

representative bodies had allowed past agreements between Aboriginal people and land owners to fall through. NT Cattlemen's Association president David Bayly, said regional agreements don't work. (*WA, 24 Apr, p30*)\*

Recently elected Cook Shire Council Mayor, Graham Elmes, has used a casting vote to withdraw Shire support for the Cape York Heads of Agreement. He said ratepayers were not properly represented by the agreement and the Council supported all avenues open for upgrading of leases. David Kempton of the Cattlemen's Union said the decision was unfortunate as no one was in danger of losing land under the agreement; David Byrne of Cape York Land Council said the Cook Shire includes only 700 voters of 12,000 people in Cape York. (*CM 13 May, p4*) The future of the agreement was placed further in doubt after Queensland graziers at the Longreach meeting opposed to the agreement won a concession from Mr Howard to reconsider the use of \$40 million allocated in last year's budget to facilitate the agreement. (*Aus, 20 May, p2*) The Cattlemen's Union and conservationists disagreed with Mr Howard's plan to reconsider his commitment to the agreement as most Cape York cattlemen still supported the agreement. (*Aus, 21 May, p2*)

Federal Environment Minister, Senator Robert Hill and Queensland Planning and Local Government Minister, Mrs Di McCauley welcomed the release of the Cape York Land Use Report jointly commissioned by the Commonwealth and Queensland governments. The report completes stage 2 of the Cape York Peninsula Land Use Strategy. (*Press release, 27 May*) Senator Nick Minchin met with members of the Cattlemen's Union of Australia. He reiterated the Government's support for voluntary agreements and noted the Government's commitment of \$40 million in the 1997-98 Budget allocation to ensure protection of the Cape York environment. (*Press release 28 May*) Cattlemen's Union spokesperson John Purcell said the Cape York Heads of Agreement was alive and well and signatories to the agreement had reaffirmed their commitment in writing. (*CM, 29 May, p6*)

Broome Shire and the Rubibi Land Heritage and Development Council received reconciliation awards for their joint resolution of native title claims. (*WA 28 May, p4*)

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## **MINING AND NATURAL RESOURCES**

### **National**

Jon Altman, Director of the Centre for Aboriginal Economic Policy Research, ANU, analysed the implications of the Wik judgment and the proposed amendments to the Native Title Act for resource developers. He encourages developers to work within the framework of the Act and not be drawn into negotiating directly with native title parties. (*Fin R, 1 Apr, p 15*)

Managing Director of North Ltd, Mr Campbell Anderson, says unresolved issues surrounding the Native Title Act threaten the viability of mining. Legislation should clarify who is entitled to make a claim under the

Native Title Act and limit the compensation that can be claimed. (*FinR*, 13 Apr, p16)

Traditional Kakadu owner, Jacqui Katona, told a peace conference in Canberra that many uranium mining agreements had not given Aboriginal people any social or economic benefits. (*Sun CT*, 27 Apr, p3) The conference supported a resolution acknowledging Aboriginal health risks and community dislocation and called on the Government to reduce uranium mining. (*Sun CT*, 27 Apr, p3)

Access Economics reported that native title claims had overtaken environmental objections as the chief hindrance to future mineral developments with 17 projects worth \$11.5 million subject to claims. (*Aus*, 7 May, p1 and 8)

Indigenous Land Corporation Chairman, David Ross, again refuted claims by the National Party and the Northern Territory Chief Minister Shane Stone that the Aboriginal and Torres Strait Islander Land Fund was set up as a trade off for the extinguishment of native title on pastoral leases. (*Press release* 5/6 May)

Mr Leigh Clifford, chief executive of Rio Tinto's energy division appealed for bipartisan negotiations on the Federal Government's approach to Wik. Normanby Ltd's chief executive Mr Robert Champion de Crespigny agreed that industry was circumspect on the 10 point plan and wanted to see the legislation. (*FinR*, 27 May, p4)

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## Northern Territory

### Energy Resources Australia and Jabiluka

A spokesman for the Northern Land Council confirmed that the Mirrar, traditional owners of the land around Jabiluka, had instructed the NLC to investigate the possibility of a native title claim which would allow the right to negotiate process on the Jabiluka mine. (*Fin R*, 4 Apr, p7) ERA announced it would push ahead with its Jabiluka uranium mine with or without the support of the senior Aboriginal traditional owner. (*CT*, 20 May, p3) The validity of the mineral lease for the Jabiluka mine could be challenged in the Federal Court by the Gundjehmi Aboriginal Corporation. They believe the NT government did not have the power to issue the lease. (*NTN*, 21 May, p6) Spokeswoman Jacqui Katona said traditional owners wanted to reject royalty payments from ERA and end an agreement to develop the Jabiluka mine. ERA pays \$75,000 a year in rent to Djabulukgu Association under a 1992 agreement between the Northern Land Council and Pancontinental the former leaseholder. (*NT News*, 29 May, p6)

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## Western Australia

### Murrin Murrin

The United North Eastern Goldfields claimant group gave approval to the development of the Murrin Murrin nickel project. As part of the agreement

Anaconda will make an annual cash contribution of \$1 million to a trust to enable young Aborigines to establish business ventures. Anaconda is committed to employing at least 20% of its workforce from Aboriginal communities. The United North Eastern Goldfields comprises 18 groups and will now be the sole representative in future native title negotiations in the area. (*Fin R, 4 Apr, p43*)\* Native title claimants are yet to withdraw their appeal against Anaconda Nickel's Murrin Murrin project because several mining lease applications were subject to negotiation. (*WA, 12 Apr, p61*)

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### **West Angelas**

A feasibility study has been launched into the development of the Robe River Iron Associates' West Angelas iron ore deposit in the Pilbara; the project depended on the resolution of native title issues, regulatory approval and a positive outcome from the feasibility study. (*Fin R, 4 Apr, p50*)\*

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### **Yandicoogina**

An agreement, hailed as native title's biggest success story since the legislation came into force, has been signed between RTZ-CRA subsidiary Hamersley Iron, the Gumala Aboriginal Corporation and 13 native title claimants. The agreement allows the Yandicoogina iron ore mine in the Pilbara to proceed. Under the agreement Hamersley Iron will pay \$60 million in compensation over the life of the mine into a trust fund to pay for community development. (*Aus, 7 Apr*)

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### **Binduli**

Kalgoorlie gold miner, Croesus Mining, blamed native title claims for its decision not to proceed with a new treatment plant at its Binduli project. (*WA, 12 Apr, p61*)

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## **Queensland**

### **Ernest Henry**

Aboriginal groups split over the \$3 million a year transport contract with Ernest Henry will meet in Cloncurry with ATSIC representatives. (*CM, 3 Apr, p2*)

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### **Century Zinc Mine**

Opposition leader, Peter Beattie, said Aboriginal leaders advised him that an agreement could be reached within a week if the Queensland government would negotiate a cultural management agreement. (*CM, 3 Apr, p2*)

Hopes of the Century Mine proceeding through a negotiated agreement

collapsed when five native title claimants withdrew their support alleging that other claimants who initially refused the deal had been offered special inducements by Century Zinc and ATSIC. (*WAus*, 12 Apr, p1 and 2)\* ATSIC Commissioner, Mr Ray Robinson, said all claimants were ready to sign an agreement which would allow the Century Zinc mine to proceed. However the Queensland Government still had to agree and their stance has been that the claims are now in formal arbitration. (*FinR*, 14 Apr, p5)\* Four opponents of the Century Zinc project have now signed a draft agreement supporting the project but five claimants who withdrew their support are still to sign. (*FinR*, 15 Apr, p7)\* Deputy Chairperson of ATSIC, Mr Ray Robinson, announced that all 12 native title claimants were now in agreement and that the Queensland Premier was the only remaining obstacle to an agreement. (*ATSIC Press release 17 Apr*) However five Waanyi elders issued a statement contradicting Mr Robinson and reiterating they had withdrawn from any agreement. The five claimants wanted an investigation into claims of inducements offered to other claimants. ATSIC Commissioner, Mr Ray Robinson, announced that ATSIC had now withdrawn from the discussions. (*CM*, 19 Apr, p8)\*

All 12 claimants are now supporting the project placing pressure on the Queensland Premier to resurrect the Government's offer of \$30 million compensation to ensure the project proceeds. (*Aus*, 2 May, p14) Century Zinc will ask the Queensland Cabinet to reinstate the compensation package. (*CM*, 3 May, p12) Signed agreements enabling the Century Zinc mine to proceed would be handed to Mr Borbidge tomorrow when the government is expected to reinstate the compensation package. (*CM*, 5 May, p1) The National Native Title Tribunal granted an adjournment of an arbitration hearing to allow Century and the Queensland Government to iron out final details. (*Age*, 6 May, pB3)\*

Mr Borbidge announced a special cabinet meeting at which he would seek authority to sign the document restoring the compensation package. This followed the delivery of the signed agreement between the claimants and the company. (*FinR*, 7 May, p5)\* State Cabinet approved a \$30 million package to complement a \$60 million Century Zinc company offer to Aborigines in return for agreement that the mine proceed. (*CM*, 8 May, p2) Mr Borbidge told Parliament the agreement signed by the Government, Century company and the 12 claimants would go to the National Native Title Tribunal arbitration panel. Federal Resources Minister Senator Parer, said the green light for the mine had come after two years of unnecessary delay but the National Native Title Tribunal president, Justice French, said the negotiations leading to the agreement - while difficult - underscored the worth of the act and the tribunal. (*Aus*, 8 May, p4)

The chairman of ATSIC, Gatjil Djerrkura said the endorsement of the agreement demonstrated that the Native Title Act provides a framework that produces results. (*ATSIC press release 7 May*) The editor of *The Australian* agreed: 'The Century Zinc agreement ... is a reminder that the Federal Native Title act, for all its difficulties, can work.' (*Aus*, 8 May, p10) The *Courier Mail's* editor states that 'once the celebrations are over, everyone should study the problems associated with Century and ensure the next mine does not suffer the same avoidable delays.' (*CM*, 8 May, p14)

The Century Agreement proposes to establish the Gulf Aboriginal

Development Corporation, a regional administrative organisation to coordinate funds and compensation. Jane Karkadoo, one of the claimants, believes the Corporation should be quickly established and all compensation should go through it. The Corporation may bring claimants together to reconcile differences in relation to rates of cash compensation. (*CM, 17 May, p4*)

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### **Goondicum**

Monto Minerals announced that mining lease applications central to its proposed ilmenite project 120 km south of Gladstone could be further delayed as a result of the Wik decision. The company has applied for two mining leases: one on pastoral land and one on freehold land which had been converted from pastoral lease. (*Aus, 4 Apr, p21*)

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### **South Australia**

About 100 claims granted to opal miners on Lambina Station in northern SA have been withdrawn because the pastoral lease may be the subject of a native title claim. (*Ad, 11 Apr, p7*)

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## **GENERAL NATIVE TITLE ISSUES**

### **National**

A former Foreign Affairs officer and now consultant, Bill Barker, has addressed the UN Commission on Human Rights in Geneva. Speaking on behalf of eight peak Aboriginal organisations Mr Barker called on the Howard government to guarantee through legislation that common law native title rights were not further diminished. (*CT, 3 Apr, p1*)\*

State and national tourism associations aligned with the Tourism Council of Australia agreed to unanimously support native title and called for greater involvement of indigenous people in tourism development. (*CM, 9 Apr*) A position paper issued by the TCA considers the current legal system for dealing with native claims to be confrontational. (*FinR, 9 Apr, p8*)

The National Native Title President, Justice French, has stated that: 'Recent public statements suggesting native title claims have been made over private freehold land and accepted into mediation by the tribunal, were wrong.' (*NNTT press release, 15 Apr*) The Federal government has decided to hold off appointing a successor to the head of the National Native Title Tribunal, Justice Robert French, until the end of the year when it expects to have amended the Act. The government wants to amend the Act to remove the requirement that the position must be held by a person with a judicial background. (*Aus, 18 Apr, p2*) Justice French defended the National Native Title Tribunal against claims that it was too slow to deal with cases, pointing to delays by both claimants and State governments outside its control. (*Aus, 22 Apr, p5*)