the site.	NA	Daily News, 31-May-06, pg 7.
31-May-06	VIC	Indigenous groups will get cheap home loans	Under changes to the native title laws Indigenous Australians will be "offered low-interest loans and 99-year land leases" which will "make it easier for Aborigines to own a home or establish a business in remote townships". More than 460- Aboriginal families can benefit from the changes and the state and territory governments will also be "funded to build new homes and offer them to families at a discount".	Changes to native title laws create cheaper housing	Border Mail, 31-May-06, pg 2; Warrnambool Standard, 31-May-06, pg 2; Launceston Examiner, 31-May-06, pg 5; Adelaide Advertiser, 31-May-06, pg 11

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<u>Tribunal # & Fed Court #</u>	Comment

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