



**AIATSIS**

AUSTRALIAN INSTITUTE OF  
ABORIGINAL AND TORRES STRAIT  
ISLANDER STUDIES  
NATIVE TITLE RESEARCH UNIT

## NATIVE TITLE IN THE NEWS

### FEBRUARY 2014

DATE	STATE	SUBJECT	SUMMARY	SOURCE
01/02/2014	Qld.	Freehold title granted to traditional owners of Badu Island	The traditional owners of Badu Island in the Torres Strait were granted freehold title over 10,000 hectares of land. The Minister for Natural Resources and Mines Andrew Cripps said the land handover would create a positive future for the community on Badu Island, and now gives the traditional owners full ownership and responsibility for the land.	<a href="#">The Queensland Cabinet and Ministerial Directory, Queensland Government</a> (Canberra ACT, 01 February 2014) <i>Torrens News</i> (Thursday Island Torres Strait, 10-16 February 2014), 1, 11h
05/02/2014	Qld.	North Australian Indigenous Land and Sea Management Alliance CEO Joe Morrison to join the Northern Land Council	Joe Morrison is taking on the role of Chief Executive Officer with the Northern Land Council. This will end his 10 year leadership in the North Australian Indigenous Land and Sea Management Alliance. He considers his departure as an opportunity for organisational renewal, and expects many new challenges to arise in his new role with the Northern Land Council.	<a href="#">ABC News</a> (Sydney NSW, 5 February 2014) <a href="#">Northern Land Council</a> (Darwin NT, 26 February 2014)
06/02/2014	WA	The Wajarri Yamatyi people and Gascoyne Resources have reached a native title agreement	The Wajarri Yamatyi Native Title Claimant Group has negotiated a native title agreement with Gascoyne Resources in relation to the use of land proposed for the Glenburgh Mining Lease. The agreement includes opportunities for community development including education, training, employment and contracting opportunities, as well as other benefits for the Wajarri Yamatyi people. The agreement addresses any future Mining Lease or ancillary tenure that may be needed for the project, and has spearheaded the grant of the Glenburgh Mining Lease application and tenure needed for its development. Negotiations were conducted over a 15 month period.	<a href="#">Proactive Investors Australia</a> (Sydney NSW, 6 February 2014) <a href="#">Gascoyne Resources</a> (Perth WA, 6 February 2014)

10/02/2014	WA	The Premier of WA seeks a contribution from the Federal Government towards the Noongar community native title settlement	The WA Premier Colin Barnett is requesting financial contribution from the Federal Government towards the proposed \$1.3 billion native title settlement with the Noongar community. He pointed to former Prime Minister Paul Keating's indication at the time of the Native Title Act 1993 that the Commonwealth would meet 75 per cent of the cost of native title settlements. He was unsuccessful in securing a contribution from the previous Federal Government for the Noongar settlement. He is continuing discussions with the Minister for Indigenous Affairs Nigel Scullion in relation to the contribution.	<a href="#"><i>The West Australian</i></a> (Perth WA, 10 February 2014)
12/02/2014	Aus.	Traditional Owners and academics respond to the possibility of Aboriginal Nation Treaties	Traditional Owners and academics have responded to the suggestion that the Federal Government enter into individual Aboriginal Nation Treaties. The suggestion was made by Warren Mundine, Chief Adviser on Indigenous Affairs to the Federal Government on 26 January, and has gathered mixed responses from Traditional Owner groups. The Yolngu Nations Assembly believe a foundation agreement with the Australian government is needed and the First Nations political party report that separate treaties would not be appropriate. Academics such as Tasmania's Michael Mansell, suggest that treaties would cause disparity across the nation.	<i>Koori Mail</i> (Lismore NSW, 12 February 2014), 6
12/02/2014	Aus.	Former Prime Minister Kevin Rudd to create the National Apology Foundation	A National Apology Foundation will be created to honour the principles of the 2008 Apology to the Indigenous Stolen Generations. It will be developed by former Prime Minister Kevin Rudd and launched at the end of the year. The foundation will aim to monitor progress and develop ways to close the gap between Indigenous and non-Indigenous Australians, and ensure the Apology remains in the national memory.	<i>National Indigenous Times</i> (Bangor NSW, 12 February 2014), 6

12/02/2014	NT	The Federal Court dismisses a challenge to the lease agreement between Rio Tinto Alcan and the Traditional Owners of the Gove	A lease and royalties agreement was entered into between Rio Tinto Alcan and the Traditional Owners of the Gove in the NT in 2011. The Federal Indigenous Affairs Minister Jenny Macklin consented to the lease and approved the agreement. Dr Djiniyini Gondarra challenged the decision to approve the lease in the Federal Court on behalf of the Dhurili nation. He claimed the Northern Land Council failed to properly consult and advise all relevant clans in the area, which resulted in some clans failing to benefit from the agreement. Federal Court Justice Kenny dismissed the challenge as the Dhurili Nation were not formally recognised as Traditional Owners over the leased area.	<i>National Indigenous Times</i> (Bangor NSW, 12 February 2014), 8 <a href="#">Northern Land Council</a> (Darwin NT, 5 February 2014)
12/02/2014	SA	The Far West Coast Aboriginal Corporation held its first meeting	The Far West Coast Aboriginal Corporation held its first meeting. Representatives from each of the native title claimant groups attended the first meeting. Its formation is the result of the Far West Native Title Claim settlement that was determined at Lake Pidinga on December 5, 2013. The corporation expects to hold more meetings before its annual general meeting in November.	<a href="#">West Coast Sentinel</a> (Ceduna SA, 12 February 2014)
13/02/2014	Nt.	Land Councils raise concerns over Federal Government plans to issue 99 year township leases in the Northern Territory	Executives of the Northern and Central Land Councils concluded three days of meeting in Canberra with federal politicians and officials. The Land Councils raised concerns regarding the Federal Government's plan to create 99-year township leases that would be held by Commonwealth officials. The land councils want the authority over any leases to remain with the traditional owners as per the Northern Territory Aboriginal Land Rights Act of 1976.	<a href="#">Central Land Council</a> (Alice Springs NT, 13 February 2014) <i>Koori Mail</i> (Lismore NSW, 26 February 2014), 12 <a href="#">Northern Land Council</a> (Darwin NT, 12 February 2014)
15/02/2014	Vic.	Bunurong Land Council withdraws native title claim over areas in and around Port Phillip Bay	The Bunurong people have withdrawn their native title claim over land and water in and around Port Phillip Bay from the Federal Court. The Bunurong Land Council, who was representing the Bunurong people in their claim, has been placed in special administration by the Indigenous Corporations registrar. The Bunurong people intend to reinstate their claim once the corporate issues facing the Bunurong Land Council Aboriginal Corporation have been addressed so that they may proceed with their claim efficiently and effectively.	<a href="#">Frankston Weekly</a> (Frankston Vic, 15 February 2014)

18/02/2014	WA	The Djarindjin Aboriginal Community seeks to enter an ILUA to create enforceable bylaws for the Djarindjin community	The Djarindjin Aboriginal community lies on reserve land held by the Aboriginal Lands Trust. There is no lease agreement between the ALT and the Djarindjin community, and the land has the legal status of a large private property. As a result, the police cannot enforce the bylaws created by the Djarindjin community, and the Djarindjin Aboriginal Corporation CEO Gus Tampalini reports that there is no alcohol control in the area. Attempts to bring law enforcement into the community have been hampered by clashes between state and federal laws, and the Djarindjin Aboriginal Corporation seeks to enter into ILUA with the WA government and related corporations.	<a href="#">ABC: Kimberley</a> (Broome WA, 18 February 2014)
19/02/2014	Qld.	Cairns Regional Council identify native title claims as limiting the growth of the Far North	The Cairns Regional Council has made submissions to the Federal Government in relation to the Northern Australia White Paper. The White paper called for submissions from interested parties about the future development of Northern Australia. The Cairns Regional Council Mayor Bob Manning identified native title claims as limiting the growth of the Far North. He submits that the first priority to secure economic growth in the region is to resolve native title claims and review current land tenure agreements, so land can be free for development and investment.	<a href="#">The Cairns Post</a> (Cairns Qld, 19 February 2014)
25/02/2014	NT	Production licence granted for onshore Oil Field development in the NT	The NT Minister for Mines and Energy Willem Rudolf Westra van Holthe granted Central Petroleum Ltd a Production Licence for the Surprise Oil Field Development. The Production Licence is the first granted in onshore NT since the passing of the Native Title Act in 1993. The site is located west of Alice Springs near Kintore in the Amadeus basin. The Central Land Council entered into a production agreement with Central Petroleum over the Amadeus Basin in December 2013.	<a href="#">Oil and Gas Journal</a> (Melbourne Vic, 25 February 2014) <a href="#">ABN News Wire</a> (Sydney NSW, 25 February 2014)

25/02/2014	Qld.	Bar Barrum people win native title recognition over military land near Herberton	The Bar Barrum people claimed native title over land near Herberton that was set aside by the Commonwealth for military use under the National Security Act of 1947. The North Queensland Land Council (NQLC) took the matter to the Federal Court on behalf of the traditional owners and the Federal Court ruled in favour of the Bar Barum people. NQLC spokesman Martin Dore says the ruling is significant as there were in excess of 13,500 similar land orders made by the Commonwealth, and widespread extinguishments would have resulted had the ruling extinguished native title.	<a href="#">ABC: Indigenous</a> (Sydney NSW, 25 February 2014) <a href="#">Green Career</a> (North Brighton Vic, 27 February 2014)
26/02/2014	WA	Ngarluma Aboriginal Corporation enters agreement with Cleanway for new multi-million dollar Pilbara waste and recycling management facility	Cleanaway has partnered with Ngarluma Aboriginal Corporation to build a \$17.5 million waste management facility in the Pilbara region to service the growing waste and recycling needs of the resource industry. Cleanaway General Manager Gavin Denness said its strong relationship with the Ngarluma Aboriginal Corporation enabled Cleanaway to build the much needed facility on Indigenous land. The site will be built on Ngarluma country on Warlu Way, Karratha. The agreement will assist the Ngarluma Aboriginal Corporation to achieve economic and employment realisations through the land lease and a guarantee of four employment opportunities for the Ngarluma people.	<a href="#">Ferret</a> (Chatswood NSW, 26 February 2014)
26/02/2014	WA	Noongar people officially recognized as traditional owners of South West land in a Bill tabled in Parliament	The draft Noongar (Koorah, Nitja, Boordahwan) (Past, Present, Future) Recognition Bill 2014 recognises the Noongar people as the traditional owners of the South-West and acknowledges their unique contribution 'to the heritage, cultural identity and economy of the State'. The Bill was drafted in response to the \$1.3 billion settlement on offer to the Noongar people. The settlement offer includes the transfer of up to 320,000 hectares of Crown land to the Noongar people, and the establishment of new programs to assist economic, housing and community development. The Premier said that the symbolic nature of the bill is important in terms of respect, self-determination and is a part of a comprehensive package of tangible benefits for the Noongar people.	<a href="#">ABC News</a> (Sydney NSW, 26 February 2014) <a href="#">SBS News</a> (Melbourne Vic, 26 February 2014) <a href="#">Augusta Margaret River Mail</a> (Margaret River WA, 26 February 2014) <a href="#">Sky News</a> ( Macquarie Park NSW, 27 February 2014) <a href="#">Perth Now</a> (Perth WA, 26 February 2014)

26/02/2014	WA	Opponents of the proposed Noongar settlement request an open vote to determine if the package should be accepted	The opponents to the Noongar settlement are requesting the State government and South West Aboriginal Land and Sea Council conduct an open vote that involves the whole Noongar community to determine if the \$1.3 billion settlement package should be accepted. Noongar elder John Pell claims the package offered would not meet the needs and aspirations of the Noongar community, and on a per capita basis it is a comparatively small offer.	<i>National Indigenous Times</i> (Bangor NSW, 26 February 2014), 5, 19
26/02/2014	WA	Swan Valley Nyungah Community plan a campaign to right 11 year old injustice	The Swan Valley Nyungah Community will rally on the steps of the WA State Parliament on 11 March. They are supported by homelessness groups and other First Nations organisations. The rally aims to influence the State Government to reopen the Swan Valley Nyungah Community site. Archaeological evidence shows the Swan Valley Nyungah Community had lived on the site for nearly 40,000 years. The closure of the site in 2003 by the then WA government left its residents homeless.	<i>National Indigenous Times</i> (Bangor NSW, 26 February 2014), 7
26/02/2014	WA	Billionaire mining magnate loses fight to prevent mining on his cattle station in the Pilbara	Andrew "Twiggy" Forrest claims mining for mineral sands in the Ashburton river bed and surrounds will cause environmental damage to the Minderoo pastoral station near Onslow. Perth-based Onslow Resources, Yarri Mining and Quarry Park have been granted conditional approval to mine in the area. Uranium miners Paladin Energy and Cauldron Energy have also expressed interest in exploring Minderoo. A ruling on Cauldron's application is expected later in the year.	<i>National Indigenous Times</i> (Bangor NSW, 26 February 2014), 16
26/02/2014	Tas	Concern for Tasmanian heritage sites	Aboriginal heritage areas have been included in the extra 170,000 hectares of Tasmanian land that was World Heritage listed in June 2013. There is concern that Aboriginal people are not being consulted by the World Heritage Committee or included in negotiations with the Federal Government about proposed use of protected areas for resource exploitation.	<i>Koori Mail</i> (Lismore NSW, 26 February 2014), 11
26/02/14	NT	Tiwi Land Council secures woodchip export agreement	A memorandum of understanding was signed this month between the Tiwi Land Council, Northern Territory Government and Mitsui and Co. Mitsui and Co is a major Japanese woodchip exporter. Under the agreement, woodchips from the islands will be sold to customers in Japan, India and China. It is expected that the deal will create up to 100 local jobs.	<i>Koori Mail</i> (Lismore NSW, 26 February 2014), 16

26/02/14	NT	Land handed back to traditional owners in the West Kimberley	The Aboriginal Lands Trust of WA handed back approximately 73 hectares of land to Bidan Aboriginal Corporation on behalf of the Nyikina Mangala people in the West Kimberley. The land is situated halfway between Broome and Derby. There are plans to build houses over the next 5 years and 25 residential lots in the next 15.	<i>Koori Mail (Lismore NSW, 26 February 2014), 27</i>
26/02/2014	WA	Esperance Nyungar People have their native title rights recognised by the Federal Court	The Esperance Nyungar people are Indigenous to the Goldfields and Esperance regions of WA. The federal court will formally acknowledge their native title over 29,000skm of land around Esperance on 14 March. This consent determination was reached in an 18 year process.	<a href="#"><u>Goldfields Land and Sea Council</u></a> (Kalgoorlie WA, 26 February 2014)
27/02/2014	NT	Sea Swift has begun a weekly service to Nhulunbuy via Darwin as a result of traditional owner consent for use of Gumatj land	Sea Swift has set up a Darwin office and depot, and has expanded its provision of services into the Northern Territory. Sea Swift is also one of the largest employers in Northern Australia with more than 400 staff and 30+ vessels, and makes a significant contribution to Aboriginal and Torres Strait Islander communities across northern Australia. The expansion was made possible due to an agreement reached for use of Gumatj land to build barges. The manner in which the arrangement with Sea Swift was concluded demonstrates that the Land Rights Act and agreements brokered through its processes can be concluded quickly and efficiently to support economic development and, importantly, to provide support to efforts to reduce costs for businesses in the Nhulunbuy region.	<a href="#"><u>Northern Land Council</u></a> (Darwin NT, 27 February 2014)
27/02/2014	SA	The Dieri people native title rights have been recognised in a consent determination	The Dieri people's native title rights were recognised by the Federal court in a consent determination and celebrated at a ceremony in Port Augusta. The ceremony was attended by Dieri elders, Dieri people, the Dieri Aboriginal Corporation Director, and the SA Minister for Aboriginal Affairs and Reconciliation Ian Hunter..	<a href="#"><u>The Transcontinental</u></a> (Port Augusta SA, 27 February 2014)

28/02/2014	Aus.	Glen Kelly of SWALSC and Professor Altman discuss how effective the Native Title Act has been over the past 20 years	Glen Kelly discussed how the Native Title Act (NTA) has achieved recognition of Indigenous land rights yet has still caused division within Indigenous communities. He claims that it is often misunderstood by Indigenous communities. Professor Altman is a native title expert from ANU, and claims the NTA has helped realign relations between the resources sector and Indigenous groups, but that the relationship is far from equal.	<a href="#">SBS News</a> (Melbourne Vic, 28 February 2014) <a href="#">SBS News</a> (Melbourne Vic, 8 February 2014)
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