



AIATSIS

AUSTRALIAN INSTITUTE OF ABORIGINAL AND TORRES STRAIT ISLANDER STUDIES

Native Title Research Unit

GPO BOX 553
CANBERRA ACT 2601
Phone 02 6246 1158
Fax 02 6249 1046
E-mail: ntru@aiatsis.gov.au

NATIVE TITLE NEWSLETTER

No. 4/97

November 1997

NATIVE TITLE IN THE NEWS JUNE - JULY 1997

(Note: Where an item also appears in other newspapers, etc, an asterisk () will be used. People are invited to contact the Native Title Research Unit at AIATSIS if they want the additional references. As usual, NTRU will try to provide people with copies of particular newspaper articles on request.)*

Ad = Advertiser (SA)

Age = The Age

Aus = Australian

CM = Courier Mail (QLD)

CP = Cairns Post

CT = Canberra Times

Fin R = Financial Review

HS = Herald Sun (VIC)

KM = Kalgoorlie Miner

LE = Launceston Examiner

Mer = Hobart Mercury

NTN = Northern Territory News

SC = Sunshine Coast Sunday

SMH = Sydney Morning Herald

Tel M = Telegraph Mirror (NSW)

WA = West Australian

WAus = Weekend Australian

CLAIMS

ACT

Ngunnawal [NNTT Ref#AC96/2]

Chief Minister, Kate Carnell, said the government was keen to negotiate a settlement for a claim for 47,000ha in Namadgi National Park and some land in Tuggeranong Valley. The Namadgi land would remain as national park giving Ngunnawal people a shared management role. (*CT*, 3 June, p2) Chief Minister Kate Carnell said she hoped the claim would be settled by NAIDOC Week next year. (*CT*, 7 July, p1)

Ngunnawal [NNTT Ref#AC97/1]

A second claim over parts of the ACT was lodged, taking in the whole of the Namadgi and Tidbinbilla parks, extending the amount of the ACT under claim. The claim was lodged by Phillip Carroll on behalf of the Ngunnawal people and overlaps the previous Williams group claim. ACT government officials, have said that parts of the Murrumbidgee River Corridor and the Tuggeranong Homestead that are leased were thought to extinguish native title. (*CT, 26 July, p3*)*

Queensland

Ewamian People [NNTT Ref#QC97/18]

The North Queensland Land Council has lodged a claim over land including the Union Mining lease for the Georgetown gold mine, on behalf of the Ewamian people. Land Council executive officer, Kevin Busch, said the Ewamian people had retained links with the land and there was an Aboriginal reserve in the region. He said the closure of the mine was an economic decision and that the land claim application did not impinge on any stakeholders' existing rights. (*CM, 21 June, p71*)

Kalkadoon People #3 [NNTT Ref#QC97/20]

A claim has been lodged by members of the Kalkadoon people that covers parts of Mount Isa city and the shires of Ballia, Burke and Cloncurry. The claim covers all land, water and minerals and is not made with the assistance of the North Western Queensland Land Council in Mount Isa. Kalkadoon tribal council elder Alf Barton's claim has been lodged with the Native Title Tribunal but has not yet been accepted. (*NW Star, 14 July, p1*)

Western Australia

Wiljen

The WA Farmers' Federation may ask the Federal Court to dismiss the claim lodged for the Wiljen people for 138, 200 sq km in the south east of the state. Claimants have until 18 July to identify perpetual, conditional and pastoral leases to be excluded from the claim. (*WA, 10 June, p30*)

N/West Region - Fitzroy River & Geegully [NNTT Ref#WC97/46]

The Nyigina and Mangala peoples have launched a native title claim for around 120km of the lower and middle reaches of the Fitzroy River in the Kimberley. Kimberley Land Council executive director Peter Yu said that the claimants wish to preserve the river's cultural significance and improve its management. (*WA, 2 July, p28*)

Ord River Development Area - Miriuwung-Gajerrong #1 [NNTT Ref#WC94/2]

Federal Court Justice Malcolm Lee will go to the Kimberley to hear evidence from native title claimants from the Miriuwung-Gajerrong claim. The claim involves almost 200 individual parties - simplified to 13 groups by the Federal Court. The groups include the WA and NT governments, Shire of Wyndham, recreation users of Ord River, development farmers, mining companies, pastoral companies, Kununurra residents and organisations. This case could become a test case for native title rights over water. (*WA, 21 July, p6*)*

Ord River District Co-operative chairman, George Gardiner, is optimistic that native title claims in the area will be resolved. Mr Gardiner also does not believe that the native title claims pose a threat to the next stage of the Ord River irrigation scheme. (*WA, 21 July, p6*)

Northern Territory

In a letter to the editor, executive officer of the Dhimurru Land Management Aboriginal Corporation, Kelvin Leitch, says the Chief Minister's suggestions that new land claims would result in the public paying permit fees to use local beaches were 'spurious'. The township of Nhulunbuy and bauxite mine are located inside leases on Aboriginal land and a permit issued by the Corporation is required under the Aboriginal Lands Act (NT) 1980 for use of designated recreational areas. A 'user pays' system now operates which Mr Leitch says raised less than 12% of the annual staffing and operation costs of Dhimurru. Traditional owners have recently contributed 40% of annual operating costs from their own mining royalty receipts. (*NT News, June 24, p11*)

The Proposed Darwin to Alice Springs Railway

The NT government hopes to overturn a Central Land Council claim for land in Devil's Marbles National Park which is held in trust by the government's Conservation Land Corporation. Chief Minister, Shane Stone, said the claim would tie up development in the park and threaten security of tenure over the proposed Alice Springs to Darwin railway corridor. Mr Stone said a High Court ruling had already precluded land held by the land corporation from being claimed under the Aboriginal Land Rights (NT) Act. (*NT News, 23 June, p3*)

Northern Territory Chief Minister, Mr Shane Stone, called for the Commonwealth acquisition of the land and stated that claims by the two Land Councils in the NT are causing major problems. He said 'they are not insurmountable', although he confirmed that negotiations with the land councils had broken down. Chairman of the Northern Land Council, Mr Galarrwuy Yunupingu, accused the NT Government of trying to shift responsibility for railway corridor difficulties to land councils saying; 'the truth of the matter is that negotiations are continuing'. (*Ad, 23 July, p5*)

Western Australia

Gibson Desert [NNTT Ref#WC96/77]

A state government proposal to give Aboriginal people a large area over the Gibson desert has been withdrawn. 'Special freehold' and perpetual leasehold over 25 million hectares around Warburton, 1500 km NE of Perth was offered to the Ngaanyatjarra people in May 1996. The government is now offering only 4100 sq km around the Kiwirrkurra Aboriginal community on the NT border. This coincides with the Kiwirrkurra people's claim, one of 10 lodged with the NNTT in the initial 25 million hectare proposal. Daniel O'Dea, speaking for the claimants, said the government was concerned by a description of the original proposal as a 'state within a state'. (*CT, 3 June, p4*)

MINING AND NATURAL RESOURCES

Northern Territory

Energy Resources Australia and Jabiluka

ERA will return to the Federal Court where an attempt is being made to block the development of Jabiluka. Traditional owner, Ms Yvonne Margarula is seeking to prevent Federal Government approval for ERA to export uranium from the mine and claims that the