

Talking South Australia



Federal Court trials

Kokatha overlap proceedings

Scheduled for trial on 3 September 2007.

Justice Finn has reserved judgment for the State's application to dismiss Mark McKenzie and Ningil Reid as respondent parties, and/or a Court declaration that native title can only be made in favour of an applicant for a determination of native title not a respondent party claiming to hold native title.

The Tribunal continues to mediate for a resolution of the overlaps between the Kokatha, Barngarla and Kuyani-Wilyaru interests within the Kokatha claim area and facilitate negotiations between BHP-Billiton and the Indigenous interests in relation to the expansion of the Roxby Downs mine. The Barngarla claimants are also negotiating a Statewide ILUA fishing and aquaculture ILUA with the Nauo-Barngarla claimants but their negotiations over the Lucky Bay to Wallaroo Ferry Service ILUA have been suspended to allow the other work to be finalised first, given their heavy workload.

Adnyamathanha claims

Listed for trial in late 2008 with programming orders regarding the preparation of tenure and connection information currently in place. The Tribunal continues to facilitate negotiations to resolve overlaps with the Barngarla and Nukunu claims. The Statewide ILUA mineral exploration template ILUA negotiations are expected to be finalised next financial year.

Trial to be confirmed

The Court has indicated that it is still considering whether to list for trial in 2009 one of the following claims; Far West Coast, Antakirinja Matu-Yankunytjatjara or First Peoples of the River Murray and Mallee Region.

- Far West Coast
The Tribunal is monitoring the progress of the Statewide ILUA local government negotiations, which are expected to be finalised next financial year. ILUKA mining company is negotiating an ILUA with this claim group as well.
- Antakirinja Matu-Yankunytjatjara
The Tribunal has almost finalised its facilitation of the Breakaways Reserve ILUA negotiations within its mediation of this claim, and will commence local government ILUA negotiations once that has been agreed-in-principle.
- First Peoples of the River Murray and Mallee Region
The Tribunal is monitoring the progress of the Statewide ILUA River Murray negotiations, which are expected to be finalised by the end of this financial year. The Tribunal will now implement phase two of its mediation

In this issue:

Federal court trials

Other National Native Title Tribunal (NNTT) mediation

NNTT assistance - indigenous land use agreement (ILUA) facilitation

Prescribed Bodies Corporate (PBC) assistance workshop

Geospatial training



which will oversee consent determination negotiations. Statewide ILUA local government negotiations are now expected to commence in March 2007 and be finalised by the end of this financial year.

Other NNTT mediation

Third Party Mediation

Gawler Ranges

The Tribunal is monitoring the progress of the Statewide ILUA negotiations within its mediation of the Gawler Ranges claim. The pastoral ILUA negotiations are nearing completion, and parks negotiations have been suspended pending resource decisions by the State. The Outback Areas Trust ILUA negotiations have yet to formally commence.

Yankunytjatjara/Antakirinja

The Tribunal is monitoring the progress of discussions between the State and the Yankunytjatjara/Antakirinja claim group with interests over the Marla township.

Wangkangurru/Yarluyandi

The Tribunal is facilitating the Statewide ILUA pastoral negotiations within the Wangkangurru/Yarluyandi claim area, overseeing progress of the Diamantina Shire Council and Ergon Energy ILUAs, and ILUAs and consent determination negotiations for Witjira National Park and the Simpson Desert Conservation Park and the Simpson Desert Regional Reserve. The Tribunal's SA and Qld registries have mediated an agreement between the Wangkangurru/Yarluyandi and the Mithika claimant group to resolve their overlap in the Queensland portion of the claim area.

NNTT assistance

ILUA Facilitation

Narungga fishing and aquaculture ILUA

The Tribunal has almost finished its facilitation of the Narungga fishing and aquaculture ILUA, out of which in turn a template fishing and aquaculture ILUA will be developed for consideration by other claimant groups.

Yandruwandha/Yawarrawarrka

The Tribunal has almost finalised the pastoral ILUA and Outback Areas Trust ILUA negotiations with the Yandruwandha/Yawarrawarrka claimants. Consideration of the mineral exploration ILUA issues are in the early stages, and the parks issues have been deferred as with the Gawler Ranges claim (see above). The State, South Australian Chamber of Mines and

Energy (SACOME) and the claimants have also just signed the State's first conjunctive petroleum ILUA, which is expected to be lodged with the Tribunal for registration.

Kurna

The Tribunal has just been appointed to facilitate a local government agreement between the Kurna claimants, Aboriginal Legal Rights Movement (ALRM), the 29 local councils with interest within the claim area and the State. These negotiations are expected to be ongoing next financial year.

Prescribed Bodies Corporate (PBC) Assistance Workshop

The NNTT, State and ALRM jointly hosted the Office of the Registrar of Aboriginal Corporation's presentation. The Tribunal facilitated a discussion about what other assistance is available for Indigenous communities before, during and after establishing PBCs to manage native title rights and interests on behalf of native title holders (PBCs). The Tribunal has since published a guide entitled "Guide to Sources of Assistance and Funding for Prescribed Bodies Corporate" which is available on our website.

Geospatial Training

The South Australian registry and the Tribunal's Geospatial Unit delivered two days of advanced geospatial training on the Tribunal's award winning 'Native TitleVision'. This program enables stakeholders to access the Tribunal's mapping information to enquire on any area about native title, as well as to create their own maps. The training was well attended by people from the State, ALRM, claimants' representatives, the Federal Court and others. Further training for the State and ALRM is currently being arranged.

Contact the South Australian registry

Level 10, Chesser House
91 Grenfell Street
Adelaide SA 5000

GPO Box 9973
Adelaide SA 5001

Telephone: (08) 8306 1230

Freecall: 1800 640 501

Facsimile: (08) 8224 0939

Email: enquiries@nntt.gov.au

Office hours: 8:30 am - 5:00 pm
