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AUSTRALIAN INSTITUTE OF
ABORIGINAL AND TORRES STRAIT
ISLANDER STUDIES
NATIVE TITLE RESEARCH UNIT

NATIVE TITLE IN THE NEWS

OCTOBER 2012

DATE	STATE	SUBJECT	SUMMARY	SOURCE
03/10/12	QLD	Mandingalbay Yidinji-Gunggandji native title determination	The Mandingalbay Yidinji-Gunggandji people of far north Queensland have received recognition of their native title rights for 82 square kilometres of land. The parcel of land is located near Cairns and includes Gunjurra Island.	<i>Indigenous Times</i> (Malua Bay NSW, 3 October 2012), 10.
03/10/12	AUS	Native title legislative reforms	The Federal Government has sought feedback on proposed legislative amendments it says are designed to improve the operation of the native title system. Under changes the federal government announced in June, "good-faith negotiation" will be legislated, Indigenous Land Use Agreements will become more flexible, and land covered by native title will no longer be subject to income and capital gains taxes. Australians for Native Title and Reconciliation (ANTAR) said the changes 'fail to address the major underlying inequities in the native title system'. The government is aiming to introduce the bill to parliament by the end of the year.	<i>Koori Mail</i> (Lismore NSW, 3 October 2012), 11.
03/10/12	NT	Northern Land Council	Kim Hill has made his exit from the Northern Land Council (NLC) as the Chief Executive Officer. Robert Graham, a long serving anthropologist for NLC, will replace Mr Hill as acting CEO.	<i>Northern Territory News</i> (Darwin NT, 3 October 2012), 9. <i>The Australian</i> (Australia, 3 October 2012), 4.

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03/10/12	WA	James Price Point	A bill has been introduced into the Western Australian Parliament to ensure James Price Point is only used for the production of liquefied natural gas and is the only site on the Kimberley coast where Browse Basin gas will be processed. The bill limits the project life to up to 100 years. WA Premier Colin Barnett has said the bill will ratify an agreement signed by the WA government and the Kimberley Land Council on behalf of the Goolarabooloo Jabirr Jabirr joint native title claim group.	<i>Koori Mail</i> (Lismore NSW, 3 October 2012), 15.
05/10/12	TSI	Torres Strait Sea Claim Group	The High Court has granted the Torres Strait Island Sea Claim Group special leave to appeal a decision of the Full Court. Since 2001, the group has been fighting for recognition of their native title rights to take aquatic resources for commercial purpose. The group won on this ground in the Federal Court in 2010, but lost on appeal before the Full Court on 15 March 2012.	ABC News (online, 5 October 2012).
08/10/12	SA	Retrospective amendments to the SA Petroleum and Geothermal Energy Act	South Australian Native Title Services (SANTS) will file an appeal with the Federal Court against the South Australian State Government's amendments to the Petroleum and Geothermal Energy Act, which affects exploration and production licenses in the Cooper Basin area. The amendments purport to retrospectively validate petroleum licenses that failed to comply with the right to negotiate under the Native Title Act. SANTS has said they will challenge the amendments on constitutional and racial discrimination grounds.	<i>National Indigenous Times</i> (Malua Bay NSW, 17 Oct 2012), 5. Adelaide Now (online, 8 October 2012).
09/10/12	SA	Aboriginal Heritage Act	South Australian Native Title Services (SANTS) Chief Executive, Keith Thomas, has criticised Tom Koutsantinis, the SA Minister for Mining, of adopting inaccurate and inflammatory position on reforms of the State's Aboriginal Heritage Act. The SA Government's Commissioner for Aboriginal Engagement, Khatija Thomas, has also called upon the Labor Government to reopen consultation before new legislation is drafted.	The Australian (Australia, 9 October 2012), 6. The Australian (online, 23 October 2012).

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10/10/12	QLD	Jangga native title determination	The Jangga people of North Queensland have received recognition of their native title rights over 11,500 square kilometres of land of the Mount Coolon region.	<i>Townsville Bulletin</i> (Townsville QLD, 10 October 2012), 16. <i>Daily Mercury</i> (Mackay QLD, 10 October 2012), 4. <i>National Indigenous Times</i> (Malua Bay NSW, 17 October 2012), 6. <i>Koori Mail</i> (Lismore NSW, 17 October 2012), 15. ABC News (online, 10 October 2012).
12/10/12	QLD	Wik and Wik Way native title determination	The Wik and Wik Way peoples have received recognition of their native title rights to 19,672 square kilometres of land south of Weipa. This native title case was the longest running of its kind in Queensland. The decision was made following negotiations between the claimants, the State, mining companies and pastoralists. The decision follows four partial determinations made in 2000, 2004 and 2009.	<i>Cairns Post</i> (Cairns QLD, 12 October 2012), 7. <i>Cooktown Local News</i> (Cooktown QLD, 18 October 2012), 10. <i>National Indigenous Times</i> (Malua Bay NSW, 17 October 2012), 6. <i>Koori Mail</i> (Lismore NSW, 17 October 2012), 4. The Australian (online, 11 October 2012). The Australian (online, 11 October 2012). ABC News Online (online, 12 October 2012). The Australian (online, 12 October 2012).
17/10/12	WA	Fortescue Metals Group	Anthropologist Brad Goode has gone public with accusations that he was pressured by company managers to alter a heritage report on the grounds it placed too much emphasis on Yindjibarndi people's desire to protect a significant creek system within Fortescue Metals Group's Pilbara 'Firetail' deposit.	<i>The Australian</i> (Australia, 17 October 2012), 6.
19/09/12	WA	FMG heritage breach	Fortescue Metals Group (FMG) has admitted one of its contractors disturbed an Aboriginal heritage site in the Pilbara region of Western Australia. FMG has said that the breach of the <i>WA Aboriginal Heritage Act</i> is the result of flawed independent archaeological advice and insists that it takes its obligations to protect Aboriginal heritage 'very seriously'.	<i>Koori Mail</i> (Lismore NSW, 19 September 2012), 10.
19/10/12	QLD	Kabi Kabi/Gubbi Gubbi native title claim	Queensland South Native Title Services (QSNTS) has planned a claim group authorisation meeting for 3 November 2012 to discuss ownership of a parcel of land on the Sunshine Coast. QSNTS is assisting the Sunshine Coast's Kabi Kabi/Gubbi Gubbi people to develop a new native title application. There has been considerable conflict among potential claimants in the past over who are the right people to speak for this area of country.	<i>Sunshine Coast Daily</i> (Maroochydore QLD, 19 October 2012), 19. <i>Noosa News</i> (Noosa QLD, 19 October 2012), 1.

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20/10/12	ACT	Ngambri challenge unsuccessful	Ngambri elder Shane Mortimer has had his claim rejected by the ACT Supreme Court. Mr Mortimer sought an injunction to stop the ACT Land Development Agency selling land in the greenfield suburb of Lawson, arguing his common law native title has been ignored and his human rights violated.	Canberra Times (online, 20 October 2012).