

## NATIVE TITLE IN THE NEWS

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### Northern Territory

A native title decision on behalf of the Alyawarr, Kaytetye, Waramungu and Wakay people over 1143 sq km of land near Tennant Creek has been handed down by the Federal Court. The native title claimant groups now have exclusive rights to the land and non-exclusive rights to two blocks of land in the proposed Davenport Murchison National Park. Northern Territory News, pg 7. 05 May 04. Alyawarr, Kaytetye, Waramunga and Wakay People.

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A native title agreement has been signed between the Northern Territory Government and the Lhere Artepe Aboriginal Corporation which will free up land for urban development. The land includes 20 hectares in the Larapinta Valley region. The signing took place at a ceremony in Alice Springs recently. Koori Mail, General News. 05 May 04. Lhere Artepe Aboriginal Corporation.

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Jabiluka traditional owners have signed an historic agreement with resource giant Rio Tinto's Energy Resources of Australia (ERA). The agreement will hopefully end their long struggle in relation to a uranium mine. The landmark deal gives the Jabiluka people the right to veto future developments of the site in the heart of Kakadu National Park. It was voted unanimously at the Northern Land Council's last full council meeting (Jabiluka's representatives) to ratify the agreement with the mine owner. Koori Mail, pg 18. 05 May 04. Jabiluka People.

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Merlin Energy has signed an agreement with the Central Land Council, acting on behalf of the traditional land owners in the region. The agreement will make way for petroleum exploration in the Pedirka Basin, near the Northern Territory and South Australian border. The permit is the sixth petroleum exploration permit in the Territory, but the

first involving an ILUA. Northern Territory News, pg 6. 11 Jun 04.

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Final submissions in the Larrakia native title claim, which covers much of Darwin, are expected to take more than a week to be heard in the Darwin Federal Court. The long-running claim, lodged in 1996, was the first of its kind over an Australian capital city. The land claimed includes vacant crown land, nature reserves, beaches, mangroves and Territory and local government land. Northern Territory News, pg 4. 23 Jun 04. Larrakia People.

### Queensland

The family of Neville Bonner has registered a native title claim for the Jagera Aboriginal group. It is over 6000 sq km of land stretching from Moreton Bay to the foot of the Toowoomba Range. The claim also covers land from the Port of Brisbane through Ipswich north towards Esk, south to Boonah and west to the Toowoomba range. Queensland Times (Ipswich), pg 1. 06 May 04. Jagera People.

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The Kombumerri group have recently been paid approximately \$1 million dollars in native title compensation for the Gold Coast Convention site. The traditional owners renegotiated a land agreement with Jupiters Limited. The money has since gone into a special trust fund, to be administered by the Kalwun Land Corporation. Gold Coast Bulletin, pg 9. 06 May 04. Kombumerri group.

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A third ILUA involving two groups of traditional owners in the North-West of Queensland has been registered with the National Native Title Tribunal. The Kalkadoon and Indjilandji/Dithannoi Peoples Backlog Exploration Permit Project ILUA's have already been registered with the NNTT. Lawyer for the Kalkadoon people, Sean Sexton, said the joint land use agreement was quite rare, as it

involves different Indigenous groups working together for overlapping areas of land. North West Star (Mt Isa), Pg 3. 07 May 04. Kalkadood & Indjilandji/Dithannoi People's Backlog Exploration Permit.

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State Minister for Natural Resources Stephen Robertson and Labor member for Cook Jason O'Brien recently visited a number of Torres Strait Islands. Stephen Robertson stated he was committed to resolving the ongoing native title issues in the Torres Strait. Boigu Island Council Chairman and traditional owner Don Banu, told the Torres News that it was now up to the State Labor Government to back up their words with action. Torres News (Thursday Island), pg 1. 12 May 04.

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The Yam Island group has rejected a proposal from the State Government. The proposal promised to ensure native title recognition only for land located outside the villages of the respective islands. The proposal was opposed by Yam representatives with many calling for full recognition only. Torres New (Thursday Island), pg 1. 19 May 04. Yam Island group.

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The Mitakoodi People recently received the deeds to a parcel of land from the State Development Minister and Mount Isa MP Tony McGrady at an official ceremony. The ceremony was the official recognition of an ILUA between the State Government and the Cloncurry Shire Council. The area involves 37.17 hectares of land, which Mitakoodi elder Pearl Connelly said may be used to build a cultural centre in the near future. North-West Star (Mt Isa), Pg 3. 31 May 04. Mitakoodi People. Australia's Mining Monthly, pg 9. N.D May 04. Budjiti and Mardigan People

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The Cook Shire Council has appointed a negotiating team to deal with native title determination applications. The Council's native title negotiating team includes Mayor Bob

Sullivan, CEO Mark Pitt and the relevant divisional councillor for each application among others. Claims within the shire include Yalanji, Wik, Lamalama, Northern Kaanju and Yiahn and Kalpowar. Cooktown Local News, pg 9. 26 May 04.

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An ILUA covering the opal mining district of Yowah in south-east Queensland has been registered with the National Native Title Tribunal. The small-scale mining ILUA will provide for the granting of up to 58 existing mining leases in the opal field. The agreement comes after more than two years of negotiations between Yowah Opal Mining Community Services, the Budjiti and Mardigan People, the Queensland South Representative Body and the Queensland Government.

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Two North Queensland pastoralists have recently made agreements with native title claimants in order to avoid court proceedings. The two pastoralists from grazing properties near Georgetown in Far North Queensland signed the Memorandums of Understanding (MOU) with the local Ewamian People. These two signings have taken the total number of MOUs in the region to seven. Cairns Post, pg 5. 08 Jun 04. Ewamian People.

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Five new native title claims have been lodged with the National Native Title Tribunal over areas in North Queensland. The claims cover four separate land areas near the bauxite-mining town of Weipa on the west of Cape York Peninsula. The claims involve Crown land which has been leased by mining company Comalco. People with an interest in the claim areas can register for meetings with the Indigenous peoples by contacting the Tribunal. Courier Mail, pg 6. 18 Jun 04. Warraber-algal People, Porumalgal and Iama Peoples, Angkamuthi People, Mapoon People, Weipa Peninsula People, Thanakwithi People.

## **South Australia**

An historic agreement has been signed as a result of nine native title claimant groups coming together to discuss disputes over boundaries. These nine groups have now been made into three. These groups include local claimants from the Barngarla, Far West Coast and Mirning native title groups. The agreement will allow ILUA's to be made with mining companies, pastoralists and other land owners. Port Lincoln Times, Pg 4. 27 May 04.

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South Australia's first ILUA that deals with mining exploration has been registered with the National Native Title Tribunal, making way for exploration site clearances and the protection of Indigenous heritage. The agreement, which was signed last December after months of negotiations between the Antakirinja native title claimants, Antakirinja Land Management Aboriginal Corporation, SA Chamber of Mines and Energy (SACOME), ALRM and the South Australian Government covers an area of 41,156 sq kms. Koori Mail, pg 56. 02 Jun 04. Antakirinja group.

## **Victoria**

The Yorta Yorta Nation and the Victorian Government have entered an unprecedented co-operative management agreement that will allow the Yorta Yorta to have a say in the management of their traditional lands. The agreement covers Barmah State Park, Barmah State Forest, Kow Swamp and specific parcels of land along the Murray and Goulburn Rivers. The in-principle agreement, which was reached outside of the native title process, is a first in Victoria, Attorney-General Rob Hulls commenting that the agreement was a significant step towards reconciliation and an example of what can be achieved through negotiated outcomes. Shepparton News, pg 4. 03 May 04. Yorta Yorta Nation. Yorta Yorta group.

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The Yorta Yorta people and the Victorian Government have reached an in-principle agreement. The agreement allows joint management of traditional lands and waters including the Barmah State Park, Barmah State Forest, Kow Swamp and some public land along the Murray and Goulburn Rivers. The agreement has been welcomed by Troy Austin, the ATSIC Commissioner for Victoria. Sunraysia Daily (Mildura), pg 7. 22 May 04.

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There continues to be delays in talks between the State Government and the Yorta Yorta Nation over plans for the new Murray River crossing project at Echuca-Moama. The project is worth approximately \$34 million. Member for Rodney, Noel Maughan, said little progress had been made since the Victorian planning minister approved the western option 14 months ago. He also called on the State Government to indicate when the new bridge would be built. Riverine Herald, pg 1. 04 Jun 04. Yorta Yorta People.

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The Gournditch-mara native title claim, currently before the Federal Court, has been adjourned to an unspecified date. The claim which involves 20,350 km of south-west Victorian land and coastal waters has been in mediation since July 1999. Warrnambool Standard, pg 5. 10 Jun 04. Gournditch-mara People.

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The Bendigo Council will start acknowledging the region's traditional Aboriginal owners from next financial year in council meetings and official ceremonies. The Council unanimously voted to acknowledge the region as Jaara Country, the traditional land of people of the Dja Dja Wurrung language. Jaara country stretches from Woodend to Kow Swamp, across to Lake Buloke and the Pyrenees Ranges. Bendigo Advertiser, pg 3. 16 Jun 04. Jaara People.

## **Western Australia**

Member for Kimberley Carol Martin has said the lack of funding from the Federal Gov-

ernment will jeopardise the Bardi Jawi native title application. She further stated the State Government and Kimberley Land Council had reached substantial agreement and were prepared to settle the matter by consent determination. The Bardi Jawi claim covers 5348 sq km around Lombadina and One Arm Point, with a land component of 1037 sq km. Koori Mail, pg 7. 05 May 04. Bardi Jawi People.

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An agreement has been reached between the Widji People and the Golden Mile Loophole Railways Society. Railway's spokesman Ian Worth said the group was about to sign a memorandum of agreement after three months of negotiation over a 5km long, 10 metre wide strip of land east of Kalgoorlie-Boulder. Mr Worth further added that the land in question was critical to development of the railway. Kalgoorlie Miner, pg 6. 12 May 04. Widji People.

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Closing statements for the long running Wongatha native title claim are scheduled to be heard by the Federal Court on 08 June 04. Goldfields Land and Sea Council legal and native title manager Bertus De Villiers said yesterday the statements would encapsulate all evidence presented during the claim since early 2001. The Wongatha claim covers about 160,000 sq kms reaching from north of Leonora to near Kalgoorlie-Boulder. Kalgoorlie Miner, pg 5. 21 May 04. Wongatha claim.

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The National Native Title Tribunal has reported that several different native title land claims in the northern Goldfields have been made into one in an attempt to speed up negotiations. NNTT WA State manager An-

drew Jagers said the Ngaanyatjarra Lands Native Title claim has replaced the Gibson Desert, Baker Lake, Irrunytju-Papulankutja, Tingarri Tjina, Tjirrkali Kanpa and Warburton-Mantamaru claims. The Ngaanyatjarra claimants wish to have legal recognition of their native title rights and interests over a 187,700 sq km area near Warburton. 500km north-east of Laverton, extending east to the Western Australian border. Kalgoorlie Miner, pg 5. 21 May 04. Ngaanyatjarra Lands Native Title claim.

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The Federal Government has issued a non-claimant application over the Wongatha native title claim, because the judicial process was in danger of failing, according to the Attorney-General's department. A spokesperson for the department stated the Commonwealth had identified some deficiencies in the Wongatha claim, and there was a danger the Federal Court may not have been able to reach a decision. The non-claimant application effectively forces the judiciary to make a ruling over the claim. The long-running Wongatha claim covers more than 160,000 sq km, from Leinster in the north and stretches east, deep into the Great Victoria Desert. Kalgoorlie Miner, pg 6. 12 Jun 04. Wongatha claim.

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A native title claim over large areas of land and sea in the Kimberley region will be sent back to the courts although a settlement has been reached between the parties. Attorney-General Philip Ruddock rejected the agreement, saying evidence surrounding the claim does not support a finding that the Bardi and Jawi People are part of a single shared system of traditional law and customs. Australian, Regional Changes, pg 4. 21 Jun 04. Bardi and Jawi People.

## **APPLICATIONS LODGED**

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The National Native Title Tribunal posts summaries of applications that are lodged with them, on their website, <[www.nntt.gov.au](http://www.nntt.gov.au)>. The following lodgements are listed for May/June 2004.