

Native Title Newsletter

September/October, No. 5/2007

WHAT'S NEW

The NTRU's Major Projects web pages have been updated with additional information and resources. Go to:

http://ntru.aiatsis.gov.au/major_projects/applicants_authorisation.html

http://ntru.aiatsis.gov.au/major_projects/connection_requirements.html

http://ntru.aiatsis.gov.au/major_projects/psc_rntbc.html

http://ntru.aiatsis.gov.au/major_projects/taxation_trusts.html

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Reporting requirements under the CATSI Act

By Sayuri Piper, Acting Senior Legislation and Policy Officer

The *Native Title (Prescribed Bodies Corporate) Regulations 1999* (Cth) requires Prescribed Bodies Corporate (PBCs) and the resultant Registered Native Title Bodies Corporate (RNTBCs) to be incorporated with Office of the Registrar of Aboriginal and Torres Strait Islander Corporations (ORATSIC) under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (CATSI Act).

The CATSI Act commenced on 1 July 2007. Under the CATSI Act, corporations are classified as small, medium and large - according to their income, assets and number of employees.

Small corporations will have two or more of the following:

- less than \$100,000 income
- less than \$100,000 assets
- less than 5 employees

Large corporations will have two or more of the following:

- \$5m or more income
- \$2.5m or more assets
- 25 or more employees

Medium corporations are those that do not fit into the small or large categories, and will typically have two or more of the following:

- between \$100,000 and \$5m income
- between \$100,000 and \$2.5m assets
- between 5 and 24 employees

Depending on corporations' sizes, and their income, reporting requirements will differ. Therefore, if a corporation has less than \$100,000 assets and less than 5 employees it will be classified as small, however if its income is more than \$100,000 it will have to provide more financial information. This promotes transparency

and accountability within corporations. In some circumstances, corporations that derive 90% or more of their income through public funding will be able to submit the same reports to ORATSIC as they do to their funding body - this should reduce red tape for such corporations.

In addition to the streamed reporting requirements, the CATSI Act offers enough flexibility for ORATSIC to exempt corporations from reporting requirements under the Act. Exemptions may also be available for other CATSI obligations, such as holding annual general meetings.

ORATSIC seeks to provide assistance to corporations registered under the CATSI Act by delivering corporate governance and related training. More information about this is available on the ORATSIC website at http://www.oratsic.gov.au/training_information_sessions/default.aspx

ORATSIC has partnered with AIATSIS for the PBC project. This project is part of research being conducted by the Native Title Research Unit at AIATSIS that aims to develop a better understanding of challenges facing native title holder communities and to suggest practical approaches to assist them to hold and manage their traditional land and waters. ORATSIC's primary aim as part of this project is to deliver a practical good governance guide specifically for PBCs. More information is available on the AIATSIS and ORATSIC websites at

http://www.oratsic.gov.au/about_orac/client/default.aspx
http://ntru.aiatsis.gov.au/major_projects/pbc_mfbc.html

For more information on the provisions of the CATSI Act that have been tailored to suit groups with obligations under the Native Title Act 1993, please see the following paper on the ORATSIC website at

http://www.oratsic.gov.au/about_orac/legislation/CATSI_Act.aspx#10

Native title determined in Tennant Creek

By Tran Tran, Research Officer,
NTRU

On 3 September 2007 Justice Mansfield handed down the first consent determination in the Northern Territory and the first one in Australia in relation to land within a town boundary. The determination recognises the Patta Warumungu as the native title holders of about 25 hectares of land in Tennant Creek. This is the first determination over a town area without a lengthy trial. The consent determination was reached after three years of negotiations between the claimant group and the Central Land Council, the Northern Territory Government, the Tennant Creek Town Council and various mining companies.

The determination recognises that the Patta Warumungu people have the following non exclusive rights and interests:¹

- the right to live on the land and travel or access the determination area;
- the right to hunt, gather and take natural resources such as animals plants, natural waters, surface soil but excluding minerals, petroleum and other prescribed substances under the Minerals (Acquisition) Act (NT), Petroleum Act (NT), Atomic Energy (Control of Materials) Act 1946 (Cth);
- the right to maintain and protect areas of importance within the determination area;
- the right to engage in cultural activities, conduct ceremonies, hold meetings and within the determination area;
- the right to make decisions about the use and enjoyment of the determination area by 'Aboriginal people who recognise themselves as governed by Aboriginal traditional laws and

customs and who acknowledge the traditional laws and customs of the native title holders; and

- the right to share or exchange natural resources that have been obtained from the determination area.

In reaching his decision, Mansfield J relied on affidavits provided by the claimants and anthropological connection material. He quoted evidence provided to the Court, Traditional Owner Evelyn Nappangarti stated that:

Today, I still hold all the rights in Patta country and I am still exercising them. With the other ladies, we still get all the bushtucker from around town: bush honey, bush banana, conkaberries and goanna all over town within the application area. It is harder for me now but I am still going out sometimes. We also collect Spinifex wax in the application area and ochre from near Mary-Ann Dam, just outside the application area.

We are doing ceremony every year at Tingkarli, within the application area. I am helping with the ceremony for young ones and teaching all the kids about that business. My children, as kurtungurlu [custodian], must help out with that ceremony. I am always singing there and at Nyinkka Nyunyu with Kathleen Fitz. We are still holding sorry camp within the town at Tingkarli and Mulga camps.

Justice Mansfield also made extensive comment on the anthropological evidence that was presented. He found that according to the report of anthropologist Susan Donaldson, the 'Patta Warumungu people on land within the claim area have continued in the same way before sovereignty'.² In particular, Mansfield J cited the report where it states:

...the earliest extant records of the Aboriginal occupants of the application area provide indirect evidence that a society – early identified as Warumungu – existed before sovereignty, that is, prior to 1824. Evidence of land use and

¹ *Patta Warumungu People v Northern Territory of Australia* [2007] FCA 1386, [5].

² *Patta Warumungu People v Northern Territory of Australia* [2007] FCA 1386, [14].

occupation practises employed just a generation after sovereignty coupled with details of stable societal characteristics, religious practices and use of a developed language recorded just to [sic] generations after sovereignty, lead the author to conclude that [practices] such as these were also exercised by the claimant's ancestors before sovereignty.³

Accordingly, Mansfield J was satisfied that the connection report set 'out in detail the laws and customs of the Patta Warumungu people, including their Dreaming, ceremonial life, social organisation, and system of land tenure, acquisition of rights, punishment and permission to enter country'.⁴

Based on the evidence provided by the claimants and anthropological material, Mansfield J concluded that the requirements of s 223 of the Native Title Act 1993 (Cth) NTA had been satisfied and that the rights and interests in the determination area were in 'appropriately specific terms'.⁵

In reaching his decision, Mansfield J noted that the 'present outcome reflects... active engagement in this matter on the part of both the native title claim group and the Northern Territory'. He also commented that 'in some respects, the outcomes which are negotiated may include outcomes beyond the declaration of the existence of native title rights and interests'.⁶ The Patta Aboriginal Corporation has been nominated as the Prescribed Body Corporate for the determination area.

In conjunction with the determination, the Northern Territory Government has also signed an Indigenous Land Use Agreement (ILUA) with the traditional owners. Under the ILUA, the government will provide \$450 000 as a part of a compensation package in exchange for the extinguishment of native title over central areas of the town required for development. Some of the money

received as compensation from the determination will be allocated to an educational trust other funds will be used for the operations of the PBC.



Justice Mansfield presenting the determination papers to Jeremy Dawson (Jurpurula), one of the native title claimants.



To celebrate the determination and signing of the ILUA there was cake. Chief Minister Clare Martin and traditional owners Kathleen Fitz and Evelyn Father do the honours

³ *Patta Warumunga People v Northern Territory of Australia* [2007] FCA 1386, [15].

⁴ *Patta Warumunga People v Northern Territory of Australia* [2007] FCA 1386, [15]-[16].

⁵ *Patta Warumunga People v Northern Territory of Australia* [2007] FCA 1386, [18]-[20].

⁶ *Patta Warumunga People v Northern Territory of Australia* [2007] FCA 1386, [23]-[24].

NTRU Project Reports

Senior Professional Officer's (SPO) Workshop, Sydney

The Senior Professional Officer's (SPO) Workshop was held on 19-20 September 2007 at the Coogee Bay Hotel in Sydney.

The purpose of SPO workshops which are co-ordinated by the Department of Family and Community Service and Indigenous Affairs (FaCSIA) is to provide an information- and experience-sharing forum for SPOs of Native Title Representative Bodies and Native Title Service Providers.

As has been the case in the past, the Native Title Research Unit was invited to co-ordinate and present a number of sessions. On 19th September, Dr Lisa Strelein provided a review of recent discussions around taxation and trusts and current structures and options for corporate reform in the Indigenous sector. She referred to a recent paper by Adam Levin, a taxation expert at Jackson McDonald, titled 'Improvements to the tax and legal environment for Aboriginal community organisations and trusts' and to the 'Gunya Discussion Paper' regarding private and corporate investment and economic development within Indigenous communities across Australia. Gunya Australia, of which Bill Moss, the former Group Head and CEO of the Macquarie Banks Banking and Property Group is a founder, is a 'cottage' tourism enterprise at Titjikala a small remote community on the outskirts of the Simpson Desert.

Toni Bauman, Visiting Research Fellow at the NTRU provided an overview of issues which were raised at the 'Getting Outcomes Sooner' workshop which was held between 24th and 26th April in the Barossa Valley and which was jointly co-ordinated by the National Native Title Tribunal and the NTRU. She was assisted by a panel

consisting of SPOs who had attended the workshop comprised of Robert Powrie (Kimberley Land Council), Ken Lum (New South Wales Native Title Services), James Nugent (Central Land Council), Kim Barber (Yamatji Land and Sea Council), and Kym Elston (North Queensland Land Council). Issues covered concerned processing connection with the State/Territory governments, transparency and building relationships, connection as review or assessment and the State and threshold questions and interpretations of Yorta Yorta. There was also some discussion about the possibility of Aurora conducting training sessions in writing connection reports where it was agreed that State and Territory government representatives might be present for at least some of the time. Concern was expressed about the lack of uniformity across the system and it was suggested that there was a need for national standards and that the National Native Title Council might take this up with relevant Governments.

The NTRU also approached Susan Phillips (NSW Bar) who conducted a session on the rules of expert evidence in the Federal Court for a non-legal audience. Referring to relevant cases such as relevant cases such as Jango and Harrington Smith, she covered topics such as:

- the relevant foundational rules – eg the best evidence rule and the rule against hearsay;
- rules relating to native title, including the Chief Justice's Practice Directions;
- rules applying to Indigenous witnesses – evidence in chief; and
- rules applying to experts – including the difference between fact and fiction.

Other presenters included Louise Anderson, Native Title Registrar, of the Federal Court of Australia and Chris Doepel, Registrar, from the National Native Title Tribunal concerning recent Native title legislative changes and Greg Roche from FaCSIA.

Tax Scenarios – Tax Masterclass

Prepared by Lisa Strelein, David Yarrow and Richard Potok

A three-day NTRB Legal Masterclass was held in Sydney in July 2007 to focus on specific aspects of law which experienced NTRB staff had previously identified as pivotal to their native title work. The Masterclass included half-day sessions on: mining and resources law; law and practice of native title transactions; taxation and trusts. It concluded with a Native Title forum, which focussed on recent developments in native title law, particularly significant full Federal Court decisions and the implications of the decisions.

The key facilitators of the program were Sean Brennan (University of New South Wales), Lisa Strelein (AIATSIS) and David Yarrow (Monash University). They were supported by a variety of guest speakers with expertise in the specific topics, including a special guest speaker, Justice Murray Wilcox. Staff from 10 NTRBs attended the Masterclass.

One session which participants found particularly useful was Alexandra Richards QC's presentation of Monday 30 July regarding the interaction of the law of trusts with Native Title. The details of this session are available at the NTRU project page: http://ntru.aiatsis.gov.au/major_projects/taxation_trusts.html

What's New

Case Law

Australia

Patta Warumungu People v Northern Territory of Australia [2007] FCA 1386

On 3 September 2007 Justice Mansfield handed down the first consent determination in the Northern Territory recognising the Patta Warumungu as the native title holders of about 25 hectares of land in Tennant Creek. In reaching his decision, Mansfield J was satisfied that the connection report prepared by anthropologist, Susan Donaldson had set 'out in detail the laws and customs of the Patta Warumungu people, including their Dreaming,

ceremonial life, social organisation, and system of land tenure, acquisition of rights, punishment and permission to enter country'.⁷ Mansfield J was satisfied that the requirements of s 223 of the *Native Title Act* 1993 (Cth) NTA had been satisfied and that the rights and interests in the determination area were in 'appropriately specific terms'.⁸ The consent determination was reached after three years of negotiations between the Central Land Council, the Northern Territory Government, the Tennant Creek Town Council and various mining companies. In reaching his decision, Mansfield J noted that the 'present outcome reflects...active engagement in this matter on the part of both the native title claim group and the Northern Territory'. He also commented that 'in some respects, the outcomes which are negotiated may include outcomes beyond the declaration of the existence of native title rights and interests'.⁹

Worimi Local Aboriginal Land Council v Minister for Lands for the State of New South Wales [2007] FCA 1357

This case involved the issue of whether a person seeking to establish native title as a respondent should be joined to a non-claimant application where they are incapable of meeting the requirements of the Act for a claimant application. More specifically the Worimi Local Aboriginal Land Council had failed to satisfy s. 61 on previous occasions and had their application for native title struck out under s. 84. Now the Land Council sought to be joined as a party to a non claimant application seeking an order that no native title exists under s. 84(5) of the *Native Title Act* 1993 (Cth). The court considered whether the Land Council had an interest within meaning of s 84(5) of Act and whether that interest will be affected by determination in proceedings.

Reid v State of South Australia [2007] FCA 1479

This case involved a motion by the South Australian Government to have a claim struck out under s 84C of the *Native Title Act* 1993 (Cth) or dismissed under s 31A of the *Federal Court Act* 1976 (Cth). The claim was filed by Richard Reid which overlapped with eight other claims including the Kokatha native title claim. The motion was supported by the Aboriginal Legal Rights Movement which represented the other claim groups. The South

⁷ *Patta Warumungu People v Northern Territory of Australia* [2007] FCA 1386, [15]-[16].

⁸ *Patta Warumungu People v Northern Territory of Australia* [2007] FCA 1386, [18]-[20].

⁹ *Patta Warumungu People v Northern Territory of Australia* [2007] FCA 1386, [23]-[24].

Australian Government opposed the motion was based on the fact that (1) the native title claim group description was unclear (2) the claims were made impermissibly on behalf of a sub group (3) the basis of authorisation did not meet the requirements of the NTA and (4) the application failed to comply with the requirements of s 61A and s 62 of the NTA. Mr Reid claimed that his authorisation was provided in three instances: (1) by the Kokatha Peoples Community Inc. (2) self authorisation and (3) authorisation by the elders of surrounding Western Desert tribes. Justice Finn found that there was no evidence to suggest that all members of the KPC were present and that the description of the claim group was only a part of the group. He also found that there was uncertainty in relation to the description of the members. Justice Finn was doubtful that there was evidence of a right of self authorisation under traditional laws and customs and found that reliance on the Elders approval did not assist in the application because authorisation must be by 'all persons...who hold common or group rights'.

King v Northern Territory of Australia [\[2007\] FCA 1498](#)

Justice Moore made a determination of native title on various sites in and around the Town of Newcastle Waters on a number of outstanding issues to be resolved from *King v Northern Territory of Australia* [\[2007\] FCA 944](#).

Dorrigo Plateau Local Aboriginal Land Council v Minister Administering the Crown Lands Act [\[2007\] NSWLEC 653](#)

Dorrigo Plateau Local Aboriginal Land Council (the Land Council) claimed land under Div 2 of Pt 2 of the *Aboriginal Land Rights Act 1983* (the ALR Act). The Minister refused the claim on the grounds that the land was lawfully used and occupied by the Ebor Sports and Recreation Reserve Trust and was needed for the essential public purpose of "community purposes" when the claim was made. The Land Council appealed against this refusal under s 36(6) of the ALR Act. The Minister later changed the basis of his decision and said that the land was no longer "claimable Crown lands" being land likely to be needed for the essential public purpose of "community purposes" when the claim was made. Under s 36(7) of the ALR Act the Court must order the transfer of the land to the Land Council unless the Minister satisfies the Court that the land is not "claimable Crown lands" on the ground now identified. Justice Jagot noted that this is not a discretion and the requirement 'needs to be understood in the context of Parliament having expressly recorded the remedial purpose of the ALR Act'. His Honour said that the relevant time to determine whether the land was used for a

community purpose would be when the claim was made not when it was determined and ordered the transfer of the land.

International

Ochapowace First Nation v. Canada (Attorney General) [\(2007 FC 920\)](#)

This is a judicial review of the Royal Canadian Mounted Police decision not to lay trespass or other charges against the Prairie Farm Rehabilitation Administration (the PFRA) and the Saskatchewan Watershed Authority (the SWA) in relation to their activities on, and affecting, the First Nations' reserve lands. This application directly raises for the first time, the potential impact of treaty and aboriginal rights on police discretion.

Funding

Revised PBC Guidelines

FaCSIA will be inviting NTRBs/NTSPs to consider the needs of PBCs in their region and where appropriate and necessary make a submission to FaCSIA for PBC funding.

FaCSIA has asked that NTRB/NTSP submissions to be provided by 27 October 2007, so that it can assess the submissions and take decisions on any PBC funding assistance before Christmas. PBCs wishing to submit a bid for funding support should contact their NTRB as soon as possible.

Those PBCs which have previously submitted bids for funding should revisit their submission in light of the attached approved Guidelines and if they still wish to submit a bid, they should resubmit a revised proposal to their NTRB that complies with the Guidelines.

The guidelines are available online at the NTRU PBC project page http://ntru.aiatsis.gov.au/major_projects/pbc_rntbc.html#pbcfunding

Legislation

Registrar of Aboriginal and Torres Strait Islander Corporations: [The rule book tool](#)

One of the changes made by the Corporations (Aboriginal and Torres Strait Islander) Act 2006 (CATSI Act) is to improve the internal governance rules of Indigenous

corporations. Corporations already incorporated under the *Aboriginal Councils and Associations Act 1976* (ACA Act) will have up to two years to change their rules or constitution to comply with the new law. Groups wanting to register under the CATSI Act will also need to adopt rules that comply with the CATSI Act. The rule book tool is a model that corporations can use to make their own rule book that complies with the CATSI Act and suits their needs.

[Land Court and Other Legislation Amendment Act 2007 \(Queensland\)](#)

The Land Court and Other Legislation Amendment Bill 2007 proposes to merge the jurisdiction of the Land and Resources Tribunal into the Land Court. The jurisdiction of the Tribunal will be exercised by the Land Court. The [explanatory notes](#) of the legislation is also available online.

Indigenous Conservation Title Bill 2007 (Western Australia)

The purpose of the Bill is to create a form of title that recognises Indigenous interests in the Rudall River National Park and the Gibson Desert Nature Reserve. The [explanatory memorandum](#) and the [text of the Bill](#) can be viewed online.

Professional Development

Summer Course in Native Title at UNSW

For the third consecutive year, the UNSW Law School will be offering an intensive course in Native Title Law, Policy and Practice this coming January.

Over four days, the course examines the essential elements of native title law in Australia. Because that law can only be properly understood in context, the course also covers the broader policy and political debates that have influenced the evolution of Australian native title law in the last 15 years. The course also looks at the practical impacts of native title at ground level.

Typically the class has included a mix of NTRB personnel, government and private sector lawyers, postgraduate coursework students and final-year undergraduates. Participants have come from WA, NT, Qld, SA and NSW.

For those not seeking academic credit, the course can be taken on a Continuing Legal Education (CLE) basis.

For those seeking academic credit, the course can be undertaken (with assessment and at a higher cost) on three other bases:

- through UNSW's postgraduate coursework programs
- cross-institutionally, for students enrolled elsewhere
- on a non-award voluntary basis (ie one-off, for interest or professional development).

For more information about the content of the course, contact the course convenor Sean Brennan at the UNSW Law School on 02 9385 2334 or s.brennan@unsw.edu.au.

For CLE enrolments, contact the CLE Centre at UNSW on 02 9385 2267 or cle@unsw.edu.au. For cross-institutional and non-award voluntary enrolments, go to www.unsw.edu.au/futureStudents/nonAward/sad/fsnacrossinst.html. Existing UNSW postgraduate students can enrol online.

The closing date for CLE, cross-institutional and non-award voluntary enrolments is 15 December 2007. Places are limited, so early enrolment is advisable to avoid missing out.

Classes will be held on Monday 14, Tuesday 15, Thursday 17 and Friday 18 January 2008 from 9am to 6pm, on the UNSW Kensington campus in Sydney.

Native Title Research Capacity Anthropology, University of Queensland

Anthropology at University of Queensland will soon advertise workshops designed for researchers and other professionals working in the area of Australian Aboriginal native title claims.

The aim of the project is to improve understanding of anthropological issues among a range of persons working on native title matters, assist in retaining such professionals in this area of work, attract new graduates & generally build this significant arena of anthropological research.

The workshops will be held during the first half of 2008 and further information will appear in the next newsletter. Inquiries may be addressed to Ms Margaret Wood at: margaret.wood@uq.edu.au or 07 33653152.

Publications

Australia

Altman, J.C., Buchanan, G.J. and Larsen, L. [The Environmental Significance Of The Indigenous Estate: Natural Resource Management As Economic Development In Remote Australia CAEPR discussion paper no. 286/2007](#)

Attorney General's Department, [Mediation Guidelines: Guidelines for the behaviour of parties and their representatives in mediation in the National Native Title Tribunal](#), Attorney General's Department Canberra, 2007.

Bradfield, S, 'Separatism or status-quo?: Indigenous affairs from the birth of land rights to the death of ATSIC' *The Australian Journal of Politics and History*, Vol. 52 No. 1, 2007, pp. 80-97.

Corbellini, L 'Ethnographic evidence, rights and interests, and native title claim research' [Land, Rights, Laws: Issues of Native Title vol. 3. no. 8, 2007.](#)

Daniel, A, 'Gunditjmarra native title determination: success for assisted dispute resolution in native title' *Native Title News*, Vol. 8 Iss. 4, 2007, pp. 67-68.

Lawrence, C, 'Aboriginal Heritage Act 2006 (Vic): a protection scheme for the native title era' *Australian Resources and Energy Law Journal*, Vol. 26 No. 2, 2007, pp. 143-146.

Lawrence, C and Scott, G 'Recent amendments to the Native Title Act 1993 (Cth): an overview Australian Resources and Energy Law Journal' Vol. 26 No. 2, 2007, pp. 219-222.

[Memorandum of Understanding between the Queensland Government and the Queensland Resources Council to increase Indigenous employment in the Queensland resources sector and related Indigenous enterprise development](#)

[NAILSMA Guidelines and Protocols for the Conduct of Research](#)

National Native Title Tribunal: [Guide to Australian Government Funding Sources](#) (updated).

Nettheim, G. Richard Cooper Memorial Lecture 2007 [International Law and Native Title in Australia](#)

O'Dea, D. [Claiming your territory: land access and native title](#) Paper presented to the LexisNexis Conference, Mining and Resource Law-Skill Accelerator, 24-25 October 2007, Hyatt Regency, Perth, W.A.

Office of the Registrar of Aboriginal and Torres Strait Islander Corporations: [Interaction between the Corporations \(Aboriginal and Torres Strait Islander\) Act 2006 and the Native Title Act 1993](#)

Sosso, J, 'Good faith mediation', *National Native Title Tribunal ADR Bulletin*, vol. 9 no. 8, 2007, pp. 144-149.

Willis, P, 'More native title in Victoria: Lovett on behalf of The Gunditjmarra People v State of Victoria [2007] FCA 474 (30 March 2007)', *Australian Resources and Energy Law Journal* Vol. 26 No. 2, 2007 pp. 137-143.

Wright, S, 'Appeals from the Daniel (Ngarluma Yindjbarndi) determination essentially maintain the status quo' *Native Title News*, Vol. 8 Iss. 4, 2007, pp. 69-70.

International

[Alternative Dispute Resolution \(ADR\) in Aboriginal Contexts: A Critical Review Prepared by Wenona Victor for Canadian Human Rights Commission April 2007](#)

[Guide to the Practice and Procedure of the Waitangi Tribunal August 2007](#)

Reforms and Reviews

National Native Title Tribunal Procedural Directions

Amendments made in 2007 to the *Native Title Act 1993* (Cth) has given the Tribunal more powers to perform its functions. To facilitate this, the Tribunal President issued a series of procedural directions, effective from 26 September 2007. Some directions refer to other documents relevant to complying with one or more direction. Additional directions may be made on other topics as the need arises. More information on the directions can be found online: http://www.nntt.gov.au/applications/procedural_directions.html

Native title in the News

National

04-Sep-07 NATIONAL **No-fuss Justice Wants Credit for Trial Judges** Justice Susan Kiefal has been officially sworn in as a High Court Justice. *Adelaide Advertiser* (Adelaide, 4 September 2007), 6.

13-Sep-07 NATIONAL **Australia will not support UN declaration** Australia 'will not support the United National Declaration on Indigenous Rights because the federal government believes it is unworkable and divisive'. The Declaration will be adopted by the UN General Assembly after 20 years of drafting. The Declaration 'addresses both individual and collective rights, cultural rights and identity, rights to education, health, employment and language'. It also 'outlaws discrimination against indigenous people and promotes their full participation in all matters that concern them'. The declaration was opposed by Australia, Canada, New Zealand and the United States. *Coffs Coast Advocate* (Coffs Harbour, 13 September 2007), 9; 'Rights edict 'will divide'' *Border Mail* (Albury-Wodonga, 13 September 2007), 16; 'Aust rejects UN declaration' *Canberra Times* (Canberra, 13 September 2007), 7; 'Rights backed' *Launceston Examiner* (Launceston, 15 September 2007), 25; 'Native rights upheld' *Sydney Morning Herald* (Sydney, 15 September 2007), 24; 'Parties Split on UN vote' *Weekend Australian* (National, 15 September 2007), 1; 'UN Treaty' *MX Brisbane* (Brisbane, 14 September 2007), 8; 'UN supports indigenous' *MX (Sydney)* (Sydney, 14 September 2007), 10; 'How the west was won' *National Indigenous Times* (National, 20 September 2007), 1; 'Australia is not an island' *National Indigenous Times* (National, 20 September 2007), 21.

26-Sep-07 NATIONAL **New judges for federal Court of Australia** Four new judges have been appointed to the Federal Court of Australia: Dr Geoffrey Flick SC, Mr John Logan RFD SC, Mr Neil McKerracher QC and Mr Jon Reeves QC. Dr Flick has practised as a barrister in NSW since 1982 and was appointed Senior Counsel in 1993. He has authored several legal publications and will be based on Sydney. Mr Logan worked for the Attorney General's Department in Queensland and began working as a barrister in 1984. He was appointed Senior Counsel in 1999 and has practised in constitutional and administrative law, revenue and general commercial and industrial law. Mr Logan also assisted in the Royal Commission on Deaths in

Custody. He will be based in Brisbane. Mr McKerracher has practiced extensively in Western Australia and was appointed Acting Commissioner of the Corruption and Crime Commission of Western Australia. He will be based in Perth. Mr Reeves was appointed as a Reviewer of the *Aboriginal Land Rights (Northern Territory) Act 1976* (Cth) and served as a member of the House of Representatives. He has held several positions with the Northern Territory Bar Association and will be based on Darwin. *Media Release* (Federal Government, 26 September 2007), 7; 'Reeves' selection cheered' *Australian* (National, 28 September 2007), 39; 'Justice for indigenous affairs adviser' *Australian Financial Review* (National, 25 September 2007), 13.

27-Sep-07 NATIONAL **National Native Title Tribunal Member Reappointed** Dainel O'Dea has been appointed as a member of the National Native Title Tribunal. Prior to his appointment, Mr O'Dea was the 'Principal Legal Officer of the native title unit in the Ngaanyatjarra Council since 1996...before 1995 he worked as a commercial litigator in Western Australia'. *Media Release* (Federal Government, 27 September 2007), 15.

11-Oct-07 NATIONAL **Miners call for long-term vision from government** Mining companies have 'expressed concern at perceived state government complacency over the long term sustainability of the local mining industry'. The Association of Mining and Exploration Companies 'claim stringent regulations and growing approvals costs and delays could deter further mineral exploration in Western Australia'. In particular, 'unresolved native title claims, the flow through share issue and the government's acquisition of pastoral leases for possible conservation status are seen to by some as deterrents to exploration activity'. *Business News* (Perth, 11 October 2007), 14.

12-Oct-07 NATIONAL **PM admits mistakes in Aboriginal relations: I was wrong** Prime Minister John Howard has 'moved to recast the race relations in Australia with a dramatic gesture to recognised Aborigines in the Constitution'. Mr Howard said that it was his goal to see 'a new Statement of Reconciliation incorporated into the preamble of the Australian constitution'. *Adelaide Advertiser*, (Adelaide, 12 October 2007), 1; 'Listening, at last, to the disadvantaged' *Age* (Melbourne, 12 October 2007), 13; 'A shared destiny' *Age* (Melbourne, 12 October 2007), 13; 'Howard's 'new reconciliation'' *Australian* (National, 12 October 2007), 1; 'PM plays old tune with new approach' *Australian* (National, 12 October 2007), 4; 'Keating scorns 'deathbed repentance'' *Australian* (National, 12 October 2007), 4; 'A new indigenous settlement' *Australian* (National, 12 October 2007), 14; 'Howard's indigenous turnaround' *Canberra Times* (Canberra, 12 October 2007), 1; 'Words and bipartisan support key to success' *Canberra Times* (Canberra, 12 October 2007), 2; 'One great tribe, one

Australia: Howard pledges black cause in constitution' *Sydney Morning Herald* (Sydney, 12 October 2007), 1
 ;'Reconciliation must be written into our constitution' *Sydney Morning Herald* (Sydney, 12 October 2007), 17;
 'Deane warns on symbolic gestures' *Canberra Times* (Canberra, 16 October 2007), 3; 'Preamble could be a worthy beginning' *Weekend Australian* (Sydney, 20 October 2007), 22.

24-Oct-07 NATIONAL **Reconciliation requires respect**
 National Native Title Tribunal President Graeme Neate has said that 'groups around Australia are choosing to resolve native title issues through negotiation and agreement. More and more groups are reaching native title agreements rather than going down the long and divisive path of litigation'. According to Mr Neate such 'agreements can be described as reconciliation on the ground'. *Koori Mail* (National, 24 October 2007), 22.

25-Oct-07 NATIONAL **300 Indigenous Land Use Agreements**
 The 'number of indigenous land use agreements (ILUAs) has doubled over the last two years'. National Native Title Tribunal President Graeme Neate said that 'the increased use of ILUAs showed that more groups were choosing to resolve native title issues through negotiation and agreement rather than going down the path of litigation'. *Media Releases* (National Native Title Tribunal, 25 October 2007), 7.

30-Oct-07 NATIONAL **Call for next Federal Government to settle native title**
 The National Native Title Council's Chairman, Mr Brian Wyatt, is calling on which ever party wins the Federal election to make a fresh start with native title. *Media Releases* (National Native Title Council, 30 October 2007).

Australian Capital Territory

12-Oct-07 ACT **Ten years on, helping hand rejoin fight for Aboriginal rights**
 Australians for Native Title and Reconciliation held a national congress in Canberra including a 'sea of hands' About ten years ago '70 000 coloured plastic hands were placed outside parliament house to symbolise opposition to the Federal Government's plan to wind back native title rights'. *Canberra Times* (Canberra, 12 October 2007), 9.

New South Wales

12-Sep-07 NSW **Decision sets back land sale**
 A Federal Court judgment has set back a 'Worimi Local Aboriginal Land Council sale of land at Boat Harbour'. For the sale to 'go ahead, the land council must prove that no native title exists over the land'. *Newcastle Herald* (Newcastle, 12 September 2007), 18.

14-Sep-07 NSW **Native title in dispute**
 New South Wales Native Title Services request to have the Baryulgil Bundjalong claim removed and combined with two registered claim areas have been criticised. Avery Brown a provisional applicant from the Baryulgil Bundjalong native title claim group said that 'NSWNTS's plans did not represent the best interests of the Bundjalong community and had decided to operate separately to the unit'. NSW NTS Chairman Michael Bell said 'while it was not NSWNTS policy to comment on complex internal group issues, it was clear that any decisions regarding the applicant or the claim required extensive consultation with and authorisation by the whole community in question'. *Daily Examiner* (Grafton, 14 September 2007), 5;
 'Bundjalong claim confusion' *Coffs Coast Advocate* (Coffs Harbour, 15 September, 2007), 15.

19-Sep-07 NSW **Wiradjuri elders meet in Parkes for the first time**
 The Wiradjuri Council of Elders has met in Parkes for the first time to 'do an overview of the...council and take a fresh look at 'where do we go from here' said Flo Grant, spokesperson for the meeting organisers. Ms Grant said that the 'Wiradjuri people work with and in many areas such as CMA programs/projects, MILDRIN, Transport, Fair Trades, National Parkes Cultural Heritage and Education'. *Champion Post*, (Parkes, 19 September 2007), 11.

08-Oct-07 NSW **Arakwal to get \$100m Byron Bay land**
 An agreement between the NSW Government and the Arakwal people will see the transfer of land to the Arakwal corporation including 'two freehold blocks at Byron's most exclusive beach, Wategos, Land in the centre of town at the historic Sanhills Estate and freehold ownership of the Broken Head caravan park'. There have been allegations that the agreement was struck in 'secrecy' but representatives of the Bundjalung of Byron Bay Aboriginal Corporation say that 'negotiations surrounding the proposed Indigenous Land Use Agreement have been completely transparent'. *Gold Coast Bulletin* (Gold Coast, 8 October 2007), 9; '\$100m Byron Bay land transfer to Aboriginal community to be signed, report says' *Northern Star* (Lismore, 8 October 2007), 7; 'Secret native title deal divides Byron' *Weekend Australian* (National, 6 October 2007), 1; 'Secret deal done on land at Byron' *Northern Star*

(Lismore, 9 October 2007), 1; 'Arakwal deal: where is the division asks angry mayor' *Byron Shire News* (Byron Bay, 11 October 2007), 3.

18-Oct-07 NSW **NSWALC Claims Land** The NSW Aboriginal Land Council has 'lodged a claim for 254 hectares for Crown land west of Hughen Road on the boundary of Narranera and Leeton Shires'. *Narrandera Argus* (Narrandera NSW, 18 October 2007), 3.

Northern Territory

01-Sep-07 NT **Wik women sign up for new battle in the territory** Women for Wik is a campaign aimed to 'oppose the Federal Government's intervention in Northern Territory Aboriginal communities'. Lady Deane wife of the former governor general said that 'it is up to the women of Australia to get our country back on the path of reconciliation'. The organisation has included prominent women in Australia including Hazel Hawke, Germaine Greer, Elizabeth Jolley, Faith Bandlerm Ruth Cracknell, Dame Roma Mitchell and Marie Bashier. *Sydney Morning Herald* (Sydney, 1 September 2007), 9.

04-Sep-07 NT **Town title upheld** At a special sitting today in Tennant Creek the Federal Court recognised the Patta Warumungu people as native title holders of about 25 hectares of land in the town. National Native Title Tribunal President, Graeme Neate, said today's consent determination is a result of discussions that involved more than just the usual native title issues. For the past three years the traditional owners, represented by the Central Land Council, and the Northern Territory Government, in consultation with the Tennant Creek Town Council and various mining companies, worked towards reaching agreement on the recognition of native title rights and interests in the area. In reaching his decision Justice Mansfield 'praised the local people, the NT Government and other interested parties for avoiding a lengthy and costly trial'. The claim covers '65 per cent of the township, and involves 200 people from seven families'. *Adelaide Advertiser* (Adelaide, 4 September 2007), 8; 'Milestone native title deal hailed as a model' *Age* (Melbourne, 4 September 2007), 4; 'Mediation shows the way to native title' *Australian* (National, 4 September 2007), 6; 'Tennant Creek claimed' *Burnie Advocate* (Burnie, 4 September 2007), 13; 'Native title over creek' *Daily Telegraph* (Sydney, 4 September 2007), 3; 'Tennant Creek Claim' *Launceston Examiner* (Launceston, 4 September 2007), 13; 'Landmark native title agreement' *Northern Territory News* (Darwin, 4 September 2007), 4; 'Claim settled with goodwill and camel sausages' *Sydney Morning Herald* (Sydney, 4 September 2007), 6; 'Native title deal reached on outback town' *West Australian* (Perth, 4 September 2007), 5; 'Reaching native

title agreement over Tennant Creek' *Native Title Tribunal Media Release* (National, 4 September 2007); 'How best to proceed' *Koori Mail* (National, 26 September 2007), 22; 'Native title negotiations applauded' *Northern Territory News* (Darwin, 5 September 2007), 6; 'It's a deal' on Tennant native title bid' *Centralian Advocate* (Alice Springs, 4 September 2007), 4; 'Town Under Native Title' *Northern Daily Leader* (Tamworth, 4 September 2007), 9; 'Native title granted' *Countryman* (Western AUstralia, 6 September 2007), 9; 'Land Rights deed signed by consent' *Northern Territory News* (Darwin, 8 September 2007), 229; 'Native title recognised over Tennant Creek' *Koori Mail* (National, 12 September 2007), 4; 'Town under native title' *Tennant and District Times* (Tennant, 7 September 2007), 1; 'Native title recognised over Tennant Creek' *National Indigenous Times* (Malua Bay, 6 September 2007), 3; 'Land rights deed signed by consent' *Tennant and District Times* (Tennant, 14 September 2007), 4;

04-Sep-07 NT **Land claim over Darwin rejected by court** The High Court has 'denied the Larrakia people special leave to appeal against the Federal Court ruling against their native title claim'. The '2:1 High Court decision affirmed a Federal Court decision that the Larrakia had not practised their culture continuously since colonisation'. Northern Land Council chief executive Norman Fry said that 'it is now up to the Northern Territory Government to recognise the Larrakia as traditional owners including settling the Kenbi claim over Cox peninsula'. *Northern Territory News* (Darwin, 4 September 2007), 7.

05-Sep-07 NT **Govt gains extra mining control** The NT Government 'will be able to withdraw or re-issue consent to mining companies to negotiate with Aboriginal land councils' following amendments to the NT Mining and Petroleum Acts recently passed by the Northern Territory Government. Mines Minister Chris Natt said 'the changes have the Territory Government greater control of land management issues in mining and exploration.' *Northern Territory News* (Darwin, 5 September 2007), 22.

13-Sep-07 NT **NT Intervention threatens Aboriginal rangers program** The 'NT's 500 land and sea rangers fear they will lose their jobs following the Federal Government's decision to abolish the Community Development Employment Program (CDEP)'. Under the intervention 'workers will be moved off CDEP into "real jobs" or put on mainstream income support with the normal requirements to seek training and employment'. Indigenous rangers are 'essential for land management' and have 'guarded Australia's northern frontier...stopped the spread of mimosa...and have managed vast unpopulated areas with prescribed burning and feral animal control'. *Age* (Melbourne, 13 September 2007), 5.

13-Sep-07 NT **Troy targets mighty NT river region** Troy Resources is about to initiate a major exploration campaign in the Daly River region but says that 'the tenement applications that historically are known to host the best known mineralisation are over Aboriginal freehold land' which has been difficult to access. Troy's vice president of exploration said that they have participated in a meeting with 'traditional owners and the Northern Land Council at which the traditional owners voted against allowing exploration and or mining work to proceed'. *Northern Territory News* (Darwin, 13 September 2007), 5.

14-Sep-07 NT **Middletons negotiate landmark indigenous lease** The Mantiyupi land owning group and the Tiwi Land Council has finalised three year negotiations over the 'controversial lease of the town of Nguiu, on the Tiwi Islands'. Under the agreement the Tiwi people will receive 25 additional houses at Nguiu, a program of home repairs and maintenance and \$1 million to be invested in "health initiatives". *Lawyers Weekly* (14 September 2007), 18.

20-Sep-07 NT **PM's victory on land deal** Galarrwuy Yunupingu has 'agreed to privatise his land for 99 years under a landmark agreement to be signed...with the Howard Government'. Mr Yunupingu's involvement 'recasts the equation of Aboriginal politics in northern Australia bringing together the most prominent traditional leader of the Northern Territory and the leading intellectual inspiration for the Howard Government's dramatic reforms, Noel Pearson'. The Yolgnu people have said that 'Galarrwuy Yunupingu does not speak for all Yolgnu people' and the 'federal government could face legal action if it ignores the region's elders'. *Australian* (National, 20 September 2007), 1; 'The challenge begins' *Australian* (National, 21 September 2007), 14; 'Indigenous leader shows great wisdom' *Australian* (National, 21 September 2007), 15; 'Land surrender' *Cairns Post* (Cairns, 21 September 2007), 15; 'Aboriginal land talks approved' *Newcastle Herald* (Newcastle, 21 September 2007), 26; 'Land Rights pioneer secures agreement to negotiate 99 year lease' *Media Release* (Mal Brough, Minister for Families, Community Services and Indigenous Affairs, 20 September 2007), 25; 'Whose coup? Canberra and clan both celebrate a deal' *Age* (Melbourne, 22 September 2007), 5; 'How Brough almost blew it' *Weekend Australian* (National, 22 September 2007), 8; 'Yolgnu elders warn of land lease deal' *Northern Territory News* (26 September 2007), 9; 'Lease 'flipback' *Koori Mail* (26 September 2007), 1.

28-Sep-07 NT **Ranger mine extension** Energy Resources Australia has 'extended mining at its Ranger uranium mine in the Northern Territory until 2012'. The 'commencement of preliminary mining has been given the nod by the Ranger Mine site technical committee which comprises of representatives of the NT and Commonwealth

governments and Aboriginal groups'. *Daily Telegraph*, (Sydney, 28 September 2007), 82; 'Rio extends uranium mine's life' *Gold Coast Bulletin* (Gold Coast, 28 September 2007), 107; 'ERA to mine Ranger uranium until 2012' *Herald Sun* (Melbourne, 28 September 2007), 79; 'ERA extends uranium mining' *North West Star* (Mount Isa, 28 September 2007), 16.

09-Oct-07 NT **Sweeteners to ease uranium objection** The 'Government is considering options for a new royalty regime to apply to uranium a mines in the Northern Territory which would return profits to communities on Aboriginal land'. Some options developed to 'cut regulation covering the industry' include 'a communications strategy to help Australia's uranium mining companies explain their proposals to traditional owners'. *Age* (Melbourne, 9 October 2007), 6.

11-Oct-07 NT **NT fuels mines boom** The Northern Territory Government has 'unveiled the second stage of its 'Top end secret' program...to lure more mining companies from around the globe'. The Territory's Mines and Energy Minister Chris Natt said that the 'program provided on-ground support to exploration and companies wanting to obtain land access in a timely fashion so they could carry out mineral exploration as efficiently as possible'. *North Queensland Register* (Townsville, 11 October 2007), 10.

Queensland

01-Sep-07 QLD **MRA reviews positive** A series of public meetings 'held in Brisbane and key regional areas...as a part of the Queensland's *Mineral Resources Act 1989* and *Fossicking Act 1994* [review] have provided good feedback'. There was interest in 'the grant process or the timing to grant could be streamlined for mining tenements in particular for exploration permits and when dealing with native title requirements.' *Queensland Government Mining Journal* (National, September 2007), 15.

01-Sep-07 QLD **Aurukun bauxite project** The Aurukun Bauxite Project has 'passed two important milestones'. Premier Peter Beattie said that the 'significant project status will enable the state government to play a key role in coordinating the complex decision making process involving federal, state and local governments'. The Indigenous Land Use Agreement with the native title holders and the Aurukun Shire Council has also been signed. Mr Beattie said that 'this formal native title agreement will enable Chalco to conduct its feasibility study on the Aurukun deposit'. He said that the 'potential economic benefits include an increase in bauxite and alumina exports worth more than \$200 million per year. It

would also generate significant revenue from royalties and taxes'. *Queensland Government Mining Journal* (National, September 2007), 14; 'Chalco bauxite project passes major milestone' *Western Cape Bulletin* (19 September 2007), 4.

04-Sep-07 QLD Native title claim closer A ceremony in Toowoomba 'marked the beginning of talks between council and the Jagera, Yugera and Ugarapul people' with the signing of a Memorandum of Understanding for a native title claim. The claim was lodged by the Jagera people in 2003 and covers over 6103 square kilometres across south-east Queensland. *Toowoomba Chronicle* (Toowoomba, 4 September 2007), 71 'Ceremony signals start of native title claim talks' *Toowoomba's Mail* (Toowoomba, 13 September 2007), 6.

04-Sep-07 QLD Merger of tribunal a boost to Land Court The Queensland State Parliament has 'passed laws merging the Land and Resources Tribunal (LRT) into the Land Court'. The laws 'specifically require extensive experience in land related matters, mining or petroleum issues or indigenous issues to be added as criteria for appointment as a member of the Land Court.' *Courier Mail* (Brisbane, 4 September 2007), 60.

05-Sep-07 QLD Protection status for world's largest green turtle rookery The world's largest known green turtle rookery at Rain Island will be 'safeguarded following an historic National Park (Scientific) agreement between the Queensland Government and traditional owners who include Erub, Ugar and Mer Islands.' An Indigenous land Use Agreement has been signed which Environment Minister Nelson Carr said 'recognises the Traditional Owners connection to the place and respects the need to jointly manage and conserve Raine Island and its surrounds'. *Torres News* (Thursday Island, 5 September 2007), 4.

05-Sep-07 QLD Deal for club to use land An Indigenous Land Use Agreement will be 'negotiated to deal with native title interests over land at the back of a Yorkeys Knob Club house'. The agreement is required to 'allow the endorsement of a lease for the centre to be used by the Northern Beach Judo Club'. There is currently no claim over the land but the area comes under the Tjapukai people. *Cairns Post* (Cairns, 5 September 2007), 8.

08-Sep-07 QLD Lucinda land buy meeting The Hinchinbrook Shire Council has held a public meeting to discuss how land at Lucinda can be used for future development. The council moved to purchase the land freehold from the Department of Natural Resources and Water after native title was extinguished over the land. *Herbert River Express* (Ingham, 8 September 2007), 1.

11-Sep-07 QLD Tribe on a high as heartland won back The Queensland Government has agreed to hand over the

summit of Mount Lindsay to the Githabul people. Spokesman for the Natural Resources Minister Craig Wallace said that 'title would be conditional on the Githabul meeting six requirements including lodgement of a formal claim on the summit'. The Githabul are on 'the verge of formally securing native title on 11 state forests and eight national parks in northern New South Wales. They are also negotiating over a section of the Gambubal State Forest'. The NSW part of the claim is a 'step closer to finalisation in February this year when the State Government agreed to its approval, subject to a six month objection period'. *Daily News* (Warwick, 13 September 2007), 5; 'Handover to native people will be summit to see' *Northern Star* (Lismore, 14 September 2007), 7; 'Tribe on a high as heartland is won back' *Australian* (National, 11 September 2007), 3; 'Githabul 'heart' returned to the people' *Koori Mail* (National, 26 September 2007), 11.

14-Sep-07 QLD Native title claim The Burnett Shire 'is a part of a native title claim by Butchulla People'. The 'area in question is the sea off the very tip of Fraser Island which Councillor Trevor Strong said is the Border of Burnett Shire'. *News Mail* (Bundaberg, 14 September 2007), 4;

19-Sep-07 QLD Repeal merger: Coalition Fifteen Torres Strait Island councils will be amalgamated. *Torres News* (Thursday Island, 19 September 2007), 4.

20-Sep-07 QLD Land claim for the Boonthamurra people in south west Queensland The Boonthamurra people of south west Queensland has registered a claim area of '29 000 square kilometres across Quilpie, Barcoo and Bulloo shires'. The Indigenous group 'now seek an agreement with landholders, councils and other stakeholders to be ratified by the Federal Court'. *Western Times* (Charleville, 20 September 2007), 4.

26-Sep-07 QLD Traineeships taken up Seven civil construction traineeships will be undertaken but indigenous locals after negotiations between the Department of Employment and Industrial Relations, the Mununjali native title committee and mission Australia.' Member of the Mununjali native title committee, Larissa Wright said 'the traineeships represented a good opportunity for the local indigenous community'. *Beaudesert Times* (Beaudesert, 26 September 2007), 25.

26-Sep-07 QLD More native title planned for east Killarney The 'Queensland government has finally matched its NSW counterparts in recognising the land claim of the indigenous Githabul people around the Mt Lindsay area on the state border'. The 'decision comes seven months after the NSW government officially recognised the land rights of over some 112 000 hectares of national parks'. *Southern Free Times* (Warwick, 26 September 2007), 12.

01-Oct-07 QLD **Premier to sign Is ILUA** Queensland's new Premier Anna Bligh will sign an ILUA with the Kalkadoon people. The agreement will allow the 'State Government to develop Mica Creek, Kalkadoon and Nordale industrial areas' on the outskirts of Mount Isa. The agreement will also 'give Mount Isa City Council the chance to develop the former gilder port into a residential subdivision'. *North West Star* (Mount Isa, 1 October 2007), 1; 'land deal' *Adelaide Advertiser* (Adelaide, 3 October 2007), 14; *Toowoomba Chronicle* (Toowoomba, 3 October 2007), 18; 'Historic accord to free up land' *Courier Mail* (Brisbane, 3 October 2007), 12; *Daily Examiner* (Grafton, 3 October 2007), 21; *Daily Mercury* (Mackay, 3 October 2007), 10; *Daily News* (Warwick, 3 October 2007), 9; *Daily News* (Tweed Heads, 3 October 2007); *Fraser Coast Chronicle* (Hervey Bay, 3 October 2007), 10; *Gladstone Observer* (Gladstone, 3 October 2007), 12; *Gympie Times* (Gympie, 3 October 2007), 6; *Morning Bulletin* (Rockhampton, 3 October 2007), 16; *News Mail* (Bundaberg, 3 October 2007), 10; 'Proud day for locals' *North West Star* (Mount Isa, 3 October 2007), 1; 'Signed off: historic signing of agreement' *North West State* (Mount Isa, 3 October 2007), 1; *Northern Star* (Lismore, 3 October 2007), 18; *Queensland Times* (Ipswich, 3 October 2007), 18; 'Kalkadoon Land Pact' *Townsville Bulletin* (Townsville, 3 October 2007), 10; 'How does an ILUA work?' *North West Star* (Mount Isa, 12 October 2007), 10; 'Kalkadoon sign off on Mt Isa Land Agreement' *Koori Mail* (National, 10 October 2007), 4.

02-Oct-07 QLD **Community wins home-owner deal** The Yarrabah community in Cairns 'could own homes in less than six months after a historic deal was signed in Brisbane'. Under the agreement the 'federal government will upgrade the homes of families who pay market rent and meet normal tenancy conditions such as looking after their houses. Further upgrades will be available for families who commit to income management arrangements and ensure their children go to school'. This will 'allow 99 year leases on land at present administered by Aboriginal Councils'. *Australian* (National, 2 October 2007), 2; 'Indigenous community 'welcomes' welfare reform' *Courier Mail* (Brisbane, 2 October 2007), 14; 'Landmark Housing and Welfare Reform Agreement for Yarrabah' *Media Release* (Mal Brough Minister for Families, Community Services and Indigenous Affairs, 1 October 2007), 5; 'Claims that lack of land tenure reform is holding back Cape York' *Western Cape Bulletin* (Weipa, 10 October 2007), 8; 'Land reforms' *Cairns Post* (Cairns, 20 October 2007), 5.

10-Oct-07 QLD **A chance to pass on knowledge** About '500 traditional owners gathered in Cardwell yesterday for the first day of the National Indigenous Land and Sea Management Conference'. Speakers from the conference 'used the opening of the conference as a wake up call to

others to prevent their culture from disappearing'. Phil Rist CEO of the Girringun Aboriginal corporation, which organised the conference said 'traditional owners would be able to build on their own environmental, social and cultural activities by learning from others'. *Townsville Bulletin* (Townsville, 10 October 2007), 2; 'Elders unhappy over dugong, turtle slaughter' *Courier Mail* (Brisbane, 9 October 2007), 7; 'Indigenous elders network in Cardwell' *North West Star* (Mount Isa, 19 October 2007), 9; 'Caring for and celebrating country' *Tully Times* (Tully, 18 October 2007), 1; 'Focus on land and sea conference' *Tully Times* (18 October 2007), 18; 'Second National Indigenous Land and Sea Management Conference' *Koori Mail* (National, 24 October 2007), 12.

10-Oct-07 QLD **Hearing begin for Torres Strait regional sea claim** The Federal Court has 'begun hearing evidence from the traditional owners of six Torres Strait communities regarding the areas regional sea claim'. Torres Strait Regional Authority Chairman Toshie Kris said that the 'Federal Court's visit to the Torres Strait is a very important occasion in the sea claim process and he encourages community members to support the Elders involved'. The claim was originally filed in 2001 and covers approximately 42 000 square kilometres of sea in the Torres Strait. *Koori Mail* (National, 10 October 2007), 5; *Torres News* (Thursday Island, 17 October 2007), 1.

10-Oct-07 QLD **Major drilling to expand bauxite deposit** Cape Alumina has completed a cultural heritage review of the Wenlock Project. It has the 'good support of the local aAoriginal community and traditional owners and has executed agreements with the Old Mapoon DOGIT trustee, the Mapranum Aboriginal Council and the Wik and Wik Way peoples'. *Western Cape Bulletin* (Weipa, 10 October 2007), 3.

17-Oct-07 QLD **Old traditional create new career options** As a result of the \$14 000 Skilling Queenslanders for work funded traineeships' Cameron Buchanan and Roseanne Carson members of the Kuku Yalanji people were able to complete a Certificate III in Tourism (guiding) and bring valuable work experience to the Bamanga Bubu Ngadimunku Inc. *Fraser Coast Chronicle* (Hervey Bay, 17 October 2007), 29; *News Mail* (Bundaberg, 17 October 2007), 35.

18-OCT-07 **Commonwealth's withdrawal of its Wongatha rearguard action welcomed** The Goldfields Land and Sea Council welcomes the Commonwealth Government's decision to discontinue its "non-claimant application" to the Federal Court for a negative native title determination over the Wongatha trial area. *Media Release* (18 October).

23-Oct-07 QLD **Check of mines** The North Western Queensland Cultural Heritage and Community Council

Aboriginal Corporation has been established to undertake a range of conservation works to Indigenous sites within North Western Queensland. Their activities focus predominantly on signage and fencing to prevent tourists and locals from damaging these sites. Manager Christine Parter said 'we're here to provide a service to the nine traditional owners groups (in the area)..whether it's information about law, dance, language or history'. *North West Star*, (Mount Isa, 23 October 2007), 1.

25-Oct-07 QLD **Bid to resolve Jangga claims** Native Title claimants and four local councils in Central Queensland have signed a Memorandum of Understanding to show their commitment to resolving native title in the area. Representatives from the Jangga people and the Belyando Bowen, Dalrymple and Nebo Shire councils signed the MoU which provides the basis for negotiations over the Jangga people's 20,420 square kilometres native title claim'. *North Queensland Register* (Townsville, 25 October 2007), 11; 'Native title talks on the path to an agreement' *Koori Mail* (National, 24 October 2007), 33.

South Australia

03-Oct-07 SA **\$110m SA ore mine a step closer** Western Plains resources has 'moved a step closer to building its \$110 million iron ore mine at SA's Peculiar Knob site with the finalisation of a native title mining agreement' with the Antakirinja Matu Yankunytjatjara native title claim group. A mining lease will be granted in February 2008 and production is likely to start within a year. *Adelaide Advertiser*, (Adelaide, 2 October 2007), 51.

Victoria

04-Sep-07 VIC **Brambul rebellion** The Gunditj Mirring Traditional Owners Aboriginal Corporation 'has said the Brambuk board, chaired by Geoff Clark, does not represent them'. The Gunditj Mirring 'as representative of the Gunditjmara native title holders, publicly expressed its belief that the board of management that manages the Brambuk Cultural Centre and its assets is not properly representative of Aboriginal communities'. *Warrnambool Standard* (Warrnambool, 4 September 2007), 3.

14-Sep-07 VIC **Something to celebrate** The new Nyah Vinifera Park will 'protect and enhance the forest which is already the jewel in the crown for the tourism industry'. The park is co managed by traditional owners the Wati Wati. Chairperson John O'Bree said that 'it will also mean

more funding for pest plant and animal control, road maintenance and park rangers'. *Swan Hill Guardian* (Swan Hill, 14 September 2007), 9.

21-Sep-07 VIC **Shea takes on new Gunditj Mirring role**

The Gunditj Mirring Traditional Owners Aboriginal Corporation has a new executive officer, Shea Rotumah. *Portland Observer* (Portland, 21 September 2007), 9.

26-Sep-07 VIC **Registered Aboriginal Party named Yorta RAPt** The Yorta Yorta Nation Aboriginal Corporation has been 'officially appointed a Registered Aboriginal Party under Victoria's new Cultural Heritage legislation'. This means that 'governments communities and industries must consult the Yorta Yorta on cultural heritage issues when major works or developments are planned in the region'. *Riverine Herald* (Echuca, 26 September 2007), 1; 'New official place for Yorta Yorta Nation' *Shepparton News* (Shepparton, 24 September 2007), 5.

06-Oct-07 VIC **Protecting Heritage** The Victorian Aboriginal Heritage Council has registered Martang as an interested party to protect cultural heritage in south west Victoria. *Hamilton Spectator* (Hamilton, 6 October 2007), 9.

10-Oct-07 VIC **Yorta Yorta fire stick in state park** Yorta Yorta Nation in partnership with 'Parks Victoria, Department of Sustainability and Environment, CSIRO and the Goulburn Broken Catchment Management Authority have embarked on a research project involving controlled burning to determine the most appropriate way to control the encroachment of Giant Rush onto the significant RAMSAR wetlands of Barmah State Park.' *Koori Mail* (National, 10 October 2007), 31.

15-Oct-07 VIC **Bangerang hope for RAP appointment** The Bangerang people 'should be appointed as Registered Aboriginal Party'. Member for the Northern Victoria Region Wendy Lovell said that the Bangerang were 'the traditional inhabitants of much of the land along the Goulburn and Murray Rivers' and should be appointed for the area. This would mean that the government, communities and industries will need to consult with the Bangerang people when major works or developments are planned. *Riverine Herald* (Echuca, 15 October 2007), 3.

Western Australia

01-Sep-07 WA **Subiaco salutes Noongars** The Subiaco council will acknowledge the 'Noongar people as the original custodians of land in the area - when the mayor decides it is the right time and place'. This decision has taken three years with Councillor Lynley Hewett reviewing the motion after it was launched in March 2004.

Ms Hewett said that 'the city should begin all meetings, concerts and events funded with ratepayer money with a statement acknowledging the Noongar people were the original custodians of the land'. Councillor Rodney Wells 'warned that it should not be overused or the council could be accused of tokenism'. *Subiaco Post* (Perth, 1 September, 2007), 8.

06-Sep-07 WA **Mining deal** Mining exploration will continue 'at Noonkanbah after native title holders signed an agreement with energy company ARC Energy'. A native title determination was reached in May this year which 'confirmed the ownership of 1800sqkm of land to the Yungngora people'. Noonkanbah chairman Dickey Cox said that the agreement 'represents a significant step forward for relations between indigenous people and developers'. *Broome Advertiser* (Broome, 6 September 2007), 6.

12-Sep-07 WA **Cutting the backlog** The Western Australian Government has 'committed \$3.5 million to reduce the backlog of mining tenement applications in Western Australia'. Resources Minister Francis Logan said 'the backlog, which peaked at 18,700 in February, was a direct result of enormous resources boom underway in WA'. Mr Logan also said that 'agreements were developed between industry and native title groups to address Aboriginal heritage and exploration activities to reduce objections by native title parties and speed up the processing of exploratory applications'. *Pilbara News* (Pilbara, 12 September 2007), 15; *Newman Mail* (Perth, 7 September 2007), 2; 'Funding to cut tenement applications' *North West Telegraph* (South Headland, 12 September 2007), 4.

13-Sep-07 WA **Land hand back over Ord** The Western Australian Government has given back '50,000ha of the East Kimberley to the Miriung Gajerrong people, the largest hand back in Western Australia'. The land 'known as Yardungarri is on the Western Australian-Northern Territory border and is home to eight Aboriginal communities'. The 'hand back is part of a larger \$56 m compensation package for the Miriung Gajerrong after the government decided to acquire 65,000 ha or land for stage two of the Ord River development'. *Farm Weekly* (Western Australia, 13 September 2007), 260; '50 year struggle end in triumph' *Koori Mail* (National, 12 September 2007), 5; 'Biggest hand back yet' *Kimberley Echo* (Kununurra, 6 September 2007), 7; 'WA hand back 50,000 ha' *National Indigenous Times* (Malua Bay, 6 September 2007), 3.

13-Sep-07 WA **Moly signs native title agreement** Moly Mines Ltd has 'signed a native title agreement with the Njamal people of the Pilbara ahead of planned release of its

feasibility study into the \$600 million Spinifex Ridge project later this month'. The 'land access deed, which addresses native title requirements specified under mining regulations, provides employment and education programs, heritage protection and financial benefits to the Njamal community'. *Business News* (Perth, 13 September 2007), 12.

13-Sep-07 WA **Manypeaks goes back to traditional owners** Manypeaks has been 'returned to traditional owners following a signing ceremony when the 10 traditional owner groups completed the transfer back to the Noongar people'. The land was 'bought under the Indigenous Land Corporation's new Cultural acquisition Program and is being managed by the newly created Albany group representing local indigenous people'. *Mid-West Times* (Geraldton, 13 September 2007), 26.

18-Sep-07 WA **Joint move in native title** A number of Indigenous people from the North Eastern Goldfields has 'gathered in Kalgoorlie on Thursday and Friday to ramp up preparations for a series of smaller Native Title claims to be launched over the area in the future'. The meeting was attended by '100 people representing the Wongatha and overlapping claim areas in which native title has not yet been established'. A 'judgement handed down earlier this year on the area after a five year trial was inconclusive with Justice Lindgren refusing to rule native title did not exist and leaving the possibility open that smaller claims could be launched'. *Kalgoorlie Miner* (Kalgoorlie, 18 September, 2007), 3; 'Legal update on smaller claims' *Golden Mail* (Kalgoorlie, 21 September 2007), 4.

19-Sep-07 WA **Trying to stop pluto from going ahead** The Wong-Goo-Tt-Oo native title group has lodged an application under the *Commonwealth Aboriginal and Torres Strait Islander Heritage Protection Act* seeking a ministerial declaration that, 'if successful, would effectively prevent gas giant Woodside from siting an LNG plant in the area'. The native title group has applied to have the area declared a Significant Aboriginal Area. *Pilbara News* (Pilbara, 19 September 2007), 12.

20-Sep-07 WA **Pastoralists reject new land tenure proposal** A model for environmental management has been developed which will 'set up a 40 year rolling tenure, renewable every 10 years, provided the lessee receives positive five yearly environmental reports'. According to Planning and Infrastructure Minister Alannah Mac Tiernan, under the regime 'pastoralists will have until 2025 to elect to move to the new model but they could only do so once native title issues on their lease have been resolved'. The Pastoralists and Graziers Association (PGA) has 'rejected the new tenure model for pastoral leases released last week'. The rejected proposals include

the 'requirement for lessees to register an Indigenous Land Use Agreement before July 1 2025 as a condition of obtaining a rolling lease'. *Farm Weekly* (Western Australia, 20 September 2007), 9; 'Pastoralists vote on new tenure model' *Northern Guardian* (26 September 2007), 6; 'Pastoralists urged to vote in tenure ballot' *Countryman* (Western Australia, 27 September 2007), 6.

01-Sep-07 WA Oilies sign agreements with traditional owners Arc Energy has signed a 'heritage agreement with the Yungngora people that allows exploration at the historic Noonkanbah station'. Inpex has also signed an 'agreement with the Kimberley Land Council concerning its Ichthys liquefied natural gas project'. In meetings with Indigenous representatives Inpex agreed 'compensation would be paid if the project proceeds'. *Petroleum* (National, September 2007), 10.

29-Sep-07 WA Pastoralists demand city tenant's rights The Pastoralists and Graziers Association 'is calling on the State Government to give pastoralists the same rights city tenants enjoy'. The 'PGA has considered the proposed rolling lease concept, but it is opposing plans that would allow the State to cancel a lease on expiry, counter its revival and force lessees to register and indigenous land use agreement as a condition of obtaining a lease'. *Kalgoorlie Miner* (Kalgoorlie, 29 September 2007), 6; 'Back to square one' *Farm Weekly* (Western Australia, 18 October 2007), 24; 'Pastoralists saved: Govt tried to pull a swifty that it wouldn't have dared to try Perth' *Kimberley Echo* (Kununurra, 18 October 2007), 23; 'Growers Association rejects government bills' *Merredin-Wheatbelt Mercury* (Merredin, 10 October 2007), 10.

01-Oct-07 WA Minister at odds with industry over parks and reserves additions The Western Australian Environment Minister David Templeman has announced that 'more than 2.7 million hectares - most of it former pastoral lands in the Gascoyne and Murchison - would be converted into 11 new conservation parks and 14 new nature reserves or added to existing parks and reserves'. Mr Templeman said the 'Government would preserve all existing native title rights and interests by applying the non extinguishment principle when creating the reserves. Native title claims were registered over nearly all the proposed conservation reserves and the State would comply with the Future Act provisions of the Act'. The Minister asked the 'Department of Environment and Conservation in consultation with the State Solicitor's Officer and the Office of Native Title to liaise with the native title claimants'. Mr Templeman said that 'once the reserves are created, there would be opportunities for joint management with traditional owners'. The purchases were funded through contributions of the Commonwealth government and through the Nature Reserve Program of

the Natural Heritage Trust. *Paydirt* (National, October 2007), 14.

04-Oct-07 WA East Kimberley visits Cape York A delegation of people from the Gelganyem Trust has 'spent a week with Indigenous trusts looking at indigenous businesses established with assistance proceeds from profit share and royalty agreements with mining companies'. The Gelanyem Trust was established as a 'outcome of the Indigenous Land Use Agreement between Aboriginal claimants and the Argyle Diamond Mine'. The 'itinerary for the study tour included Zinifex Century Mine, Weipa, Napranum and Mapoon'. *Kimberley Echo* (Kununurra, 4 October 2007), 16.

10-Oct-07 WA New Pilbara group aims to improve quality of life Marnada Mia Central Negotiating Committee has been 'formed to provide support and representation for traditional owners in Western Australia' Pilbara region'. Chairman Slim Parker said that 'despite the wealth being generated by mining in the Pilbara, and the flow on of some of that wealth to governments, Aboriginal people mostly continued to suffer a low standard of living, lower life expectancy and lower education levels that other Australians'. *Koori Mail* (National, 10 October 2007), 4.

10-Oct-07 WA New Bill recognises Indigenous Interests A new bill was introduced in the Western Australian Parliament which recognises 'Indigenous Interests in two of the State's largest conservation areas - the Ruddall River National Park and the Gibson Desert Nature Reserve'. The parks are located in the Central Desert Region covering an area of about 31 265 square kilometres. *Koori Mail* (National, 10 October 2007), 42.

11-Oct-07 WA Land releases to ease housing crisis The Shire of Broome and the state government are trying to 'get more land onto the market to ease the housing crisis'. Shire President, Graeme Campbell said that 'the other issue we're facing of which we're at an advanced stage us federal native title negotiations and getting more land re-zoned'. *Business News* (Perth, 11 October 2007), 22.

11-Oct-07 WA Park council visits NT The Yoorooyang Dawang Regional Park Council has 'recently visited the Kakadu and Nitmiluk National Parks in the NT' meeting with the board of both parks. The 'object of the visit was to gain a broader understanding of the pros and cons of existing joint management structures and processes, training, employment programs, land management, initiatives and business enterprise and tourism'. *Kimberley Echo* (Kununurra, 4 October 2007), 12.

12-Oct-07 WA Ore miner offered community 'a pittance' for access to land Iron ore company FerrAus has 'outraged the Aboriginal community of Jigalong in the Pilbara by offering just offering \$100 000 up front to mine its land. The

community has made a counter bid of \$2 million up front to allow the company access to its traditional lands for the Robertson Range iron ore project'. *Australian* (National, 12 October 2007), 2.

18-Oct-07 WA **Central Desert Title Today** The native title rights and interests of the Ngururrpa people have been recognised by the Federal Court. The application was lodged in 2006 and after negotiations between the Western Australia and Central Desert Native Title Services (CDNTS), representatives of the Ngururrpa native title holders a consent determination was achieved. The claim area covers 30 000 square kilometres across parts of the Sandy Desert. The claim was lodged by family groups who live in Balgo, Mullan and Billiluna communities as well as Halls Creek, Fitzroy Crossing and Kununurra. *Farm Weekly* (Western Australia, 18 October 2007), 204; 'Ngururrpa celebrate: speedy resolution to native title claim' *Koori Mail* (National, 24 October 2007), 19; Toowoomba Chronicle (Toowoomba, 26 October 2007), 20; Daily Mercury (Mackay, 26 October 2007), 10; Daily Examiner (Grafton, 26 October 2007), 10; Daily News (Warwick, 26 October 2007), 10; Fraser Coast Chronicle, (Hervey Bay), 26 October 2007), 24.

20-Oct-07 WA **NT decision welcomed** The Goldfield Land and Sea Council has welcomed the Commonwealth Government's decision to 'discontinue its non claimant application to the Federal Court for a negative determination over the Wongatha trial area'. A negative determination would have meant that no new claims could have been lodged. *Kalgoorlie Miner* (Kalgoorlie, 20 October 2007), 5.

25-Oct-07 WA **Land lease worry in gas plant plan** The 'state government's intention to lease land from traditional owners to house any LNG industrial hubs in the North West has been attacked by the Kimberley land council'. The model of land access 'preferred by the Government was listed as part of the terms of reference for the Northern Development Taskforce, which is looking at identifying suitable locations for at least one gas processing hub in the Kimberley'. *Broome Advertiser* (25 October 2007), 4; 'TO s to oppose leasing land to Govt for development' *Koori Mail* (24 October 2007).

Applications Lodged with the Federal Court

DATE FILED	APPLICATION NAME	APPLICATION TYPE	STATUS	STATE/TERRITORY	TRIBUNAL FILE NO.	FEDERAL COURT FILE NO.
24/09/2007	Hector Allan Le Brocq	Non-claimant application	Active	NSW		NSD1914/07
12/10/2007	Walgett Special 1 Co-operative Ltd	Non-claimant application	Active	NSW		NSD2039/07
19/10/2007	Gordon; Warwick; Maclaren & Angus	Non-claimant application	Active	NSW		NSD2083/07
23/10/2007	John Christopher Little	Non-claimant application	Active	NSW		NSD2096/07

This information has been extracted from the [National Native Title Tribunal website: http://www.nntt.gov.au/applications/](http://www.nntt.gov.au/applications/) accessed 2 November 2007. For further information about native title applications contact the National Native Title Tribunal on 1800 640 501 or visit www.nntt.gov.au.

Registration Test Decisions

DECISION DATE	APPLICATION DATE	APPLICATION NAME	STATE/ TERR.	DECISION	NNTT FILE NO.	FEDERAL COURT FILE NO.
10/09/2007	28/10/1996	Wom-Ber	WA	Not Accepted	WC96/105-3	WAD6130/98
13/09/2007	29/03/2007	Tipperary (KAMU)	NT	Not Accepted	DC07/1-1	NTD8/07
18/09/2007	23/04/2007	Western Yalanji Combined #5 and #7	QLD	Accepted	QC07/4-1	QUD6003/01
27/09/2007	27/09/1996	Gundungurra Tribal Council Aboriginal Corporation #3	NSW	Not Accepted	NC96/30-2	NSD6047/98
27/09/2007	15/05/1996	D & SR Collard (Noongar)	WA	Not Accepted	WC96/52-2	WAD6091/98
27/09/2007	11/03/1996	Gundungurra Tribal Council Aboriginal Corporation #1	NSW	Not Accepted	NC96/7-1	NSD6026/98
27/09/2007	5/06/1997	Donald & Sylvia Collard	WA	Not Accepted	WC97/41-2	WAD6171/98
28/09/2007	26/06/1996	Glasshouse Mt - Gubbi Gubbi	QLD	Not Accepted	QC96/70-1	QUD6083/98
28/09/2007	23/10/2007	Noongar people	WA	Not Accepted	WC96/70-2	WAD6102/98
8/10/2007	8/04/1997	Borrooloola Region	NT	Not Accepted	DC97/1-2	NTD6020/98
31/10/2007	23/07/2007	Ngiyampaa People (Mulga Creek)	NSW	Accepted	NC07/5-1	NSD1433/07

This information has been extracted from the [National Native Title Tribunal website: http://www.nntt.gov.au/cgi-bin/search/search.pl?dec_date=2007&col=registration&sorttype=dec_date&disp=true&list=dec_date](http://www.nntt.gov.au/cgi-bin/search/search.pl?dec_date=2007&col=registration&sorttype=dec_date&disp=true&list=dec_date) accessed 2 November 2007. For further information about Registration Test Decisions contact the National Native Title Tribunal on 1800 640 501 or visit www.nntt.gov.au.

Applications Currently in Notification

NOTIFICATION CLOSING DATE	APPLICATION NAME	APPLICATION TYPE	DATE FILED	STATE/ TERR.	TRIBUNAL FILE NO.	FEDERAL COURT FILE NO.
28/11/2007	Darkinjung LALC #6	Non-claimant application	30/07/2007	NSW	NN07/7	NSD1478/07
28/11/2007	NSW Minister for Lands #12	Non-claimant application	2/07/2007	NSW	NN07/6	NSD1247/07
28/11/2007	Ossie Stewart	Non-claimant	2/07/2007	NSW	NN07/5	NSD1246/07

		application			
11/12/2007	Butchulla Land and Sea Claim	Claimant application	18/01/2006	QLD	QUD16/06
11/12/2007	Karingbal People	Claimant application	30/11/2006	QLD	QUD473/06
9/01/2008	Kulkaikal People #2	Claimant application	29/03/2007	QLD	QUD98/07
9/01/2008	Budjiti People	Claimant application	20/02/2007	QLD	QUD53/07
9/01/2008	Mardigan People	Claimant application	17/01/2007	QLD	QUD26/07
9/01/2008	Greater Hume Shire Council	Non-claimant application	8/08/2007	NSW	NSD1561/07
23/01/2008	Melsonby (Gaarraay) People	Claimant application	21/11/2006	QLD	QUD452/06
23/01/2008	Archer Point People	Claimant application	6/09/2006	QLD	QUD352/06
6/02/2008	Malera Bandjalan Tribe	Claimant application	3/10/1997	NSW	NSD6083/98

This information has been extracted from the [National Native Title Tribunal website: http://www.nntt.gov.au/cgi-bin/search/search.pl?col=ntapplications&browse=notifications_current&sorttype=notification_closing_date](http://www.nntt.gov.au/cgi-bin/search/search.pl?col=ntapplications&browse=notifications_current&sorttype=notification_closing_date) accessed 2 November 2007. For further information about native title applications in notification contact the National Native Title Tribunal on 1800 640 501 or visit www.nntt.gov.au.

Indigenous Land Use Agreements (ILUAs)

TRIBUNAL FILE NO.	NAME (NNTT HYPERLINK)	TYPE	STATE /TERR.	REGISTRATION DATE	SUBJECT MATTER
VI2006/004	Gunditj Mirring and State of Victoria	Body corporate agreement	VIC	31/10/2007	Government
QI2006/026	Eastern Kuku Yalanji, the State of Queensland & Wet Tropics Management Authority - National Parks	Area agreement	QLD	19/10/2007	Access
QI2006/010	Eastern Kuku Yalanji, the State of Queensland & McLean	Area agreement	QLD	19/10/2007	Access
QI2006/026	Eastern Kuku Yalanji, the State of Queensland & Wet Tropics Management Authority - National Parks	Area agreement	QLD	19/10/2007	Access
QI2006/014	Eastern Kuku Yalanji, the State of Queensland & Marshall	Area agreement	QLD	19/10/2007	Access

QI2006/012	Eastern Kuku Yalanji, the State of Queensland & Harlow	Area agreement	QLD	19/10/2007	Access
QI2006/016	Eastern Kuku Yalanji, the State of Queensland & Brandt	Area agreement	QLD	19/10/2007	Access
QI2006/011	Eastern Kuku Yalanji, the State of Queensland & Douglas Shire Council	Area agreement	QLD	19/10/2007	Access
QI2006/009	Eastern Kuku Yalanji, the State of Queensland & Cook Shire Council	Area agreement	QLD	19/10/2007	Access
DI2004/047	Mary River National Park ILUA	Area agreement	NT	10/10/2007	Development
QI2006/015	Eastern Kuku Yalanji, the State of Queensland & Burungu Aboriginal Corporation	Area agreement	QLD	05/10/2007	Access
QI2006/007	Eastern Kuku Yalanji, the State of Queensland & Wet Tropics Management Authority - Freehold Grants	Area agreement	QLD	05/10/2007	Co-management
QI2006/024	Eastern Kuku Yalanji & Douglas Shire Council - Local Government Agreement	Area agreement	QLD	05/10/2007	Development
QI2006/017	Eastern Kuku Yalanji, the State of Queensland & Bana Mindilji Aboriginal Corporation	Area agreement	QLD	05/10/2007	Access
QI2006/013	Eastern Kuku Yalanji, the State of Queensland & Wujal Wujal Aboriginal Shire Council	Area agreement	QLD	05/10/2007	Access
QI2006/025	Eastern Kuku Yalanji & Cook Shire Council - Local Government Agreement	Area agreement	QLD	05/10/2007	Access
QI2006/008	Eastern Kuku Yalanji & Telstra	Area agreement	QLD	05/10/2007	Access
QI2006/005	Eastern Kuku Yalanji & Ergon	Area agreement	QLD	05/10/2007	Infrastructure
VI2005/013	Kralcopic and Dja Dja Wurrung MIN 5446	Area agreement	VIC	0709/2007	Mining

This information has been extracted from the [National Native Title Tribunal website: http://www.nntt.gov.au/ilua/bydate_index.html](http://www.nntt.gov.au/ilua/bydate_index.html) accessed 2 November 2007. For further information about Indigenous Land Use Agreements contact the National Native Title Tribunal on 1800 640 501 or visit www.nntt.gov.au.

Native Title Determinations

SHORT NAME	CASE NAME	DATE	STATE/ TERR.	OUTCOME	LEGAL PROCESS
Ngururrpa	Payi Payi & Ors on behalf of the Ngururrpa People and State of Western Australia	18/10/2007	WA	Native title exists in the entire determination area	Consent determination

	(unreported, FCA, 18 October 2007, Black CJ)				
Newcastle Waters - Murraraji Determination	King v Northern Territory of Australia [2007] FCA 1498	26/09/2007	NT	Native title exists in parts of the determination area	Litigated determination
Tennant Creek No.2	Patta Warumungu People v Northern Territory of Australia [2007] FCA 1386	03/09/2007	NT	Native title exists in parts of the determination area	Consent determination

This information has been extracted from the [National Native Title Tribunal website: http://www.nntt.gov.au](http://www.nntt.gov.au) accessed 2 November 2007. For further information about native title determinations contact the National Native Title Tribunal on 1800 640 501 or visit www.nntt.gov.au.

Items in the AIATSIS Catalogue

The following list contains either new or recently amended catalogue records relevant to Native Title issues. Please check MURA, the AIATSIS on-line catalogue, for more information on each entry. You will notice some items do not have a full citation because they are preliminary catalogue records.

The National Native Title Tribunal research report, 'Widjab ul Aboriginal people : Northeast New South Wales. Perth, W.A' (compiled by the NNTT Research Unit) has recently been catalogued by the AIATSIS Library. Also, the Tribunal has issued an Indigenous Fishing Bulletin [electronic resource] which can be found online at http://www.nntt.gov.au/publications/fishing_bulletin.html

Audiovisual material of interest to native title includes the following black and white and colour slides:

Klaatsch, Herman. Ceremonies and mortuary customs [Melville Island, NT; Bellenden Ker, Archer River, Bayley Island, Wellesley Islands, Qld (1904-1907). KLAATSCH.H3.BW

McConnell, Ursula. Material culture and ceremonies at North-West Cape York (1927 - 1934) (MCCONNEL.U2.BW)

Shaw, Bruce. Individual portraits from the Kimberley (1930-1970) SHAW.B3.BW

Bickford, Anne. Cape Barren Island - views and township (1974). BICKFORD.A2.BW

Archer, Jim. Cape York rock art. (1976). ARCHER.J2.CS, ARCHER.J3.CS

Kelly, James D. Material culture and ceremonial objects from Western Queensland and Central Australia. (1979). KELLY.J2.CS.

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There is also a digital copy of a video made by Jeremy Long with Nosepeg Jupurrula in 1972 (PV7431_1). Also, under CAAMA_21 is a listing of sound recordings of 'traditional songs' from the collections of the Central Australian Aboriginal Media Association.

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