

WHAT'S NEW IN NATIVE TITLE

OCTOBER 2014

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1. Case Summaries

[De Satge on behalf of the Butchulla People #2 v State of Queensland \[2014\] FCA 1132](#)

24 October 2014 (and Corrigendum of 5 November 2014), Consent determination, Federal Court of Australia, Fraser Island, Queensland

Collier J

In this consent determination the court recognised the Butchulla People's non-exclusive native title rights and interests, in relation to Fraser Island, off the coast of Central Queensland.

The respondents in this matter were the State of Queensland, the Fraser Coast Regional Authority, Kingfisher Bay Resort Village and Telstra.

Possible Exclusions to the Determination Area

During WWII, certain military orders had been made over some areas on Fraser Island.

In another matter, the State of Queensland had argued that military orders would extinguish native title over land on the Atherton Tablelands. However, the Full Federal Court found that those orders did not extinguish native title (see [Congo and Others on behalf of the Bar-Barrum People #4 v State of Queensland \[2014\] FCAFC 9](#); case summary in [What's New, February 2014](#); and the [May 2014 edition of AIATSIS' Native Title Newsletter](#)).

The State of Queensland was granted special leave to appeal that decision in the High Court. That decision is still to be made.

The parties agreed that areas on Fraser Island subject to those military orders will be included in the Determination Area.

However, if the High Court decides that those military orders extinguished the Bar-Barrum People's native title, the State of Queensland may exercise its right, under [s13](#) of the [Native Title Act 1993](#) (Cth) (NTA), to seek that those areas be removed from the Determination Area.

Requirements under s 87 NTA

Collier J was satisfied that the elements of [s 87](#) NTA were satisfied. This included that an agreement was reached after the [s 66](#) NTA notification period had expired and that all relevant persons were parties to the agreement.

In determining that the orders being sought under [s 87](#) NTA would be within the power of the Court, Collier J looked at evidence before the Court including an historical report by Dr Skyring, anthropological reports by Ms O'Brien and Dr Sackett and affidavits filed in support of the application by members of the claim group and concluded, at [76]:

I am satisfied that orders in the terms agreed by the parties to these proceedings are within the power of the Court. In particular, I am satisfied that the material filed by the parties in these proceedings evidences native title rights and interests in the claim group as defined by [s 223\(1\)](#) of the Act.

In deciding that making orders under [s 87](#) NTA would be appropriate, Collier J considered the following propositions:

- generally the court reaches the required satisfaction that the proposed orders are appropriate by reliance upon State and Territory processes (see [King v South Australia \[2011\] FCA 1386](#) at [19]);
- [Section 87](#) must be construed in the context that NTA is designed to encourage parties to take responsibility for resolving proceedings without the need for litigation (see [Lovett on behalf of the Guditjmarra People v State of Victoria \[2007\] FCA 474](#) at [36]);
- the court is not required to examine whether the agreement is grounded on factual basis. The primary consideration is whether there is an agreement and whether it was freely entered into on an informed basis (see [Nanqiriny v State of Western Australia \[2002\] FCA 660](#));
- when determining that an agreement has freely been entered into, the Court will be satisfied that the State party has taken steps to satisfy itself that there is a credible basis for an application: [Munn v Queensland \[2001\] FCA 1229](#); and
- there is a question as to how far a State party is required to investigate in order to satisfy itself of a credible basis for an application. One reason for the often inordinate time taken to resolve some of these cases is the overly demanding nature of the investigation conducted by State parties (see [Lovett on behalf of the Guditjmarra People v State of Victoria \[2007\] FCA 474](#) at [37]).

Collier J found, at [82], that

The case before me, in which the State has been deeply involved in the negotiation of consent orders in respect of a determination of native title, appears to satisfy the criteria outlined by ... in *King* and *Lovett* respectively.

Nominated PBC

The Court must determine who will hold the native title and whether the native title will be held in trust ([s 56\(1\)](#) NTA).

In this case, the native title is not to be held on trust. Collier J determined that the Butchulla Aboriginal Corporation is to be the agent for the Butchulla People and perform the function set out in [s 57\(3\)](#) NTA.

Of note in the Decision

Collier J noted, at [5], that

Queensland South Native Title Services played a significant part in respect of the organisation of authorisation meetings of the native title claimant group and the negotiation of the agreement currently before the Court.

Also of note is that the Butchulla People have another claim with respect to a broader area around Fraser Island, the Hervey Ban Marine Park and areas on the mainland.

[Ah Chee v State of South Australia \[2014\] FCA 1048](#)

3 October 2014, consent determination, Federal Court of Australia, Adelaide, South Australia

Mansfield J

In this consent determination, Mansfield J recognised the non-exclusive native title rights and interests of the Wangkangurru/Yarluyandi People over nearly 79,600 sq km of land, covering:

- approximately 60,600 sq km in far north/north east South Australia, which includes the Simpson Desert Conservation Park and the Simpson Desert Regional Reserve (about 36,000 sq km) and the remaining area predominantly made up of land held under pastoral lease; and
- approximately 19,000 sq km in south western Queensland, which includes some 10,000 square kilometres of the Munga-Thirri National Park with its remarkable sand dunes, and the township of Birdsville.

Mansfield J described the determination area as remote and extraordinary country.

The respondents in this matter included the State of South Australia, the State of Queensland, South Australian Native Title Services, the Diamantina Shire Council, the Australian Wildlife Conservancy, the South Australian Apiarists Association, oil exploration companies, pastoral companies and individual pastoralists and other individuals with an interest in the determination area.

Requirements under s 87 NTA

Mansfield J noted that when a court is asked to make a determination by consent using its powers under [s 87](#) of the [Native Title Act 1993](#) (Cth) (NTA), the court must be satisfied of various procedural requirements and that native title (as defined under [ss 223](#) and [225 NTA](#)) has been established and recorded on the determination, as required under [s 94A NTA](#).

Mansfield J noted the practical elements of [s 87](#) NTA had been established, therefore allowing the court to make orders without a full hearing.

In determining that making such an order would be appropriate, Mansfield J followed the approach set out in [Lovett on behalf of the Gunditjmarra People v State of Victoria \[2007\] FCA 474](#), that

when the court is examining the appropriateness of an agreement, it is not required to examine whether the agreement is grounded on a factual basis which would satisfy the court at a hearing of the application. The primary consideration of the court is to determine whether there is an agreement and whether it was freely entered into on an informed basis.

Mansfield J looked to the existence of an agreement and if the evidence suggested it was freely entered into, on an informed basis.

Mansfield J undertook an examination of the quality and content of the material relied upon by the State parties. His Honour found they had rigorous processes (including through competent legal advice, and expert anthropological evidence) for assessing the existence of native title. This included the description of persons who are members of the native title holding group, sufficient to identify the native title holding group, and its society as defined by [s 225](#) NTA.

Nominated PBC

Under [s 56\(1\) NTA](#), the Court must determine if the native title will be held in trust and, if so, by whom. In this case, the Wangkanguru/Yarluyandi Aboriginal Corporation was determined as the Prescribed Body Corporate to hold the native title on trust for the Wangkanguru/Yarluyandi People.

ILUAs and this determination

This matter referred to 12 ILUAs that the claim group had entered into, or been negotiating:

- Eight proposed ILUAs in South Australia, including two body corporate agreements and six pastoral ILUAs.
- One previously executed ILUA in South Australia (Wangkanguru Yarluyandi Petroleum Conjunctive ILUA (Area Agreement) S12011/023 executed on 24/06/2011 Registered on 02/03/2012).
- One proposed ILUA in Queensland (the Munga Thirri National Park Protected Areas ILUA (body corporate agreement), which was authorised on 16 August 2014); and
- Two executed ILUAs in Queensland with:
 1. Ergon Energy Corporation (ACN 087 646 062), registered on 30 January 2013.
 2. Diamantina Shire Council, registered on 10 January 2013

Of note in the Decision

The Wangkanguru Yarluyandi Native Title Claim ILUA (Body Corporate Agreement). Mansfield J considered it would resolve all issues relating to native title in the South Australian portion of the claim. The ILUA:

1. addresses the provision of compensation in full and final settlement in relation to the South Australian Determination Area; and
2. provides for a process under which the State of South Australia may undertake future acts on Native Title Land in the Determination Area.

[Apetyarr v Northern Territory of Australia \[2014\] FCA 1088](#)

14 October 2014, Consent Determination, Federal Court of Australia, Honeymoon Bore, Northern Territory

Mortimer J

In this consent determination, Mortimer J recognised the non-exclusive native title rights and interests of the Alyawarr and Kaytetye people, over lands and waters located in the Sandover region of the Northern Territory. This area is covered by the Ammaroo, Derry Downs, Elkedra, and Murray Downs pastoral leases.

The native title claim group comprises people who identify as members of one or more of the 19 landholding groups in the region. In this matter the applicant, the Northern Territory and three other respondents reached an agreement, and are seeking a consent order by the court pursuant to [s 87](#) of the [Native Title Act 1993](#) (Cth) (NTA).

Requirements under s 87 NTA

Mortimer J was satisfied that the elements of [s 87 NTA](#) were established. These included:

- the notice given under [s 66](#) NTA has passed;
- agreement was reached between the parties in relation to the whole proceeding;
- the terms of the agreement were in writing, signed by the parties and filed with the Court; and
- making the proposed order was within the Court's power.

Under [s 87 NTA](#), the Court must also be satisfied that native title (as defined under [ss 223](#) and [225 NTA](#)) has been established and recorded on the determination, as required under [s 94A NTA](#). The Court must also be satisfied that making such an order will be appropriate.

In determining that making such an order would be appropriate, Mortimer J followed the approach set out in [Lovett on behalf of the Gunditjmarra People v State of Victoria \[2007\] FCA 474](#). Her Honour noted that the Court's primary consideration is to determine if the agreement was freely entered in to on an informed basis. This requires that the Court be satisfied that the State party has taken steps to satisfy itself that there is a credible basis for an application.

Mortimer J noted at [25] that the court must be satisfied that it is appropriate to rely on not only the outcome to which the parties have agreed, but the process by which that agreement has been reached. The fairness of those processes was held, at [31]-[34], to have been demonstrated by the presence of legal representation by the Central Land Council, involvement of the court and appropriate consultation with affected parties.

Connection requirements

Mortimer J went beyond evidence of a freely entered and informed agreement and referred to material that formed the basis for the parties' agreement. Her Honour was without doubt that the requirements of [s 225](#) NTA, and [s 223](#) NTA were satisfied by reference to evidence contained in anthropological reports by Craig Elliott and Dr Natalie Kwok that contained comprehensive analysis of the landholding groups, the history of occupation and an analysis of the continuity of connection with the claim area.

Nominated PBC

The Court must determine if the native title will be held in trust and, if so, by whom ([s 56\(1\) NTA](#)). In this case, Kaytetye Alyawarr Awenyerraperte Ingkerr-wenh Aboriginal Corporation was determined as the Prescribed Body Corporate to hold the native title on trust for the Alyawarr and Kaytetye People.

ILUAs and this determination

The agreement subject to this consent determination was not made subject to or in connection with an ILUA. However, the Imperrenth ILUA DI2003/012 (14 November 2003) was referred to with respect to other rights and interests in the determination area.

Of note in the Decision

Mortimer J noted at paragraph [35] that publishing reasons for a [s 87 NTA](#) determination has an additional and important function. That is, to explain to the wider community the basis on which the court recognises the native title holders' requisite connection with the claim area.

[Daphney on behalf of the Kowanyama People v State of Queensland \[2014\] FCA 1149](#)

31 October 2014, Consent determination, Federal Court of Australia, Cairns, Queensland

Greenwood J

In this consent determination, Greenwood J recognised the exclusive and non-exclusive native title rights and interests of the Kowanyama People, who comprise those people known as Yir Yoront (sometimes called Kokomenjen), Koko Bera, Kunjen and Koko Berrin.

The respondents in this matter included the State of Queensland, the Carpentaria Shire Council and a number of individuals with an interest in the determination area.

Background

This matter has a long and complex history, beginning with an application lodged by the Kowanyama People in March 1997 (the Kowanyama #1 application (QUD 6119 of 1998)). The land subject to the Kowanyama #1 application was divided in three parts (Part A, Part B and Part C D) and dealt with in the following ways:

- Part A – native title was recognised by consent on 22 October 2009 (see [Kowanyama People v State of Queensland \[2009\] FCA 1192](#)) or case summary in AIATSIS Resource [‘What’s New’ October 2009](#)).
- Parts B and C – an area (including the Errk Oygangand National Park) was removed from Part B and the remaining area of Part B and Part C had native title recognised by consent (see [Greenwool for and on behalf of the Kowanyama People v State of Queensland \[2012\] FCA 1377](#)).
- The area taken from Part B was called Part D and forms part of the land and waters of the present consent determination.
- On 13 June 2012, the Kowanyama #2 application (QUD 282 of 2012) was filed over the land and waters of the Errk Oygangand National Park.
- On 8 November 2013, the Kowanyama #3 application (QUD 743 of 2013) was filed to include areas within the external boundary of the original Kowanyama application that were omitted from the determination areas in Parts B and C.
- On 5 December 2013, the remaining Part D area of the Kowanyama #1 application was combined with the Kowanyama #2 and #3 applications. The combined application area is the subject of this consent determination.
- On 7 February 2014, the composition of the applicant group was amended.

Requirements under s 87A NTA

Greenwood J was satisfied that the elements of [s 87A Native Title Act 1993](#) (Cth) (NTA) were established. These included:

1. an agreement was reached on a consent determination after the [s 66](#) NTA notification period has expired;
2. all relevant persons were parties to the agreement;
3. the terms of the consent determination were in writing, signed by the parties and filed with the Court; and
4. making the proposed order was within the Court's power.

Greenwood J considered the following matters relevant to whether it is appropriate to make a consent determination under [s 87A](#) NTA:

1. that the NTA recognises and encourages the resolution of applications (in relation to the whole or to part of an area) by mediation, negotiation and agreement.
2. whether the agreement is freely entered and made on an informed basis by all the parties, and the parties were represented by experienced independent lawyers.
3. whether the State party has access to its own archival material; and generally has a long period of engagement with, and therefore is likely to be familiar with the historical arrangements of Aboriginal communities.

4. Although unnecessary to consider the body of evidence as if presiding over a contested hearing, the Court ought to have regard to sufficient material which is capable of demonstrating that the agreement and the proposed orders are “rooted in reality”.¹
5. whether the parties are represented by experienced lawyers and the State of Queensland has been provided with extensive material between May 1996 and August 2009.

In this matter, his Honour was satisfied the parties have been represented by independent lawyers and had come to a fully informed agreement, including by reference to extensive material provided between May 1996 and August 2009.

Connection requirements

A determination of native title under [s 87A](#) NTA must meet the requirement in [s 94A](#) NTA. It must include details as set out in [s 225](#) NTA, which must be read together with [s 223](#) NTA in order to give meaning to the terms “determination of native title” and “native title” and “native title rights and interests”.

In this matter Greenwood J referred to previously filed affidavits and to anthropological evidence provided by Dr John Taylor as well as to archaeological and historical evidence. Greenwood J also relied on affidavits by members of the Kowanyama claim group and was satisfied that the Kowanyama People are descendants of a society of Aboriginal People who were in occupation of the land and waters of the determination area, and who formed a society united by their acknowledgement and observance of a normative body of traditional laws, customs and beliefs. Greenwood J was also satisfied on the evidence that, through their continued acknowledgment and observance of these normative laws and customs, the Kowanyama People have since sovereignty, maintained a connection to the determination area.

Nominated PBC

The Court must determine if the native title will be held in trust and, if so, by whom ([s 56\(1\)](#) NTA). In this case, the Abm Elgoring Ambung Aboriginal Corporation was determined as the Prescribed Body Corporate to hold the native title on trust for the Kowanyama People.

ILUAs and this determination

Greenwood J held that this determination would take effect only upon the registration of an ILUA with Carpentaria Shire Council. This ILUA was authorised by the Kowanyama People on 14 October 2014 and dated 21 October 2014.

Other rights and interests in the determination area included an ILUA for Errk Oykangand National Park (Cape York Peninsula Aboriginal Land) dated 23 October 2009.

Of note in the Decision

Where native title is claimed over land expressly granted to, or held for the benefit of, Aboriginal people and where the land is occupied by at least one member of the claimant group at the time that the application is made, [s 47A](#) NTA may operate to disregard prior extinguishment.

In this matter, [s 47A](#) NTA was applied and exclusive native title rights and interests were recognised over the Errk Oykangand National Park (excluding internal roads, where non-exclusive rights were recognised).

Non-exclusive native title rights and interests were also recognised in this matter, over areas currently subject to pastoral leases and portions of land and waters mistakenly left out of the earlier determinations.

[Woosup on behalf of the Northern Cape York Group #1 v State of Queensland \(No 3\) \[2014\] FCA 1148](#)

30 October 2014, Consent determination, Federal Court of Australia, Injinoo, Queensland

Greenwood J

In this consent determination, Greenwood J recognised the Cape York #1 native title claim group’s exclusive and non-exclusive native title over a large area of the land and waters in northern, northwestern and northeastern Cape York Peninsula.

The claim group was comprised of the Angkamuthi Seven Rivers people, the McDonnell Atampaya people and the Gudang/Yadhaigana people.

¹ *Native Title – A Constitutional Shift?*, University of Melbourne Law School, JD Lecture Series, French CJ, 24 March 2009; [Wik and Wik Way Native Title Claim Group v State of Queensland \[2009\] FCA 789](#).

The 22 respondents included the State of Queensland, Alcan South Pacific Pty Ltd, RTA Weipa Pty Ltd, the Northern Peninsula Area Regional Council, the Cook Shire Council, the Apudthama Land Trust, Old Mapoon Aboriginal Corporation the Island Industries Board, Ergon Energy and Telstra, and 12 individuals.

Background

On 1 July 2011, the Northern Cape York #1 claim group lodged an application for native title. The application was registered on 1 March 2012 and amended on 29 July 2014 and again on 17 October 2014.

The Court determined intra Indigenous issues on:

- 22 August 2014 (see [Woosup on behalf of the Northern Cape York Group #1 v State of Queensland \[2014\] FCA 910](#) or case summary in [‘What’s New’ August 2014](#); and
- 7 October 2014 (see [Woosup on behalf of the Northern Cape York Group #1 v State of Queensland & Ors \(No 2\) \[2014\] FCA 1086](#) or case summary in this edition of ‘What’s new’).

Requirements under s 87 NTA

In determining that it was appropriate to make orders consistent with the terms of the parties’ agreement, without holding a hearing of questions of fact and law, as provided by [s 87](#) of the [Native Title Act 1993](#) (Cth) (the NTA), Greenwood J stated, at [15]:

emphasis is to be placed upon whether the [s 87](#) Agreement has been genuinely and freely made on an informed basis by all parties represented by experienced independent lawyers and, in the case of the State of Queensland, whether appropriate consideration has been given to the precise content of the applicants’ claim.

Greenwood J considered the State’s history in analysing native title rights and interests and the resources and expertise available to the State as indicative of the capacity of the State to examine the content of an application for determination of native title.

Although it was not necessary for the claimant group to file evidence of the kind that would be required at a trial proceeding, Greenwood J considered that *some material* should be presented for the Court to be satisfied that the [s 87](#) Agreement was “rooted in reality”.² Greenwood J, therefore, also focussed on the connection evidence.

Connection Evidence

Greenwood J discussed the requirement in [s 94A](#) NTA, that an order for determination of native title must include details as set out in [s 225](#) NTA, which must be read together with [s 223](#) NTA in order to give meaning to the terms “determination of native title” and “native title” and “native title rights and interests”. Greenwood J referred also to the High Court’s decision in [Members of the Yorta Yorta Aboriginal Community v Victoria \(2002\) 214 CLR 422 at \[76\]](#), and identified the mandatory requirements for a determination of native title, at [19], as:

- the native title rights and interests must be communal, group or individual rights and interests;
- they must be rights and interests in relation to land or waters;
- they must be possessed under the traditional laws acknowledged, and the traditional customs observed, by Aboriginal peoples or Torres Strait Islanders;
- Aboriginal peoples or Torres Strait Islanders by their law and customs must have a connection with the land or waters, and the rights and interests must be recognised by the common law of Australia.
- the land and water were shown exists and possessed under the traditional laws; and
- customs acknowledged, by the claimant group and were recognised by the common law of Australia

In making his determination, Greenwood J relied on extensive anthropological reports by Dr Anthony Redmond, the applicants’ submission, and evidentiary material considered in a related case ([Coconut on behalf of the Northern Cape York #2 Native Title Claim Group v State of Queensland \[2014\] FCA 629](#) – or see case summary in [‘What’s New’ June 2014](#)).

Nominated PBC

The Court must determine if the native title will be held in trust and, if so, by whom ([s 56\(1\)](#) NTA). In this case, The Northern Cape #1 Aboriginal Corporation was determined as the Prescribed Body Corporate to hold the native title on trust.

² *Native Title – A Constitutional Shift?*, University of Melbourne Law School, JD Lecture Series, French CJ, 24 March 2009; [Kerindun v Queensland \[2009\] FCA 789](#) at [16]; [Kuuku Ya’u People v State of Queensland \[2009\] FCA 679](#) [12]–[15].

ILUAs and this determination

Greenwood J referred to other rights and interests in the determination area under the following four ILUAs:

1. the Jardine River National Park, Jardine River Regional Park and Heathlands Regional Park Protected Areas ILUA;
2. an ILUA entered into with Ergon Energy Corporation Ltd on 20 October 2014;
3. an ILUA entered into with Northern Peninsula Area Regional Council on 15 October 2014;
4. the Northern Peninsula Area Infrastructure ILUA (QI2004/001) registered 12 December 2005;

Of note in the Decision

Five Deeds of Grant in Trust (DOGIT) were also recognised as ‘other interests’ that this determination must observe. These DOGITs were discussed in the previous decision of 22 August 2014 and 7 October 2014 (see reference in ‘background’ above).

Also of note was Greenwood J’s statement at paragraph [10]:

The parties are to be congratulated on the cooperative approach to the efficient conduct of the matter and the Court recognises and acknowledges their efforts in this regard.

[Woosup on behalf of the Northern Cape York Group #1 v State of Queensland \(No. 2\) \[2014\] FCA 1086](#)

7 October 2014, Application to remove two respondents, Federal Court of Australia, Brisbane, Queensland

Greenwood J

This matter was relisted from Greenwood J’s decision of 22 August 2014 in [Woosup on behalf of the Northern Cape York Group #1 v State of Queensland \[2014\] FCA 910](#) (see case summary in [‘What’s New’ August 2014](#)).

In that case, the Northern Cape York Group #1 sought to have two groups removed as respondents. Greenwood J made Orders removing one group of three individuals from the proceedings, and removing 10 individuals from another group of 12. Greenwood J then relisted the matter so that the remaining two respondents could seek legal advice.

The two respondents were members of the “Bamaga People”; Saibai Island People who had been relocated to the claim area and, on the basis of expert anthropological evidence about the mode of traditional recruitment to country in the claim area, were found by Greenwood J as not having native title rights in the claim area.

The Bamaga People and the applicant group signed a Minute of Agreement on 3 July 2014, recognising the rights and interests of the Bamaga People under a Deed of Grant in Trust (DOGIT), dated 31 May 2013.

In the hearing on 22 August 2014, the two respondents claimed that they had not provided consent to the Agreement.

In this matter, Greenwood J found that the two respondents’ interests were entirely protected by the Bamaga DOGIT and, at [7], that it was appropriate to apply [s 84\(8\)](#) of the [Native Title Act 1993](#) (Cth) and remove them from the proceedings:

not only because they now have no interest that can be affected by the proposed consent determination having regard to the proposed terms of the consent determination, but continued agitation of their claims of an interest affected by the proposed determination (and the contended need to negotiate an Indigenous Land Use Agreement (“ILUA”)) is not in the interests of justice as the parties who have an interest have expended considerable resources to reach this point.

[Jacob v State of Western Australia \[2014\] FCA 1106](#)

14 October 2014, Application for joinder, Federal Court of Australia, Perth, Western Australia

McKerracher J

In this decision, McKerracher J made orders to join three parties as respondents to the Yindjibarndi #1 native title determination application.

Considerations

[Section 84\(5\)](#) of the [Native Title Act 1993](#) (Cth) (NTA) empowers the Court to join a party to proceedings. McKerracher J applied the principles in [Barungra v State of Western Australia \(No 2\) \[2011\] FCA 755](#) at [164] to set out that the Court must consider:

1. whether the person has an interest;
2. whether that interest may be affected by a determination in the proceedings; and

3. whether, in any event, in the exercise of the discretion given to the court by s 84(5) the court should join the party

McKerracher J referred to [Far West Coast Native Title Claim v State of South Australia \(No 5\) \[2013\] FCA 717](#) (at [28], [31]-[35]) to clarify that the interest must be genuine; not indirect, remote, or lacking substance; it must be capable of clear definition; and in relation to an element; and the interest must be affected in a demonstrable way' by the determination in the proceedings.

In further considering what sort of interests would satisfy the criteria set out in [s 84\(5\)](#) NTA, McKerracher stated that:

- native title rights and interests (and similar traditional based interests) can satisfy the requirements of [s 84\(5\)](#), but not just any person claiming to hold native title rights and interests has such an interest (at [33]-[34]); and
- the applicant must show a *prima facie*³ case in relation to an interest.

McKerracher J held that the respondents should be joined because there was evidence showing a *prima facie* case as to the first two elements. The court noted that although the evidence in support of the respondents' interest is very slim, the basis upon which the respondents seek to participate has been clearly articulated and can be accommodated within existing programming orders. McKerracher J concluded that

Of Note in the Decision

McKerracher J noted that although the evidence brought forward by the respondents didn't provide for a strong case, it was based on their own oral history concerning the identity of their ancestors. The evidence was also based on their self-identification, and history as set out in the affidavits in support of the application. This fitted with the conventional manner in which matters of this nature are proven in native title litigation, as provided in [s 72](#) and [s 78A](#) of the [Evidence Act](#).

[Zanthus Resources P/L & Ors v Mineralogy P/L \[2014\] WAMW 20](#)

30 October 2014, Procedural Rights under the NTA, The Warden's Court, Perth, Western Australia

Warden Wilson

In this matter, registered native title claimants Kuruma Marthudunera Native Title Claimant Group objected to Mineralogy Pty Ltd's application for Miscellaneous Licence 08/58 (the Licence). The basis of the objection was that:

- proposed activities by Mineralogy impact upon aboriginal heritage rights and the native flora and fauna in the area; and
- Mineralogy had not complied with the provisions of the Mining Act and the Mining Regulations when applying for the Licence.
 - In particular, Mineralogy had marked out the land and erected a datum post for the Licence, on land subject to the Kuruma Marthudunera Group's native title application, without having a [s 30](#) permit to enter private land, which breached [s 104\(3\) of the Mining Act 1978 \(WA\)](#).

Three other Exploration Licence applicants also objected to the grant of the Licence because, amongst other reasons, the grant would encroach upon their Exploration Licences. The Kuruma Marthudunera Native Title Claimant Group and the three Exploration Licence applicants lodged an Application seeking that the Warden's Court summarily dismiss Mineralogy's application for the Licence.

Mineralogy argued that the application for native title did not extend to the North West Coastal Highway and, therefore, a [s 30](#) permit would not be required.

The Kuruma Marthudunera Native Title Claimant Group (and the three Exploration Licence applicants) argued that:

- the road reserve of the North West Coastal Highway had been expanded in 2004, and that the specific part of the road reserve formed part of the native title claim;
- the Taking Order to acquire the land for the 2004 expansion did not extinguish but rather preserved relevant native title;
- the non-extinguishment principle in [s 24KA](#) of the NTA operated so that the 2004 expansion did not extinguish or affect the native title claim registered by the Kuruma Marthudunera Native Title Claimant Group.

Further, one of the Exploration Licence applicants (Zanthus Pty Ltd), argued, including by reference to a number of previous orders of the Warden's Court, that the combined effect of ss [24MD\(6A\)](#), [253](#), [226](#), [233\(1\)\(c\)](#), and [227](#) of the [Native Title Act 1993](#)

³ *Prima facie* is a latin term that means 'at first sight' or 'on the face of it'.

(Cth) (NTA) is that the grant of a Miscellaneous Licence under any legislation (including under the *Mining Act*) can only be effected by giving to any registered native title claimant the same “procedural rights” as would be available to a person with a freehold estate in fee simple.

In effect, the argument was that

When it is understood that a registered native title claimant is to be treated as if they have ordinary title or freehold title, it must be accepted that they are deemed by force of [s 24MD\(6A\)](#) of the NTA to have rights as if they held private land under the Act.

Warden Wilson accepted this argument, at [52], as well as most of the arguments put forward by Zanthus Pty Ltd (including about the non-extinguishment principle in [s 24KA](#) of the NTA).

Warden Wilson found that Mineralogy failed to comply with the requirement to obtain a Permit to Enter, before marking out the land that was the subject of the Licence application. On this basis, the application for the Licence was found to be fatally flawed and the application was summarily refused.

Note: The Warden’s Court is constituted under the [Mining Act 1978 \(WA\)](#) and it has the jurisdiction throughout Western Australia, to hear and determine matters relating to mining tenements.

2. Legislation

Federal

Review of the Australian Parliament’s Website provided the following information and updates:

AUSTRALIAN CHARITIES AND NOT-FOR-PROFITS COMMISSION (REPEAL) (No. 1) BILL 2014

This is the first of two Bills to implement the Government’s election commitment to repeal the Australian Charities and Not-for-profits Commission.

The commission was established in 3 December 2012. Registration as a charity by the commission is required before an organisation can receive charity tax concessions and other commonwealth exemptions and benefits from the Australian Taxation Office. Some Aboriginal and Torres Strait Islander corporations have registered with the (ACNC) as charities.

However, this Bill will not take place until the enactment of a later Bill, which will provide for details of the arrangements replacing the commission.

The second Bill will provide transitional arrangements for matter such as transferring to the Chief Executive of a successor agency records currently held by the commission, any outstanding Ombudsman investigations, and certain annual reporting requirements.

As the Bill does not take effect until the second Bill dealing with the substance of replacement arrangements is passed by parliament, there are none direct financial impacts quantified.

For further information see the Explanatory Memorandum [here](#)

New South Wales

Aboriginal Land Rights Amendment Bill 2014

This Bill is to amend the *Aboriginal Land Rights Act 1983* (Cth) to among other things, provide for Aboriginal Land Agreements to be made between the Crown Lands Minister and Aboriginal Land Councils as an alternative to land claims under the principal Act. The Bill has been passed in the Legislative Assembly on Tuesday 4 November 2014. It is now in the Legislative Council awaiting for the Legislative Council Ministers second reading speech.

For more information about the Bill see the [Explanatory notes](#)

South Australia

Pastoral Land Management and Conservation (Renewable Energy) Amendment Bill 2014

- In the first session of the 53rd parliament, the Pastoral Land Management and Conservation (Renewable Energy) Amendment Bill 2014 was introduced to the Legislative Council. When the Pastoral Land Management and Conservation Act was originally drafted, renewable energy development was not predicted. A Bill to amend the Act makes it possible for a wind farm developer to apply for a licence to build and operate a wind farm on pastoral lease land. A wind farm development can co-exist with pastoral activities in the same way as occurs on freehold farming land. The Bill also expedites access to pastoral land for solar energy projects.
- The Bill is to provide renewable energy investors with access to 40 per cent of South Australia's land mass that is Crown land subject to pastoral lease.
- The Government says 95 per cent of licence payments will be able to be passed to pastoral lessees and native title holders.
The Bill passed the House of Assembly (Lower House) on 14 October 2014.

3. Indigenous Land Use Agreements

In October 2014, 13 ILUAs were registered with the National Native Title Tribunal.

Registration date	Name	Tribunal file no.	Type	State or Territory	Subject matter
27/10/2014	Northern Cape York Group #2 and Ergon Energy ILUA	Q12014/036	Area Agreement	QLD	Energy, Access, Infrastructure
27/10/2014	Northern Cape York Group #2 Napranum Aboriginal Shire Council ILUA	Q12014/037	Area Agreement	QLD	Access, Development, Infrastructure
27/10/2014	Mapoon Aboriginal Shire Council Northern Cape York Group #2 ILUA	Q12014/038	Area Agreement	QLD	Government, Co-management, Development, Infrastructure
21/10/2014	Blina Station and Nyikina Mangala ILUA	WI2014/010	Body Corporate	WA	Pastoral, Access, Communication, Community
21/10/2014	Kalyeeda Station and Nyikina Mangala ILUA	WI2014/011	Body Corporate	WA	Pastoral, Access, Communication, Community
21/10/2014	Meda Station and Nyikina Mangala ILUA	WI2014/012	Body Corporate	WA	Pastoral, Access, Communication, Community
21/10/2014	Yakka Munga Station and Nyikina Mangala ILUA	WI2014/013	Body Corporate	WA	Pastoral, Access, Communication, Community
21/10/2014	Dampier Downs Station and Nyikina Mangala ILUA	WI2014/014	Body Corporate	WA	Pastoral, Access, Communication, Community
21/10/2014	Yeeda Station and Nyikina Mangala ILUA	WI2014/015	Body Corporate	WA	Pastoral, Access, Communication, Community
17/10/2014	Nyangumarta PBC KSCS ILUA	WI2014/009	Body Corporate	WA	Co-management, Government
10/10/2014	Yulluna People/ Toolebuc ILUA	Q12014/033	Area Agreement	QLD	Pastoral, Access

Registration date	Name	Tribunal file no.	Type	State or Territory	Subject matter
10/10/2014	Yulluna People/ Corrie Downs, Digby Peaks and Windsor Park (aka Willstown) ILUA	QI2014/034	Area Agreement	QLD	Pastoral, Access
03/10/2014	Gudjala People and Local Government ILUA	QI2014/031	Area Agreement	QLD	Government, Access

For more information about ILUAs, see the [NNTT Website](#) and the [ATNS Database](#).

4. Native Title Determinations

In October 2014 the [NNTT Website](#) listed 5 native title determinations.

Short Name (NNTT)	Case Name	Date (NNTT)	State	Outcome	Legal Process	Type	RNTBC /PBC
Kowanyama People	Daphney on behalf of the Kowanyama People v State of Queensland	31/10/2014	QLD	Native Title exists in the entire determination area	Consent determination	Claimant	Not Registered
Northern Cape York Group #1	Woosup on behalf of the Northern Cape York Group #1 v State of Queensland	31/10/2014	QLD	Native Title exists in the entire determination area	Consent determination	Claimant	Not Registered
Butchulla People #2	Bronwyn De Satge & Ors on Behalf of the Butchulla People #2 v State of Queensland & Ors	24/10/2014	QLD	Native Title exists in the entire determination area	Consent determination	Claimant	Butchulla Aboriginal Corporation
Sandover River	Banjo Morton Apetyarr & Ors obo Alyawarr & Kaytetye People (Sandover River) v Northern Territory of Australia	14/10/2014	NT	Native Title exists in parts of the determination area	Consent determination	Claimant	Kaytetye Alyawarr Awenyerraperte Ingkerr-wenh Aboriginal Corporation
The Wangkangurru/ Yarluyandi Native Title Claim	Wangkangurru/Yarluyandi Native Title Claim and The State of South Australia & ors (Wangkangurru/Yarluyandi)	03/10/2014	SA, QLD	Native Title exists in parts of the determination area	Consent determination	Claimant	Wangkangurru Yarluandi Aboriginal Corporation

5. Future Acts Determinations

In October 2014, 7 Future Acts Determinations were handed down.

Determination date	Parties	Tribunal File No	State or Territory	Decision/Determination
23/10/2014	Bradford John Young and Julie Lynne Young (grantee party) - and - TR (dec) and Others on behalf of Kariyarra (WC1999/003) (native title party) - and - The State of Western Australia (Government party)	WF2014/0011, WF2014/0012	WA	Future Act – NIGF Satisfied – Tribunal has jurisdiction
21/10/2014	John Walter Graham and Others on behalf of Ngadiju (WC1999/002) (native title party) - and - The State of Western Australia (Government party) - and - Abeh Pty Ltd (grantee party)	WO2014/0145, WO2014/0146, WO2014/0147	WA	Objection – Expedited Procedure Applies
21/10/2014	John Walter Graham and Others on behalf of Ngadiju (WC1999/002) (native title party) - and - Platina Resources Ltd (grantee party) - and - The State of Western Australia (Government party)	WO2013/0891, WO2013/1353, WO2013,1354	WA	Objection – Expedited Procedure Applies
17/10/2014	Western Desert Lands Aboriginal Corporation (native title party) - and - The State of Western Australia (Government party) - and - Acclaim Exploration NL (grantee party)	WO2012/0962	WA	Objection - Dismissed
09/10/2014	Leedham Papertalk and Others on behalf of Mullewa Wadjari (WC1996/093) (native title party) - and - The State of Western Australia (Government party) - and - FMG Pilbara Pty Ltd (grantee party)	WO2013/0460	WA	Objection – Expedited Procedure Applies
09/10/2014	Gooniyandi Aboriginal Corporation Registered Native Title Body Corporate (WCD2013/003) (native title party) - and - The State of Western Australia (Government party) - and - Western Barite Pty Ltd (grantee party)	WO2013/0785	WA	Objection - Expedited Procedure Does Not Apply
03/10/2014	John Edward Telfer (grantee party/applicant) - and - Raymond Ashwin and Others on behalf of Wutha (WC1999/010) (first native title party) - and - Evelyn Gilla and Others on behalf of the Yugunga-Nya People (WC1999/046) (second native title party) - and - The State of Western Australia (Government party)	WF2014/0008	WA	Future Act – can be done

6. Registered Native Title Bodies Corporate & Prescribed Bodies Corporate

The [Native Title Research Unit](#) within AIATSIS maintains a [RNTBC summary document](#) which provides details about RNTBCs and PBCs in each state/territory including the RNTBC name, RNTBC type (agent or trustee) and relevant native title determination information.

Information on RNTBCs and PBCs including training and support, news and events, research and publications and external links can be found at [nativetitle.org](#). For a detailed summary of individual RNTBCs and PBCs see [PBC Profiles](#).

Additional information about RNTBCs and PBCs can be accessed through hyperlinks to corporation information on the [Office of the Registrar of Indigenous Corporations \(ORIC\) website](#); case law on the [Austlii website](#); and native title determination information on the [NNTT](#) and [ATNS](#) websites.

7. Native Title in the News

The [Native Title Research Unit](#) within AIATSIS publishes [Native Title in the News](#) which contains summaries of newspaper articles and media releases relevant to the native title sector.

8. Related Publications

AIATSIS

Native Title and Indigenous cultural heritage management Bibliography

The NTRU has prepared a comprehensive bibliography on current state and Commonwealth Indigenous cultural heritage management regimes and their interaction with native title. This bibliography aims to provide readers with a list of relevant legislation research and commentary on Indigenous cultural heritage management in Australia since the implementation of the *Native Title Act 1993 (Cth)*.

This bibliography is intended to be a living document that is added to and improved upon over time. The authors welcome contributions of relevant materials or publications that update or complement the existing list.

For further information, visit the [AIATSIS website](#)

CCH Books

Income tax, native title and mining payments

The new book by Dr Fiona Martin *'Income Tax, Native Title and Mining Payments'* evaluates existing income tax regimes for mining payments made under the Native Title Act and the Aboriginal Land Rights Act.

For further information, visit the [CCH Books website](#)

Central Land Council

CLC Strategic Plan 2012-17 (Abridged)

This strategic plan by the CLC focuses on medium and long term priorities which is hoped will make a genuine difference to Aboriginal peoples well-being.

For further information, visit the [CLC website](#)

Land Rights News Central Australia

Volume 4, number 2 of the Land Rights News Central Australia is now available.

For further information, visit the [CLC website](#)

Centre for Aboriginal Economic Policy Research

Academic perspectives on the Forrest review: creating parity

This publication contains works by academics engaged in the examination of *The Forrest review: creating parity* which was commissioned to examine Indigenous training and employment in Australia by the Prime Minister Tony Abbott.

For further information, visit the [CAEPR website](#)

Office of the Registrar of Indigenous Corporations

Top 500 report

ORIC has produced its sixth report on the top 500 Aboriginal and Torres Strait Islander corporations. This report collates and compares a range of data provided by the corporations annual reporting.

For further information, visit the [ORIC website](#)

Yamatji Marlpa Aboriginal Corporation (YMAC)

Banjima Native Title Determination Film – 15 October 2014

A video commemorating the Banjima people's native title determination, that was granted on 11th March 2014 has been created. The video celebrated this significant milestone for the Banjima people.

For further information, visit the [YMAC website](#)

YMAC Newsletter – October 2014

The 25th issue of the YMAC newsletter is now available.

For further information, visit the [YMAC website](#)

Yawuru PBC

Yawuru PBC Newsletter – October 2014

The 27th issue of the Yawuru PBC Newsletter is now available.

For further information, visit the [Yawuru PBC website](#)

Media Releases, News Broadcasts and Podcasts

Attorney-General for Australia

Appointment to the National Native Title Tribunal – 16 October 2014

Andrew Luttrell has been appointed as the Native Title Registrar at the National Native Title Tribunal replacing Ms Stephanie Fryer-Smith, whose term ends on 19 October.

For further information, visit the [Attorney-General's website](#)

Australian Law Reform Commission

Proposals for reform of the Native Title Act: ALRC calls for submissions – 23 October 2014

Australian Law Reform Commission has released a Discussion Paper which they are seeking feedback on titled, *Review of the Native Title Act 1993* (DP 82). The paper contains a range of proposals and questions around connection requirements for the recognition and scope of native title rights and interests; authorisation; and joinder provisions.

For further information, visit the [ALRC website](#)

Central Land Council

New names reflect Aboriginal cultural connection to parks – 23 October 2014

Bess Price, the Minister for Parks and Wildlife has announced the official name change of three popular central Australian parks. She said that “the names have been changed to reflect each park or reserve’s deep and long-standing Aboriginal cultural associations.”

For further information, visit the [CLC website](#)

CLC mourns true champion of land rights – 21 October 2014

The Central Land Council in Alice Springs is mourning the passing of Australia’s 21st Prime Minister, Edward Gough Whitlam. CLC chair Francis Kelly said “Mr Whitlam was really Australia’s first Prime Minister for Aboriginal Affairs.”

For further information, visit the [CLC website](#)

Sandover Native Title rights recognised at last – 17 October 2014

This week Alyawarr and Kaytetye speakers from 19 land holding groups won recognition of their native title rights over 18,800 square kilometers of land in the Sandover region. The determination area incorporates Ammaroo, Derry Downs, Murray Downs and Elkedra Perpetual Pastoral Leases (PPLs).

For further information, visit the [CLC website](#)

Sacred site that sparked Coniston Massacre handed back – 9 October 2014

During a ceremony today at Yurrkuru, Nigel Scullion the Indigenous affairs minister handed the title to the Yurrkuru Aboriginal Land Trust to Willowra elder and CLC executive member Teddy Long, on behalf of the traditional owner group.

For further information, visit the [CLC website](#)

Hand back of sacred site that sparked Coniston Massacre – 3 October 2014

Next week the traditional owners of Yurrkuru (Brooks Soak) will receive the title to a sacred site. The site is where the dingo trapper Fred Brooks was killed by Aboriginal men in 1928 which triggered the series of reprisal killings of large numbers of innocent Aboriginal people across the region by Constable George Murray which became known as the Coniston Massacre.

For further information, visit the [CLC website](#)

Kimberley Land Council

KLC launches new look website and social media platforms – 9 October 2014

The Kimberley Land Council has updated their website to make it easier for others to communicate with them. The new look website is easy-to-use, mobile responsive and filled with information and news updates.

For further information, visit the [KLC website](#)

KLC welcomes new leadership – 1 October 2014

For the first time in the history of the Kimberley Land Council a woman has been elected to the position of Deputy Chair. The KLC welcomes Jaru woman Bonnie Edwards who was elected on September 24. She will join the newly elected Chair Anthony Watson.

For further information, visit the [KLC website](#)

We say no: Kimberley mob reject Aboriginal heritage changes – 1 October 2014

Aboriginal people from the Kimberley region are standing united to say 'no' to the State Government's proposed changes to the WA Aboriginal Heritage Act.

For further information, visit the [KLC website](#)

New South Wales Aboriginal Land Council

Land Councils to protest against Crown Lands changes – 31 October 2014

A protest will take place on Monday 3rd November of Aboriginal people and their supporters from around New South Wales. They will be protesting against legislation before Parliament that will retrospectively extinguish hundreds of Aboriginal land claims, some dating back as far as two decades.

For further information, visit the [NSWALC website](#)

Land Council given no notice of Bill to extinguish claims – 24 October 2014

Legislation that was introduced into parliament this week which aims to retrospectively extinguish hundreds of Aboriginal land claims, some dating back as far as two decades. The New South Wales Aboriginal Land Council (NSWALC) was not given notice about this legislation.

For further information, visit the [NSWALC website](#)

NSW land Council tribute to Gough Whitlam – 22 October 2014

New South Wales Aboriginal Land Council Chairperson, Craig Cromelin said today that Australia had lost one of its greatest ever champions for land rights and social justice with the passing of Gough Whitlam. Councillor Cromelin said "When Gough Whitlam handed back their land to the Gurindji people he put land rights on the map around Australia,"

For further information, visit the [NSWALC website](#)

Queensland Government

Kowanyama People's native title rights recognised – 31 October 2014

Today, the Federal Court of Australia formally recognised the Kowanyama People's native title rights and interests over approximately 55,734 square hectares of land and waters on the south western side of Cape York Peninsula.

For further information, visit the [Queensland Government website](#)

Northern Cape York People's native title rights recognised – 30 October 2014

Director Native Title Claims Resolution Aboriginal and Torres Strait Islander Land Services Department of Natural Resources and Mines Geoffrey Renouf, said that the consent determination, handed down in Injinoo near the tip of Cape York, formally recognised the rights of the Northern Cape York People to 89 parcels of land.

For further information, visit the [Queensland Government website](#)

Butchulla People's native title rights recognised – 24 October 2014

The Butchulla People today were granted non-exclusive native title rights and interests over 164,958 hectares of land and waters on Fraser Island.

For further information, visit the [Queensland Government website](#)

Queensland South Native Title Services

Butchulla People: Traditional Owners and Native Title Holders – 24 October 2014

The Butchulla People celebrated the successful resolution of their native title over Fraser Island at an on-country sitting of the Federal Court presided by Justice Berna Collier.

For further information, visit the [QSNTS website](#)

Yamatji Marlpa Aboriginal Corporation

Traditional Owners say no to proposed AHA changes – 2 October 2014

At an on Country meeting hosted by the YMAC Pilbara Regional Committee, over 200 Traditional Owners met to voice their outrage over the proposed State Government amendments to the Aboriginal Heritage Act 1972 (AHA). The meeting was a much needed opportunity for Traditional Owners to add their voice to the discussion of the protection of Aboriginal Heritage in WA.

For further information, visit the [YMAC website](#)

9. Training and Professional Development Opportunities

AIATSIS

2015 Stanner Award

The 2015 Stanner Award is now open. Applications close on 30 January 2015. The award, provided by AIATSIS, is for the best academic writing by an Aboriginal or Torres Strait Islander writer. The winner will be given a glass statuette, \$5000, up to 50 hours editorial and mentoring support – and publication by Aboriginal Studies Press. This year any theses which are hosted on a university repository will be eligible.

For further information, visit the [AIATSIS website](#)

The Australian National University

Travel Funding for Native Title Anthropologists

Expressions of interest is being sought for the Travel Funding for Native Title Anthropologists program. The program is specifically targeted at anthropologists employed in NTRBs and NTSPs (or joint applications with consultants), though applications from others working in native title may be considered. The scheme is not intended to duplicate training opportunities already available to applicants via their employer. In their Expression of Interest, applicants need to set out an approximate budget for their project to a maximum of \$5,000.00. Funds are to cover costs such as taxis, flights, accommodation and registration fees. Expressions of interest close at 5pm on Monday 15 December 2014.

For further information please contact Dr Cameo Dalley at cameo.dalley@anu.edu.au or on (02) 6125 5859.

The Aurora Project

[See the Aurora Project: 2014 Program Calendar](#) for information on training and personal development for staff of native title representative bodies, native title service providers, RNTBCs and PBCs.

Mirima Dawang Woorlab-gerring

Special Intership

In addition to the regular internship program involving stays of around 10 weeks, the Mirima Dawang Woorlab-gerring Language and Culture Centre are currently looking for a linguist volunteer to assist them with a special task over a longer period of time. The successful candidate would spend up to 12 months at MDWg to help the centre enhance existing skills and greater independence in their Indigenous language workers. Your responsibility would include working with the staff to prepare Miriwoong language resources such as printed and digital resources, assist with the curriculum development for Miriwoong, support the preparation of school classes and help organise the production of radio programs. All tasks will be in teamwork with the Miriwoong language workers and other interns as well as in collaboration with the senior linguist. There will also be the opportunity to engage in other activities such as language documentation and language revitalisation.

For further information please contact Knut J. Olawsky, Senior Linguist/ Manager at info@mirima.org.au

ORIC

ORIC provides a range of training for Aboriginal and Torres Strait Islander corporations about the [Corporations \(Aboriginal and Torres Strait Islander\) Act 2006 \(CATSI Act\)](#), the corporation's rule book and other aspects of good corporate governance.

For further information on training courses visit the [ORIC website](#).

The Queen's Young Leaders

The Queen's Young Leaders Programme will recognise and support thousands of young people, including around 240 Award winners, who are striving to reach their potential and transform their own lives, and the lives of those around them. This programme provides opportunities for young leaders to develop new skills and international networks, as well as celebrating those who already demonstrate excellent leadership qualities.

For further information, visit the [Queen's Young Leaders website](#)

10. Events

Indigenous Business, Enterprise and Corporations Conference (IBECC)

The 3rd Indigenous Business, Enterprise and Corporations Conference (IBECC14) will be hosted by the UWA Centre for Social Impact. The conference will cover topics such as Indigenous business, strong foundations, amplifying futures, sustaining country and culture, driving change, speaking up and a common agenda.

Date: 1-2 December 2014

Location: UWA Business School

Further information can be found on the [UWA website](#)

ACRAWSA Conference 2014

ACRAWSA is calling for scholars working on any aspect of critical race or whiteness studies to submit papers for our annual conference. This year's conference has an open theme, and we encourage scholars working in relevant areas to attend and reflect upon the field. This conference aims to reinstate the importance of the study of race

Date: 4-5 December 2014

Location: Brisbane

Further information can be found on the ACRAWSA [website](#).

World Indigenous Domestic Violence Conference

The world Indigenous Domestic Violence conference will be held in Cairns in early December. Registration is filling quickly and conference organisers has recommended interested delegates should register as soon as possible for the conference.

Date: 8-10 December 2014

Location: Pullman Cairns International Hotel

Further information can be found on the Indigenous Conferences [website](#).

World Indigenous Health Conference

There are more than 50 speakers confirmed to attend the World Indigenous Health Conference. Registration is filling quickly and conference organisers has recommended interested delegates should register as soon as possible for the conference.

Date: 15-17 December 2014

Location: Pullman Cairns International Hotel

Further information can be found on the Indigenous Conferences [website](#).

Flinders University

Cultural Heritage and the Law Summer School

In 2015 the Archaeology Department at Flinders University is offering the graduate level topic as an intensive summer school program. It is open to students and to individuals who wish to take it as a short course.

Date: 27-30 January 2015

Location: Flinders University

For further information please email Ellen McPharlin – ellen.mcpfarlin@flinders.edu.au

SIEF 12th Congress

Utopias, Realities, Heritages. Ethnographies for the 21st century

The International Society for Ethnology and Folklore is calling for papers for the 12th Congress to be held in Croatia in June 2015.

Date: 21-25 June 2015

Location: Zagreb, Croatia

Further information can be found on the [SIEF website](#)

AIATSIS

Managing Information in Native Title (MINT) Workshop

The AIATSIS Native Title Research Unit (NTRU) is organising a workshop for NTRBs and PBCs to discuss the challenges of managing native title information and start working together towards some shared solutions.

Date: 16-17 March 2015

Location: Mabo Room, AIATSIS, Canberra

For further information please contact the [MINT team](#)



The Native Title Research Unit produces monthly publications to keep you informed on the latest developments in native title throughout Australia. You can subscribe to NTRU publications online, follow @NTRU_AIATSIS on Twitter or 'Like' NTRU on Facebook.

