

- project management of small scale projects
- high level report writing, production and assistance
- Traditional Owner identification, consultation and cross cultural communication
- promotion of community development principles
- provision of cultural heritage advice
- determining, protecting and documenting cultural heritage
- liaising with government and industry.

A reasonable remuneration package has been developed which includes generous overtime conditions for field trips. Further details can be obtained from Fiona Pemberton, Office Manager, Email [fiona@achm.com.au](mailto:fiona@achm.com.au) or phone on (08) 8172 2111. Applications must state full qualifications and experience against the selection criteria, and include a Curriculum Vitae with three referees.

Australian Cultural Heritage Management  
PO Box 452

MSC Torrens Park SA 5062 Or

Emailed to: [email@achm.com.au](mailto:email@achm.com.au)

Closing date 30<sup>th</sup> January 2006.

### **Native Title Services Victoria**

Native Title Services Victoria ("NTSV") is currently recruiting for the positions of Research Coordinator and Research Officer (Anthropology). NTSV is a small, dynamic entity with unique and challenging goals, providing professional services to native title claimant groups across Victoria. NTSV is committed to achieving real land justice outcomes for Indigenous Victorians, and is looking for two exceptional professionals to fill these critical research positions.

Position descriptions will be available on the NTSV website [www.ntsiv.com.au](http://www.ntsiv.com.au) after Tuesday 17th January. Until then, more information and position descriptions are available by contacting Pam McGrath on (03) 9321 5300 or [pmcgrath@ntsiv.com.au](mailto:pmcgrath@ntsiv.com.au). Applications close Friday, February 3 2006.

### **Queensland South Native Title Services**

Consultants with native title research experience are needed for consultancies in southern Queensland. Please contact Robert Graham either by email at:

[ergm@optusnet.com.au](mailto:ergm@optusnet.com.au)

or by telephone at 07 32215500.

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## **NATIVE TITLE IN THE NEWS**

### **ACT**

**Comments invited to help 'fine-tune' native title act** Attorney-General Philip Ruddock has announced that a discussion paper setting out proposals to fine-tune the operation of the Native Title Act has been released. Stakeholders are invited to comment on the technical amendments within the next eight weeks, and welcome further suggestions for amendment. Mr Ruddock also said that these amendments were aimed at achieving better outcomes for all parties involved and was not a mechanism in which to minimise native title rights. Media Release 22-Nov-05

### **Denying heritage status to Tent Embassy a flawed decision**

The Australia Institute, a leftwing think-tank, has said that the decision of Federal Minister to overrule a recommendation from his own advisory board and not include the Aboriginal Tent Embassy on the Commonwealth Heritage List is flawed. "Once again, the Minister has politicised the listing process...This is the culture wars in action" said Australia Institute spokesman Andrew Macintosh. Aboriginal elder and Embassy resident Neville Chappie Williams said "We'll see where we go from here but we're going to stay and fight to the end". National Indigenous Times, pg 10, 10-Nov-05

### **Federal**

**A community experience** Three years of negotiation finally came to a close recently when the Nyikina and Mangala People of the Kimberleys signed an ILUA with the Shire of Derby West Kimberley. The signing took place at Oonkalkada near Derby in the presence of the groups elders, community leaders and local school students. This ILUA was the first agreement in the Kimberley region between an Indigenous group and a local government authority. Koori Mail, pg 33, 30-Nov-05. WI2005/001 Case Manager Trish Sinclair-Jones. The Tribunal provided Assistance with the draft of this ILUA. It has yet to be lodged with the Tribunal for Registration

### **Aboriginal outposts funding threat communities crisis**

The Federal Government, through Indigenous Affairs Minister, Amanda Vanstone, plans to cease funding to remote Indigenous outstations and relocate the people to the nearest large recognised community or township. Senator Vanstone asserts that outstations are not economically viable, and the cost of providing infrastructure to all communities in the long term prohibitive. This process will allow monies to be available which



can then be re-invested into the larger communities. Cairns Post, pg. 2, 10-Dec-05

**Experts take hit over title fights** The National Native Title Tribunal (NNTT) has recently revealed that anthropological evidence given by anthropologists who are deemed 'too close' to the claimant group will carry less weight than that of experts considered objective. NNTT President Graeme Neate stated that anthropologists in the field of native title need to ensure they conduct themselves as impartial experts, not Indigenous advocates, with the information needing to be objective. Mr Neate further affirmed that anthropologists had a pivotal role in the native title claims process. Weekend Australian, pg. 2, 10-Dec-05

**NTRBs wary of NT Review** Various NTRBs have expressed concern re. the make up of the Review of the Native Title System's steering committee and the reporting timeframe. ALRM Chairman Paddy Agius said "I hope our fears are misplaced". Goldfield's Land and Sea Council CEO Brian Wyatt said "Native title is about the rights of Aboriginal people, but Aboriginal people and their land are treated as expendable incidentals in this review structure". Koori Mail, pg 14, 02-Nov-05

## **New South Wales**

**Macquarie Bank interest in development of and investment in Aboriginal-owned land in the Hunter** The Macquarie Bank plans to establish development and investment funds to develop real estate projects on Aboriginal land. The National Aboriginal Sports Corporation Chief Executive, David Liddiard, has been employed to liaise with Land councils including Worimi, Koomphatoo and Darkinjung land councils on the coast and Wanaruah and Mindaribba inland. The Bank says the scheme would provide long-term income and benefits to Aboriginal communities however there has been a mixed response from land councils. Mindaribba Land Council general manager, Rick Griffiths, opposed the scheme because it would take away Aboriginal control, especially of land considered culturally significant. A "very small percentage" of profits will go into a charitable fund for those communities which do not have suitable lands for development. Newcastle Herald, pg 26, 28-Dec-05, West Australia, pg 21, 28-Dec-05

**Agreement between native title claimant group and coal mining company for employment, training and other benefits** A confidential agreement has been signed by the Wiradjuri native title claimants and Excel Coal


this month for employment, training and other benefits associated with the mining of coal at the Wilpinjong site, west of Merriwa. NSW Native Title Services chief, Warren Mundine, said the agreement showed native title could work well when mining companies and communities communicated well. Newcastle Herald, pg 18, 27-Dec-05

**Federal Court hears native title evidence in Hay for the first time** Federal Court sat in Hay last week for the first time to hear evidence from Hay resident, Bob Kennedy, in relation to a native title claim. Riverine Grazier, pg 3, 20-Dec-05

**Native title agreement signed for Wilpinjong mine** A native title agreement has been signed between the North-East Wiradjuri Indigenous group and Wilpinjong Coal Pty Ltd, a wholly owned subsidiary of Excel Coal Limited. The hour long ceremony, including the signing of the agreement took place at the Wilpinjong Coal Mine site. Excel Coal Managing Director was pleased with the agreement and looked forward to continued solid relationships. Mudgee Guardian & Gulgong Advertiser, pg 2, 13-Dec-05

**Worimi dispute enters Federal Court** Traditional owners are attempting to block the sale of land owned by the Worimi Aboriginal Land Council. Worimi man Gary Dates says that the land is a sacred women's site and should be vested in the living female descendants of the Worimi people. Newcastle Herald, pg 14, 18-Nov-05. Worimi Aboriginal Land Council has two native title determinations in its name: NN05/2 and NN05/7 both determined on the 28/11/2005 and native title was found not to exist in both cases

**Kooris to be consulted re. Shell Cove marina** A month after Traditional Owners went to the Land and Environment Court and failed to prevent development approval of the South Shellharbour Beach they have been invited to participate in consultation re. the heritage values of the area. Shell Cove project director Glenn Colquhoun said that previous investigations had shown that the key Aboriginal heritage areas were shell middens to the south of the development area that were already protected. However, the legal advocate for the protestors said that the area was also home to burials, reburials and a ceremonial site. "We will be keeping a close scrutiny of the process and if natural justice or procedural justice is denied, we will seriously consider



returning to the Land and Environment Court" he said. Illawarra Mercury, pg 14, 17-Nov-05

**NSW Land rights up for review** NSW Minister for Aboriginal Affairs, Milton Orkopoulos announced that Indigenous leader Professor Jack Beeton and former National Party MP Wendy Machin will facilitate the consultation process of the Land Rights Act review. A review of the Act is due to be completed next year. Coffs Coast Advocate, pg 9 16-Nov-05; Koori Mail, pg 28 (16-11-05); Narrabri Courier, pg 7 (15-11-05); Armidale Independent, pg 17 (16-11-05); Mt Druitt St Marys Standard, pg 11 (16-11-05)

**NSW Govt seeks nominations for Indigenous Cultural Heritage Advisory Board** A new Aboriginal Cultural Heritage Advisory Committee that will advise the Minister for Environment and Conservation on the identification, assessment and management of Aboriginal cultural heritage in NSW will be established and the Department is seeking nominations for members to be drawn from NSW Land Councillors, Elders, native title claimants and Aboriginal owners. Wollondilly Advertiser, pg 12, 08-Nov-05

## **Northern Territory**

**Feuds within native title body may be partly responsible for shelving of land release at Mt Johns Valley** A 120 block land release at Mt Johns Valley has been shelved amid plans to dissolve native title body Lhere Artepe. Group insiders cite internal feuds over distribution of the money as one of the factors responsible for the collapsing state of the body. The executive officer and board members have declined to comment. Bob Liddle, member of Lhere Artepe, suggested "the government should organise one package for all of the land releases because these individual agreements just drive prices up and cause unrest with traditional owners." Centralian Advocate, pg 2, 22-Dec-05

**Land Council backs nuclear dump for NT** The Darwin-based Northern Land Council (NLC) has backed a controversial bid for a nuclear waste dump on its island. Chief Executive Officer Norman Fry from the NLC also rejected claims from Democrats leader Lyn Allison that the NLC will receive economic benefit from three mines in the area in return for the endorsement. Territory Chief Minister Clare Martin also displayed displeasure towards the Federal Government saying they had foisted the proposal on Territorians without consultation. Australian, pg 1, 23-Nov-05

**Feds rein in royalty cash to councils** If amendments occur to the Land Rights Act, the Central Land Council (CLC) may lose its core funding due to the implementation of a performance based system. At present, the CLC predominately fund themselves through mining royalties. The new arrangements will see financial benefits reduced by more than 50 per cent. CLC Director David Ross expressed disappointment at the change in funding procedures, however stated that the mining and exploration process would be streamlined. Centralian Advocate, pg 6, 22-Nov-05


**NT Land Rights Act reforms** Changes to the Land Rights Act will include: legislating to dismiss various claims; restrictions on royalty expenditure and installing the Commonwealth Office of Evaluation and Audit as watchdog; the transfer of some decision-making powers from the Commonwealth to the Territory Government; and a system to establish transferable leases on Aboriginal land. Northern Territory News, pg 4, 18-Nov-05

**NT Senator pressured to oppose n-dump** Traditional owners from Harts Range and Mt Everard are pressuring Country Liberal Party Federal Coalition Senator Nigel Scullion to cross the floor and vote against Federal Government plans to build a nuclear waste dump at one of three locations in the NT. "We don't want a nuclear waste dump in our backyard" said Mt Everard TO Benedict Stevens. Science Minister Brendan Nelson refused to meet with TOs who travelled to Canberra to voice their objections. Canberra Times, pg 5, 08-Nov-05; Labor Media Release, pg 61 (7-11-05)

**Traditional Owners support nuclear waste dump** The Northern Land Council have announced that, following a week-long meeting, traditional owners have voted unanimously to nominate a site for the proposed nuclear waste dump. Traditional owners from the Central Land Council region meanwhile have steadfastly opposed Federal Government plans to build the dump in their lands. North Queensland Register, pg 12 27-Oct-05

**Islands to be handed back** Most of the islands in the Gulf of Carpentaria will be handed back to traditional owners 28 years after a land claim was lodged. Senator Vanstone will recommend the grant of land, but the handover is still subject to the approval of the Governor-General. Northern Territory News, pg 5, 07-Oct-05; Federal Govt Media Release, pg 5;





Katherine Times, pg 2 (9-11-05); Koori Mail, pg 12 (16-11-05)

## Queensland

**Agreement with traditional owners enables work on \$270 Million water pipeline.** Sun Water, the Queensland Government's infrastructure arm, will start work on a \$270 million dollar pipeline to carry water from the Burdekin Falls Dam to Moranbah now that formal agreements with traditional owners are in place. An indigenous land use agreement has been submitted for registration with the Native Title Tribunal. Courier Mail, pg 39, 22-Dec-05

**Reviews into areas of native title** Phillip Ruddock, Federal Attorney-General, has announced six reviews into various areas of native title. Reviews being undertaken include reviews of the claims resolution process especially the relationship between the Federal Court and the National Native Title Tribunal, the Prescribed Body Corporates including the adequacy of their funding and the effectiveness of Representative Bodies. Queensland Country Life pg 14, 22-Dec-05

**Land deal paves way for claims** The Wangkumarra people, Beach Petroleum and the Queensland Government have reached an exploration agreement that could pave the way for similar claims in south-west Queensland. Fraser Coast Chronicle, pg 8, 21-Dec-05

**Land deal paves way for claims** The Wangkumarra people, Beach Petroleum and the Queensland Government have reached an exploration agreement that could pave the way for similar claims in south-west Queensland. The Wangkumarra people signed an exploration agreement with oil and gas producer, Beach Petroleum and the Queensland Government in relation to a 1960 sq km area of the Cooper Basin last week. The terms of the agreement include consultations with the traditional owners if the company encounters culturally significant sites, as well as jobs and training provided by the company. Wangkumarra representative, Hope Ebsworth, said the agreement could serve as a benchmark for other deals in South-West Queensland. Fraser Coast Chronicle, pg 8, Sunraysia Daily, pg 4, Daily Mercury, pg 13, Gladstone Observer, pg 20, Morning Bulletin, pg 14 21-Dec-05


**Indigenous land use agreement signed by Kalpowar Aboriginal People** The Kalpowar Aboriginal People signed an indigenous land

use agreement in relation to the former Kalpowar pastoral lease aggregation. The traditional owners have committed to providing ongoing access to part of the land to Vietnam veterans who have fought for years to maintain this right. The agreement resulted in the creation of the new Jack River National Park, an addition to the Cape Melville National Park, a new nature refuge and public purpose reserves. Tablelands Advertiser, pg 23, 21-Dec-05

**Daradgee claim may set precedent** The Appo family have applied to the Federal Court for respondent status over a section of the Ma:mu claim. If granted it will be the first time that respondent status will have been recognised for spiritual reasons. "(W)e don't want to own anything. The claimant group is not connected to this place but we're all one family and we're asking them to sit down with our people and work it out together with no fighting and with proper respect" said family spokesman Gerald Appo. Koori Mail, pg 15, 14-Dec-05 QC01/15, QUD6014/01, Case-Manager John Liston (QLD Registry)

**Native title claim in shire** Dalrymple Shire in North Queensland will be involved in its 31st native title claim. The most recent claim is by the Gudjala People over a 19,167sq km area located between the Flinders and Kennedy highways. To date, no applications lodged have been successful, with 13 currently being in mediation or notification. The longest running claim also dates back to 1998 by the Kudjala People. Northern Miner, pg. 3, 09-Dec-05, QC05/6 & QUD80/05, Case Manager Jodhi Rutherford. Gudjala People. This claim went into notification on the 14/12/2005

**Fate of land claims known next year** A six-month directions hearing has recently taken place in Cairns to review the progress of 26 pending claims. Resulting from the hearing, Federal Court Acting Chief Justice Jeffrey Spender said two long-standing claims were close to being settled. The first was the Mandingalbay Yidinji claim involving a decision over ownership of a large forested parcel of land near Yarrabah. The second was the Western Yalanji claim over a 753sq km area south of Mt Surprise. Cairns Post, pg. 9, 03-Dec-05, QC00/8: Mandingalbay Yidinji People #2; QC05/8: Western Yalanji #7, QUD6007/00: Mandingalbay Yidinji People #2; QUD3/05: Western Yalanji #7, Case Managers Mark Price (Mandingalbay Yidinji People #2) and Clare Stehbens: Western Yalanji #7.



**Queensland Government selects preferred bidders for Auruken bauxite deposit** The Queensland Government will select the four preferred bidders for the Auruken bauxite deposit in January 2006, the first mining project in Queensland on land where native title rights have been determined. Auruken project director for the Office of the Coordinator General. Geoff Dickie, said that "the developer and the state will have to negotiate and reach agreement with the traditional owners of the area to enable the project to proceed." Gold and Minerals Gazette, pg12, 01-Dec-05

**Cape York Land Council executive director calls for honesty by mining companies in their dealings with Aboriginal groups** At the Mining 2005 Resources Convention in Brisbane Richie Ahmat, Cape York Land Council executive director, called on mineral resources companies to be open and up-front with Aboriginal groups when it comes to reaching agreements. He explained that under the Native Title Protection Commission, explorers may apply for an exploration permit using the expedited procedure which provides for traditional owner involvement in a cultural heritage survey before the exploration occurs, to ensure that no cultural sites will be harmed. "Whilst a number of exploration permits have been granted pursuant to this process, there were also many objections lodged by native title to the use of the expedited process." Gold and Minerals Gazette, pg 13, 01-Dec-05

**TOs become native title respondents on spiritual links basis** The Appo family have joined as respondents in the Mamu native title claim on the basis that Daradgee (Daradji) is a law ground and burial place visited and maintained by Yidinji people. If respondent status is granted it will be the first time that it has been recognised for spiritual reasons. "It's a strong, spiritual women's place where the old aunties and grannies come back and visit and there is a lot of love and caring and sharing for the old people" said respondent applicant Gerald Appo. Cairns Post, pg 10, 30-Nov-05. QC01/15, QUD6014/01. Case Manager John Liston (QLD Registry)


**Veterans, TOs hold talks** Traditional owners have agreed to enter into negotiations with Vietnam Veterans squatting on Kalpowar Station. "This is a significant gesture of goodwill on the part of the traditional owners and I believe it should be received as such by the ...veterans" said Qld Premier Beattie. Koori Mail, pg 4, 16 02-Nov-05; Cooktown Local

News, pg 16 02-Nov-05. QLDQC97/48, QUD6155/98. Case Manager Karrell Ross. This was registered with the NNTT on the 27/10/97.

**ILUA paves way for gypsum operation** Mining company Zinaback Pty Ltd have recently registered an ILUA with the Maiawali and Karawali people of Central-Western Queensland. The ILUA allows Zinaback to mine a 104-hectare area south-west of Winton, while providing compensation to the traditional owners. For mining to continue, it was essential for the agreement to be made as the existing lease was due for expiry. This agreement was also the first time Zinaback had taken part in the native title process in the seven years it had operated in central Queensland. Quarry, pg 10 01-Nov-05. Registered ILUA QI2005/008 [other ILUAs between Zinaback and the Maiawali and Karawali parties: QI2005/003 (24/01/05) and QI2003/051 (25/06/04). Registered by Tribunal on 22/09/05

**South Australia  
Indigenous community agrees to mining in Gawler Ranges** An Indigenous Land Use Agreement (ILUA) has been signed allowing minerals exploration to take place in the Gawler Ranges in South Australia. A special signing ceremony took place at the Waltumba camping site near Lake Gardner including Attorney-General Michael Atkinson, representatives of the Gawler Ranges Native Title Group, the South Australian Chamber of Mines and Energy (SACOME) and the Aboriginal Legal Rights Movement (ALRM). West Coast Sentinel, pg 2, 24-Nov-05. SI2004/004. Case Manager Greg Jervis. The Tribunal has not yet provided assistance with this ILUA and it does not appear to have been lodged with the Tribunal for Registration

**Controversy over Narungga claim** The Aboriginal Legal Rights Movement has denied claims that it sold out the Narungga people by negotiating an Indigenous Land Use Agreement despite the objections of some TOs. ALRM CEO Paddy Agius said that the Narungga people were properly consulted and that they received far more than they would have had the claim proceeded to court. However, claimants Irene and Quentin Agius claim that they expected to participate in a mediation process that never eventuated to address their 18 objections to the terms of the ILUA. Koori Mail, pg 28, 16-Nov-05. SI2003/004 Case Manager Greg Jervis. This was registered by the Tribunal on the 6/10/2005



**AP Land changes now law** Changes to governance arrangements of Anangu Pitjantjatjara Lands, including procedures for electing council chairman, have been passed by the SA Parliament and are now law despite vociferous opposition from many traditional owners and calls from Anangu chairman Yami Lester for the SA Premier to resign. Koori Mail, pg 11, 02-Nov-05

## Victoria

### **Applause from Horsham Rural City Councillors for local native title agreement**

The Horsham Rural City Council applauded Uncle Jack Kennedy, the Wotjobaluk people, Councillors, local government administrators and the Attorney-General, Rob Hulls, for contributing to the resolution of the local native title claim by negotiation rather than litigation. "The agreement signed at Horseshoe Bend on the Wimmera River at Dimboola on December 13 was an historic event" said Cr Pam Clarke. Wimmera Mail Times, pg 9, 30-Dec-05

### **Victorian native title agreement 'a sell-out'**

Wergaia/Jupagalk traditional owners. Robert Nicholls and Gary Murray issued a statement describing the Wotjobaluk agreement as a sell-out. "Our elders and claimants condemn this wayward agreement as racist, discriminatory, paternalistic, inequitable and fundamentally flawed. It does not address our dispersal and dispossession or land justice" they said. Swan Hill Guardian, pg 8, 16-Dec-05, VC95/2 (#1), VC99/5 (#2), VC99/8 (#3), VID6002/1998 (#1), VID6005/1999 (#2), VID6009/1998 (#3) Case Manager Chris Loorham, Wotjobaluk, Jaadwa, Jadawadjali, Wergaia and Jupagulk Peoples No. 1; Wotjobaluk, Jaadwa, Jadawadjali, Wergaia and Jupagulk Peoples No. 2; Wotjobaluk, Jaadwa, Jadawadjali, Wergaia and Jupagulk Peoples No. 3

**Native title a first in state** Native title has been officially recognised in Victoria with a Federal Court ruling that recognises land use rights by the banks of a river in the State's southwest. "Our mob have been working towards this day for more than ten years" said Barengi Gadjin deputy chair Kaylene Clarke "It now allows us to move forward and make a better future for our people". Border Mail, pg 10, 14-Dec-05, VC95/2 (#1), VC99/5 (#2), VC99/8 (#3), VID6002/1998 (#1), VID6005/1999 (#2), VID6009/1998 (#3) Case Manager Chris Loorham: Wotjobaluk, Jaadwa, Jadawadjali, Wergaia and Jupagulk Peoples No. 1; Wotjobaluk, Jaadwa, Jadawadjali, Wergaia and Jupagulk Peoples No. 2; Wotjobaluk, Jaadwa,

Jadawadjali, Wergaia and Jupagulk Peoples No. 3

**Praise for court title decision** A landmark native title decision has been handed down in Victoria involving a number of Indigenous groups. They include the Wotjobaluk, Jaadwa, Jadawadjali, Wergaia and Jupagalt People. The Federal Court plans to recognise these native title rights on Crown Land along the Wimmera River in a formal ceremony. All three determinations delivered by Justice Merkel were consensual and gives the groups non-exclusive rights over the area, including hunting, fishing, gathering and camping within the 269sq km area from Yarriambiack Creek junction to the outlet lakes in the Wyperfeld National Park. The decision will not affect public access to the areas. Wimmera Mail Times, pg 7, 12-Dec-05. VC95/2 (#1), VC99/5 (#2), VC99/8 (#3), VID6002/1998 (#1), VID6005/1999 (#2), VID6009/1998 (#3). Case Manager Chris Loorham. Wotjobaluk, Jaadwa, Jadawadjali, Wergaia and Jupagulk Peoples No. 1; Wotjobaluk, Jaadwa, Jadawadjali, Wergaia and Jupagulk Peoples No. 2; Wotjobaluk, Jaadwa, Jadawadjali, Wergaia and Jupagulk Peoples No. 3

**MBAV warns of heritage costs** The Victorian Master Builders Association has warned that assessing building sites for Aboriginal cultural significance will add \$2000 to the cost of the average new home. North West Property News, pg 2, 14-Nov-05

### **NWNCAC slams draft Victorian Aboriginal Heritage Bill**


The exposure draft of the Victorian Aboriginal Heritage Bill is a "missionary, welfare piece of legislation and should not see the light of day until it is done right" says North West Nations Clans deputy chair Gary Murray. If passed, the Bill will allow for the establishment of a Government appointed Aboriginal Advisory Council, introduce a lot more red tape and lead to litigation said Mr Murray. The Bill is available on request from Aboriginal Affairs Victoria. Sunraysia Daily, pg 15, 05-Nov-05; Swan Hill Guardian, pg 5 (9-11-05); Sunraysia Daily, pg 8 (12 Nov 05)

## Western Australia

### **WA Office of Native Title focus on resolution of claims through agreement**

De Gray Mining chairman, Ron Manners, said Australian companies were opting for off-shore opportunities because of frustration with WA's minerals exploration and development processes. A State Government spokesman





said the Office of Native Title "aimed to help reduce the time it takes to resolve native title claims" by focusing on resolving claims through agreement rather than litigation. Kalgoorlie Miner, pg 13, 22-Dec-05

### **Move by Indigenous groups towards economic stake warrants development**

According to Ben Wyatt, non-executive director of Indigenous Business Australia, two particular Native Title agreements entered into in WA during 2005 deserve attention because they indicate a move by Indigenous people towards an economic stake in the country. The agreements referred to are between Argyle and the Mirriwung, Gidja, Wularr and Magnin people of the East Kimberley and between the Government and the Mirriwung-Gajerrong people. He argues that the move towards an economic stake embodied in these agreements warrants further development. Business News, pg 23, 22-Dec-05

### **\$1b diamond expansion - Argyle to take mining operation underground**

Argyle Mining plan to spend \$1 billion on expanding its mining operation near Kununurra in Western Australia. The expansion will take the largest diamond mine in the world underground and should allow for the mine to continue operating beyond 2008. Indigenous people will continue to be employed, contributing economic and social benefits to the Kimberley according to Rio Tinto chief executive Leigh Clifford. Rio Tinto has also made legally binding commitments with the Mirriwung, Gidja, Wularr and Magnin Indigenous groups in the form of an ILUA. Kimberley Times, pg. 1, 15-Dec-05. WI2002/003. Case Manager Christine Scoggin. The current ILUA with relation to Argyle Diamonds was registered on the 8/04/2005

### **Njamal, Palyku sign deal with gold miner**

Wedgetail Exploration NL and the Njamal and Palyku people have signed two native title agreements concerning a gold-mining project. "Wedgetail have been good in their negotiations with us and we are pleased to have reached this deal with them today" said Gavin Snook of the Njamal people. Koori Mail, pg 9, 14-Dec-05

### **Bardi Jawi win title**

Traditional owners from the Kimberley have had full exclusive possession recognised over parts of the land claimed, non-exclusive rights recognised over areas below the mean high water mark. A determination that native title does not exist has been made over Brue Reef. Koori Mail, pg 11, 14-Dec-05. Bardi Jawi: WC95/48; Bardi and Jawi People - Brue Reef: WC04/1, Bardi Jawi:

WAD49/1998; Bardi and Jawi People - Brue Reef: WAD6001/2004. Case Manager Marion Towndrow. Bardi Jawi was partially determined; Bardi and Jawi People - Brue Reef was fully determined.

### **Two Aboriginal groups win marathon legal battle for Kimberley coastal land**

A coalition of over 900 Bardi and Jawi People have won exclusive control of 1037sq km of land in the West Kimberley after ten years of negotiations. The coastal land is around the Dampier Peninsula, predominately Crown Land or leased to Aboriginal groups. The Bardi and Jawi People now possess exclusive rights over the land, meaning they have the right to control who lives on and visits the land. Non-exclusive rights to the reefs and the sea were also recognised. The claimant group will be permitted to hunt dugong and turtle as well as collect pearl shells. West Australian, pg. 46. 02-Dec-05. Bardi Jawi: WC95/48; Bardi and Jawi People - Brue Reef: WC04/1, Bardi Jawi: WAD49/1998; Bardi and Jawi People - Brue Reef: WAD6001/2004. Case Manager Marion Towndrow.

### **Signing of agreement between WA Government and Mirruwung-Gajerrong people paves the way for development and conservation projects**

The signing of a native title agreement in October 2005 between the Western Australian Government and the Mirruwung-Gajerrong people paves the way for the development of about 65,000 ha around Kununurra and Lake Argyle for agricultural, industrial, residential, commercial and tourism development and is expected to create education, training, job and business opportunities for the Aboriginal people. There are seven development and five conservation areas involved in the agreement including the second stage of the Ord River Irrigation Scheme. WA Treasurer, Eric Ripper, who took part in the signing ceremony said the native title agreement recognised the economic, social and cultural needs of the Mirruwung-Gajerrong People and would ensure they have an opportunity to fully participate in projects within the native title area. Prospect Magazine pg 2, p37, 01-Dec-05

### **Native title processes blamed for time taken to bring a diamond mine to production**

Kimberley Diamond Company NL executive chairman, Miles Kennedy, commented that if there were another major discovery it would be unlikely that a diamond mine could come on stream in time to coincide with the predicted supply and demand gap in 2010. He said the

shortest time to bring a diamond mine into production used to be four years, but it was now increasingly difficult for diamond miners around the world to operate due to drawn out licensing processes relating to environmental and native title issues. Gold and Minerals Gazette, pg 52. 01-Dec-05, 01-Dec-05

**Follow guidelines, says GLSC** Royalty payments made to claimant groups by mining companies have been causing division amongst the Indigenous communities in relation to how the money should be spent. The State Government has urged the Goldfields Native Title claimants to follow correct processes for settlements and openly promotes comprehensive settlements of native title claims. The Goldfields Land and Sea Council has urged claimants to follow its guidelines for the distribution of mining royalties but admits it has no power to intervene in disputes. Kalgoorlie Miner, pg 3, 24-Nov-05. WC99/29 & WC99/30 (Central West and Central East Goldfields People respectively), WAD65/98 & WAD70/98 (Central West and Central East Goldfields People respectively). Case Managers Sharon Reynolds (WC99/29) and

Kristina Nilsson (WC99/30). Registered by the Tribunal on the 4/10/1999.

**Work begins on Broome development** Work has begun on a new housing estate in Broome. The land release was made possible after negotiations between Rubibi native title claimants and the State Government. The project includes an environmental corridor running between Reid and Gubinge Rds. Significant cultural areas will be preserved and maintained by the traditional owners. Broome Advertiser, pg 4, 10-Nov-05. WC95/28, WAD91/98. Case Manager Sandra Barkla. Rubibi was Determined in 2001.

**New advocacy group for Goldfields: WA** A new advocacy group, the Northern Goldfield's Regional Aboriginal Council, has been formed in the wake of ATSIC's abolition. The group will lobby State and Federal Governments for better health, education, training and employment services for Aboriginal people. Kalgoorlie Miner, pg 4, 08-Nov-05

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## **APPLICATIONS LODGED WITH THE NNTT**

| <b>Date Filed</b> | <b>Application name</b>                   | <b>Application type</b>  | <b>Status</b> | <b>State/Territory</b> | <b>Tribunal file no.</b> | <b>Federal Court file no.</b> |
|-------------------|---|--------------------------|---------------|------------------------|--------------------------|-------------------------------|
| 7/11/2005         | <a href="#">Sada Services Pty Ltd</a>     | Non-claimant application | Active        | New South Wales        | NN05/18                  | NSD2135/05                    |
| 8/11/2005         | <a href="#">Mt Everard</a>                | Claimant application     | Active        | Northern Territory     | DC05/12                  | NTD36/05                      |
| 8/11/2005         | <a href="#">Alcoota No. 2</a>             | Claimant application     | Active        | Northern Territory     | DC05/11                  | NTD35/05                      |
| 11/11/2005        | <a href="#">Mr Brian Robertson</a>        | Non-claimant application | Active        | New South Wales        | NN05/19                  | NSD2183/05                    |
| 24/11/2005        | <a href="#">NSW Minister for Lands #8</a> | Non-claimant application | Active        | New South Wales        | NN05/20                  | NSD2297/05                    |
| 30/11/05          | <a href="#">Gingirana #2</a>              | Claimant application     | Active        | Western Australia      | WC05/8                   | WAD364/05                     |
| 19/12/2005        | <a href="#">Ngarigu</a>                   | Claimant application     | Active        | New South Wales        | NC05/2                   | NSD2620/05                    |
| 22/12/2005        | <a href="#">Kalkadoon People #4</a>       | Claimant application     | Active        | Queensland             | QC05/12                  | QUD579/05                     |

(This information has been extracted from the National Native Title Tribunal website [www.nntt.gov.au](http://www.nntt.gov.au) )

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## **REGISTRATION TEST DECISIONS**