

As part of the project an Indigenous rights to waters think tank will be held in March.

It is intended that the project will produce a draft policy that will be considered by the ATSIC Board in June 2002.

Copies of the project materials can be downloaded at <www.atsic.gov.au> (click on the 'What's New' link and find the rights to water project).

Capacity building for Native Title Representative Bodies (NTRBs): ATSIC fact sheet 6/2001

The 2001-2002 Federal Budget provides additional funding of \$17.4 million to ATSIC as its allocation, out of a total of \$86.0m, over the next four years for the Commonwealth's native title system to facilitate the recognition and protection of native title in accordance with the *Native Title Act 1993* (Cth).

A total of \$11.4m of the additional funding is to be provided to ATSIC to enhance the service delivery capacity of NTRBs, that is, capacity building.

ATSIC Guiding Principles

The ATSIC Board of Commissioners at their 73rd meeting endorsed a number of guiding principles for progression of the program, these are:

- the capacity building program is based on a partnership between ATSIC and NTRBs nationally, and is to be applied over a four year period starting 1 January 2002;
- a framework agreement is to be developed, including objectives, strategies and projects funded under the program; and,
- final assent for the partnership and details about the capacity building project is to be an outcome from the NTRB Leaders Forum 2001.

NTRB Partnership

The terms of the additional funding from Government requires the ATSIC Native Title & Land Rights Centre to coordinate and deliver the program, rather than to directly provide funds to NTRBs on an individual basis.

In light of this requirement ATSIC in partnership with all NTRBs has developed a National Framework Agreement to govern the operation of the program. In particular the Framework Agreement is intended to settle key initiatives and establish a formal process for the implementation of the program.

NTRB Leaders Forum 2001

The NTRB Leaders Forum 2001 endorsed the following major capacity building priorities as areas for the capacity building program to target:

- corporate and cultural governance;
- management and staff development;
- information technology;
- native title technical training;
- collaborative relationships and research;
- applied capacity building; and,
- building effective relationships with NTRBs and ATSIC.

Current Projects

To date a number of key capacity building projects have already been completed, including:

- development and production of Native Title Services Guide on CD Rom;
- development and launch of <www.ntrb.net> web page to enhance communication and networking opportunities between NTRBs;
- NTRB Leaders Forum 2001; and,
- creation of NTRB – CEO capacity building reference group to assist with implementation and monitoring of national capacity building program.

Contact

For further information on this fact sheet please contact ATSIIC's Native Title and

Land Rights Centre, Legislation and Program Unit on (07) 3006 4800.

NATIVE TITLE IN THE NEWS

New South Wales

Bemax Resources have successfully completed native title negotiations for Ginkgo mining lease, by signing an agreement with the registered native title claimants representing the Barkandji (Pooncarrie). This milestone significantly enhances Bemax's progression towards obtaining the grant of a mining lease for Ginkgo mineral sands project in the northern Murray basin. The Barkandji people are the sole registered claimant group in this area. (*Mining Chronicle* 1 December 2001)

The Mooka Traditional Owners Council has lost their injunction application, which was dismissed in court by Judge Neal Bignold. The Mining Company operation in NSW central west can continue drilling of Aboriginal sacred land at Lake Cowal. Council chairman Neville Williams said the present exploratory activity taking place was destroying the land at Lake Cowal, which is the largest lake in NSW and lies 47 km north west of West Wylong in the heartland of Wiradjuri country. (*Border Mail Albury Wodonga* 25 January 2001)

Orange's skate park development application has been formally approved after an investigation found native title had been extinguished. Orange city council was required to do a native title investigation following a submission from an opponent that questioned the title of the site at the corner of Warrenpine and Anson streets. The opponent who is of non-Aboriginal descent conceded that native title was raised as a bit of a wobbly, with the park having the backing of the Orange local Aboriginal land council. (*Central Western Daily* 15 December 2001)

Last year the New South Wales Aboriginal Land Council (NSWALC) formally requested their status as a Native Title Representative Body (NTRB) to be withdrawn. On the 6th of December 2001 the Minister agreed to withdraw NSWALC's native title recognition status. As a result the NSWALC is no longer the NTRB for NSW and does not hold statutory responsibility for native title services within the state. The new service called the New South Wales Native Title Services Limited (NSWNTS) commenced operations on the 7th December 2001. The NSWNTS is currently operating out of offices at Parramatta but is also in the process of establishing regional offices in Dubbo and Coffs Harbour. (*NTRBs Latest News* 18 February 2002, <www.ntrb.net>)

Victoria

People with interest in land covered by four related native title applications in central Victoria have been called upon by the NNTT to register for negotiation talks. The Tribunal will send out 3,000 letters to possible interested holders in four claims, informing them how to become a party. (*Country News* 31 December 2001)

A process to determine native title for the Dja Dja Wurrung people has the Central Goldfields Shire taking no part to become a party. Instead council will rely on the Municipal Association of Victoria to act as its representative in mediation or court proceedings, to determine the validity of the claims. (*Maryborough Advertiser* 31 December 2001)

Moorabool farmers who lease Crown land in Wombat State Forest are being asked to join native title claim negotiations. The