

# Native Title Newsletter

September/October, No. 5/2008

## WHAT'S NEW

It's back on...

**Native Title Conference 2009:  
The Spirit of Country;  
Land, Water, Life**

3-5 June 2009  
Melbourne Cricket Ground

Our co-conveners are  
Native Title Services Victoria

Our hosts are the  
Wurundjeri people

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# Traditional Owner Comment

Mervyn Murlady, Chair, Karajarri Traditional Lands Association, West Kimberley, Western Australia

Interview with Jessica Weir, 14 October 2008

The PBC [Prescribed Body Corporate] is the foundation to look after our land, our culture, socially and economically. For years we've been getting government agencies coming in and out. A lot of mining companies wanting to deal with us didn't know how to get in contact with us, or how to set up a meeting. We want to develop our PBC in a Karajarri way. We want to see our PBC run just for Karajarri, to develop in a way to administer and direct us, not only for now, but for the future.

We set up the PBC before we won native title. We didn't know about PBCs until after we won native title, but our PBC was already set up. I was elected chairman from the old people. We achieved winning our land and going to the next step. Nobody in the Kimberley had gone to the next step. Even high people in the KLC [Kimberley Land Council] and government did not know how a PBC should run. No one in their wildest dreams could imagine getting beyond winning native title. Even KLC

wasn't prepared. All was focused on winning native title and getting the land, there was never a plan for after native title. And the government said the KLC can only do native title and not PBCs. I think that goes for all of the native title bodies. So there was no structure for us. No way for us to go to the next level.

For us Karajarri people we knew how we wanted to run our land. It was pretty hard for the old people, that after we got the land back we had to manage the Gadiya way. It's frustrating for them. We've got to keep explaining it to them, the administration and all that. They managed the land culturally. But we didn't want to leave culture behind, because culture has to play a very important role in our PBC. Not only developing the PBC, but to keep our culture going. The chairperson of our organisation has to know law business and public business. So if we are doing site clearance, the chair person with the

cultural backing can feed back to the rest of the group. It is very important for our PBC to develop culturally, because culture was the foundation of winning our native title. We want to administer it culturally. If you have workers there, they have a cultural awareness program so they can work both ways, Indigenous and non-Indigenous. We can also set up a meeting culturally, like out in the bush. Our meetings are a bit funny. Usually we tell each other off, talk and laugh, that's our culture. That's how

we've been doing it for years.

It was a happy feeling and a sad feeling when we got our native title. It was a joy for us to win our land back, but it was sad for us young blokes to see our Elders cry. Our



*Top: Mervyn Murlady with John Hopiga (Head Karajarri Ranger) at La Grange Bay  
Bottom: Mervyn Murlady burning near Bidyadanga.  
Photos by Tom Vigilante*



Elders have seen how it was before, how our land was held. They have seen all our ancestors fighting for the land. This was the one day when the land was handed back. Our leader was very fragile. When the judge gave it back to him, he passed away two weeks after. He won it not just for himself, but for all Karajarri and Karajarri into the future. The old people, they are the foundation. They put in this position now to continue on, developing, fighting, and continuing on our culture for our future.

The KLC were trying since 1978, since Noonkanbah, trying for land. They could see something coming. After all those years of fighting, they could see something that was winnable. They never thought they could win that land back. They fought so hard for us. They never let us down. The people we had working with us from KLC, they stuck with us, through all the field trips. Driving us around, recording information, we covered some 40,000 square kilometres of country. We had 30 to 40 flat tires. Different parts of the country had different information from our Elders. Some of our Elders were arguing with the KLC staff, because there was so much pressure and stress. Some KLC staff got emotional, and started crying. We had to bring it all back together, to hold this group of people, not only keeping the Elders together, but keeping all Karajarri together. If you don't have all family groups together, you might not win native title. The strongest thing about Karajarri was all family groups are all together. There are some small arguments, but we stick together. After native title, we still keep the family groups together. One thing I am really happy about is that no matter what family group, we don't take sides with each other. We all listen to each other.

They have put all this trust in me, to take to the next step. It's been hard, hard to run. You only get support from your own family, and your own tribe, but not from anywhere else, to try and get something very important running. I've got to look at every little thing. In the last couple of years our committee has been struggling a little. Our AGM [Annual General Meeting] has been falling a bit. I have got to look at every little avenue to manage our country. How can we manage our country without government funding? We set up lots of Karajarri projects with project funding. They help with managing certain things, like the cultural management plan. Project grants for managing bush medicines. They all fall under PBC work. The government says 'we will give you

money for the project, but we won't give you money for the PBC.' Even the Yirriman project, which we are the founders of, which runs cultural projects with young kids, maintaining culture. The downfall for our PBC is trying to administrate and manage our country. We have no fax, no phone, and no place where people can come. People who play an important role could come to our office.

We need to have a plan, and achieve our plan year by year. There is day to day management work, and we need someone to do paperwork, bills, set up meetings, and the filing. We had Jarrod Coote.\* He walked into the KLC office, thought he was coming into something small. But he was blown away by something so big.

At the end of the day we want to be able to do things independently. Break away from the KLC. My aim and dream is to see my Karajarri office. I had this picture in my mind a long time ago, before native title, about how it would look like. Leaders can do so much, but the pressure is on them, and they get worn down too quick.

## 'Getting the Djabugay back in town': Djabugay Native Title Corporation Planning Workshop

By Toni Bauman, Research Fellow, NTRU

A three day planning workshop was held with the Djabugay PBC in Kuranda from 24<sup>th</sup> to 26<sup>th</sup> September 2008 as part of the NTRU's PBC Project. The workshop was facilitated by Ross Johnston and Ian Kirkby of

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\* Jarrod Coote worked for Karajarri between February and July 2005, in a full-time and then part-time capacity

Bushwork Consultants and took place under the kinds of funding uncertainties which beset most PBCs. Just prior to the workshop, the PBC learnt that it had received only half of the funding requested from FaHCSIA which is insufficient to keep its office open and employ a co-ordinator. A 'roadmap' document will be produced from the workshop which sets out a plan for consolidating fundamental building blocks for the PBC and a range of options for the Governing Committee to discuss and make decisions about in the future. Learnings from the workshop will inform an NTRU PBC planning paper will be published in 2009.

It is critical that the Djabugay locate funding for the continuation of its office and coordinator position. This is a particularly urgent issue given that the Department of Natural Resources and Water in Queensland is seeking to finalise a Draft Plan of Management for the Barron Gorge National Park over which the Djabugay received a determination of native title rights and interests in 2003. Without an office and coordinator, it will be impossible to co-ordinate Djabugay activities including a formal response to the Draft Plan which is a central aspect of Djabugay's Indigenous Land Use Agreement. Neither has the North Queensland Land Council received funding to prepare a response to the Draft Plan.



*Front: Rosetta Brim, Tommy Brim, Rhonda Brim, Edwin Donahue, Kerry Brim, Geraldine Hobbler, Michelle Hunter, Gerald Hobbler;  
Back: Hanz, Ross, Wally Brim, Rhonda Duffin, Ian, Valeska Kapteyn, Ian Cannon, Andy Duffin and Toni.*

## House of Representatives Report Recognises Importance of Indigenous Enterprise

By Ingrid Hammer, Research Officer, AIATSIS

The report of the Standing Committee on Aboriginal and Torres Strait Islander Affairs follows an inquiry into the support that is available for Indigenous enterprise, and the avenues available for expansion of Indigenous businesses.

Indigenous business participation is relatively low, at only six per cent compared with 17 per cent for non Indigenous self employed. Non Indigenous people are also three times more likely to own and run their own business than Indigenous people, whose low outcomes are exacerbated with remoteness. During the inquiry the Committee heard that Indigenous people— young and old, from urban to remote regions— increasingly see business as an opportunity to benefit their communities and are keen to engage with the mainstream economy. The range and diversity of Indigenous owned businesses currently in operation was also impressive. The Committee recognised that it would be ineffective to create a standard program to respond to Indigenous business needs, and that in order to assist Indigenous businesses to grow, further action is required. The report details, amongst other things, that more comprehensive trend data, greater research into natural resource management and, further education as to enterprise based opportunities and the availability of governmental assistance would be beneficial to Indigenous businesses across Australia.

The Committee acknowledged the significance of ILUAs to the economic prosperity of Indigenous business enterprise, but noted the potential for power imbalances in the negotiation of such agreements. AIATSIS was recognised by the Committee as being important for the development of resources for native title groups to identify government resources and programs. Director of Research, Lisa Strelein, gave evidence to the Committee, and several of the key recommendations in the report reflect the AIATSIS submission. The report also reaffirms the position of AIATSIS: that there remains a considerable gap between the government expectation that native title determinations should lead to an increase in economic and social prosperity for Indigenous groups, but a lack of corresponding support, funding and ongoing monitoring of the agreement process.

There recommendations specific to native title holders detailed in the report are:

**Recommendation 2:** The Committee recommends that the Australian Government recognise the vital contribution of Indigenous business development to the economic and social sustainability of Indigenous communities and, accordingly, develop the methodology to adequately value this economic and social contribution when assessing the investment returns for providing assistance to Indigenous businesses.

**Recommendation 3:** The Committee recommends that the Australian Government develop templates for Indigenous Land Use Agreements to specify that corporate and industry partners fund Indigenous partner corporations to access advice, including financial, taxation and in particular expert legal advice of a quality comparable to that available to the other negotiating partner. This is to ensure that the terms of agreement meet the social and commercial objectives of the Indigenous communities involved.

**Recommendation 4:** The Committee recommends that the Australian Government develop a process for monitoring the content and implementation of Indigenous Land Use Agreements, and develop a complaints process for Indigenous partners.

There were also a number of specific recommendations that are relevant to prescribed bodies corporate in relation to business assistance, financing and mentoring:

**Recommendation 10:** The Committee recommends that the Australian Government provide a program of funding, including micro-funding, with an emphasis on remote area enterprises, to enable entrepreneurs to establish cooperative enterprises, especially in the arts sector. The Committee recommends that Indigenous Business Australia in association with a corporate partner in the financial sector deliver this program.

**Recommendation 11:** The Committee recommends that the Australian Government as part of the current review of Australia's taxation system include consideration of how to encourage Indigenous start up business through the taxation system.

In concluding remarks, the Committee advocates the creation of an inter-departmental committee and a one stop shop for Indigenous businesses. In addition, it encourages the Federal Government to work to ensure its procurement guidelines provide opportunities for Indigenous businesses across the spectrum.

Available:

<http://www.aph.gov.au/house/committee/atsia/indigeno/enterprise/report.htm>

## NTRU Projects Report

### Taxation of native title payments literature review

The NTRU has conducted an extensive literature review on native title benefits and payments. This paper reviews the current literature and information on native title agreements and seeks to identify and start to explore key research questions and issues related to the different types of native title agreements; the nature of payments and benefits received under native title agreements; the way in which these benefits are or could be provided and administered; who has responsibility for providing and administering them; and the potential and need for agreement benchmarking and an implementation framework. This paper highlights the need for further

systematic research and cooperation within the native title sector in order to fully understand the scope and nature of native title payments and benefits.

Native Title Research Unit, 'Native Title Payments and Benefits: Literature Review' Native Title Research Unit, AIATSIS, Canberra, 2008.

The NTRU has also prepared a selected bibliography detailing resources on native title payments and benefits.

Native Title Research Unit, 'Native Title Payments: Selected Bibliography' Native Title Research Unit, AIATSIS, Canberra, 2008.

Both publications are available on the Taxation Trusts and Distribution of Benefits project website:

[http://ntru.aiatsis.gov.au/major\\_projects/taxation\\_trusts.html](http://ntru.aiatsis.gov.au/major_projects/taxation_trusts.html)

## Honouring Nations Indigenous Governance Tour Arizona and New Mexico October 2008

Between 11<sup>th</sup> and 26<sup>th</sup> October 2008, some of the finalists and judges in Reconciliation Australia's Indigenous Governance Awards and the NTRU's Research Fellow, Toni Bauman, participated in an international exchange program in Arizona and New Mexico. The program was part of a partnership between Reconciliation Australia, the Harvard Project on American Indian Economic Development and the Native Nations Institute for Leadership, Management and Policy at the University of Arizona. Its aim was to share knowledge and examples of good governance and leadership, issues which are central to the NTRU's Native Title Prescribed Bodies Corporate Project.

The Australian finalists included representatives Edna O'Malley and Gordon (Andy) Reid from the Mirriuwung Gajerrong Corporation which is based in Kununurra and has negotiated a significant native title agreement, and two representatives from the Traditional Credit Union in Darwin Cathy Hunter and Mickey Dambarra.

The trip included visits to a number of Indian Reservations including meetings with past winners of the Harvard Project's Honouring Nations awards and a

number of tribal governments. Meetings were held with the Elders Cultural Advisory Council on the San Carlos Apache Reservation, members of the Hopi Tribe and the Hopi Tribal Council, the Zuni Pueblo Tribal Council; and the Tohono O'odham Nation Elders Centre, Museum and Cultural Centre. Visits were also made to a Hopi Village and the Zuni Eagle Sanctuary.



*Rowena Withers, Doris, Eddie Cubillo, Toni Bauman, Mick Dodson, Rachel, Cathy Hunter, Herb George, Mickey Dambara, Gordon (Andy) Reid, Edna O'Malley, Vernelda Grant*

The exchange culminated in the Honouring Nations Awards in Phoenix which were held in parallel with the National Congress of American Indians (NCAI) convention. An impressive array of ten finalists including the Osage Nation Government Reform Initiative, the Chickasaw Press, the Muscogee Creek Nation Reintegration Program, the Ak-Chin Community Council Task Force and the Ziibiwing Center of Anishinabe Culture and Lifeways (Saginaw Chippewa Indian Tribe of Michigan) made presentations to the judges who had already visited their communities. Participants also attended a meeting of international guests to discuss networking organisations working on Indigenous governance.

## Report on Annual Conference, International Association of Sound and Audiovisual Archives (IASA) and Australasian Sound Recordings Association (ASRA). National Maritime Museum, 14-19 September 2008-10-30

The Native Title process is increasing its production and use of audiovisual materials in the form of early evidence, digital diaries, and other forms of documentation. Preservation of these vital documents requires specialist knowledge.

From 14-19 September, representatives from collecting institutions, world experts in preservation and digitisation of audiovisual materials, and the digitisation industry met in Sydney to evaluate what is being done to preserve collections, and how to deal with rapid format changes. One of the keynote speakers was Dr Jackie Huggins, well-known for her work in reconciliation, literacy, women's issues, and social justice.

Grace Koch, Native Title Research and Access Officer, was presented with the Special Recognition Award for Outstanding Service to IASA and the annual ASRA Award for services to sound archiving and to Indigenous collections. In July, Grace was appointed to the Board of the National Film and Sound Archive.



Grace with her awards from the International Association of Sound and Audiovisual Archives (IASA) and the Australasian Sound Recordings Association (ASRA).

## What's New

### Recent Cases

#### Australia

*Eringa, Eringa No 2, Wangkangurru/Yarluyandi and Irrwanyere Mt Dare Native Title Claim Groups v The State of South Australia* [2008] FCA 1370

Determination of native title by consent recognising the rights and interests of the Thalanyji people. See also the [media release](#) for more information.

*Akiba on behalf of the Torres Strait Regional Seas Claim People v State of Queensland (No 4)* [2008] FCA 1446

Interim determination concerning the Torres Strait Regional Sea Claim. The court ordered that the sea claim be split into two parts, to be called "Sea Claim Part A" and "Sea Claim Part B". Part A will be considered separately and before Part B. This will mean that the rights and interests of the Kaurareg People will be determined at a later date and independently of the rest of the sea claim lodged by the Torres Strait Islanders.

*Fesl v Delegate of the Native Title Registrar* [2008] FCA 1469

The court dismissed an application for judicial review of decision by a delegate of the Native Title Registrar to register an Indigenous Land Use Agreement. The grounds for review centred on whether it was part of delegate's function to decide if the agreement presented was an ILUA and further, whether conclusion that the agreement was an ILUA was amenable to judicial review. An additional issue was whether the evidential requirements to justify the delegate's registration decision were satisfied and whether the delegate failed to consider relevant considerations. The applicant was unsuccessful in arguing that the agreement did not make lawful provision for the cultural heritage duty of care as required by the *Aboriginal Cultural Heritage Act 2003* (Qld). The court also considered whether there was no evidence or other material to justify the delegate's conclusion that the making of the ILUA had been authorised by the native title group as well as considering the proper construction of statutory

provisions for authorising an ILUA by a native title group. In this context the relationship between *Aboriginal Cultural Heritage Act 2003* (Qld) and *Native Title Act 1993* (Cth) was considered.

***Fesi v Delegate of the Native Title Registrar (No 2) [2008] FCA 1479***

This was a costs hearing associated with the unsuccessful application for review by a delegate of the Native Title Registrar to register an ILUA. The issue was whether circumstances of the case warranted departure from ordinary rule as to costs. The reasonableness of the review application and public importance of issues raised were considered along with the relevance of s 85A of the *Native Title Act 1993* (Cth). The court declined the application for costs.

***Glasshouse Mountains Gubbi Gubbi people v Registrar, Native Title Tribunal & Anor, [2008] FCA 529***

This case concerned the validity of the registrar's decision to remove the applicant's native title claim for registration on the Register of Native Title Claims. The court rejected the claim that the registrar was not empowered to decide whether to accept a claim for registration and likewise that the registrar is empowered to remove claims from the Register. From this finding, the registrar in this case was correct in removing the claim from the Register. The final ground of appeal: that the applicant was denied procedural fairness or natural justice through failure to grant an extension of time was also rejected. The court held that no extension of time was warranted in the circumstances.

***Christine George & Ors on behalf of the Gurambilbarra People v State of Queensland [2008] FCA 1518***

This was a 'show cause' proceeding on the Court's own motion asking why the present application should not be dismissed pursuant to s 190F(6) of the *Native Title Act 1993* (Cth). The Court considered the construction of s 190F(6) and the relevance of general law with respect to summary dismissal. In this instance where application had not been amended since consideration by the Registrar, and where it was not likely to be amended in a way that would lead to a different outcome once

considered by the Registrar, there is no other reason why the application should not be dismissed.

***Hayes on behalf of the Thalanyji People v State of Western Australia [2008] FCA 1487***

Proposed consent determination pursuant to s 87 of the *Native Title Act 1993* (Cth). The question was whether the Court was satisfied that the order is within power having regard to the importance placed on mediation as primary means of resolving native title applications. The court recognised the need for power under s 87 to be exercised flexibly and that it is not conducive for respondents to conduct their own trial of the application to satisfy the Court. The Court took a flexible approach to the requirement of connection and continuity in traditional laws acknowledged and traditional customs observed, commenting that white settlement has inevitably had an impact of traditions. In recognising the native title rights and interests of the Thalanyji people, the Court turned to the requirement for proscribed bodies corporate pursuant to ss 55 and 56 of *Native Title Act 1993* (Cth).

***Western Desert Lands Aboriginal Corporation v State of Western Australia and others (2008) 218 flr 362; [2008] NNTTA 22***

Objection to expedited process for the proposed future act of granting exploration licences within the determination area. The issue was whether this procedure is available in relation to land the subject of a determination of native title rights and interests. The Tribunal considered whether s 7(2) of *Native Title Act 1993* (Cth) was relevant to the objection application because by finding the expedited procedure to be acceptable there would be an inconsistency with the *Racial Discrimination Act 1975* (Cth). The Tribunal found no basis for distinction between registered claimant and registered native title holder in manner in which expedited procedure operates. The objection applications were dismissed pursuant to s 148(a) *Native Title Act 1993* (Cth).



*Australian Manganese Pty Ltd v State of Western Australia and others* (2008) 218 flr 387; [2008] NNTTA 38

This involved an application for future act determination concerning the grant of a mining lease. Pursuant to s 38(2) *Native Title Act 1993* (Cth) there is no power to impose a condition for payment of compensation for the future act. The application was successful.

*Crowe and Others a State Of Western Australia And Another* (2008) 218 Flr 429; [2008] NNTTA 71

Application for the objection of an expedited procedure to grant an exploration licence in the determination area. With reference to the site protective regime, the issue was whether the act was likely to interfere with sites of particular significance. The Tribunal found that subject to s 237(b) of the *Native Title Act 1993* (Cth), the expedited procedure will not apply in this case.

*Collard v The State of Western Australia* [2008] FCA 1565

*Collard v The State of Western Australia* [2008] FCA 1564

*Collard v The State of Western Australia* [2008] FCA 1562

*Collard v The State of Western Australia* [2008] FCA 1563

Issue whether an application should be dismissed pursuant to subsection 190F(6)(b) of the *Native Title Act 1993* (Cth) following a failure to apply for a review of the decision after initially failing the Registration Test. The applicants noted that this was because they were awaiting negotiations with the South West Aboriginal Land and Sea Council and anticipated that they would reach some agreement over the traditional owners of the land in dispute. They also submitted that the land had cultural significance but the court found that the requirements of s 190F(6)(b) were not satisfied and that the application should be dismissed.

*Wonyabong v The State of Western Australia* [2008] FCA 1561

*Allison v The State of Western Australia* [2008] FCA 1560

*Walker v The State of Western Australia* [2008] FCA 1559

*Walker v The State of Western Australia* [2008] FCA 1558

*Evans on behalf of the Koara People v The State of Western Australia* [2008] FCA 1557

Issue whether an application should be dismissed pursuant to subsection 190F(6)(b) of the *Native Title Act 1993* (Cth) following a failure to apply for a review of the decision after initially failing the Registration Test. There was no evidence that it was likely that the application would be amended nor had the Representative Body received instructions from the applicant.

*Morich v State of Western Australia* [2008] FCA 1567

Issue whether an application should be dismissed pursuant to subsection 190F(6)(b) of the *Native Title Act 1993* (Cth) following a failure to apply for a review of the decision after initially failing the Registration Test. The Applicants failed to provide affidavits but made written submissions noting the difficulty of securing legal representation due to conflicts within the community. They also noted that there were significant sites within the claim area and it was not open to the government to remove the claim against their wishes. The application was dismissed but the court noted that it remained open to the applicants to lodge a further application or join another applicant group.

## International

*Wii'litswx v. British Columbia (Minister of Forests)*, 2008 BCSC 1139

Decision concerning the constitutional duty to consult. Extract from the decision:

- The petitioners are the Hereditary Chiefs of the Gitanyow Nation (“Gitanyow”). They bring this petition on behalf of Gitanyow for judicial review of the decision of the respondent Mr.

W.I. (Bill) Warner, Regional Director of the respondent Minister of Forests ("MoF"), approving six forest licence ("FL") replacements pursuant to s. 15 of the Forest Act, R.S.B.C. 1996, c. 157, which cover portions of Gitanyow traditional territory. The petitioners allege that, in the course of making that decision, the respondent Crown failed to adequately perform its duty to consult with Gitanyow and accommodate its aboriginal interests, as mandated by the Supreme Court of Canada in *Haida Nation v. British Columbia (Minister of Forests)*, 2004 SCC 73, [2004] 3 S.C.R. 511 [Haida], and *Taku River Tlingit First Nation v. British Columbia*, 2004 SCC 74, [2004] 3 S.C.R. 550 [Taku]. They accordingly seek relief in the nature of certiorari, mandamus, and prohibition, as well as related declaratory relief.

- The Crown acknowledges that it had a constitutional duty to meaningfully consult with Gitanyow in good faith, and to seek to accommodate its asserted aboriginal rights and title, in the course of the decision to replace the FLs. The Crown says that Mr. Warner and the MoF, on its behalf, engaged in a reasonable process of consultation, and provided interim accommodations appropriate to Gitanyow's interests. They argue that the petition should accordingly be dismissed.
- There is no dispute between the parties as to the applicable law, and little disagreement about the facts. The sole issue is the adequacy of the consultation and the accommodations reached in the course of the Crown's decision to replace the FLs.

## Legislation

### [Amendments to the Fisheries Act 1994 \(Qld\)](#)

New rules for Indigenous fishers that commence on 6 October 2008 have been introduced to provide a balance between fisheries sustainability and Indigenous traditional fishing rights. The changes recognise the important cultural role that fishing plays for many communities, but also acknowledges the need to protect our fish stocks for future generations.

The Act, as amended, can be found at

<http://www.legislation.qld.gov.au/LEGISLTN/CURRENT/F/FisherA94.pdf>

### [Great Barrier Reef Marine Park and Other Legislation Amendment Bill 2008](#)

This Bill implements the conclusions of a 2006 review of the *Great Barrier Reef Marine Park Act 1975* (the GBRMP Act), aimed at ensuring a relevant modern robust regulatory framework that delivers efficient and effective protection and management of the Great Barrier Reef, assisted through amendments which provided for:

- The restoration of Indigenous expertise to the Great Barrier Reef Marine Park Authority
- Streamlining of environmental approval and permitting processes and requirements
- Enhancement of the investigation, enforcement and offence provisions, providing for a more tailored and targeted approach,
- Promotion of more responsible use of the park and the provision of new emergency management powers, and
- Improved alignment and integration between the GBRMP Act, the *Environment Protection and Biodiversity Conservation Act 1999* and other Commonwealth and Queensland legislation.

## Journal Articles

Mansfield, J, 'Rethinking the procedural framework' *Native Title News* (2008) Vol. 8 Iss. 10 pp. 163-166

Hiley, G, 'Is native title as fragile as the public right to fish?' *Native Title News* (2008) Vol. 8 Iss. 10 pp. 166-167

Brennan, S 'Government expropriation for private profit hits Aboriginal land hardest' *Indigenous Law Bulletin* (2008) Vol. 7 Issue 6 pp. 2-3

Davis, M 'Indigenous rights and the constitution: making a case for constitutional reform' *Indigenous Law Bulletin* (2008) Vol. 7 Issue 6 pp. 6-8

Marks, G Ownership, sovereignty and coexistence: introductory remarks to ILA/HREOC seminar "Indigenous Peoples and Sovereignty", 14 November 2004 *Indigenous Law Bulletin* (2008) Vol. 7 Issue 6 pp. 21-23

Papillon, M 'Aboriginal Quality of Life Under a Modern Treaty: Lessons from the Experience of the Cree Nation of Eeyou Istchee and the Inuit of Nunavik,' *IRPP Choices*, vol 14, no. 9, August 2008.

## Reports

### [Commonwealth Indigenous-specific expenditure 1968–2008](#)

**John Gardiner-Garden, Department of Parliamentary Services, Research Paper No.10, 2008, Canberra 2008.**

This paper attempts to identify Commonwealth expenditure in the area of Indigenous affairs over the 40 years from 1968 to 2008 and to plot that expenditure by agency. This includes commonwealth spending on native title specific to NTRBs/NTSPs as well as the Federal Court and National Native Title Tribunal.

## Speeches, Seminar Papers and Conference Presentations

French, R, Rolling a Rock Uphill? – Native Title and the Myth of Sisyphus, paper presented to the Judicial Conference of Australia National Colloquium, 10 October 2008.

Hooke, M 'Opening Address' paper presented at the Annual Sustainable Development Conference, Sky City, Darwin, Northern Territory, 15-19 September 2008.

# Native Title in the News

## National

02-Sep-08 **NATIONAL New chief justice takes reins of top court** Robert French, former Federal Court Judge was sworn in as the High Court of Australia's 12th Chief Justice 1 September 2008. *Border Mail* (Albury-Wodonga, 2 September 2008), 2; 'Top judge's tribute to Aboriginal history' *Australian* (National, 2 September 2008), 2; 'New benchmarks from the west to east' *Courier Mail* (Brisbane, 2 September 2008), 16; 'New Chief Justice proves he is fit to lead the way' *Age* (Melbourne, 2 September 2008), 6; 'Man of many talents has stomach for top job' *Sydney Morning Herald* (Sydney, 2 September 2008), 5; 'In fairness he trusts' *Canberra Times* (Canberra, 2 September 2008), 4; 'Sex drugs and rock and roll: hail the new chief' *Australian* (National, 5 September 2008), 29.

05-Sep-08 **NATIONAL New land deal for Aborigines** The Federal Government is considering the guarantee of \$50 million per year for the Indigenous Land Corporation. The 'ILC was set up in 1995 by the Keating government to allay the concern that native title as recognised by the High Court in Mabo, provided limited material benefit to Aborigines and Torres Strait Islanders.'. To date the ILC has 'funded the purchase of 221 properties covering almost six million hectares.' There is no indication of how much land has been returned to Indigenous groups. *Australian* (National, 5 September 2008), 1.

19-Sep-08 **NATIONAL Water experts tap knowledge** Indigenous representatives from Australia, Canada, the United States, Guatemala and New Zealand gathered in Arnhem Land to 'discuss how indigenous people's rights to water should be acknowledged and advanced in water property regimes and water management systems'. *Southern Highland News* (Bowral, 19 September 2008), 4.

07-Oct-08 **National Indigenous leaders against elected body** The chairs of the Indigenous Land Corporation, Indigenous Business Australia and Aboriginal Hostels Ltd have 'argued in favour of a seven member advisory

body that automatically includes them as members' in submission to the commonwealth inquiry into the establishment of a national Indigenous representative body. *Australian* (National, 7 October 2008), 4.

24-Oct-08 National **Native Title goes to Federal Court** The Federal government will give the Federal Court mediation of Native Title Claims. Mediations of claims in the native title tribunal was causing a bottleneck in the system and, as the Federal Attorney General McClelland said, the oversight of a single body will allow the opportunities for resolution to be more easily identified. In a paper released this week, High Court Chief Justice Robert French admitted that the native title process 'can be likened to rolling a large rock uphill... the effort seems relentless and sometimes the rewards elusive. *Summaries - Australia Financial Review*, (Australia, 24 October 2008), 51.

24-Oct-08 National **Federal court to play key role in Native Title claims** The Federal Court will play a more significant role in Australia's native title system under the new system to be brought in next year. The new native title system is to be brought in by legislation which is due to be introduced into Parliament next year. *Lawyers Weekly*, (National, AU, 24 October 2008), 4.

## New South Wales

01-Sep-08 NSW **Mutawintji anniversary** The anniversary of the return of Mutawintji lands in 1998 will be celebrated this week. *Barrier Daily Truth* (Broken Hill, 1 September 2008), 5.

04-Sep-08 NSW **Way opens for gold miner** An untested native title claim on land between Condobolin and West Wyalong has 'collapsed' after a seven year court battle enabling Barrick gold to proceed with its plans in the Lake Cowal district. *Land* (NSW, 4 September 2008), 3.

16-Sep-08 NSW **Land Council claims North Head** The NSW Aboriginal Land Council is making a native title claim over North Head and the land along the peninsula. Most of the land is a part of Sydney Harbour National Park. *Sydney Morning Herald* (Sydney, 16 September 2008), 6; 'North Head land claim' *Sydney Morning Herald* (Sydney, 16 September 2008), 3; 'Give it back' *Manly Daily* (Sydney, 17 September 2008), 1.

18-Sep-08 NSW **Agreement is a first for NSW** The Gully Traditional Owners have 'celebrated the co-management agreement recently put in place with the Blue Mountain City Council'. The co management scheme is a result of the recognising the 'significance of the place to the Aboriginal community'. *Lithgow Mercury* (Lithgow, 18 September 2008), 16.

06-Oct-08 NSW **MP says High Court decision could open floodgates** The Wiradjuri Regional Aboriginal Land Council has successfully claimed native title land in Wagga Wagga following a decision by the High Court. *Daily Advertiser* (Wagga Wagga, 6 October 2008), 1; 'Aborigines win Wagga land claim' *Advertiser* (Adelaide, 3 October 2008), 17; 'Win for native title' *Daily Telegraph* (Sydney, 3 October 2008), 25; 'Wagga celebrates transfer of title on a derelict government site' *Sydney Morning Herald* (Sydney, 3 October 2008), 6; 'Think twice on land claims: activists' *Australian* (National, 3 October 2008), 5.

14-Oct-08 NSW **Boorabee Festival celebrates land rights** On November 1st the Glen Innes Local Aboriginal Lands Council will celebrate 25 years of land rights in NSW with the Boorabee Festival. *Glenn Innes Examiner*, (Glen Innes NSW, 14 October 2008), 5.

## Northern Territory

01-Sep-08 NT **Funding for Indigenous Marine Rescue Group** The Dhimurru Land Management Aboriginal Corporation has received \$1.3 million from the Federal Government for its new office which will be built at Nhulunbuy. *Australian Maritime Digest* (National, September 2008), 2.

27-Sep-08 NT **Top End snatches \$24bn gas plant prize from under the West's nose** Inpex has chosen Darwin harbour as the 'site for a multi billion dollar LN plant that will process...gas piped from the Browse Basin'. The Kimberley Land Council has hoped that the plant would be 'a way out of poverty for remote living indigenous people'. The decision was based on the NT Government's ability to provide certainty over the investment. *Weekend Australian* (National, 27 September 2008), 2; 'What a gas for Territory: greatest heist of all time' *Northern Territory News* (Darwin, 27 September 2008), 24.

03-Oct-08 NT **Traditional owners fight govt** Traditional owners Reggie Wurrildjal and Joy Garbin are taking on the federal government over its compulsory five year takeover of their Maningrida township in Arnhem Land. The case is currently being heard in the High Court. *Centralian Advocate* (Alice Springs, 3 October 2008), 9; 'NT intervention 'not on just terms' *Canberra Times* (Canberra, 3 October 2008), 5; 'Federal Intervention challenged' *West Australian* (Perth, 3 October 2008), 18; 'Elders battle to reverse takeover' *Northern Territory News* (Darwin, 3 October 2008), 5; *Chronicle* (Toowoomba, 3 October 2008), 16; 'NT intervention unconstitutional' *Australian* (National, 3 October 2008), 5; *Gladstone Observer* (Gladstone, 3 October 2008), 14; *Gympie Times* (Gympie, 3 October 2008), 6; *Daily examiner* (Grafton, 3 October 2008), 13; 'Intervention 'roll back' tip' *Northern Territory News* (Darwin, 1 October 2008), 4.

## Queensland

08-Sep-08 QLD **Fishing Industry vows to fight Torres Title claim** The Queensland Seafood Industry Association said that 'commercial fisherman in the Far North will be wiped out if the Torres Strait Native Title Sea Claims sets precedent giving indigenous people a 'share' of fish caught'. The sea claim will be heard on Coconut Island (Poruma) and in Cairns in November and December. *Cairns Post* (Cairns, 8 September 2008), 2.

18-Sep-08 QLD **Irwin adversary wins over locals** Bauxite explorer Cape Alumina has 'signed an agreement to explore on Aboriginal land with the Mapoon Trustees' giving the company access to an area of about 15 000 hectare on the Cape. *Courier Mail* (Brisbane, 18 September 2008), 58.

26-Sep-08 QLD **Registrar acts on native title** The Dhubbi Warra Aboriginal Corporation at Hopevale on Cape York and the Walmbaar Aboriginal Corporation at Mareeba have been 'under investigation by the Office of the Registrar of Corporations since May and have been placed under special administration'. *Courier Mail* (Brisbane, 16 September 2008), 16; 'Officials take control' *Cairns Post* (Cairns, 26 September 2008), 4.

30-Sep-08 QLD **Walmbaar Safety Net** The Walmbaar Aboriginal Corporation in Mareeba has been 'placed under special administration'. The corporation was established to hold and manage native title for the

Dingaal Country. *Tableland (Atherton)* (Atherton, 30 September 2008), 11.

02-Oct-08 QLD **Bid to stop dam lost in court** The Gubbi Gubbi people, who have a native title claim over the site of the Traverston crossing dam have 'lost a Federal Court bid to block the building of...the dam'. The Gubbi Gubbi people refused a \$1 million offer from the Queensland government as part of an ILUA package. *Barrier Daily Truth* (Broken Hill, 2 October 2008), 8; 'Court dismisses dam action' *Gympie Times* (Gympie, 2 October 2008), 3; 'Dam court fight lost' *Sunshine Coast Daily* (Maroochydore, 2 October 2008), 7.

06-Oct-08 QLD **Native title claim seeks share of fishing catch** The Torres Strait Regional Seas claim is currently being heard in Brisbane. Opening statements for claimants Leo Akiba and George Mye, representing people of the Torres Strait as well as the Commonwealth and State were made by lawyers before Justice Finn. *Cairns Post* (Cairns, 6 October 2008), 6.

07-Oct-08 QLD **New indigenous policy adopted** The Redland City Council has entered into a 'new partnership with the local indigenous community with the formal adoption of a new Indigenous Community Policy'. The 'policy provides a formal framework for partnership with core objectives about relationship engagement, acknowledgement and respect'. *Bayside Bulletin* (Brisbane, 7 October 2008), 13.

08-Oct-08 QLD **Leaders to fight listing of Cape** A delegation of Indigenous leaders from the Cape York area will 'travel to Barcelona to fight a push by the Wilderness Society to have the Cape York heritage listed'. They will 'go to the International Union for Conservation and Nature...to argue against the motion' and demand the withdrawal of the premature resolution urging the addition of the Cape York Peninsula to the World Heritage List'. The groups including the Cape York Land Council, Balkanu Cape York Development Corporation and the Cape York Institute are 'outraged' they received no notice of the meeting. The Wilderness Society has since apologised to Indigenous leaders from the Cape area. *Australian* (National, 8 October 2008), 6; 'Heritage bid dropped' *Cairns Post* (Cairns, 10 October 2008), 4; 'Cape heritage bid halted in its tracks' *Australian* (National, 10 October 2008), 8.

11-Oct-08 QLD **Native title stalls project** Native title negotiations are occurring over land granted to the

Salvation Army. According to Minister for Natural Resources and Water Craig Wallace 'discussions with all interested parties regarding the land tenure for the Salvation Army's proposal for a detoxification and rehabilitation centre in Townsville started in September'. It is expected that the parties will sign an ILUA over the proposed site. *Townsville Bulletin* (Townsville, 11 October 2008), 18.

15-Oct-08 **QLD Court examines the rights of PNG villagers to Torres Strait** The Federal court has travelled to a remote island off northern Australia for hearings that could see the rights of some Papua New Guinea nationals over the Torres Strait recognised for the first time by Australian authorities. Torres Strait Islanders have launched a native title claim seeking rights, 44,000sq km in the Torres Strait. The PNG nationals say they have traditional ties to the area and do not want their rights diminished. *Australian*, (Australia, 15 October 2008), 11.

## South Australia

12-Sep-08 **SA Court sits in desert to determine claims** A native title hearing was heard in the Simpson Desert to 'determine the first native title claim on a South Australian national park'. The determination 'finalised four claims from the Eringa and Wangkangurru/Yarluyandi groups to recognise their non exclusive native title rights and interests in the 7, 770 square kilometre park'. The case was heard by Justice Lander. *Barrier Daily Truth* (Broken Hill, 12 September 2008), 8; *National Indigenous Times* (Malua Bay, 18 September 2008), 6; 'Simpson desert last of land claim hearings in the centre' *Land Rights News* vol 11, no 2, 5.

23-Oct-08 **SA Traditional owners need consultation** Premier Mike Rann has assured Whyalla's Indigenous population that their concerns about the proposed development at Point Lowely will be heard before any decision is made. Some concerns have been expressed with development at Fitzgerald Bay, because it will disturb the land and their spiritual connection with the land. Although native title has been extinguished on their land, the Aboriginal people believe that their sacred sites should be respected and not affected. *Whyalla News*, (Whyalla SA, 23 October 2008), 3.

## Victoria

01-Sep-08 **VIC Aboriginal party appointed** The Wurundjeri Tribe Council has been appointed as an Aboriginal party to 'manage and protect' cultural heritage. *Lilydale & Yarra Valley Leader* (Melbourne, 1 September 2008), 6.

02-Sep-08 **VIC Native Title claim on local land** A native title claim on crown land including parts of Forster and Wilson's Promontory and Inverloch would not affect land holders east of Gurnai according to Gurnai elder Albert Mullet. *Great Southern Star* (Leongatha, 2 September 2008), 9; 'Native title claims from Prom' *South Gippsland Sentinel* (South Gippsland, 2 September 2008), 11; 'Claim lodged' *Lakes Post* (Lakes-Entrance, 3 September 2008), 2.

03-Sep-08 **VIC Protect cultural heritage** The Kuuyang Maar Aboriginal group made up of native title groups in south Western Victoria 'has applied to become a state recognised Aboriginal party' under Victoria's cultural heritage legislation. *Colac Herald* (Colac, 3 September 2008), 5.

04-Sep-08 **VIC Indigenous parks staff head to Canada** The first Indigenous Study Tour hosted by Parks Victoria will include a visit to Canada 'to learn more about its First Nation people and their culture'. The 'pilot program will provide opportunity for a sharing of knowledge and experience between Victorian and Canadian Indigenous staff.' *National Indigenous Times* (4 September 2008), 32.

10-Oct-08 **VIC The best in Australia** The new Novotel Forest Resort Creswick was built after a 'landmark native title agreement with the traditional landowners'. *Ballarat Courier* (Ballarat, 10 October 2008), 17.

11-Oct-08 **VIC Budj Bim Council Now Official** The Budj Bim Council was officially launched on Thursday at Mount Eccles National park. Signalling a new era of management between the region's traditional owners and the Victorian government. Recognition of native title is a growing facet of managing national parks. The new council is an advisory committee which will play a role in the operation of the Mount Eccles National Park. Program manager to the Grampains district Victoria David Newton said it is important to recognise the spiritual and physical properties of landscape to aboriginal Australia. It is something the traditional

owners have been building through their park management programs. *Warrnambool Standard* (Warrnambool, 8 October 2008), 6; *Hamilton Spectator*, (Hamilton VIC, 9 October 2008), 4; *Portland Observer*, (Portland VIC, 10 October 2008), 3; *Hamilton Spectator*, (Hamilton VIC, 11 October 2008), 3.

13-Oct-08 VIC **Aboriginal people continue to live in Harmony with the natural environment** The Taungurung traditional owners are asserting their native title rights over much of the southern section of the Goulburn Broken Catchment region under the commonwealth Native title Act. Traditional owners groups offered representatives to share their knowledge about indigenous relations with the waterway and environment. *Country News*, (Shepparton VIC, 13 October 2008), 41.

## Western Australia

01-Sep-08 WA **WA government claims victory against tenement backlog** The Government of Western Australia has said that it has 'managed to reduce the backlog of tenement applications despite receiving 4 140 tenements applications'. This is an excellent result according to the government since the process has included processing under the Native Title Act. *Pay dirt* (National, September 2008), 11.

03-Sep-08 WA **Boost for Indigenous Workforce** Goldfields Land and Sea Council chief executive Brian Wyatt is 'committed to improving the representation of Aboriginal people in the regional community' particularly in mining. The GLSC has appointed a new economic development officer Darryl Cronin who will aim to 'create opportunities for training and employment as well as helping establish sustainable enterprises owned and operated by Aboriginal people and their communities.' *Kalgoorlie Miner* (Kalgoorlie, 3 September 2008), 7; 'Chasing economic development' *Golden Mail* (Kalgoorlie, 5 September 2008), 4.

04-Sep-08 WA **Action over cull** Karajarri native title holders were not consulted over a cull of horses south of Broome. There were significant issues with a lack of consultation and the humanness of the process with many horses being injured and not dying instantly. *Broome Advertiser* (Broome, 4 September 2008), 5.

04-Sep-08 WA **Kimberley eco-resort proposal irks landowner** A proposal for an eco resort has concerned Patrick Birch, chairman of the Balanggarra Aboriginal Corporation who holds native title over the proposed site. Mr Birch said that the developers are yet to meet with traditional owners to discuss their plans. *West Australian* (Perth, 4 September 2008), 14.

04-Sep-08 WA **Proposed ban leaves out royalties: WDALC** The West Australian government's legislation to 'ban uranium mining fails to take into account the plight of Aboriginal communities who stand to benefit from mining royalties' according to the Western Desert Land Corporation. *National Indigenous Times* (4 September 2008), 6.

10-Sep-08 WA **Land council narrows Kimberley gas options** Traditional owners from the Kimberley have 'announced four sites as potentially acceptable for a hub to process gas from the West Australian Browse Basin'. The sites are negotiable and include Gordon bay, James Price Point, North Head and Anjo Peninsula. Kimberley Land Council executive Wayne Bergmann said that the Indigenous parties were seeking compensation and a community development package. *Age* (Melbourne, 10 September 2008), 1; 'Aboriginal tick for four potential gas hub sites' *West Australian* (Perth, 10 September 2008), 4; 'Firms non-committal on Kimberley gas hub' *West Australian* (Perth, 11 September 2008), 10; 'New doubt over future of Kimberley gas hub' *West Australian* (Perth, 11 September 2008), 10; 'KLC named preferred Kimberley hub sites' *Broome Advertiser* (Broome, 18 September 2008), 3; 'Barnett urged not to rush for Inpex' *West Australian* (Perth, 22 September 2008), 10.

10-Sep-08 WA **Native title art on a grand scale up for auction** Ngurrara, a 5m by 8m canvass, was painted by the traditional owners of the sandy desert region to support their native title claim in 1996. The artwork depicts 'their relationship to the land, painting, waterholes, walking tracks and the Canning Stock Route'. The artwork was auctioned in Sydney but failed to reach its reserve price. *West Australian* (Perth, 10 September 2008), 3; 'Country on canvas' *Broome Advertiser* (Broome, 18 September 2008), 11; 'Land Title artwork unsold' *West Australian* (Perth, 27 September 2008), 12.

13-Sep-08 WA **License for Pilbara iron** Iron ore explorer Cape Lambert has been granted an exploration permit for its Cape Lambert South project in Western Australia.

The company aims to test the area but will require native title approval. *Daily Telegraph* (Sydney, 13 September 2008), 103; 'Pilbara license for iron ore explorer' *Weekend Gold Coast Bulletin* (Queensland, 13 September 2008), 112; 'Miner to drill test' *Sunshine Coast Daily* (Maroochydore, 13 September 2008), 114.

19-Sep-08 WA **Push for minimum native title payments** Atlas Iron, a Mid West miner is supporting a 'push to establish minimum native title payments to Aboriginal communities affected by mining in an effort to streamline a lengthy process and better include Aborigines in the resources boom'. The Yamatji Land and Sea Council estimates that native title compensations 'currently averages at less than 0.25 per cent of mining profits from West Australian iron ore.' Atlas managing director David Flanagan said that a 'standard agreement structure would benefit everyone by facilitating better engagement, improved land access and standard minimum royalties.' *Geraldton Guardian* (Geraldton, 19 September 2008), 3; 'Minimum royalties needed for native title legislation' *North West Telegraph* (South Headland, 24 September 2008), 15.

26-Sep-08 WA **Yamatji workshops** The Yamatji Land and Sea Council will 'hold workshops to talk about the new federal law to bring Aboriginal corporations in line with the mainstream'. The workshops are 'for native title claimants to learn about the changes'. *Geraldton Guardian* (Geraldton, 26 September 2008), 14; 'Talks tackle land council changes' *Pilbara News* (Pilbara, 1 October 2008), 10.

26-Sep-08 WA **Rudd government goes native for the first time** The Federal Court has recognised that the Thalanyji hold native title rights and interests in their traditional country in the Pilbara region of Western Australia. The hearing was held in Onslow and presided by Justice North. *Lawyers Weekly* (National, 26 September 2008), 4; 'Justice North and some of the Thalanyji elders relax after the Native Title Determination in Onslow' *North West Telegraph* (South Hedland, 1 October 2008), 15; 'Court rules on native title claim' *Pilbara News* (Pilbara, 1 October 2008), 3.

01-Oct-08 WA **Brave new world of energy in WA** New World Energy solutions have obtained 12 permits for hot rock exploration. The company expects that negotiating native title approval could take up to 6 months and plans

to list the company in 2009. *Paydirt* (National, October 2008), 10.

01-Oct-08 WA **Brockman rights native title agreement** Brockman Resources has 'signed a native title agreement over its Pilbara iron ore project'. The agreement was signed with the Martu Idja Bayjima native title claim group and will facilitate mining from the company's Marillana project. *Business News* (Perth, 9 October 2008).

02-Oct-08 WA **Crusader steps up access talks** Crusader resources Limited is 'accelerating efforts to conclude negotiations over a mineral exploration and land access agreement with native title owners over it's... Lake Throssell uranium tenements'. *Kalgoorlie Miner* (Kalgoorlie, 2 October 2008), 17.

08-Oct-08 WA **Native title workshops underway** The Pilbara Native Title Service is 'holding community information workshops throughout October to talk about a new federal law which will change the way aboriginal corporations are run'. *North West Telegraph* (South Headland, 8 October 2008), 6.

09-Oct-08 WA **Fortescue back in court** A court injunction 'relating to a native title claim was imposed on Fortescue Metals Group preventing the iron ore miner from engaging in port expansion in Western Australia'. *Australian Financial Review* (National, 9 October 2008), 24; 'Fortescue legal fight' *Canberra Times* (Canberra, 9 October 2008), 15; 'FMG fights port growth injunction' *West Australian* (Perth, 9 October 2008), 55.

11-Oct-08 WA **The new Ord dream comes alive for bullish Kimberley** Brendan Grylls is the new Regional Development Minister in Western Australia who will oversee the Ord Development scheme. The Miriuwung Gajerrong native title holders have signed an agreement with the Western Australian government in order to facilitate the development. Under the agreement, 5 per cent of serviced farmland will be given to the corporation and the 'potential is enormous given that Aboriginal unemployment in the Kimberley stands at... 70 per cent'. The Minister for Regional Development Brendan Grylls has 'assured local Indigenous people their needs would be a central factor in the roll out of the government's planned East Kimberley expansion project'. Mr Crylls *West Australian* (Perth, 11 October 2008), 8. Kimberley Echo (Kununarra, WA, 16/10/08), 5.

16-Oct-08 WA **Barnett pick North head as Kimberley LNG site** Colin Barnett named North Head, 26km north



of Beagle Bay, as his preferred site or development of an LNG precinct in the Kimberley. The State Government would attempt to acquire the land at North Head, an Aboriginal reserve, located on traditional lands. Land Council Chief Executive Wayne Bergman, urged Mr Barnett to ensure Aboriginal people were not marginalised and said development must deliver lasting benefits. *West Australian*, (Perth, 16 October 2008), 6.

17-Oct-08 WA **Barnett eager to save \$25b Inpex deal** Colin Barnett has held meetings with the Kimberley Land Council to 'remove the right of veto from Indigenous owners' as a part of plans to 'lure the \$25 billion Inpex gas development back to WA'. *West Australian* (Perth, 17 October 2008), 10.

28-Oct-08 WA **Mabo's language analysed** The author of a book launched at Murdoch University this week has

highlighted the culture clash decision makers in the High Court and Federal Parliament has to deal with regarding the Mabo decision in 1992. Office of Native Title principal policy officer Stephen Robson said his book, *The Clash of Conceptual Language Around Australia's Mabo Decision*, explored the significance of the landmark decision by the High Court in 1992. *Melville Times*, (Perth, AU, 28 October 2008), 13.

## Applications Lodged with the Federal Court

DATE FILED	APPLICATION NAME	APPLICATION TYPE	STATUS	STATE/TERR.	TRIBUNAL FILE NO.	FEDERAL COURT FILE NO.
13/10/2008	<a href="#">North Eastern Wiradjuri People of the Bathurst/Lithgow/Mudgee area</a>	Claimant application	Active	NSW	NC08/1	NSD1598/08
30/09/2008	<a href="#">Gosford City Council</a>	Non-claimant application	Active	NSW	NN08/7	NSD1555/08
26/09/2008	<a href="#">Dieri No.2 Native Title Claim</a>	Claimant application	Active	SA	SC08/2	SAD163/08
15/09/2008	<a href="#">Wanyurr Majay People</a>	Claimant application	Active	QLD	QC08/9	QUD296/08
04/09/2008	<a href="#">Hartog</a>	Non-claimant application	Active	NSW	NN08/6	NSD1390/08
02/09/2008	<a href="#">Gudang Yadhaykenu People</a>	Claimant application	Active	QLD	QC08/8	QUD269/08
02/09/2008	<a href="#">Deni Play on the Plains Festival Ltd</a>	Non-claimant application	Active	NSW	NN08/5	NSD1380/08

This information has been extracted from the [National Native Title Tribunal website](#) accessed 17 November, 2008. For further information about native title applications contact the National Native Title Tribunal on 1800 640 501 or visit [www.nntt.gov.au](http://www.nntt.gov.au).

# Registration Test Decisions

DECISION DATE	APPLICATION DATE	APPLICATION NAME	STATE/TERR.	DECISION	NNTT FILE NO.	FEDERAL COURT FILE NO.
<a href="#">Neutral Junction</a>	DC08/1-1	NTD13/08	Accepted	23/10/2008	13/08/2008	<a href="#">Neutral Junction</a>
<a href="#">South West Bojarah</a>	WC98/63-3	WAD6279/98	Not Accepted	16/10/2008	25/09/1998	<a href="#">South West Bojarah</a>
<a href="#">Aileron</a>	DC07/2-1	NTD20/07	Accepted	07/10/2008	19/12/2007	<a href="#">Aileron</a>
<a href="#">Kooma People #3</a>	QC02/16-3	QUD6013/02	Accepted	03/10/2008	21/03/2002	<a href="#">Kooma People #3</a>
<a href="#">Combined Gungandji</a>	QC01/19-2	QUD6013/01	Accepted	19/09/2008	27/04/2001	Combined Gungandji
Central West Goldfields People	WC99/29-3	WAD65/98	Not Accepted	16/09/2008	26/02/1999	Central West Goldfields People
Bidjara People	QC08/5-1	QUD216/08	Accepted	12/09/2008	23/07/2008	Bidjara People
Birriburu #2 WC08/1	WC08/1	WAD108/08	Not Accepted	03/09/2008	26/05/2008	Birriburu #2 WC08/1

This information has been extracted from the [National Native Title Tribunal website](#) accessed 17 November, 2008. For further information about Registration Test Decisions contact the National Native Title Tribunal on 1800 640 501 or visit [www.nntt.gov.au](http://www.nntt.gov.au).

## ILUAs

TRIBUNAL FILE NO.	NAME (NNTT HYPERLINK)	TYPE	STATE/TERR.	REGISTRATION DATE	SUBJECT MATTER
<a href="#">Albert George Beaven and Heather Jean</a>	QI2008/014	Area agreement	QLD	17/10/2008	Extinguishment

<a href="#">Beaven Blackstone Multi Function Police Facility BC ILUA</a>	WI2008/002	Body corporate agreement	WA	10/10/2008	Fishing
<a href="#">Yarrabah Primary Health Care Centre ILUA</a>	QI2008/005	Area agreement	QLD	22/09/2008	Infrastructure
<a href="#">Jagera, Yuggera and Ugarapul People and Ipswich City Council</a>	QI2007/037	Area agreement	QLD	19/09/2008	Government
<a href="#">Jagera, Yuggera and Ugarapul People and Toowoomba Regional Council</a>	QI2007/038	Area agreement	QLD	19/09/2008	Government
<a href="#">Tagalaka (Town of Croydon) ILUA</a>	QI2007/001	Area agreement	QLD	05/09/2008	Government

This information has been extracted from the [National Native Title Tribunal website](#): 17 November, 2008. For further information about Indigenous Land Use Agreements contact the National Native Title Tribunal on 1800 640 501 or visit [www.nntt.gov.au](http://www.nntt.gov.au).

## Determinations

SHORT NAME	CASE NAME	DATE	STATE/ TERR.	OUTCOME	LEGAL PROCESS
<a href="#">Thalanyji</a>	Leslie Hayes & Ors on behalf of the Thalanyji People v The State of Western Australia and Others <a href="#">[2008] FCA 1487</a>	18/09/2008	WA	Native title exists in parts of the determination area	Consent determination
<a href="#">Eringa Part A Proceeding</a>	Eringa, Eringa No.2, Wangkangurru/Yarluyan di and Irrwanyere Mt Dare Native Title Claim Groups v The State of South Australia <a href="#">[2008] FCA 1370</a>	11/09/2008	SA	Native title exists in parts of the determination area	Consent determination
<a href="#">Wangkangurru/Yarluyandi Part A Proceeding</a>	Eringa, Eringa No.2, Wangkangurru/Yarluyan di and Irrwanyere Mt Dare Native Title Claim Groups v The State of South Australia <a href="#">[2008] FCA 1370</a>	11/09/2008	SA	Native title exists in parts of the determination area	Consent determination
<a href="#">Irrwanyere Mt Dare Native Title Determination</a>	Eringa, Eringa No 2, Wangkangurru/Yarluyan di and Irrwanyere Mt Dare Native Title Claim Groups v The State of South Australia <a href="#">[2008]</a>	11/09/2008	SA	Native title exists in parts of the determination area	Consent determination

[FCA 1370](#)

This information has been extracted from the [National Native Title Tribunal website: \[http://www.nntt.gov.au/ntdetermination/bydate\\\_index.html\]\(http://www.nntt.gov.au/ntdetermination/bydate\_index.html\)](#) accessed 27 August 2007. For further information about native title determinations contact the National Native Title Tribunal on 1800 640 501 or visit [www.nntt.gov.au](http://www.nntt.gov.au).

## Future Act consent determinations

NOTIFICATION CLOSING DATE	APPLICATION NAME	APPLICATION TYPE	PARTIES
26/09/2008	<a href="#">WO08/661</a>	Consent determination: expedited procedure does not apply	The Yarnangu Ngaanyatjarraku Parna (Aboriginal Corporation) (WC04/3) (native title party) - and - The State of Western Australia (Government party) - and - Hinckley Range Pty Ltd (grantee party)
2/09/2008	<a href="#">WF08/26</a>	Consent determination: future act can be done	David Stock and Others on behalf of the Nyiyaparli People (WC05/6) (Applicant/native title party) - and - The State of Western Australia (Government party) - and - Adelaide Prospecting Pty Ltd (grantee party)

This information has been extracted from the [National Native Title Tribunal website](#) accessed 17 November, 2008. For further information about future act determinations contact the National Native Title Tribunal on 1800 640 501 or visit [www.nntt.gov.au](http://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.

Six collections of images listed recently may be of interest to native title.

- Digital images (155) of Noonkanbah, 1973-1980, taken by Kim Akerman (AKERMAN.K1.CD)
- Black and white prints (4) of rock art sites in New South Wales and Queensland, taken by

Daniel S. Davidson in the 1930s (DAVIDSON.D1.CD).

- Colour slides (55) and black and white prints (5) of petroglyphs from Callawa Creek, Port Hedland and Depuch Island, taken by Adrian O. Day in 1959 (DAY.A2.CD)
- Colour slides (63) of Kurrawang, WA Mission Station landscape, development and daily life, taken by Norman Walter Russell Hill in 1957.(HILL.N1.CS)
- Colour slides (72) of Lockhart River community scenes and the Lockhart River Song and Dance Festival, taken in 1972-1973 by Don Langford (LANGFORD.D1.CS and LANGFORD.D2.CS)
- Historic photographs – enactments of skills required for daily life. 1 photo CD with photos by Thomas Dick 1910. (DICK.T1.CD)

See the website, The Anangu Lands Paper Tracker, (UnitingCare Wesley, Adelaide, 2007) that monitors the progress of SRAs and gives other information on interactions with Government agencies and Anangu peoples. <http://www.papertracker.com.au/>

Some of the exhibitions from the State Library of NSW are now available online. See:

Blanket Lists online exhibition [electronic resource] [http://www.sl.nsw.gov.au/discover\\_collections/history\\_nation/indigenous/blanket/blanket.html](http://www.sl.nsw.gov.au/discover_collections/history_nation/indigenous/blanket/blanket.html).

George Augustus Robinson - Protector of Aborigines online exhibition. [electronic resource]. [http://www.sl.nsw.gov.au/discover\\_collections/history\\_nation/indigenous/robinson/robinson.html](http://www.sl.nsw.gov.au/discover_collections/history_nation/indigenous/robinson/robinson.html). Sydney, N.S.W. : State Library of New South Wales, 2008.

### Archaeology

Allen, Harry et al. 'Footprints in the sand: appraising the archeology of the Willandra Lakes, western New South Wales, Australia.' *Antiquity* Vol.82, no.315 (March 2008), p.11-24.

Brady, Liam. 'Symbolic language in Torres Strait, NE Australia: images from rock art, portable objects and human scars.' *Antiquity* Vol.82, no.316 (June 2008), p. 348-350, ill.

Faulkner, Patrick. 'Patterns of chronological variability in occupation on the coastal margin of Blue Mud Bay.' *Archaeology in Oceania* Vol.43, no.2 (July 2008), p. 81-88.

O'Connor, Sue. 'A small salvage excavation in Windjana Gorge, Kimberley, Western Australia.' *Archaeology in Oceania* Vol.43, no.2 (July 2008), p.75-81.

Ross, Anne. 'Managing meaning at an ancient site in the 21<sup>st</sup> century: the Gummingurru Aboriginal stone arrangement on the Darling Downs, southern Queensland.' *Oceania* Vol.78, no.1 (March 2008), p. 91-108.

### Economics and policy

Baas Becking, Francesca. Native title and Indigenous participation in the process of government since 1992. [1998?]. Material submitted for AIATSIS grant.

Cape York Partnerships. Cairns, Qld. Click here for electronic access to Publisher site:

<http://www.capeyorkpartnerships.com/>

Moran, Mark and Alyson Wright. *The transformation of assets for sustainable livelihoods in a remote Aboriginal settlement. Alice Springs* : Desert Knowledge CRC, 2008.

Nielsen, Noah et al. *Indigenous tourism involvement in Queensland. Gold Coast, Qld. : Sustainable Tourism CRC, 2008.*

Tremblay, Pascal. *Desert tourism scoping study. Alice Springs, N.T. : Desert Knowledge CRC, 2006.*

### Government reports and Native Title cases: Australia and States

Macklin, Jenny 'Closing the gap between Indigenous and non-Indigenous Australians.'

[http://www.fahcsia.gov.au/budget/ministerial\\_statement/docs/ministerial.pdf](http://www.fahcsia.gov.au/budget/ministerial_statement/docs/ministerial.pdf)

Canberra : Commonwealth of Australia, 2008

Eora Aboriginal Sydney online exhibition [electronic resource]

[http://www.sl.nsw.gov.au/discover\\_collections/history\\_nation/indigenous/eora/index.html](http://www.sl.nsw.gov.au/discover_collections/history_nation/indigenous/eora/index.html)

Sydney, N.S.W. : State Library of New South Wales, 2008.

## Governance

Summary of year two research findings : Indigenous Community Governance Project. Canberra : Reconciliation Australia, 2007.

## History – exploration and accounts

Boyce, James. 'Ignorance or deceit? Keith Windschuttle's fabrication of Aboriginal history.' Edmonds, P. and S. Furphy. *Rethinking Colonial Histories: new and alternative approaches.*: History Department, University of Melbourne, 2006, p.[7]-31.

Furphy, Samuel. 'Edward Micklethwaite Curr's Recollections of Squatting: biography, history and native title.' Edmonds, P. and S. Furphy. *Rethinking Colonial Histories: new and alternative approaches.*: History Department, University of Melbourne, 2006, p.[33]-48.

Henderson, John. *Observations on the colonies of New South Wales and Van Diemen's Land.* Calcutta : Baptist Mission Press, 1832. NOTE: Also available electronically at Google Books: <http://books.google.com/>

Hodder, Edwin. *The history of South Australia, from its foundation to the year of its jubilee : with a chronological summary of all the principal events of interest up to date.* London : Sampson Low, Marston, 1893.

MacFarlane, Ingereth and Mark Hannah, eds. *Transgressions: critical Australian Indigenous histories.* Canberra : Aboriginal History Monograph 16, ANU E Press, 2007.

Jensz, Felicity. 'Ohne neid' ('without jealousy'): Moravian missionaries' ideas of land ownership in colonial Victoria.' Edmonds, P. and S. Furphy. *Rethinking Colonial Histories: new and alternative approaches.*: History Department, University of Melbourne, 2006, p.[219]-231.

Johnson, Richard *The search for the inland sea : John Oxley, explorer, 1783-1828.* Carlton South, Vic. : Melbourne University Press, 2001.

Land, Clare. 'Material histories: clothing, control and resistance on missions, 1910-1920'. Edmonds, P. and S. Furphy. *Rethinking Colonial Histories: new and alternative*

*approaches.*: History Department, University of Melbourne, 2006, p.[185]-202.

Lergessner, James G. *Chief Bungaree : king of the Broken Bay tribe.* Woorim, Qld. : J. Lergessner, c2008.

Moore, Bruce. *Cotter country : a history of the the early settlers, pastoral holdings and events in and around the County of Cowley, NSW.* Lyneham, A.C.T. : Greg Moore, 1999.

Pinkerton, John. *Early Australian voyages : Pelsart, Tasman, Dampier.* NOTE: See Project Gutenberg or follow link from AIATSIS' MURA online catalogue.

Rowley, C.D. "'And some fell upon stoney places" : some thoughts on why missions on the Australian continent have been less successful than mission to the Melanesians.' *Journal de la société des Océanistes* v. 25 1969 : p. 137-149.

Shepherd, R. *The Aborigines of Victoria and Riverina / as seen by Peter Beveridge.* Donvale, Vic. : Lowden Publishing, 2008. (NOTE: Original published in 1889)

Smits, Katherine. 'John Stuart Mill on the Antipodes: settler violence against Indigenous peoples and the legitimacy of colonial rule'. *Australian Journal of Politics and History*, Vol. 52, no. 3, (Sept. 2006), p. [517]-561.

## Human Rights

Australia. Human Rights and Equal Opportunity Commission. *Federal discrimination law.* Sydney : Human Rights and Equal Opportunity Commission, 2008.

Australia. Human Rights and Equal Opportunity Commission. *An international comparison of the Racial Discrimination Act 1975.* Sydney : Human Rights and Equal Opportunity Commission, 2008.

## Indexes, directories and guides

Bowern, Claire. *Linguistic fieldwork : a practical guide.* Basingstoke, England : Palgrave Macmillan, 2008.

Frei, Patricia M. *Historical indexes of the Canberra/Queanbeyan district* [electronic resource].(NOTE

4 CDROMs held at AIATSIS Library). Canberra : Heraldry & Genealogy Society of Canberra, c2006.

Queensland. Dept. of Aboriginal and Torres Strait Islander Policy and Development. *Protocols for consultation and negotiation with Aboriginal people*. Brisbane, Qld. : Department of Families, Youth and Community Care, [1998]

### Indigenous knowledge

Albert, Trish; in collaboration with the National Museum of Australia. *Fighting for rights*. Australia : Rigby/Pearson Education, 2008.

Liu, Qian *An ethnopharmacological study of medicinal plants of the Kamilaroi and Muruwari Aboriginal communities in northern New South Wales*. Thesis (Ph.D)--Macquarie University, Dept. of Chemistry and Biomolecular Sciences, 2006.

### Indigenous rights: Overseas

Smith, Derek, ed. *Canadian Indians and the law : selected documents, 1663-1972*. Toronto : McClelland and Stewart, [1975].

Ray, Arthur J. 'Constructing and reconstructing native history : a comparative look at the impact of Aboriginal and treaty rights claims in North America and Australia'. *Native studies review* vol. 16 no. 1 2005 : p. 16-39.

### Intellectual property

*Desert Knowledge CRC protocol for Aboriginal knowledge and intellectual property*. Desert Knowledge CRC [electronic resource], Social science, Aboriginal engagement. <http://www.desertknowledgecrc.com.au/socialscience/downloads/DKCRC-Aboriginal-Intellectual-Property-Protocol.pdf>

### Languages and linguistics

Amery, Rob and Joshua Nash, Eds. *Warra wiltaniappendi = Strengthening languages : proceedings of the inaugural Indigenous Languages Conference (ILC) 2007 : 24-27 September 2007, University of Adelaide, South Australia*. Adelaide : Discipline of Linguistics, University of

Adelaide, c2008.

Evans, Nicholas, ed. *The Non-Pama-Nyungan Languages of Northern Australia : comparative studies of the continent's most linguistically complex region*. Canberra : Pacific Linguistics 552, Research School of Pacific and Asian Studies, Australian National University, 2003.

Harvey, Mark. *A grammar of Gaagudju*. Berlin ; New York : Mouton de Gruyter, 2002.

### Land acquisition and land management

Armstrong, Rachel. An overview of Indigenous rights in water resource management. [Darwin] : NAILSMA, 2008.

Christie, Michael. 'Knowledge management and natural resource management'. Luckert, M.K. et al. *Investing in Indigenous natural resource management*. Darwin : Charles Darwin University Press, 2007, p. 86-90.

Cruse, Jann. *Indigenous management of marine turtle and dugong : legal and policy opportunities and impediments : a consultancy report to the North Australian Indigenous Land and Sea Management Alliance*. [Darwin] : NAILSMA, 2008.

Desert Knowledge CRC 'Aboriginal engagement.' Desert Knowledge CRC [electronic resource], Social science, Aboriginal engagement. ELECTRONIC RESOURCE. <http://www.desertknowledgecrc.com.au/socialscience/engagement.html>

Desert Knowledge CRC 'Indigenous participation in water resource management:the Anmatyerr Kwatj Project'. Desert Knowledge CRC [electronic resource], Fact sheet 47, Project 1.708. <http://www.desertknowledgecrc.com.au/publications/downloads/Fact%20Sheet%201.708.pdf>

Fensham, R.J. *Talking fire : burning for pastoral management in the desert uplands*. Barcaldine, [Qld.] : Desert Uplands Build-up and Development Strategy Committee, 2007.

Gorman, J.T. et al 'A case for Indigenous fire management.' Luckert, M.K. et al. *Investing in Indigenous natural resource management*. Darwin : Charles Darwin University Press, 2007, p. 11-18.

Grey-Gardner, Robyn *The water handbook : a guide for management of small water supplies in Australian Aboriginal settlements*. Alice Springs : Desert Knowledge CRC, 2008.

Hayes, Lincoln. *A guide to developing Indigenous shared management arrangements for conservation areas in Queensland*. [Perth, W. A.] : National Native Title Tribunal, 2006.

Jackson, S. 'A case for Indigenous water management'. Luckert, M.K. et al. *Investing in Indigenous natural resource management*. Darwin : Charles Darwin University Press, 2007, p. 91-95.

Johnson, F.H. 'A case for Indigenous natural resource management and health'. Luckert, M.K. et al. *Investing in Indigenous natural resource management*. Darwin : Charles Darwin University Press, 2007, p. 53-61.

Luckert, M.K. 'A general case for natural resource management: market failures and government policy'. Luckert, M.K. et al. *Investing in Indigenous natural resource management*. Darwin : Charles Darwin University Press, 2007, p. 11-18.

Luckert, M.K. 'Approaches to understanding the costs and benefits of Indigenous natural resource management.' *Investing in Indigenous natural resource management*. Luckert, M.K. et al. Darwin : Charles Darwin University Press, 2007, p. 19-30.

Marley, Julia V. 'A case for Indigenous participation in biosecurity management.' Luckert, M.K. et al. *Investing in Indigenous natural resource management*. Darwin : Charles Darwin University Press, 2007, p. 68-71.

Memmott, Pau et al. *Holding title and managing land in Cape York [electronic resource] : Indigenous land management and native title*. Perth, W.A. : National Native Title Tribunal, c2003.

Moran, Ashley. *Aboriginal women's heritage : Ballina and Cabbage Tree Island*. Sydney, N.S.W. : Dept. of Environment and Climate Change NSW, 2007.

Queensland. Legislative Assembly. Legal, Constitutional and Administrative Review Committee.

*Hands on parliament : interim evaluation of the implementation of recommendations made following a Parliamentary Committee inquiry into Aboriginal and Torres Strait Islander peoples' participation in Queensland's democratic process*.  
[http://www.parliament.qld.gov.au/LCARC/view/committees/documents/lcarc/reports/HoP%20Report%202007\\_Revised%20Version%204.pdf](http://www.parliament.qld.gov.au/LCARC/view/committees/documents/lcarc/reports/HoP%20Report%202007_Revised%20Version%204.pdf). Brisbane : Legal, Constitutional and Administrative Review Committee , 2007.

Russell-Smith, Jeremy *Pre-contact Aboriginal, and contemporary fire regimes of the savanna landscapes of northern Australia : patterns, changes and ecological processes*. [Canberra] : Dept of the Environment and Water Resources, [2002].

Toussaint, Sandy. 'Kimberley friction: complex attitudes to water-places in Northern Australia'. *Oceania* Vol.78, no.1 (March 2008), p. 46-61.

#### Legal issues

Durette, M. (Melanie) *Indigenous legal rights to freshwater : Australia in the international context*. Canberra : ANU College of Arts & Social Sciences, Australian National University. Centre for Aboriginal Economic Policy Research. Perth, W.A. : Chamber of Minerals and Energy of Western Australia, [2008?].

Indigenous peoples : issues in international and Australian law. Sydney, N.S.W. : International Law Association (Australian Branch), 2006?.

MS 4529 CD 8 (A) Black & white [electronic resource] : good lore, bad laws : laundering the crown lands via the state administrations. c2007. (NOTE: Available in the AIATSIS Library)

Land, Clare. 'Law and the construction of 'race': critical race theory and the Aborigines Protection Act, 1886, Victoria, Australia.' Edmonds, P. and S. Furphy. *Rethinking Colonial Histories: new and alternative approaches*.: History Department, University of Melbourne, 2006, p.[137]-155.

Levin, Adam *Improvements to the tax and legal environment for Aboriginal community organisations and trusts* :



*discussion paper*. Perth, W. A. : Jackson McDonald Lawyers, 2007.

Potok, Richard et al. *A report into the professional development needs of native title representative body lawyers : final report*. [Clayton, Vic. : Monash University], 2005.

Strelein, Lisa and Tran Tran. *Taxation, trusts and the distribution of benefits under native title agreements*. Acton, A.C.T. : Native Title Research Unit, 2007.

#### **Procedures and protocols – Archives and Libraries**

State Library of Queensland. Kuril Dhagun [electronic resource] : Indigenous Knowledge Centre. Brisbane, Qld.: State Library of Queensland, 200?  
<http://www.slq.qld.gov.au/info/ind/kurildhagun>

Stroud, Rod. 'AIATSIS thesauri recognised internationally'. *Incite* Vol. 29, no. 9 (Sept. 2008), p. 31.

Thompson, Lyn and Renee Colless.  
*Indigenous knowledge centres* [electronic resource] : *the Queensland experience six years on*. Brisbane, Qld. : State Library of Queensland, 2008



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