AIATSIS
AUSTRALIAN INSTITUTE OF ABORIGINAL AND TORRES STRAIT ISLANDER STUDIES

WHAT'S NEW IN NATIVE TITLE

July 2016

1. Case Summaries

Hughes on behalf of the Eastern Guruma People v State of Western Australia (No 3) [2016] FCA 840

25 July 2016, Application for leave to appeal, Federal Court of Australia, Perth, Gilmour J

This matter concerned two applications seeking leave to appeal the decision in *TJ (on behalf of the Yindjibarndi People) v State of Western Australia* [2016] FCA 553. The first was filed on behalf of the Eastern Guruma people seeking to appeal the summary dismissal of their application (the 2015 Eastern Guruma application) for a native title determination on two grounds: that it constituted an abuse of process, and that it had no reasonable prospects of success. The second application sought to challenge a cost order in relation to a joinder application made by Michael Hughes with respect to the Yindjibarndi native title claim (the 2003 Yindjibarndi application). Gilmour J dismissed both applications with the exception of one of two orders in relation to the 2003 Yindjibarndi application.

Background

In 2007 and 2012, the Eastern Guruma people's native title rights and interests were recognised over an area of land southwest of the 2003 Yindjibarndi application. The 2015 Eastern Guruma application was filed over an area that overlapped the centre

of, and bifurcated the area claimed by the Yindjibarndi people in the 2003 application. It was submitted that this later application was made because the Eastern Guruma had discovered that a site of significance to the group, known as the FMG Satellite Springs, was not located within the boundaries of their earlier determinations of native title as previously thought. That application was summarily dismissed by the Court in March 2016.

In 2003, the Yindjibarndi people had lodged a native title claim that overlapped the first claim made by the Eastern Guruma people. Elders from both the Yindjibarndi claim group and the Eastern Guruma claim group attended a meeting held that year to discuss their respective claims. The boundaries of each claim were decided at that meeting, and the overlapping Yindjibarndi claim was withdrawn as a result.

The decision at first instance

The primary judge dismissed the 2015 application on two grounds: firstly, that the delay in its filing and the delay its continuance would cause to the Yindjibarndi claim amounted to an abuse of process, and secondly that it had no reasonable prospects of success.

The Eastern Guruma applicant had filed evidence alleging that members of the group had not learned of the site's location within the area claimed by the Yindjibarndi people until November 2014. The primary judge found this assertion to be false. His Honour held that the Eastern Guruma claim group had known for at least six years before commencing the 2015 application that the FMG Satellite Springs was not in the Eastern Guruma determination area, yet had done nothing to assert their claims at any earlier time. Further, his Honour held that the group had been aware of the Yindjibarndi applicants' claim over that area since at least the 2003 meeting.

Members of the Eastern Guruma claim group had visited the site in 2009 in order to record details about it for listing on the Register of Aboriginal sites. That group reported that it was probably a camping place and meeting place due to its proximity between the upper and lower Guruma groups, but did not ascribe any spiritual significance to the site. His Honour held that the evidence as to the spiritual significance of the site given in the 2016 affidavit of Ms Boyd was inconsistent with the 2009 evidence, and the claim therefore had no reasonable prospects of success.

The primary judge held that in light of the 2003 meeting of the two groups to settle their claim boundaries, and the re-discovery of the location of FMG Satellite Springs by members of the Eastern Guruma group in 2009, the subsequent delay in filing the 2015 application on grounds of mistake was not adequately explained on the evidence and amounted to an abuse of process. His Honour concluded that the delay in bringing the 2015 application was unreasonable and found that it was 'calculated to cause significant disruption and expenditure of significant costs by the Yindjibarndi, by reason of the interruption to its preparation of its case for the imminent hearing'.

The appeal decision

The Eastern Guruma applicant challenged the inference drawn by the primary judge that the reason the group members 'did nothing' to protect the FMG Satellite Springs site until 2015 is that the 2003 settlement of the boundary issue was being respected by them. The applicant submitted that this inference was inconsistent with the evidence that they were actively reviewing the omission of FMG Satellite Springs from their claim area from at least November 2014 onwards.

Gilmour J found that the inference was not material to the primary judge's conclusions on abuse of process in the sense that it was not an essential or necessary step in the primary judge's reasoning process. His Honour found that the primary judge's conclusions were based primarily upon the delay between May 2010, when an anthropological report on the site's location was provided to the group's prescribed body corporate, and the commencement of the 2015 proceeding. The primary judge noted that even if the applicant had made the claimed mistake about its boundaries, since the 2003 meeting, the Yindjibarndi applicant had pursued their native title claim to the point of a part-heard hearing without any knowledge of or participation in, such a mistake and in those circumstances, it would be an unfair and unjust use of the Court's procedures to allow the applicant to maintain the 2015 proceeding.

Gilmour J noted that in circumstances where abuse of process is engaged in through unacceptable and unexplained (in this case falsely explained) delay with attendant relevant prejudice, this is not addressed by asserting an arguable claim. His Honour considered the relevant question to be whether the claim should be dismissed, not as having no merit, but on the basis that its prosecution constitutes an abuse of process.

Gilmour J agreed with the approach taken by the primary judge to the issue of abuse of process, affirming that the continuation of the 2015 application, including the delay in its filing, had been shown to have a sufficiently burdensome effect on the Yindjibarndi applicant that it should not be permitted to continue.

Spiritual connection

The Eastern Guruma applicant contended that the primary judge made two errors in holding that the claim had no reasonable prospects of success as the evidence did not establish that the FMG Satellite Springs are of cultural, spiritual, ceremonial or mythological significance to the group. First, by treating it as a requirement of s 223(1)(b) of the NTA that an applicant prove its 'spiritual connection' to the land claimed. Second, in failing to appreciate that connection is established through proof of traditional laws and customs.

The applicant submitted that the primary judge misconstrued the effect of what the High Court plurality said in *Western Australia v Ward* [2002] HCA 28; 213 CLR 1 at [64]. They contended that the primary judge took that paragraph to mean that there must be proof of spiritual connection, whereas the plurality makes it plain that under

certain circumstances spiritual connection may suffice, but this does not make it a requirement. The applicant argued that the evidence put on their behalf proves an entitlement to camp at and use the resources of that area and that it was of 'major significance' to the Eastern Guruma. Gilmour J rejected these submissions on the basis that the primary judge had found that evidence to be false. His Honour considered that the primary judge was not concerned with what was required to prove connection but rather with an analysis of the evidence of Ms Boyd that the FMG Satellite Springs site had spiritual significance. The primary judge had found that Ms Boyd's evidence was inconsistent with the significance placed on the site by other members of the group, and as such the application had no reasonable prospect of success.

Wilson v State of South Australia (No 2) [2016] FCA 812

15 July 2016, Section 66B application, Federal Court of Australia, South Australia, White J

This matter concerned three interlocutory applications concerning the applicants of a native title claim filed on behalf of the Wirangu No 2 Native Title Claim Group. The first application was filed by the last surviving of the six original applicants, Ms Wilson, regarding the validity of a claim group meeting held in February 2016, at which a resolution was passed that Ms Wilson be replaced as applicant. Ms Wilson also sought orders that she remain as the applicant. The second was a s 66B application made by South Australian Native Title Services (SANTS) in March 2016, seeking an order to replace the original applicants with a group of seven replacements, made on behalf of those claimants (the replacement applicants). The final application was again brought by Ms Wilson, seeking similar orders to the first. Ms Wilson passed away prior to the hearing of the applications.

The s 66B application

SANTS had represented the original applicants from 2010 until Ms Wilson terminated their retainer in December 2015. The replacement applicants had appointed SANTS to represent them in the interlocutory proceedings, however SANTS withdrew their representation on the day of the hearing, stating that they felt uncomfortable doing so after having previously acted for the original applicants.

The replacement applicants brought the application on the grounds that at a claim group meeting in February 2016, the group resolved that the replacement applicants should replace the original applicants on the grounds that:

1. Ms Wilson had indicated that she no longer wished to be the named applicant;
2. the other original named applicants were deceased;
3. Ms Wilson was no longer authorised by the claim group.

Ms Wilson and her son opposed the application on the basis that she had not resigned as applicant, and that the February 2016 meeting was illegal as it was called by SANTS after the termination of its retainer.

His Honour held that Ms Wilson had indicated her wish to resign as applicant in September 2015 in a letter to SANTS, and rejected the assertion contained in Ms Wilson's interlocutory application that she was removed without her consent and knowledge, in contravention of s 66B.

His Honour further found that the claim group meeting held in February 2016 was validly held, as it had been called by SANTS on 18 December 2015 at the request of Ms Wilson for the purpose of appointing replacement applicants, prior to the termination of its retainer on 23 December 2015. It was considered that SANTS was not present at the meeting as the legal representatives of the group, but was exercising the dispute resolution functions of representative bodies under s 203BF (and possibly 203BB) of the NTA. White J held that regardless, SANTS' conduct did not have the effect of invalidating resolutions otherwise properly passed by the native title group.

White J then considered whether the 12 attendees at the meeting on 12 February 2016 were sufficiently representative of the native title claim group to revoke the authority of the original applicants and to authorise the replacement applicant. His Honour held that the meeting had been adequately notified and conducted, and that it was commonplace for meetings of the Wirangu No 2 Native Claim Group to have low attendance rates.

His Honour held that s 66B(1) was satisfied, as all of the original applicants were deceased. Furthermore, Ms Wilson had ceased to be authorised by the claim group to act as an applicant by the resolutions passed at the February 2016 claim group meeting, at which the replacement applicants were so authorised. White J declined to exercise the Court's discretion under s 66B(2) to permit Mr Wilson (son of Ms Wilson) to continue to represent his mother as one of the original applicants, given she could no longer provide instructions and the replacement applicants have been authorised by the group.

His Honour ordered that the replacement applicants replace the original applicants, and the applications filed by Ms Wilson be dismissed.

Wyman on behalf of the Bidjara People v State of Queensland **[2016] FCA 777**

5 July 2016, Application for summary dismissal, Federal Court of Australia, Queensland, Jagot J

This matter concerned two applications for a determination of native title lodged on behalf of the Bidjara people: QUD 216 of 2008 (Bidjara 6), and QUD 644 of 2012

(Bidjara 7), both covering land in southeast Queensland. Jagot J summarily dismissed both claims on the grounds that they were an attempt to re-litigate an issue of fact previously decided (in *Wyman on behalf of the Bidjara People v State of Queensland (No 2)* [2013] FCA 1229 (*Wyman No 2*), *Wyman on behalf of the Bidjara People v State of Queensland (No 3)* [2014] FCA 8, and *Wyman on behalf of the Bidjara People v State of Queensland (No 4)* [2014] FCA 93) and therefore involved an abuse of process.

Her Honour dismissed the Bidjara 6 application in relation to the area of overlap between that claim and Bidjara 7 in 2013, and determined in 2014 that native title does not exist in relation to that land. Her Honour considered that the claim in the Bidjara 6 and Bidjara 7 applications – that the claimant group is united in observance and acknowledgment of the traditional laws and the traditional customs of pre-sovereignty Bidjara society – was made and determined in *Wyman No 2*. Jagot J did not accept that the Bidjara 6 and 7 claims related to different areas and identified additional ancestors, as they are claims on behalf of the same claimant group. The continuation of Bidjara 6 and 7 was therefore an abuse of process.

Her Honour accepted the submissions made by the State of Queensland that the continuation of a Bidjara normative system of traditional law and custom since sovereignty was both an ultimate and an evidentiary issue in *Wyman No 2*. Furthermore, the Bidjara people had the opportunity to litigate this issue in *Wyman No 2* which included evidence adduced over 17 days. Jagot J held that as the identical issue of the continuation of a traditional society is raised in the Bidjara 6 and 7 claims, those claims can only succeed if a different, inconsistent, finding on the fundamental issue of the continuation of traditional Bidjara society is reached. Her Honour considered that this would amount to re-litigation of the same issue and involve further and extensive resources. As such, Jagot J considered that the continuation of Bidjara 6 and 7 would amount to an abuse of process within the principles set out in *State Bank of New South Wales Ltd v Stenhouse Ltd* [1997] 81-423 Aust Torts Rep 64,077 at 64,089 per Giles CJ.

Her Honour did not find it necessary to decide the further issue of estoppel, however considered it to be established on the evidence. Her Honour commented that the identity of applicants is not determinative of whether the doctrine can apply, as to focus on that group, rather than the claim group entity 'would be to introduce an artifice which should not be accepted'.

Hunter v State of South Australia [2016] FCA 779

4 July 2016, Application for strike out, Federal Court of Australia, South Australia, White J

This matter concerned a strike out application made by Mr Mark Koolmatrie on behalf of the Tribal Council of Elders of the Coorong, Lower Lakes and the Sea (Tribal Council), in relation to native title application lodged on behalf of the

Ngarrindjeri people in 1998. The Tribal Council is an unincorporated group of about 2024 elders who 'represent the Original People of the area'.

Mr Koolmatrie sought the following orders:

1. The strike out of the Ngarrindjeri native title claim and their claim is to be dismissed as they have been negligent in not meeting with all those on their claim including the apical ancestors of those on their claim.
2. That the Ngarrindjeri native title claim and Mark Koolmatrie and the Tribal Council of Elders of the Coorong, Lower Lakes and the Sea claim is progressed to a trial with a full hearing of oral evidence of those of the Ngarrindjeri and Ors. Native Title claim as opposed to affidavit evidence.
3. That Mr Berg is dismissed from representing the Ngarrindjeri native title claim due to his failure to follow the Court's orders.
4. That an injunction is granted to prevent the Ngarrindjeri native title claim acting in the future over the lands, water and air of the area of the claim until the determination of native title is concluded.
5. The Ngarrindjeri native title claim produces their genealogy and linage to the claimed area.

In 2013 and 2014, Mr Koolmatrie and the Council made applications seeking that the Ngarrindjeri native title claim be struck out; alternatively, that the Ngarrindjeri native title claimants establish connection to country; alternatively, that the claimants produce gealogies; alternatively, that Mr Koolmatrie and that the Tribal Council be joined as respondents to the Ngarrindjeri native title claim. Those applications were refused by Mansfield J in *Sumner v State of South Australia* [2014] FCA 534 on the grounds that neither Mr Koolmatrie nor the Tribal Council had standing to bring the applications and the evidence did not support their joinder as a party to the Ngarrindjeri native title claim. Furthermore, his Honour held that it was inappropriate to require the Ngarrindjeri native title claimants to present, as if at trial or on a trial of a separate issue, the evidence to prove their connection to the claimed area or the 'lineage' or genealogy.

White J dismissed the current application on the basis that neither Mr Koolmatrie nor the Tribal Council have standing to bring it, adopting the reasons given in *Sumner.* His Honour noted that Mr Koolmatrie's affidavit filed in support of the application contained a number of requests, including for the production of documents and that a number of the Ngarrindjeri claimants be subpoenaed to give evidence at the hearing of the Tribal Council's application. White J found that Mr Koolmatrie did not provide any evidence as to why it would be appropriate for the Court to make orders dealing with the requests, even if it did have jurisdiction to do so, nor that the Tribal Council had standing to make the requests.

Mr Koolmatrie further expressed concerns in relation to the conduct of the native title claim, including that the process towards a determination be fair and that everyone

be represented. His Honour found that the proceedings did not provide the vehicle by which those concerns could be pursued and considered it doubtful that the Court had the jurisdiction to make orders which would address some of the concerns in any event.

2. Legislation

Victoria

Aboriginal Heritage Amendment Act 2016 (Vic)

Status: Commenced 1 August 2016.

Stated purpose: The Act amends the *Aboriginal Heritage Act 2006* (Vic) to improve reporting requirements in relation to Aboriginal cultural heritage, to introduce provisions regarding Aboriginal intangible heritage, and to establish an Aboriginal Cultural Heritage Fund. The amendments have five broad aims:

1. to increase Aboriginal self-determination,
2. make improvements for history,
3. improve Aboriginal cultural heritage management and protection,
4. improve enforcement and compliance, and
5. increase focus on Aboriginal intangible heritage.

Native title implications: Definitions and terms in the *Aboriginal Heritage Act 2006* (Vic) are amended to bring them closer in line with Aboriginal conceptions and common use and understanding of those terms. One very significant aspect of these amendments is the protection of intangible Aboriginal cultural heritage. The Act allows for registered Aboriginal parties or Traditional Owners to nominate particular intangible heritage for registration. Once registered, anyone wishing to use that intangible heritage for their own purpose will require a formal agreement with the relevant traditional owner organisation. The Act also makes it an offence to knowingly use registered intangible Aboriginal cultural heritage for commercial purposes without consent. The penalties for this offence are up to $280,000 for an individual and up to $1.5 million for a corporation.

The Act provides that intangible Aboriginal cultural heritage 'means any knowledge of or expression of Aboriginal tradition, other than Aboriginal cultural heritage, and includes oral traditions, performing arts, stories, rituals, festivals, social practices, craft, visual arts, and environmental and ecological knowledge, but does not include anything that is widely known to the public.'

Aboriginal parties will be given the power to evaluate cultural heritage permit applications. Public institutions such as museums and universities will have to declare to the Victorian Aboriginal Heritage Council any ancestral remains they possess and the Council will be in control of determining what happens to those

ancestral remains. To protect sites, Aboriginal heritage officers will be empowered to stop works for 24 hours if they believe an offence has occurred or is likely to occur.

The Act clarifies for industry when a cultural heritage management plan is required, and allows for the creation of an Aboriginal advisory group where there is no registered Aboriginal party to consult with. To increase the deterrent effect of offence provisions and to enable greater enforceability, a new strict liability offence will be introduced. It will also now be an offence to commence an activity without a management plan where one was required, to fail to comply with a management plan, to misuse information obtained from the Aboriginal Heritage Register, or to fail to report ancestral remains to the Council.

For further information see the Explanatory Memorandum or Second Reading Speech.

3. Native Title Determinations

There were no determinations of native title in July 2016.

4. Registered Native Title Bodies Corporate & Prescribed Bodies Corporate

The Native Title Research Unit within AIATSIS maintains a RNTBC summary document which provides details about RNTBCs and PBCs in each state/territory including the RNTBC name, RNTBC type (agent or trustee) and relevant native title determination information. The statistics for RNTBCs as of 31 July 2016 can be found in the table below.

Information on RNTBCs and PBCs including training and support, news and events, research and publications and external links can be found at nativetitle.org.au. For a detailed summary of individual RNTBCs and PBCs see PBC Profiles.

Additional information about RNTBCs and PBCs can be accessed through hyperlinks to corporation information on the Office of the Registrar of Indigenous Corporations (ORIC) website; case law on the Austlii website; and native title determination information on the NNTT and ATNS websites.

Table 1: National Registered Native Title Bodies Corporate (RNTBCs) Statistics (31 July 2016)

State/Territory	RNTBCs	No. of successful (& conditional) claimant determinations for which RNTBC to be advised
Australian Capital Territory	0	0
New South Wales	6	0
Northern Territory	22	8
Queensland	75	8
South Australia	15	1
Tasmania	0	0
Victoria	4	0
Western Australia	36	1
NATIONAL TOTAL	**158**	**18**

Note some RNTBCs relate to more than one native title determination and some determinations result in more than one RNTBC. Where a RNTBC operates for more than one determination it is only counted once, as it is one organisation.

Source: http://www.nntt.gov.au/searchRegApps/NativeTitleClaims/Pages/default.aspx and Registered Determinations of Native Title and RNTBCs as at 31 July 2016.

5. Indigenous Land Use Agreements

In July 2016, 2 ILUAs were registered with the National Native Title Tribunal.

Registration date	Name	Tribunal file no.	Type	State or Territory	Subject matter
29/07/2016	Rainbow Beach Ambulance Station ILUA	QI2016/005	Area Agreement	Qld	Government, Community
29/07/2016	Yinhawangka and BHP Billiton Project Agreement Initial ILUA (Area Agreement)	WI2016/001	Area Agreement	WA	Mining, Access, Medium mining

For more information about ILUAs, see the NNTT website and the ATNS Database.

6. Future Acts Determinations

In July 2016, 3 Future Acts Determinations were handed down.

Date	Parties	Tribunal file no.	State or Territory	Determination	Reasons for the Determination
26/07/2016	Johnson Taylor and Others on behalf of Njamal (WC1999/008) and Muccan Minerals Pty Ltd and State of Western Australia	WF2016/0001, WF2016/0002, WF2016/0003	WA	Future Act - NIGF Not Satisfied - Tribunal does not have jurisdiction	Member McNamara was not satisfied that the grantee party had negotiated in good faith as required by s 31(1)(b) of the Act, as the native title party had contended. Factors central to Member McNamara's decision were that the grantee party made unreasonable demands on the time and resources of the native title party in order to continue negotiations, that the grantee party unreasonably lodged s 35 applications without any concurrent attempts to expedite the negotiations, and that the grantee party did not give genuine consideration to the native title party's proposal for payment. As such Member McNamara noted the Tribunal has no power to make a determination on the applications brought by the grantee party.
14/07/2016	Raymond William Ashwin (dec) & Others on behalf of Wutha WC1999/010 and The State of Western Australia and SLS Exploration Pty Ltd	WO2015/0681	WA	Objection – Dismissed	Member Shurven did not receive any contentions from the Wutha claim group as to why the objection to the expedited procedure application should not be dismissed, nor was a request for extension of time made in order to comply with directions. Ms Shurven considered the group had been given sufficient opportunity to comply with directions set by the Tribunal, and it would be unfair to prejudice the other parties with further delays.
14/07/2016	Tarlka Matuwa Piarku Aboriginal Corporation RNTBC (WCD2013/004) and Rachlan Holdings Pty Ltd and State of Western Australia	WO2015/0188 , WO2015/0261	WA	Objection – Expedited Procedure Does Not Apply	Member Shurven found that the proposed licences were not likely to interfere directly with the carrying on of the community and social activities of the Wiluna people. Member Shurven concluded that there was a site of particular significance to the native title party that was at real risk of interference by the activities of the grantee party, and so the act does not attract the expedited procedure. Member Shurven found that the grant of licenses were not likely to involve, or create rights whose exercise were likely to involve, major disturbance to the land and waters concerned.

7. Native Title in the News

The Native Title Research Unit with AIATSIS published the Native Title in the News which contains summaries of newspaper articles and media releases relevant to the native title sector.

8. Publications

AIATSIS

Noongar people Noongar land: the resilience of Aboriginal culture in the south west of Western Australia

This book, by Kingsley Palmer, arose from the protracted struggle of the Indigenous Noongar people of the South West of Western Australia to gain recognition of their native title rights and interests under the Australian federal government's *Native Title Act 1993* (Cth). Based on the expert anthropological report for the Noongar people's native title claim by Dr Kingsley Palmer, known as the 'Single Noongar Claim', it is a collective account of Noongar people's relationships with each other and the country to which they remain connected.

For more information, visit the research publications page on the AIATSIS website.

Yijarni: True stories from Gurindji Country

This book, edited by Erika Charola and Felicity Meakins, is a collection of stories, told in both English and Gurindji, about the Gurindji stockmen walk off. These compelling and detailed oral accounts of the events that Gurindji elders either witnessed or heard from their parents and grandparents.

For more information, visit the AIATSIS website.

Carpentaria Land Council Aboriginal Corporation

CLCAC Newsletter Edition 25 – April – June 2016

The April - June edition of the CLCAC Newsletter is now available.

For more information, visit the CLCAC website.

Northern Land Council

Land Rights News – Northern Edition July 2016

The July edition of Land Rights News – Northern edition is now available. This newsletter tells stories from remote Aboriginal lands from across the Northern Territory.

For more information, visit the NLC website.

9. Training and Professional Development Opportunities

AIATSIS

Aboriginal Studies Press

Entries for the 2017 Stanner Award close at 5pm (EST) Tuesday 31 January 2017.

Sponsored by AIATSIS, the biennial award is open to all aspiring Indigenous authors of academic works. The author of the winning submission will receive $5000 in prize money, mentoring and editorial support to turn their manuscript into a publication, and publication by the award-winning publishing arm of AIATSIS, Aboriginal Studies Press.

For more information, visit the AIATSIS website.

Australian Aboriginal Studies Journal

Australian Aboriginal Studies (AAS) Journal is inviting papers for coming issues. AAS is a quality multidisciplinary journal that exemplifies the vision where the world's Indigenous knowledge and cultures are recognised, respected and valued. Send your manuscript to the Editor by emailing aasjournal@aiatsis.gov.au.

For more information, visit the journal page of the AIATSIS website.

Department of Prime Minister and Cabinet

New Aboriginals Benefit Account funding round

Under a new Aboriginals Benefit Account (ABA) funding round, Indigenous organisations in the Northern Territory are being invited to apply for funding or projects that provided lasting benefits for Aboriginal people living and working in Northern Territory communities.

The Aboriginals Benefit Account was established under the *Aboriginal Land Rights (Northern Territory) Act* 1976. The account is funded by payments from the Commonwealth equivalent to the value of royalties paid by mining interests on Aboriginal land in the Northern Territory.

Applications under this funding round will open on 23 August and close on 20 September 2016 at 12pm Central Standard Time.

For more information, visit the Department of the Prime Minister and Cabinet website.

Indigenous Remote Archival Fellowship

Indigenous Remote Archival Fellowship 2016-17

A partnership of the Indigenous Remote Communications Association, the National Film and Sound Archive of Australia (NFSA) and AIATSIS, the fellowship is open to

Aboriginal and Torres Strait Islander organisations in remote Australia who are developing strategies and structures to archive and preserve cultural heritage materials, particularly in audiovisual formats. Representatives of the successful organisation will travel to Canberra to spend three days at the NFSA and AIATSIS, and take part in a workshop organised in Alice Springs and/or their home community.

To be eligible to apply, candidates must:

- hold a remote audiovisual Aboriginal and Torres Strait Islander collection that is recognised by IRCA, NFSA and AIATSIS;
- be able to nominate workers to travel to and stay in Canberra for three days;
- be able to participate in workshops provided in Alice Springs or in community; and
- be willing to further promote the program in ongoing marketing campaigns.

Applications are close on 16 September 2016. More information, including the application form, is available on the the Indigenous Remote Communications Association's website.

ORIC

ORIC provides a range of training for Aboriginal and Torres Strait Islander corporations about the *Corporations (Aboriginal and Torres Strait Islander) Act* 2006 (CATSI Act), the corporation's rule book and other aspects of good corporate governance. More information on upcoming training is outlined below.

For further information on training courses and dates, visit the ORIC website.

10. Events

Quandamooka Festival

Celebrating Culture, Country and People

The Quandamooka Festival 2016 will take place across the Redlands, Moreton Bay and Brisbane area, and highlights include cultural tours, Traditional song and dance, music, art exhibitions, workshops, film nights, Traditional food, markets, ongoing whale watching tours, storytelling, weaving, sand art, sporting events, speakers forums and much more. The call for abstracts is open from 18 July through 15 August 2016.

Date: July – September 2016

For more information, visit the Quandamooka Festival website.

National Native Title Council

Making Native Title Assets Work in the Marketplace

Native title provides the potential for traditional owners to build businesses on a large scale that could be transformative, both for Indigenous people and the Australian economy. This conference will bring together people working towards transforming the Indigenous economy to chart a pathway for the future.

Date: 8-9 September 2016

Location: University of Melbourne Business School

For more information, visit the event website.

Australian National University

National Indigenous Legal Conference

This conference will attract delegates from the legal profession and will feature prominent keynote speakers from the legal community to discuss current and emerging Indigenous legal issues. The theme of this year's conference is 'Indigenous Recognition: Many laws, the many facets of law reform'.

Date: 5-6 September 2016

Location: Australian National University, Canberra

For further information, visit the conference website

AAS Pre-Conference Assembly

Pre-Conference Assembly for Native Title Anthropologists

The Centre for Native Title Anthropology, National Native Title Tribunal and AIATSIS are co-convening the Pre-Conference Assembly for Native Title Anthropologists on 12 December 2016, the University of Sydney.

Expressions of interest are sought to identify current themes, issues or ideas within the following areas: native title claims issues, post-determination research projects. Working papers/presentations or brief descriptions of emerging native title research issues or ideas will be accepted.

Date: 12 December 2016

Location: University of Sydney, New South Wales

For further information or to register your interest, please contact Dr Belinda Burbidge belinda.burbidge@aiatsis.gov.au.

AAS Conference 2016

Anthropocene Transitions

The 2016 conference of the Australian Anthropological Society will be hosted by the Department of Anthropology, School of Social and Political Sciences at the University of Sydney in partnership with the Australian Anthropological Society (AAS).

The call for abstracts is open from 18 July through 15 August 2016.

Date: 12-15 December 2016

Location: University of Sydney, New South Wales

For further information, visit the conference website

The Native Title Research Unit produces monthly publications to keep you informed on the latest developments in native title throughout Australia. You can subscribe to NTRU publications online, follow @AIATSIS on Twitter or 'Like' AIATSIS on Facebook.