

Native Title in the News - July 2011

Date	State	Subject	Summary	Source
01/07/2011	WA	Woodside agreement	<p>The Goolarabooloo Jabirr Jabirr native title claim group, Woodside Petroleum and the Western Australia Government signed a heads of agreement to facilitate the Browse LNG precinct in Western Australia.</p> <p>WA Premier Colin Barnett said the signing 'concluded years of intensive negotiations with traditional owners, who would get more than \$1.5 billion over 30 years and more when additional proponents took up land'. The deal includes \$256 million for housing, education, economic development and cultural heritage protection as well as the creation of conservation areas and land tenure reform.</p> <p>However not everything has run smoothly, with protesters blocking the site to prevent Woodside workers gaining access to the site for almost a month and protestors staging demonstrations at Parliament House in Canberra.</p>	<p><i>Illawarra Mercury</i> (Wollongong NSW, 1 July 2011), 24. <i>West Australian</i> (Perth WA, 1 July 2011), 11. <i>Newcastle Herald</i> (Newcastle NSW, 1 July 2011), 35. <i>Townsville Bulletin</i> (Townsville QLD, 1 July 2011), 53. <i>Herald Sun</i> (Melbourne VIC, 1 July 2011), 61. <i>Broome Advertiser</i> (Broome WA, 7 July 2011), 4. <i>Sunday Times</i> (Perth WA, 10 July 2011), 3 & 16. <i>The Weekend West</i> (Perth WA, 2 July 2010), 19. <i>Mining Chronicle</i> (National AU, July 2011), 1. <i>West Australian</i> (Perth WA, 6 July 2011), 3. <i>Broome Advertiser</i> (Broome WA, 7 July 2011), 2. <i>National Indigenous Times</i> (Malua Bay NSW, 21 July 2011), 10.</p>
5/07/2011	NT	Two native title determinations	<p>The Federal Court handed down two decisions that recognise the native title rights of traditional owners of both the Neutral Junction area and the Kurundi pastoral lease in the Northern Territory. Neutral Junction is 300km north of Alice Springs and is part of the Kaytetye people's territory. The Kurundi decision recognises native title rights for 3857sqkm of the larger Kurundi Perpetual Pastoral Lease 400km north of Alice Springs.</p> <p>The CLC said the decision recognises their traditional rights, including the right to hunt, gather and fish on the land and waters, the right to conduct cultural activities and ceremonies, the right to live on the land, and for that purpose, to camp, erect shelters and other structures. It also secures their right to negotiate over any future acts such as mining. This area is also a cattle station which will co-exist with the native title agreement.</p>	<p><i>Northern Territory News</i> (Darwin NT, 15 July 2011), 6. <i>Centralian Advocate</i> (Alice Springs NT, 15 July 2011), 4.</p>

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05/07/2011	QLD	Quandamooka native title determination	<p>The Federal Court ratified three native title agreements at a special sitting at a special sitting in Dunwich Community Hall on North Stradbroke Island QLD, 4 July 2011. Justice John Dowsett made the rulings, recognising the Quandamooka peoples land rights over more than 98 per cent of Stradbroke Island.</p> <p>Under the determination, native title holders will have exclusive use of 2264ha of land and non-exclusive rights to another 22,639ha and 29,505ha in the Moreton Bay Marine Park. The ruling gives the Quandamooka people permanent involvement in managing national parks and a share in mining royalties until sandmining ends on the island in 2025. Ian Delany, who was the sole native title applicant, admitted he had struggled to balance widely differing community views but said sticking together was key. 'I have faith in the younger group ... it's their job to steer the community in the right directions,' he said.</p> <p>For more information on the determination visit the National Native Title Tribunal website: Quandamooka People's native title determination.</p>	<p><i>Courier Mail</i> (Brisbane QLD, 5 July 2011), 12. <i>Daily News Tweed Heads</i> (Tweed Heads NSW, 5 July 2011), 12. <i>Queensland Times</i> (Ipswich QLD, 5 July 2011), 14. <i>Advocate</i>, (Coffs Harbour NSW, 5 July 2011), 13. <i>Morning Bulletin</i> (Rockhampton QLD, 5 July 2011), 12. <i>Daily Advertiser</i> (Wagga Wagga NSW, 5 July 2011), 9. <i>Kalgoorlie Miner</i> (Kalgoorlie WA, 5 July 2011), 4. <i>Bayside Bulletin</i> (Brisbane QLD, 5 July 2011), 1. <i>National Indigenous Times</i> (Malua Bay NSW, 7 July 2011), 28. <i>Redland Times</i>, (Brisbane, 8 July 2011), 1. <i>Redland Times</i> (Brisbane QLD, 8 July 2011), 5. <i>North West Telegraph</i> (South Hedland WA, 13 July 2011), 6.</p>
06/07/2011	AU	Native title guide for local government	<p>The National Native Title Tribunal and Australian Local Government Association (ALGA) launched 'Developing Indigenous land use agreements: A guide for local government'. The guide is focused on Indigenous land use agreements (ILUAs), as they are primarily used by local governments to ensure that their actions in relation to land use that affect native title are done validly under the <i>Native Title Act</i>.</p> <p>Click here to download the <i>Developing Indigenous land use agreements: A guide for local government</i></p>	<p><i>Torres News</i> (Thursday Island QLD, 6 July 2011), 22.</p>
9/07/2011	WA	Fortescue Metals Group refuse to pay royalties	<p>Fortescue Metals Group (FMG) has attempted to make an agreement with the Yindjibarndi Aboriginal Corporation since 2007 to develop its Solomon Hub project, about 200km south of</p>	<p><i>National Indigenous Times</i> (Malua Bay NSW, 21 July 2011), 15. <i>North West Telegraph</i> (South</p>

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			<p>Roebourne. FMG has offered Yindjibarndi traditional owners a \$500,000 signing fee, \$4 million a year in cash and up to \$6.5 million a year in housing, jobs, training and business opportunities. In return, Fortescue will get land access for all future mining activity including an expansion of its Solomon Hub mine, where an estimated \$280 billion worth of iron ore can be extracted over 40 years.</p> <p>However, the Yindjibarndi Aboriginal Corporation (YAC) is trying to negotiate a minimum 2.5 per cent of royalties. YAC Chief Executive Michael Woodley criticised FMG stating that 'the only way to fix up some of our social problems, is to insist that these companies pay a fair deal'. Mr Woodley has said that the FMG offer is inadequate for loss of country.</p> <p>With negotiations at a standstill the Wiru-Murra Yindjibarndi Aboriginal Corporation, which supports Mr Forrest's offer, was formed and in March 2011 called a meeting in an effort to take over from YAC and finalise an agreement. Wiru-Murra has launched a Supreme Court bid to have an administrator appointed to YAC. For more information see ABC's 4 Corners program website: http://www.abc.net.au/4corners/content/2011/s3270263.htm</p>	<p>Hedland WA, 27 July 2011), 10. <i>Newcastle Herald</i> (Newcastle NSW, 27 July 2011), 35. <i>Canberra Times</i> (Canberra ACT, 27 July 2011), 13. <i>Pilbara News</i> (Pilbara WA, 27 July 2011), 7. <i>Border Mail</i> (Albury Wodonga VIC, 27 July 2011), 23. <i>Daily Mercury</i> (Mackay QLD, 30 July 2011), 19. <i>Bowen Independent</i> (Bowen QLD, 29 July 2011), 11.</p>
13/07/2011	NT	New council bid a 'land grab'	<p>The Aboriginal Land Commissioner, Justice Olney attended a meeting in Katherine NT to hear evidence about the Jawoyn Association's proposal to create a breakaway Katherine Land Council. Northern Land Council Chief Executive Officer, Kim Hill told the meeting that the Jawoyn Association proposal was little more than a 'land grab'. 'They want to take over control of almost 80 per cent of the Northern Land Council's region and clearly did not have the support for such an ambitious takeover attempt,' he said.</p>	<p><i>Northern Territory News</i> (Darwin NT, 13 Jul7 2011), 3. <i>National Indigenous Times</i> (Malua Bay NSW, 21 July 2011), 12.</p>
20/07/2011	WA	No agreement for Rio Tinto's pipe plan	<p>Rio Tinto has requested the Jidi Jidi Aboriginal Corporation, which manages 50,000sqkm of land for the Nharnuwangga, Wajarri and Ngarlawangga traditional owners, for help with heritage surveys to ascertain whether a pipeline could be installed without affecting any Aboriginal sites. A Rio Tinto spokesman said Jidi Jidi refused due to</p>	<p><i>Pilbara News</i> (Pilbara WA, 20 July 2011), 20.</p>

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			<p>Rio Tinto not agreeing to sign an Indigenous land use agreement (ILUA), matching those signed with neighbouring traditional owners. 'Rio Tinto does not believe this narrow pipeline corridor - still only a potential and relatively minor project -justifies the huge and comprehensive mutual obligations' the spokesman said.</p> <p>Traditional owner and Jidi Jidi native title manager Georgina Riley said she expected Rio Tinto to sit down and come to a formal agreement before it carried out any work. Ms Riley said Jidi Jidi had the right to lodge a compensation claim in the Federal Court if Rio Tinto proceeded. She also claimed the native title holders were being bullied into accepting a pipeline that would divide their lands.</p>	
25/07/2011	VIC	Native title recognised for Gunditjmarra and Eastern Maar peoples	<p>The Gunditjmarra and Eastern Maar peoples have been recognised as the native title holders for an area of their traditional country in south-west Victoria. At a special sitting of the Federal Court in Yambuk, Justice North made orders recognising the ongoing native title rights of the Gunditjmarra and Eastern Maar peoples. The orders were made by consent of all parties, including the Victorian and Commonwealth Governments.</p> <p>The determination was handed down at Yambuk Coastal Reserve, an area of the coast close to Deen Maar Island (Lady Julia Percy Island). The area, in which native title has been recognised, is along the Shaw and Eumeralla rivers from Yambuk in the south to beyond Lake Linlithgow in the north. For the Gunditjmarra people, the determination is the resolution of their native title applications, first lodged in 1996. The native title of the Gunditjmarra people was recognised over most of their application area at Mt Eccles (Budj Bim) National Park in March 2007. For the Eastern Maar people, the determination is the first time they have been recognised as native title holders.</p> <p>Justice North said the day marked a special achievement for the Gunditjmarra and Eastern Maar people. 'By doing justice to the Gunditjmarra and Eastern Maar people, the state, the Commonwealth and the other respondents have taken a step to right past wrongs and lay a basis for reconciliation between Indigenous and non-Indigenous Australians'.</p>	<p><i>Portland Observer</i> (Portland VIC, 25 July 2011), 3. <i>Herald Sun</i> (Melbourne VIC, 27 July 2011), 22. <i>Warrnambool Standard</i> (Warrnambool VIC, 28 July 2011), 3. <i>Shepparton News</i> (Shepparton VIC, 2. <i>Moyne Gazette</i> (Moyne VIC, 28 July 2011), 6. <i>Herald Sun</i> (Melbourne VIC, 28 July 2011), 20. <i>Bendigo Advertiser</i> (Bendigo VIC, 28 July 2011), 12. <i>Kalgoorlie Miner</i> (Kalgoorlie WA, 28 July 2011), 4. <i>Illawarra Mercury</i> (Wollongong NSW, 28 July 2011), 5. <i>The Age</i> (Melbourne Vic, 28 July 2011), 8. July 2011), 13. <i>The Standard</i> (Warrnambool VIC, 27 July 2011), 3. <i>The Age</i> (Melbourne VIC, 27 July 2011), 6.</p>

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25/07/2011	NSW	Native title claim registered	The Yaegl people's second native title claim in the Clarence Valley, covering 1400sqkm, has been registered with the National Native Title Tribunal. The claim covers land from the Woolli River to Yamba and also extends 3km out to sea. The claim was made by the Yaegl Aboriginal Land Council. The rights given to the Yaegl people from a successful native title claim will be negotiated as part of the native title process, a spokeswoman for the National Native Title Tribunal said.	<i>Daily Examiner</i> (Grafton NSW, 25 July 2011), 6. <i>Advocate</i> (Coffs Harbour NSW, 25 July 2011), 8. <i>Coastal Views</i> (Macleay NSW, 29 July 2011), 10.
27/07/2011	QLD	Western Cape Communities Trust investment strategy	<p>The Western Cape Communities Trust (WCCT) has developed an investment strategy to ensure the long-term sustainability of mining royalty revenues for the communities and traditional owners of the western Cape York region of Queensland. The strategy outlines the direction for the WCCT's royalty investments, which is projecting substantial retained funds by 2022. The WCCT is a perpetual trust and currently the largest of its kind in Australia. The WCCT is a company 100 per cent owned and operated by the 11 traditional owner groups of the Western Cape York region.</p> <p>WCCT Executive Officer, Georgina Richters, said the investment strategy, developed by traditional owner directors and associated with existing mining agreements, is the first of its kind in Australia. 'Trust directors and members have worked diligently for three years to ensure compliance in legal, tax and governance matters and now this investment strategy provides long-term direction for the management of Rio Tinto Alcan and Queensland Government royalties for its shareholders,' Ms Richters said.</p> <p>Click here to download the investment strategy: http://www.westerncape.com.au/pdf/WCCT_Investment_Strategy_FI_NAL_FN-200511.pdf</p>	<i>North West Telegraph</i> (South Hedland WA, 27 July 2011), 10.
27/07/2011	QLD	Juru people get rights over Cape Upstart	At a special sitting of the Federal Court in Bowen, Justice Rares acknowledged that the Juru people have native title rights and interests to more than 8500 hectares in Cape Upstart National Park. In handing down the determination, Justice Rares said the Juru	<i>Townsville Bulletin</i> (Townsville, 27 July 2011), 14. <i>Northern Territory News</i> (Darwin NT, 27 July 2011), 14. <i>Gold Coast</i>

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			<p>people had continued to acknowledge and observe traditional laws and customs from before European settlement.</p> <p>The judgment read: 'From today, the rights and interests of the Juru people will be protected by the force of law so that the current and future descendants of the original Indigenous inhabitants before 1861 will enjoy rights and interests that their ancestors had'.</p> <p>Natural Resources Minister Rachel Nolan said the agreement demonstrated the Juru people's commitment to conservation values. 'This determination will allow the Juru people to use the land for hunting, fishing and gathering purposes and to conduct ceremonies and carry out cultural activities'.</p>	<p><i>Bulletin</i> (Gold Coast QLD, 27 July 2011), 13. <i>Courier Mail</i> (Brisbane QLD, 27 July 2011), 15. <i>Bendigo Advertiser</i> (Bendigo VIC, 27 July 2011), 17. <i>Observer</i> (Home Hill QLD, 28 July 2011), 10. <i>Bowen Independent</i> (Bowen QLD, 27 July 2011), 3. <i>Pilbara News</i> (Pilbara WA, 27 July 2011), 7. <i>Daily Mercury</i> (Mackay QLD, 27 July 2011), 2. <i>Bowen Independent</i> (Bowen QLD, 29 July 2011), 3.</p>