



**AIATSIS**

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

## NATIVE TITLE IN THE NEWS

### SEPTEMBER 2012

DATE	STATE	SUBJECT	SUMMARY	SOURCE
22/08/2012	NSW	Billa Downs Station	In 2001, the Indigenous Land Corporation (ILC) purchased Billa Downs Station and granted the property to the Billa Downs Aboriginal Corporation (BDAC). BDAC was unable to meet the expenses of the station and ran into debt. Traditional owners, including Arthur and Penny Kirby, are currently pursuing a legal appeal to prevent the station being sold.	<i>Koori Mail</i> (Lismore, 22 August 2012), 36.
22/08/2012	NT	Lake Nash and Georgina Downs pastoral leases	The Federal Court has recognised the native title rights and interests of the Ipperrelhelam, Malarrarr, Nwerrarr, Meyt, Itnwerrengayt and Ampwertety landholding groups over the Lake Nash and Georgina Downs pastoral leases. Lake Nash and Georgina Downs are run as pastoral stations and the claimants' native title rights will coexist with the rights of the pastoral leaseholders to graze cattle.	<i>Koori Mail</i> (Lismore, 22 August 2012), 34.
22/08/2012	WA	Solomon Project	A stand-off between the mining company Fortescue Metals Group (FMG) and the Yindjibarndi Aboriginal Corporation (YAC) over the Solomon iron ore project in the Pilbara region continues. YAC chief executive officer Michael Woodley issued a media statement to potential investors, lenders and joint venture partners, warning that FMG has not received the informed consent of the Yindjibarndi people for the project. In July, the Federal Court declared that a determination of native title in favour of the Yindjibarndi people could expose FMG to liability to pay compensation for any impairment of native title rights.	<i>Koori Mail</i> (Lismore, 22 August 2012), 15.

22/08/2012	WA	Widji native title claim	The Widji native title claim over land in Coolgardie, Kambalda, Widjimooltha and Kalgoorlie-Boulder has been dismissed, on the basis that it was unlikely to be resolved in the near future. The Goldfields Land and Sea Council (GLSC) told the court that not all of the people who qualified were listed in the claimant group.	<i>Koori Mail</i> (Lismore, 22 August 2012), 33.
29/08/2012	Vic	Land, water and heritage management at Goyuru, Antwerp, Dimboola and Roses Gap	The Barengi Gadjin Land Council will restore land awarded under a Native Title determination with the help of a \$117,000 Indigenous Land Corporation grant. The newly appointed land, water and heritage manager, Michael Stewart, will work with rangers and traditional owners Michael Douglas and Brett Harrison to maintain land at Guyuru, Antwerp, Dimboola, Roses Gap, Ebenezer Mission and Werrimull.	<i>Wimmera Mail Times</i> (Horsham, 29 August 2012), 6.
30/08/2012	AU	2012 Indigenous Governance Awards	The Yawoorroong Miriuwung Gajerrong Yirrgeb Noong Dawang Aboriginal Corporation has been nominated as a finalist for the 2012 Indigenous Governance Awards. The organisation receives and manages benefits under the Ord Final Agreement to the Miriuwung and Gajerrong peoples in the East Kimberley. The winner will be announced in Melbourne in October 2012.	<i>Broome Advertiser</i> (Broome, 30 August 2012), 5.
05/09/2012	Qld	Pitta Pitta Native Title Determination	In a special sitting in Boulia on 28 August, the Federal Court of Australia approved a native title consent determination, giving the Pitta Pitta people non-exclusive rights over 30,000 square kilometres of land in western Queensland. The consent determination was reached with 4 local shire councils, 15 pastoralists, Ergon Energy and 2 mining companies. The determination marked the end of a 13 year struggle for native title recognition.	<i>Koori Mail</i> (Lismore, 5 September), 31; <i>North West Star</i> (Mount Isa, 28 August 2012), 3.
05/09/2012	WA	Right to negotiate on behalf of the Yindjibarndi people	The Federal Court has ruled that mediation should continue between two Aboriginal groups both claiming a right to negotiate on behalf of the Yindjibarndi people. The Yindjibarndi Aboriginal Corporation was previously the principal negotiator in native title dealings, but a splinter group, the Wirlu-Murra Aboriginal Corporation, is seeking to be recognised as the authorised body. The Yindjibarndi Aboriginal Corporation has challenged its authorisation process.	<i>Pilbara News</i> (Pilbara, 5 September 2012), 3; <i>National Indigenous Times</i> (NSW, 12 September 2012), 16; <i>National Indigenous Times</i> (NSW, 5 September 2012), 8.

08/09/2012	SA	South Australian Petroleum and Geothermal Energy Amendment Bill	South Australian Mining Minister Tom Koutsantonis has introduced legislation designed to retrospectively secure petroleum production licences held by companies Santos, Delhi Petroleum and Origin Energy Resources. South Australian Native Title Services Chief Executive Officer, Keith Thomas, says that the Bill removes the right of native title holders to negotiate and is a 'back door' to circumvent action by the Yandruwandha and Yawarrawarrka native title claimants. The Bill has been criticised due to lack of consultation with native title claimants and representative bodies. Local Arabunna Native Title Chairperson, Aaron Stuart, has labelled it 'administrative racism.'	<i>Weekend Australian</i> (Australia, 8 September 2012), 8; <i>National Indigenous Times</i> (NSW, 12 September 2012), 3; <a href="#">National Indigenous Times</a> (30 September 2012); <i>Port Augusta Transcontinental</i> (Port Augusta, 12 September 2012), 4.
12/09/2012	AU	Rural Development	David Farley and Donald McGauchie from the Australian Agricultural Company say that agricultural assets in rural areas should be developed to their full potential. They have suggested converting all pastoral leases to freehold or private land tenure to attract foreign investment capital. According to Northern Land Council chief Kim Hill, as long as all parties are involved in negotiations in good faith, it is worth discussing the development of northern Australia.	<i>The Australian</i> (Australia, 12 September 2012), 1.
17/09/2012	WA	WA Heritage Laws	The Chairman of the National Native Title Council, Nolan Hunter, has labelled Western Australia's Heritage Protection laws pointless, after Fortescue Metals Group admitted disturbing three Aboriginal heritage sites with heavy earthmoving equipment, destroying two sites. The Department of Indigenous Affairs received legal advice that FMG could not be successfully prosecuted, because it was not in the public interest.	<a href="#">ABC News</a> (17 September 2012).
19/09/2012	Qld	Aurukun bauxite lease	The Queensland Government is seeking new expressions of interest from companies interested in developing bauxite resources in Aurukun. The mining lease of Chinese company Chalco was cancelled in 2011, after a dispute with the previous State government. The Government says that this decision has the backing of the Aurukun community and the Wik and Wik Way Peoples. It says it will provide the Aurukun community with access to resources to participate in the process in a meaningful way. A decision on the successful bidder is expected by the end of 2013.	<i>Western Cape Bulletin</i> (Weipa, Qld, 19 September 2012), 3.

23/09/2012	Qld	Mandingalbay Yidinji-Gunggandji native title determination	The Mandingalbay Yidinji- Gunggandji peoples' native title rights have been recognised over 82 square kilometres of land near Cairns. Three Indigenous Land Use Agreements were negotiated with the State Government.	<i>Sun Herald</i> (Sydney, 23 September 2012), 18; <i>Weekend Post</i> (Cairns, 22 September 2012), 6.
26/09/2012	AU	Traditional owners call for a Royal Commission into the uranium mining industry	Traditional Aboriginal elders have called for an independent public inquiry or Royal Commission into the uranium mining industry. The Chairperson of the Western Australian Nuclear Free Alliance, Kado Muir, has expressed concern about the risk to country and the recent fast-tracking of the Toro Energy Wiluna uranium project assessment. Yeelirrie Traditional Custodians have vowed to fight the Canadian multinational CAMECO from mining uranium on Yeelirrie land in Western Australia. State, Territory and Federal Governments are currently considering legislation to open the door to uranium mining.	<i>Koori Mail</i> (Lismore, 5 September 2012), 34; <i>National Indigenous Times</i> (NSW, 26 September 2012), 2; <i>National Indigenous Times</i> (NSW, 5 September 2012), 10.
28/09/2012	NT	Blue Mud Bay talks deferred	Talks between the Northern Territory government and Northern Territory Land Council regarding the High Court's recognition of native title over coastal waters have been deferred until 2013. The previous government indicated that it did not wish anglers to be charged for fishing permits, meaning that royalties for traditional owners might be paid from taxpayer funds.	<i>Northern Territory News</i> (Darwin, 28 September 2012), 3.
01/10/2012	NT	Glen Helen	The Imperlkgne, Urlatherrke, Pmerketerenye, Yaperlpe, Lthalaltweme and Merina landholding groups have had their native title rights recognised over the land at Glen Helen. Glen Helen will continue to be run as a pastoral station and native title rights will co-exist with the pastoral lease.	<a href="#">ABC News</a> (1 October 2012)

1/10/2012	WA	Bill to ratify agreement between the Western Australian Government and Kimberley Traditional Owners	<p>On 20 September 2012, the Western Australian Premier introduced a Bill to ratify the agreement between the State government and Kimberley Land Council, on behalf of the Goolarabooloo Jabirr Jabirr joint native title claim group. The agreement commits the State not to allow any further liquefied natural gas development along thousands of kilometres of the Kimberley coastline, unless traditional owners provide their informed consent. LNG processing will be allowed at James Price Point, but the Bill prevents industrial development, such as fertiliser factories. The life of the LNG port at James Price Point will be limited to 100 years, after which time the land will be returned to traditional owners. Some have suggested that mining companies like Woodside were disappointed with the Government's earlier compulsory acquisition threats and Chevron recently pulled out of the project.</p>	<p><i>The Australian</i> (Australia, 1 October 2012), 12;  <i>Broome Advertiser</i> (Broome, 30 August 2012), 7;  <i>Business News</i> (Perth, 21 September 2012), 23;  <i>National Indigenous Times</i> (NSW, 26 September 2012), 6;  <i>National Indigenous Times</i> (NSW, 12 September 2012), 5;  <i>National Indigenous Times</i> (NSW, 5 September 2012), 17;  <i>West Australian</i> (Perth, 21 September 2012), 4.</p>
01/10/2012	WA	Uunguu IPA	<p>The Uunguu IPA was created in 2011 as an ambitious community-led project, spanning 3438 square kilometres in the Northern Kimberley, which will eventually total 24,285 square kilometres. The national park was declared at the same time as a native title determination in favour of the Wunambal Gaambera people. A ten year "Healthy Country Plan" was developed by traditional owners with support from Bush Heritage Australia, the Kimberley Land Council and the Australian Government.</p>	<p><i>Australian Geographic</i> (Australia, 1 October 2012), 64.</p>