

**Native Title in the News
May 2012**

Date	State	Subject / Title	Summary	Source
27/04/12	WA	Aboriginal Heritage Act	Accusations have been made against the Government of Western Australia that the proposed changes to the <i>Aboriginal Heritage Act</i> (WA) will further disempower Indigenous people. Proposed changes make breaches of the Act applicable only to sites on a new online register. Under the proposed changes, the Department of Indigenous Affairs would be given power to approve activities not deemed to have a significant impact on the heritage values of sites – a process which currently requires Ministerial consent – and be similarly indemnified against prosecution.	<i>ABC News</i> (27 April 2012) <i>The West Australian</i> (2 May 2012) accessed online 15 June 2012.
28/04/12	WA	Ngarlawangga people	The Ngarlawangga people of the Pilbara region have entered into an agreement with Rico resources which focuses on developing sustainable, long-term business and employment opportunities for the Ngarlawangga community. This agreement provides Rico Resources with the native title clearances to facilitate the Wonmunna Project, within the Ngarlawangga native title claim area.	<i>Pilbara Echo</i> (Pilbara WA, 28 April 2012), 5.
02/05/12	WA	Cable Beach	Broome shire councillors have voted to release the Cable Beach joint management plan for public comment. As part of the 2010 Yawuru native title settlement it was decided that the traditional owners will jointly manage the northern half of Cable Beach with the Broome Shire Council. In coming months, the shire and Yawuru will start putting out the detail of the changes to the running of Cable Beach.	<i>ABC News</i> (2 May 2012) accessed online 15 June 2012.

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04/05/12	WA	Browse Basin gas project	Protestors at James Price Point have warned directors of the operator and major equity holder Woodside that they may be personally liable for damage if drilling goes ahead near sacred sites. The Goolarabooloo traditional owners have withdrawn from the \$1.5billion compensation package between the Government of Western Australia, the Kimberley Land Council and Woodside, lodging an independent claim. Premier Colin Barnett has said he is prepared to use State Agreement Acts to ensure gas from the project is processed at his preferred site at James Price Point.	<i>West Australian</i> (Perth WA, 4 May 2012), 41. <i>Weekend Australian</i> (Australia, 19 May 2012), 5.
05/05/12	SA	Olympic Dam	Native title holders stand to share more than \$900 million in payments over 30 years from BHP Billiton's proposed expansion of the Olympic Dam mine in South Australia. This is an outside estimation as the terms of the Indigenous land use agreement ('ILUA') remain confidential. Payments will go into the Olympic Dam Aboriginal Community Trust rather than individual royalty payments.	<i>Weekend Australian</i> (Australia, 5 May 2012), 25.
07/05/12	AU	Mabo reporting	Former chief justice Sir Anthony Mason has taken the unusual step of breaking ranks to speak publicly on the historic High Court Mabo judgment.	<i>ABC Sydney</i> (7 May 2012) accessed online 15 June 2012.

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09/05/12	AU	Native title reforms	From 1 July 2012 the Federal Court will take control of mediation from the Native Title Tribunal to ease the backlog of outstanding claims. Under this change, the Tribunal will lose \$24.4 million a year, \$19 million of which will be redirected to the Stronger Futures package over the course of 4 years. The Tribunal will continue its work with future acts and in assisting the negotiations of non-claim related indigenous land use agreements.	<i>Cairns Post</i> (Cairns QLD, 9 May 2012), 10.
10/05/12	NSW	Gomeri native title claim	The Gomeri native title determination application was filed in the Federal Court on 20 December 2011 and accepted for registration by the Native Title Tribunal on 20 January 2012. Nineteen applicants on behalf of the Gomeri People have launched the action against the NSW Attorney-General. The Native Title claim is over a large area of northwestern NSW. The matter has been listed for callover in Sydney before the Federal Court on 28 May 2012.	<i>ABC Indigenous</i> (10 May 2012) accessed online 15 June 2012.
10/05/12	WA	Anketell Point	The Government of Western Australia has begun the compulsory acquisition process over Anketell Point in Western Australia, the site of the proposed iron ore port. The State Government has issued notices to the Ngarluma people under the <i>Land Administration Act</i> (WA) and <i>the Native Title Act</i> (Cth) identifying the 4,300 hectares required for the development.	<i>West Australian</i> (Perth WA, 10 May 2012), 36. <i>Pilbara Echo</i> (Pilbara WA, 12 May 2012), 3. <i>Pilbara News</i> (Pilbara WA, 16 May 2012), 8.

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11/04/2012	SA	Native title right to fish extinguished	This case concerned two men, members of the Narrunga People, who were accused of taking undersize abalone. The Full Court of the Supreme Court of South Australia ruled that the native title right to fish had been extinguished and replaced by the State's fisheries legislation in 1971.	<u><i>Adelaide Now</i></u> (11 May 2012) accessed online 15 June 2012.
11/05/2012	SA	High Court	The High Court upheld a ruling by the Supreme Court of South Australia that blocked Argonaut Resources and Straits Resources Ltd from drilling on the traditional lands of the Kokatha Wati and Adnyamathantha people. The High Court said the traditional owners were denied procedural fairness in not being properly consulted. The Adnyamathantha Traditional Land Association said the purpose of the lawsuit was not to block all access by mining companies but to ensure the minister properly consulted with traditional owners in such cases.	<u><i>The Australian</i></u> (12 May 2012) accessed online 15 June 2012.
16/05/12	VIC	Portland protest	A protest in Portland, West Melbourne, is calling for more dialogue on key Aboriginal issues within the state. The protest is in its 11 th week. The area in which the protests are taking place has been dubbed the Portland Embassy.	<i>Koori Mail</i> (Lismore NSW, 16 May 2012), 29.

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18/05/12	VIC	PBC funding	The Gunditj Mirring Traditional Owners Aboriginal Corporation has advised that if funding from the Government of Victoria is cut, it will be forced to charge clients \$22,000 to assess every development proposal for Crown land. The Gunditj Mirring Traditional Owners Aboriginal Corporation covers Crown land from the Hopkins River to the South Australian Border. The Corporation was hopeful State Government funding would continue after the five-year funding agreement expires on 30 June 2012.	<i>Warrnambool Standard</i> (Warrnambool VIC, 18 May 2012), 4. <i>Portland Observer</i> (Portland VIC, 21 May 2012), 5.
18/05/12	NSW	Broken native title promise	West Australian Treasurer Christian Porter has criticised the Commonwealth for breaking a longstanding Commonwealth commitment to fund 75 per cent of all native title compensation.	<i>Sydney Morning Herald</i> (18 May 2012) accessed online 15 June 2012.
19/05/12	QLD	Land feud	The Hope Vale Congress of Clans, a native title group representing 11 out of 13 clan groups in the area, has requested a meeting with the Government of Victoria to make a claim over a 110,000 hectare parcel of land and \$6 million in mining royalties. The Supreme Court has upheld the decision to grant trusteeship of the land to the Hope Vale Congress of Clans.	<i>Weekend Post</i> (Cairns QLD, 19 May 2012), 10.
22/05/12	SA	Arabana determination	The Arabana People of South Australia had their native title rights recognised at Finiss Springs Station on 22 June 2012. This consent determination recognises the Arabana people's non-exclusive rights and interests over 68,823 square kilometres of lands and waters in the central north of South Australia, including Lake Eyre and the Wabma Kadarbu Mound Springs Conservation Park.	<i>The Australian</i> (Australia, 22 May 2012), 6. <i>Canberra Times</i> ; <i>Sydney Morning Herald</i> ; <i>ABC Indigenous</i> ; <i>SBS World News</i> ; <i>The Telegraph (UK)</i> ; <i>BBC World (UK)</i> (22 May 2012), accessed online 15 June 2012.

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23/05/12	AU	ILUAs milestone	As of 21 May 2012, the total number of registered Indigenous land use agreements (ILUA) has reached 600. Registered ILUAs cover approximately 17.3% of the landmass of Australia and around 5,773 square kilometres of sea, including some areas that are not yet the subject of native title determinations.	<i>Border Chronicle</i> (Bordertown SA, 23 May 2012), 12. <i>ABC Rural</i> (22 May 2012) accessed online 15 June 2012.
25/05/12	WA	Nyangumarta and Karajarri joint determination	The Federal Court met at the Anna Plains cattle station in the Kimberley region of Western Australia on 25 May 2012 to recognise the joint native title determination of the Nyangumarta and Karajarri people. Around 150 people gathered to celebrate the Federal Court's recognition of non-exclusive rights over nearly 1990 square kilometres south of Broome.	<i>ABC Rural</i> (25 May 2012) accessed online 15 June 2012. <i>ABC Rural</i> (28 May 2012) accessed online 15 June 2012.
28/05/12	AU	Martu talks	In a statement prepared by Central Desert Native Title Services, the Martu people have asked outsiders to stay out of their negotiations with Toro Energy concerning plans for Western Australia's first uranium mine.	<i>The Australian</i> (Australia, 28 May 2012), 6.
29/05/2012	WA	Nyungah eviction	Native title applicants camping at the Swan Valley Nyungah Community in Perth have been handed an eviction notice which they believe is not legally binding. The group, which has been there since 18 May 2012, said a native title claim for the area is currently before the Federal Court.	<i>The Australian</i> (29 May 2012) accessed online 15 June 2012.
30/05/12	NT	NT iron mine	On 28 May 2012, the Northern Land Council ('NLC') approved a mining and compensation agreement for an iron ore mine near Ngukurr, in the Northern Territory's Gulf of Carpentaria region.	<i>ABC Rural</i> (30 May 2012) accessed online 15 June 2012.