

## Native Title in the News - March 2010

| Date       | State | Subject  | Summary  | Source   |
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| 03/03/2010 | AU    | <b>Abbott flags land rights overhaul</b>   | Federal Opposition Leader the Hon Tony Abbott MP has flagged changes to native title laws saying that power should be taken away from land councils and given back to traditional Indigenous family groups. 'If Aboriginal people want to be able to use their land as an economic asset, they must be able to do so. If they really are to have land rights, we can't say, "[h]ere are rights to your land but you can't use it.'" They are not real land rights, they are just a sentimental version of Aboriginal land ownership', he said. Mr Abbott is to have further consultations with traditional owners and other groups before finalising the opposition's policy on native title reform. | <i>Sydney Morning Herald</i> (Sydney NSW, 3 March 2010), 1. <i>The Age</i> (Melbourne VIC, 3 March 2010), 6.   |
| 03/03/2010 | QLD   | <b>CYLC claim FOI documents prove a secret deal was brokered re: Wild River declarations</b> | A deal involving the Wilderness Society and miners concerning Wild River declarations has been uncovered in government documents obtained by Cape York Land Council (CYLC) through a Freedom of Information application. CYLC claim a deal that applies to Aboriginal freehold land was struck between the Department of Natural Resources and Water (NRW), the Department of Premier and Cabinet (DPC), the Queensland Resources Council (QRC), and The Wilderness Society (TWS). CYLC chairman Ritchie Ahmat said "traditional owners, who have successful or pending native title claims over the majority of the area affected by the declarations, should have been a part of the discussion".  | <i>Western Cape Bulletin</i> (Weipa QLD, 3 March 2010), 4. <i>National Indigenous Times</i> (Malua Bay NSW, 4 March 2010), 10.   |
| 04/03/2010 | WA    | <b>\$196 million Broome native title deal Australia's largest</b>                            | A \$196 million deal has been signed by the Western Australia state government and Broome's Yawuru people. It is the largest-value native title agreement in Australian history. About 350 people witnessed the ratification that saw Yawuru native title rights and interests being extinguished in some areas in exchange for a \$56 million package for capacity building, economic development, social housing and cultural management. The native title settlement includes land valued at \$140 million.   | <i>Kimberly Echo</i> (Kununurra, WA, 4 March 2010), 7. <i>Broome Advertiser</i> , (Broome WA, 4 March 2010), 1. <i>Wagin Argus</i> (Wagin WA, 4 March 2010), 15. <i>Esperance Express</i> (Esperance WA, 3 March 2010), 8. |
| 04/03/2010 | QLD   | <b>Native title application</b>  | The Indjalandji-Dhidhanu native title claim has moved into the notification stage of application. The claim covers about 19,730 square km, located about 25km (north) west of Mt Isa in the vicinity of Camooweal.   | <i>Queensland Country Life</i> (Rural Queensland, 4 March 2010), 25.   |

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| 04/03/2010 | QLD | <b>Negotiation leads to cultural and environment preservation: Agreement start of new understanding.</b> | Mervyn and Colin Johnson of the Gooreng Gooreng people have witnessed the signing of a Memorandum of Understanding (MoU) between the Gurang People and the Department of Environment, Resource and Management (DERM). The agreement states that DERM Queensland Parks and Wildlife Service (QPWS) will train traditional owner groups in conducting prescribed burns and will work with them to ensure that cultural heritage continues to be protected. The MoU was signed at the Gidarjil Cultural Festival and applies to the Port Curtis Coral Coast native title area. The area runs from the Elliott River, north to Gladstone, and as far west as Monto.   | <i>News-Mail</i> (Bundaberg QLD, 4 March 2010), 5.  |
| 05/03/2010 | NSW | <b>Mine protestors found guilty of trespassing</b>   | Twenty-seven protestors have been found guilty of trespassing on Lake Cowal gold mine in Wagga Wagga Local Court by magistrate Geoff Hiatt. Sixteen people, represented by barrister Daniel Brezniak, pleaded not guilty on the grounds that they were invited on to the mine by Aboriginal man, Neville "Chappy" Williams, who has a native title claim over the mine area in the Federal Court. The other eleven people were not legally represented and indicated to the court they did not accept its jurisdiction. They said they did not recognise Commonwealth law, only the customary law of the Wiradjuri people. Magistrate Hiatt rejected this stance and entered a plea of not guilty for each of them. | <i>Area News</i> (Griffith, NSW, 5 March 2010), 3.  |
| 09/03/2010 | NSW | <b>Calling for details on 80 homes plan.</b>   | The NSW state government will be asked to outline its plans for development of the Goolawah Estate at Crescent Head after some confusion about the lands' status. Finalisation of the native title claim is still pending. Minister Kelly has since advised the state government that development can proceed at Goolawah.  | <i>General News</i> (Kempsey NSW, 9 March 2010), 4. |

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| 10/03/2010 | WA  | <b>Cashmere's bid from obscurity to \$250 million</b>         | David Hendrie, who chairs Cashmere Iron claimed the company could be sitting on the Mid-Western Australia's biggest iron ore deposit and could play a 'key role' in the industry's emergence in the region. Mr. Hendrie said his company had already secured native title access, and environmental studies were well advanced. Cashmere Iron is planning a share market float this year.  | <i>West Australian</i> (Perth WA, 10 March 2010), 46.  |
| 12/03/2010 | NSW | <b>'Sad day' for Koombahtoo Local Aboriginal Land Council</b> | After seven years in administration, Koombahtoo Local Aboriginal Land Council was dissolved by NSW Aboriginal Affairs Minister Paul Lynch. The council's assets, rights and liabilities will be transferred to the NSW Aboriginal Land Council, including 850 hectares on the shores of Lake Macquarie.  | <i>Newcastle Herald</i> (Newcastle NSW, 12 March 2010), 2. <i>National Indigenous Times</i> (Malua Bay NSW, 4 March 2010), 27.   |
| 17/03/2010 | SA  | <b>Construction to start on boat ramp</b>                     | Construction of a new boat ramp at Middle Beach will begin within weeks. The \$442,000 project has received native title clearance, making way for works to begin. It includes a concrete boat ramp, floating pontoon and a car park to be built by construction company Watpac.   | <i>Bunyip</i> (Gawler SA, 17 March 2010), 6. <i>Plains Producer</i> (Balaklava SA, 24 March 2010), 2.  |
| 19/03/2010 | QLD | <b>Three-day battle for compensation</b>                      | Gurang and Gooreng Gooreng traditional owners met with Santos, the Queensland Gas Company and Surat Gladstone Pipeline over three days to negotiate terms of three Indigenous Land Use Agreements (ILUAs) in the Bundaberg region. The ILUAs relate to gas pipeline projects taking place near Gladstone. Although some Gurang and Gooreng Gooreng peoples were not entirely happy with the deals, the Port Curtis Coral Coast native title claim group authorised the ILUAs. The agreements are in the process of being registered by the National Native Title Tribunal. Interested parties can make objections to the deals for up to three months. | <i>News-Mail</i> (Bundaberg QLD, 19 March 2010), 2. <i>News-Mail</i> (Bundaberg QLD, 23 March 2010), 5. <i>Advertiser</i> (Adelaide SA, 27 March 2010), 44. <i>Gladstone Observer</i> (Gladstone QLD, 30 March 2010), 5. |

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| 22/03/2010 | WA | <b>Federal Court case clears way for native title</b> | <p>More native title claims will be able to be resolved regionally, following a Federal Court settlement of a technical issue in relation to a claim by the Bardi Jawi people in the Kimberley. Executive director of the Kimberley Land Council Wayne Bergmann said 'a lot of claims were held up by government lawyers on this issue'.</p> <p>In a unanimous decision, Justices John Mansfield and Tony North overturned a 2005 decision by Justice Robert French that said the Jawi people were not one society due to regional differences. The Bardi people, of the top end of Dampier Peninsula including Lombadina/Djarindjin and Cape Leveque, and the Jawi people, of island country around King Sound and the Buccaneer Archipelago have fought for native title rights for more than 15 years.</p> | <p><i>Australian Financial Review</i> (National AU, 22 March 2010), 7. <i>Broome Advertiser</i> (Broome WA, 25 March 2010), 6.</p> |
| 24/03/2010 | WA | <b>Native title focus for community open day</b>      | <p>Yamatji Marlpa Aboriginal Corporation's, Tom Price, office has welcomed traditional owners from around the Pilbara during an open day on March 12. The day was also an opportunity for traditional owners from around the Pilbara to discuss native title claims and relevant matters such as mining, development and heritage in an informal setting.</p>   | <p><i>Pilbara News</i> (Pilbara WA, 24 March 2010), 18. <i>North West Telegraph</i> (South Hedland WA, 24 March 2010), 23.</p>     |
| 24/03/2010 | WA | <b>High cost of native title talks</b>                | <p>Pilbara mining company, FMG, in its submission to the Department of Families, Housing, Community Services and Indigenous Affairs', 'Optimising Benefits from Native Title Agreements' discussion paper, states that it is forced to pay traditional owners more than \$60,000 a day to talk about native title matters.</p> <p>It states that '[n]ative title representative bodies employ a singular tactic in all negotiation matters, which is to delay the process in the hope that a proponent will be inclined to offer more substantial financial compensation in order to ameliorate the prospect of further delay'. It also states that deals under the <i>Native Title Act</i> (1993) (Cth) were shrouded in secrecy, lacked accountability and rarely created jobs.</p>                         | <p><i>West Australian</i> (Perth WA, 24 March 2010), 16.</p>   |

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| 25/03/2010 | WA  | <b>Should Native title cash bring wider benefits?</b> | <p>WA state government estimates predict as much as \$3 billion will be paid to Aboriginal groups from current iron ore projects. WA Regional Development Minister Brendon Grylls wants to unlock some of these funds for community projects and is offering access to matching funds from the Royalties for Regions scheme for Aboriginal groups. For this to happen, Mr Grylls needs to convince the Federal Government, which is in charge of the native title process, to make changes to ensure the system is transparent and real advances flow to the people most in need.</p> <p>National Native Title Council chief executive Brian Wyatt disagrees with Mr. Grylls' call for payments to be used to provide greater community benefit. "Why is it that native title holders are expected to spread their entitlements to other groups and subsidise government services," Mr. Wyatt said. "Individual mining magnates worth billions of dollars receive five times the royalties that traditional owners get. Do they spend their billions on improving health, education and living conditions for the wider community? No they don't, and nor should they - this is the responsibility of governments.</p> | <p><i>West Australian</i> (Perth WA, 20 March 2010), 23. <i>West Australian</i> (Perth WA, 22 March 2010), 1. <i>West Australian</i> (Perth WA, 23 March 2010), 16. <i>West Australian</i> (Perth WA, 25 March 2010), 20. <i>West Australian</i> (Perth WA, 27 March 2010), 32. <i>Australian Financial Review</i> (National AU, 29 March 2010), 6.</p> |
| 25/03/2010 | QLD | <b>Century searching for zinc</b>                     | <p>A north west Queensland mine has begun an exploration program to extend its life. The MMG Century mine near Lawn Hill has invested \$6 million across the next 18 months to identify new zinc deposits to feed its processing operations. The mine operates under a unique three party agreement between the operators, the Queensland Government, and local native title groups.</p>   | <p><i>North West Star</i> (Mt Isa QLD, 25 March 2010), 3.</p>   |
| 25/03/2010 | WA  | <b>Gas region faces native title claim</b>            | <p>Goolarabooloo and Jabirr Jabirr people are set to vote on whether to resubmit a native title claim lodged in the Federal Court more than a decade ago covering land that includes James Price Point. A meeting will be held between the Kimberley Land Council (KLC), Goolarabooloo and Jabirr Jabirr people on 7 April 2010. KLC deputy director Nolan Hunter said since the original claim was lodged, the pastoral lease over Water Bank station had been surrendered. This means the claimant group could now lodge a claim for exclusive native title over land covering more than three quarters of the claim area.</p>   | <p><i>Broome Advertiser</i> (Broome WA, 25 March 2010), 6.</p>  |

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| 26/03/2010 | WA  | <b>Land talks welcomed</b>  | <p>The Goldfields Land and Sea Council last night welcomed news that the State Government is prepared to start native title negotiation over parts of the Esperance region. The Esperance Nyungar claim was first lodged in 1996. "I thank the Esperance Nyungar claimants for their hard work and commitment to the process. For everyone to stick together under such trying circumstances is testament to the strength and tenacity of the Esperance Nyungar community," said Brian Wyatt, the CEO of the Goldfields Land and Sea Council.</p>  | <p><i>Kalgoorlie Miner</i> (Kalgoorlie WA, 26 March 2010), 5. <i>West Australian</i> (Perth WA, 26 March 2010), 7. <i>Esperance Express</i> (Esperance WA, 30 March 2010), 4.</p>       |
| 29/03/2010 | QLD | <b>North Queensland Indigenous groups sign marine conservation pact</b> | <p>Nine Indigenous groups from North Queensland are joining forces with conservationists to protect turtles, dugongs and dolphins in the Great Barrier Reef. The Girringun Aboriginal Corporation and World Wildlife Fund (WWF) Australia met in Townsville on Saturday and signed an agreement to advance the capacity of traditional owners to conserve and protect their living land and sea resources. The move is set to boost Indigenous employment in the region.</p>   | <p><i>Sunday Canberra Times</i> (Canberra ACT, 28 March 2010), 4. <i>Townsville Bulletin</i> (Townsville QLD, 29 March 2010), 10. <i>Cairns Sun</i> (Cairns QLD, 31 March 2010), 3.</p> |
| 31/03/2010 | AU  | <b>Coalition leads way on land rights, says Pearson</b>                 | <p>Noel Pearson says the Rudd and Bligh Labor governments have allowed the Coalition to take the lead in the defence of land rights. "Queensland Premier Anna Bligh's Wild Rivers Act and [Prime Minister] Kevin Rudd's failure to repeal it showed they had abandoned Labor's commitment to land rights by blocking the economic development of Indigenous land", Mr Pearson said at the Public Hearing in Canberra for the Senate Inquiry into Wild Rivers (Environmental Management) Bill 2010 [No.2]. Mr Pearson said it was "remarkable that this Bill which enhances native title is proposed by the conservative side of the Federal Parliament".</p> | <p><i>Australian</i> (National AU, 31 March 2010), 7. <i>Canberra Times</i> (Canberra ACT, 31 March 2010), 4.</p>   |