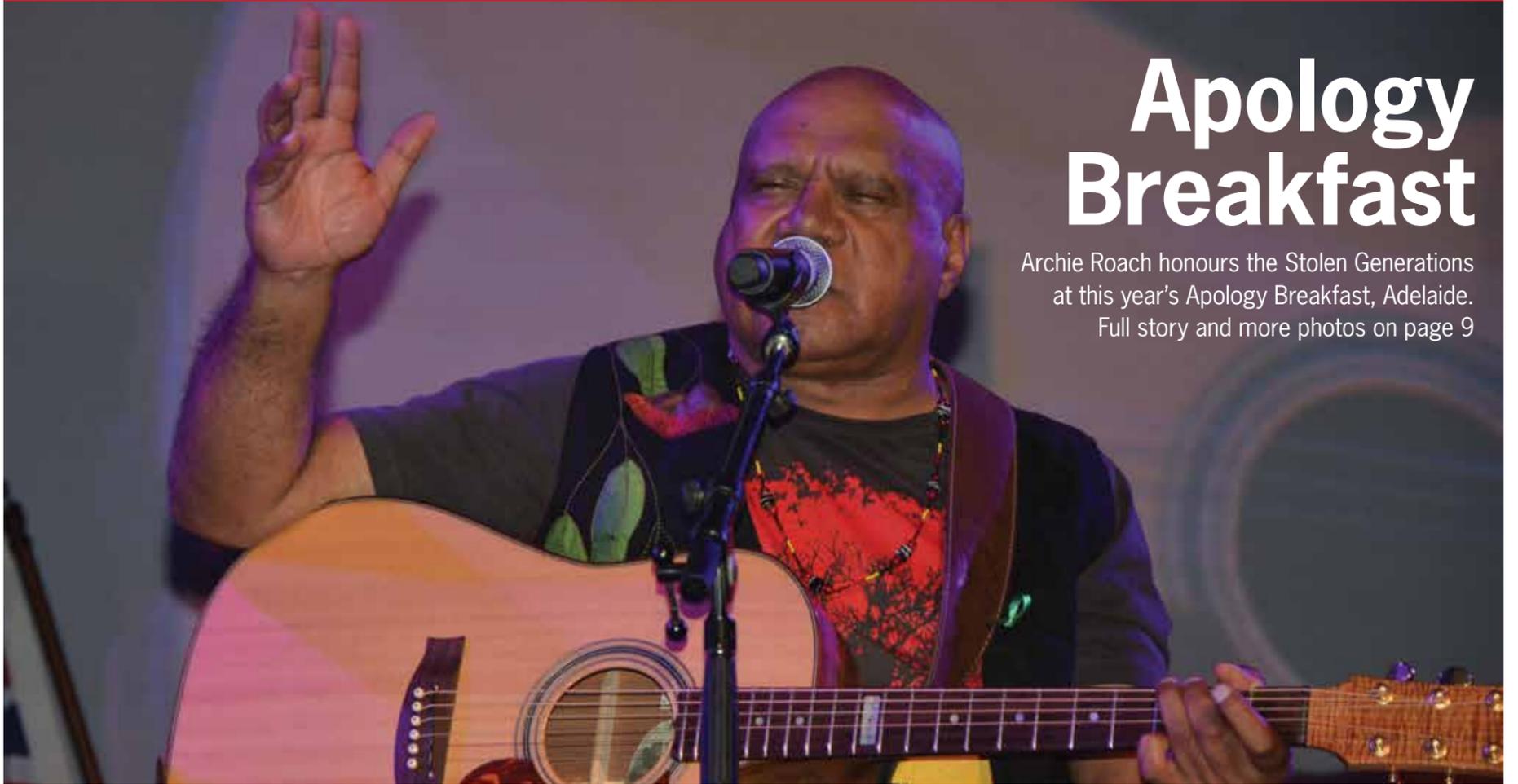




Aboriginal Way

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Apology Breakfast

Archie Roach honours the Stolen Generations at this year's Apology Breakfast, Adelaide. Full story and more photos on page 9

Aboriginal heritage out of our hands?

A Bill by the Aboriginal Affairs Minister Kyam Maher to amend the Aboriginal Heritage Act 1988 was rushed through Parliament last month without the support of key bodies representing the interests of Aboriginal people in this State including South Australian Native Title Services (SANTS), the Aboriginal Legal Rights Movement and the Law Society of South Australia.

The Act was amended on 24 March 2016 after passing through both houses of Parliament. At the time of writing the principle amendment that has taken effect is the deletion of section 6(2), which was the requirement for the Minister of Aboriginal Affairs and Reconciliation to delegate certain powers or functions to the Traditional Owners.

All other amendments have not commenced and will not be incorporated into the legislation until regulations and guidelines have been finalised.

The deleted section of the Act was one of the key provisions for Aboriginal people which in 1988 was celebrated as giving Traditional Owners the mechanism to protect and preserve their heritage. It had recently been successfully used by Traditional Owners to overturn the former Aboriginal Affairs Minister Grace Portelesi's decision to authorise mining companies to destroy heritage sites on Lake Torrens.

Keith Thomas, SANTS CEO said "it was clear that the Bill was rushed through Parliament to remove these sections of the Act and to avoid having to comply with Court orders. After the Government failed to receive special leave to appeal that decision to the High Court of Australia, Minister Maher has now legislated his way out of complying with the orders of the Supreme Court to give the Traditional Owners of Lake Torrens the responsibility for making decisions about their heritage."



Aboriginal Affairs Minister Kyam Maher.

"It is extremely disappointing that after three years of trying to get the Government to comply with the orders of the Court this is where we end up."

"We have been trying to negotiate with the Department of Aboriginal Affairs about the delegation of the Minister

powers to the traditional owners whilst the Department was secretly working to amend the Act to render the orders void and with no effect," Mr Thomas said.

Andrew Beckworth, SANTS Principal Legal Officer said "the amendments to the Act seemed to be directed to remove the most beneficial provisions for Aboriginal people in the Act, coupled with a new regime to make it easier for developers and the mining industry to damage, disturb or interfere with Aboriginal heritage without the free, prior and informed consent of Aboriginal people and without the fear of prosecution."

The mining industry lobby group SACOME stated that "the repeal of the requirement for the Minister to delegate to Traditional Owners his functions to give authorisations under the Act is particularly welcome."

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What do changes to the Aboriginal Heritage Act mean for “agreement making” in South Australia?

A view from Paper Tracker’s Susan Tilley

On 22 March 2016, having passed through the Legislative Council, the House of Assembly agreed to the Aboriginal Heritage (Miscellaneous) Amendment Bill 2016 to amend the South Australian Aboriginal Heritage Act 1988. This Bill arose out of a Review of the Aboriginal Heritage Act that was established in 2008 by the then Minister for Aboriginal Affairs and Reconciliation, Mr Jay Weatherill.

The Minister for Aboriginal Affairs and Reconciliation, the Hon Kyam Maher MLC, has said that the focus of the amendments was on ‘agreement making’. Given this, it’s ironic that the Minister did not adequately engage with Traditional Owners, Heritage Groups and Native Title Prescribed Body Corporates (PBCs) to obtain their agreement and support for the latest version of the legislation.

One has to wonder about the rush to get this Bill through Parliament and the critical timing of this. South Australia is currently facing a number of contentious developments that may significantly impact on Aboriginal land and on the protection of heritage, such as the consideration of potential sites for a nuclear waste dump, and the development of the Northern Connector Road Project, among others.

Was the motivation driven by the need to have the seemingly constraining *Aboriginal Heritage Act* out of the way to enable these and other developments to proceed unhindered?

This is a very sad day for Traditional Owners and for the protection of Aboriginal heritage into the future.

It appears to be a triumph for developers and mining interests who have the benefit of the power differential on their side when it comes to engaging with Traditional Owners and who, in many cases, will effectively have carte blanche to ride rough shod over heritage sites in the interests of ‘economic development’.

All the while, tacitly sanctioned through the Government’s rejection of its responsibilities to protect Aboriginal Heritage and lip service to the devolution of ‘agreement making’.

When asked about consultation with Aboriginal people over changes to the Act, the Minister argued on the Paper Tracker Radio Show that extensive community consultation had taken place, even to the point of ‘falling into the trap of over consulting’.

The extent of consultation during the early phases of the Review of the Act in 2008 and 2009 is not in question. Aboriginal Affairs and Reconciliation provided information in the form of

a ‘Scoping Paper’ and accessible consultation documents, community and peak body consultations were held across the State, and a public call for submissions received 36 submissions. This level of consultation is commendable and is not in doubt.

However, what is in question is the extent of consultation on the recent amendments – which were introduced into Parliament after a very long break in the Review process.

The Minister told the Paper Tracker Radio Show on 12 February 2016 that the Bill was not finalised and yet, within the space of two weeks it was introduced to Parliament on 25 February, leaving very little time for adequate consultation with either Traditional Owners or other members of Parliament.

While the ‘consultation debate’ is important, it does also provide a useful smokescreen and distraction from the critical aspects of the amendment Bill – the dilution and deletion of important aspects of the existing legislation that enable agreement making and negotiation by Traditional Owners.

So, what is the Bill saying about ‘agreement making’?

The key provisions for ‘agreement making’ across the existing Act and recent Bill focus on changes to Section 6.2; the establishment of Recognised Aboriginal Representative Bodies (RARBs); the scope and role of the State Aboriginal Heritage Committee (SAHC); and the powers of the Minister for Aboriginal Affairs and Reconciliation.

Section 6.2 of the existing Act states that:

‘The Minister must, at the request of the traditional owners of an Aboriginal site or object, delegate the Minister’s powers under sections 21, 23, 29 and 35 to the traditional owners of the site or object’.

These sections of the Act relate to the authorisation to damage, disturb or interfere with Aboriginal sites, remains or objects.

The amended legislation deletes this all-important provision, which previously gave Traditional Owners a powerful tool to make decisions and enter into agreement-making about protecting their heritage.

If the Minister was serious about agreement making, why has this remaining potent aspect of Aboriginal decision-making under the existing Act been written out?

The new amendments to the Act, in the *Schedule 1 – Transitional Provision* states that all existing S6.2 requests now:

‘will be taken to be void and of no effect’ and/or ‘be taken to be revoked’.

This may have implications for the 2011 *Starkey v State of South Australia [2011] SASFC 164* case. In this important case, the Full Court of the Supreme Court of South Australia found that the Government had acted in breach of this imperative that requires the Minister for Aboriginal Affairs to delegate his or her powers to Traditional Owners if they request this delegation. The Court ordered that the Minister confer with the applicants concerning the delegation request. It is unclear what effect the changes contained in the recent Bill might have on the Government’s obligations in this case.

Under the amendment Bill, **Recognised Aboriginal Representative Bodies (RARBs)** are to be set up to represent the views and knowledge of Traditional Owners of the relevant heritage area.

...far from devolving decision making and agreement making to Traditional Owners, the amended legislation hands significant powers to the Minister and the appointed Heritage Committee...

Section 19B states that Anangu Pitjantjatjara Yankunytjatjara will be taken to be the RARB for the APY Lands; Maralinga Tjarutja will be taken to be the RARB for the Maralinga Tjarutja Lands, and a registered Native Title Prescribed Body Corporate (PBC) will be taken to be the RARB under the relevant Native Title determination for that area. However, the latter is conditional on the SA Heritage Committee approving the Native Title PBC being recognised as a RARB and the Committee ‘may refuse to approve an appointment for any reason the Committee thinks fit’.

Effectively the Heritage Committee has the power to override and veto the Native Title PBC taking on the role of a RARB. By inference, the SA Heritage Committee can veto the Federal Court of Australia’s determination of Native Title, where a Native Title PBC wishes to represent the protection of heritage within its determined area.

The State Aboriginal Heritage Committee (SAHC) is established under the Act. Members are appointed to this Committee by the Minister for Aboriginal Affairs and Reconciliation to represent the interests of Aboriginal people throughout the State in the protection and preservation of the Aboriginal heritage. This Committee is not elected and does not necessarily or automatically speak for the interests of Traditional Owners across the State.

This Committee, which is central to agreement-making processes about the protection of heritage, has been given significant powers and responsibilities. Not only can it approve or refuse an application from a body to become a RARB based on ‘any reason the Committee thinks fit’, it may revoke or suspend the appointment of a RARB, and is also required to play a mediating role between parties and undertake dispute resolution functions.

The Minister for Aboriginal Affairs and Reconciliation, has a range of new powers under the amended legislation. For starters, the Minister has responsibility to appoint the members of the SA Heritage Committee which has significant powers. In addition, the amended Act now gives the Minister the following powers:

- to require the RARBs to carry out ‘other functions’ assigned to it by the Minister;
- the Minister may, on application or on his or her own motion...revoke the appointment of a RARB for any reason he or she thinks fit;
- a local heritage agreement does not have effect until it has been approved by the Minister;
- ...determine whether or not to approve a local heritage agreement;
- may, on application or on his or her own motion...approve an agreement referred to in section 19M (which applies to agreements affecting Aboriginal heritage under other Acts, both Federal and State);
- revoke or suspend an approval under section 19N for any reason he or she thinks fit.

So, far from devolving decision making and agreement making to Traditional Owners, the amended legislation hands significant powers to the Minister and the appointed Heritage Committee and could effectively relegate the RARBs to being toothless tigers.

At the same time, it allows the Minister to relinquish those sections of the Act which cause discomfort and potential conflicts of interest when deciding whether to allow the damage or destruction of Aboriginal heritage.

Hear Minister Kyam Maher’s comments on the Aboriginal Heritage Act to Paper Tracker

Program 219:
The Aboriginal Heritage (Miscellaneous) Amendment Bill 2016

Program 214:
Minister Maher – Update Part 1

papertracker.com.au

Aboriginal heritage out of our hands?

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Mr Thomas noted that “over the last 15 years there have been a number of moves by State Government to amend the *Aboriginal Heritage Act*. Some have been undertaken in a participatory fashion which has given the Aboriginal community some hope that their rights and interests will be upheld.”

“This flies in the face of what previous governments or Ministers have attempted and does so without any respect for the primacy of Aboriginal people’s voices and their rights and interests in managing and protecting Aboriginal Heritage. This is against the United Nations Declaration on the Rights of Indigenous Peoples,” said Mr Thomas. The Act will also eventually allow the Minister to appoint a Recognised Aboriginal Representative Body to consult on heritage issues. According to SANTS, this will create confusion and undermine the role of the already legally constituted native title Prescribed Body Corporates.

“Much of South Australia is now subject to determinations of native title, which provides the Government and those

looking to develop and exploit our resources with absolute certainty about who to consult with. Rather than work with and empower these bodies, this Act will potentially undermine their authority by appointing other bodies to make decisions for their country,” Mr Thomas said.

Tammy Franks MLC on behalf of the Greens opposed the Bill when it was presented to Parliament.

“It seems to me that this government has a tendency to show disrespect to Aboriginal people’s rights, because it seems that time and time again this place is asked to rush through pieces of legislation on Aboriginal affairs without proper process,” she said.

Aboriginal Affairs Minister Kym Maher told the ABC that proposed amendments would not change the level of protection Traditional Owners currently had over their heritage.

“The level of protection that’s been provided by nearly 30 years of the *Aboriginal Heritage Act* will remain,” he said. “We’re not taking away any level of protection.”

Minister Maher rejected claims Aboriginal groups had not been consulted over proposed changes.

“Possible changes to the Act have been

consulted with for almost a decade now and one thing has been consistent, Aboriginal people want to be at the forefront of protecting their heritage,” said the Minister.

South Australian Native Title Services (SANTS) opposed the changes to the Aboriginal Heritage Bill as it:

- Was not subject to consultation with Aboriginal community in its current form and was not put before Parliament with the support of Aboriginal people;
- Does not improve the level of protection and preservation of Aboriginal heritage, which is the basis of the *Aboriginal Heritage Act*;
- Removes the ability for Aboriginal people to require the Minister to delegate his or her powers;
- Legislates to provide a potential avenue for native title holders to be prevented from exercising and managing their determined native title rights and creates further doubt in who ‘speaks’ for Aboriginal heritage;
- Affords agreements negotiated in different legislative contexts a false status in regard to the level of Aboriginal heritage protection while removing statutory safeguards;
- Removes the ability for the prosecution of people damaging, disturbing or interfering with sites, objects or remains in many circumstances;
- Legislates out of the Government’s compliance with the Full Court Supreme Court orders in the matter of *Starkey v State of South Australia*.



A new chapter for SANTS



South Australian Native Title Services has recently undergone a major restructure due to funding constraints.

Over the past 6 months the organisation reviewed its organisational structure to ensure a more efficient business model and to guarantee ongoing financial, legal and logistical assistance for native title groups.

Keith Thomas, South Australian Native Title Services CEO said it has been a difficult time but is positive the organisation will continue to delivery its services well into the future.

“We have made some tough decisions and implemented changes this financial year to ensure we are able to continue to fulfil our obligations under the Native Title Act to assist our clients to obtain and maintain their native title rights and interests.”

“We have a clear approach to our operations moving forward,” he said.

SANTS realigned its organisational structure to include three main areas; Legal, Corporate and Community Development and Business Services.

“The new structure is designed to make sure all areas of expertise within SANTS is working together to fulfil our client’s needs.”

“We exist to support native title groups and we will continue to do this with all our capacity.”

“On a more personal note, it was hard to see people who have been working with us for many years leave SANTS. I wish them all the best, and I hope their skills and experience gained whilst working here will assist them with their future endeavours,” he said.

New Board members for SANTS

SA Native Title Services is pleased to welcome two new Board members following the Annual General Meeting in November 2015.

Lavene Ngatokorua joins the Board of SANTS as Deputy Chair and Damien Coulthard joins as a Director. Both bring valuable experiences and expertise to the organisation and the important work in native title services.

Lavene Ngatokoura

Deputy Chair

Lavene Ngatokoura is Youth and Children’s Coordinator at Davenport Community and CEO of that community in a voluntary capacity. She’s a Wangkangurru, Adnyamathanha, Kwiani, Luritja woman from Davenport.

Davenport is a proud Aboriginal community located 300km north of Adelaide. The community was known as Davenport Reserve before it formed its own Aboriginal community council in 1973.

Ms Ngatokoura took on the demanding voluntary role of CEO after the community lost Government funding in 2014.

“That was a really tough time, it went down from a staff of 20 to a staff of one, just you might say overnight,” Ms Ngatokoura said.

“For two years though I sulked a bit, because I’m just the youth worker, but my job had to have Council backing and you need the administration running and so basically I helped with the community council, got them up and running.”

Ms Ngatokoura has been involved in native title as a community member and observer, attending Consent Determinations for the Adnyamathanha people on country. She found the experience important and moving.

“I like talking to the elders there, when you go back on country and you listen to the older people and how their stories go and what country means, and I just like going and seeing how the people are. And how passionate, you know. It just takes you to a whole new place, I can’t even describe it, it’s something personally that I feel and get to have a connection to. So mine is more so as being a young person watching it,

taking things in and absorbing and being a part of that,” she said.

Ms Ngatokoura is looking forward to contributing to native title work in South Australia through her involvement on the SANTS Board.

“I like talking to the elders there, when you go back on country and you listen to the older people and how their stories go...”

“I come with a freshness, I’ve been on the other side, I haven’t seen what – you hear about SANTS and what they do but they really have no idea what it entails until I get started. I believe I would give it a voice, from my own perspective and what I’ve been taught, which is what is the foundation that makes us, what do we learn from our elders, what do we learn from our teachers. I think that if I can bring that up and give a new, maybe some other options that people haven’t thought of I think that is what I would try and bring to being an active member on the board,” Ms Ngatokoura said.

Damien Coulthard

Director

Damien’s grandfather was Adnyamathanha and his grandmother Dieri; both were well respected elders in their communities. When speaking of his grandparents it is obvious that he held a great amount of respect for them both and loved them dearly.

“My grandparents as well as my parents were and are the greatest role models I have. They were absolutely paramount as to why I became a teacher.”

His role as a Physical Education Teacher at Le Fevre High School includes the position of South Australian Aboriginal Sports Training Academy Coordinator (SAASTA) and Sports Coordinator. The Academy delivers a Certificate III in Sport and Recreation as well as stage 1 and stage 2 in Integrated Learning. Damien strives to help his year 10–12 young Aboriginal students’ achieve their

aspirations in sport and employment and the program helps create both a passion for sport and learning.

“My interest is in working with young Aboriginal students to complete SACE and to prepare students for life after school in further education or the work force. I also have a great passion for sport and enjoy working with young students to achieve their sporting aspirations.”

Damien believes that the SAASTA program is a valuable learning tool for young Aboriginal students in South Australia. The program allows students to reconnect and strengthen ties with culture, community and family as well as giving students the opportunity to develop important knowledge and understanding in various career pathways.

At the end of the 2015 school year Damien had the opportunity to attend the Port Adelaide Football Club and SAASTA Aboriginal AFL Academy trip to China. Those that were successful in their SACE participated in a cultural school exchange program with international students. They played in two exhibition matches against the Chinese representative side and the Hong Kong Dragons, promoting the game of AFL. The highlight for the 20 students was performing the team war cry on the great war of China.

“I will be honest, I don’t necessarily love meetings but what I would like to do is develop strong relationships with members...”

“It was truly amazing to see our future Aboriginal leaders in that environment. There was such pride in everything the kids and team did whilst away.”

Damien is most certainly enthusiastic about building communities which is one of the main reasons he has joined the SANTS Board.

“I really want to build relationships with community members so I can hear their needs and then act on it as a SANTS Director.”



Lavene Ngatokoura.



Damien Coulthard.

“My grandfather was very involved in the Adnyamathanha community, he used to go to meetings and I would hear him talk about the claim and what had gone on in the meeting. Back then I didn’t really know what it was all about but I know he was passionate about land rights and his community.”

“I know this position will enable me to develop knowledge and understanding about the different rules and policies that have been put in place and why. I hope that working with Keith Thomas and the other Board members who are all like mentors that I can take all of the valuable information away and help my own community.”

“I will be honest, I don’t necessarily love meetings but what I would like to do is develop strong relationships with members so they feel they can approach SANTS and discuss their story honestly without hesitation. I’m really excited about the opportunity and look forward to working with Keith and the Board in the future.”

SANTS Services

Who we are and what we do

SANTS is recognised and funded as the Native Title Service Provider for South Australia by the Commonwealth Government under s.203FE(1) of the *Native Title Act 1993* (Cth).

SANTS performs all of the functions of a representative body throughout South Australia. Those functions as set out in Section 203B of the Act are:

- Facilitation and assistance;
- Certification;
- Dispute resolution;
- Notification;
- Agreement making;
- Internal review; and
- Other functions.

SANTS provides a range of services to South Australia's Aboriginal Nations who hold or may hold native title. These are delivered by a professional client services team.

SANTS provides legal representation and guidance, anthropological research and community liaison to support native title applications, negotiations and determinations. SANTS also provides services to Aboriginal Nations to enhance their capacity to achieve their aspirations. This includes natural and cultural resource management, community and organisational development, governance and training and economic development services.

SANTS is committed to working with Aboriginal Nations to realise their aspirations which are often broader than the recognition of native title.



SANTS facilitates innovative pathways for our clients to achieve sustainable native title outcomes at the regional level.

Native title remains an important foundation for Aboriginal Nations to gain recognition and bring about positive and lasting change.

SANTS is committed to partnering with organisations that will assist in strengthening native title outcomes.

SANTS is committed to achieving native title rights and interests through negotiation rather than litigation (where possible) and aims to assist in building positive relationships between Aboriginal Nations and the wider South Australian community.

SANTS is a company limited by guarantee and is governed by a Board of Directors. The Board's role is to guide and govern

the running of SANTS to its full potential.

The Board and Senior Management work closely to achieve a significant level of confidence and security for our clients and the future of SANTS.

Our Vision

Sustainable Aboriginal Nations.

Our Values

Across all our work at SANTS, we uphold the following values:

- Respect – for people, culture, country, difference and ideas
- Professional – being ethical, accountable and transparent and working with integrity and competence
- Inclusive – encouraging collaboration and participation and listening to and considering the views of others

SANTS receives funding from the Commonwealth and South Australian Government to perform its functions and to provide other services.



This page, from top (L-R): Wangki 'Gavin' Peel, Far West Coast; Directors of Yankunytjatjara Native Title Aboriginal Corporation; Jimmy Gepp Gawler Ranges Rock-hole Project; Bench at the Adnyamathanha Stage 2 and 3 Consent Determination at Wilpena Pound Station; Tauto Sansbury and Lucy Kingston at Invasion Day Rally 2016; Lesley Thomas, Keith Thomas, Michael Colbung and grandchild; SANTS Four Wheel Drive Training, Tailm Bend 2015.

Aboriginal consultations continue after tentative



Representatives of Native Title holders across South Australia, drawn from the Aboriginal Congress of South Australia, will advise the Royal Commission into the Nuclear Fuel Cycle on further consultation with Aboriginal communities.

The four delegates; John Reid, Tauto Sansbury, Michael Anderson and Karina Lester, were appointed at a meeting of the Aboriginal Congress held in Adelaide on 25 February. The Congress met to hear from Royal Commissioner Kevin Scarce about proposals to expand the state's involvement in the nuclear fuel cycle.

Commissioner Scarce presented the Congress with details of the Tentative Findings of the Royal Commission, which says that South Australia can safely increase its participation in nuclear activities and reap significant economic benefits.

The storage of used nuclear fuel is reported to be the best option for the State, with the Findings suggesting a large storage facility could be operating in South Australia by the late 2020s.

The Findings estimate a potential total \$445 billion income from the facility. It proposes a State Wealth Fund be established to share the profits from the operation fairly in the community.

The report has essentially ruled out the expansion of uranium mining, the further processing and manufacture of uranium and the possibility of a nuclear power plant for the state.

The report emphasises the need for social and community consent before the nuclear expansion commences.

Public meetings into the Tentative Findings began on 15 February with a meeting at the Adelaide Town Hall, and continued at various sites around the state.

Meetings were held in Port Pirie, Port Augusta, Whyalla, Port Lincoln, Mount Gambier, Oak Valley, Ceduna, Umuwa, Coober Pedy and Renmark.

Ahead of the 25 February meeting Congress Chair Tauto Sansbury said that Aboriginal people should take time to understand the proposal.

"I think the important message for Aboriginal people in South Australia is to fully understand the impact of what nuclear waste means to us and means to us on our country. You know there's a lot of issues to discuss and we as traditional owners, native title owners, we should have a major say in this, whether we want it or not."

What the Nuclear Fuel Cycle Royal Commission said in its Tentative Findings

- SA can do more of the nuclear energy cycle and this can be done safely for the benefit of all South Australians.
- Communities must be able to decide if they want to be involved.
- The South Australian and Commonwealth Parliaments both have to agree on this for anything to happen.
- Talking to the community and helping people to understand everything they need to make a decision would be very important.
- More mining of uranium is not the biggest opportunity in the nuclear energy cycle.
- Making the fuel for nuclear reactors on its own would be difficult.
- If you make the nuclear reactor fuel and then take it back after it has been used, that might work better. This is called fuel leasing.
- Right now nuclear energy is too expensive to be used in South Australia.
- Disposing of used nuclear fuel by putting it in the ground safely can benefit all South Australians, both now and for future generation.

Source: Royal Commission Key Tentative Findings, Anangu translation

Mr Sansbury also emphasised that at the previous meeting of the Aboriginal Congress there were strong opinions against an expansion of nuclear activity.

"In our last meeting with Commissioner Scarce, all Native Title groups except one said "we vote against it" and you

know that should have been a decision that "well we won't be able to go near any Aboriginal land because they've all voted against it." So whether that is going to be accepted as community consent or no consent from the Aboriginal people is another thing for Scarce and the

findings of SA's potential nuclear future released

Weatherill Government to consider and maybe seriously sit down and talk and negotiate with us a lot better than they're doing at this present moment."

Addressing the Congress, Commissioner Scarce explained that the Commission had spoken to Aboriginal people in consultation visits across the state leading up to the report release.

Those consultations are covered in the Tentative Findings in the section on Social and Community Consent.

"What we're trying to understand in this document is what's happened in the past, so that it's not repeated in the future. There are sections which talk about what's happened in the past, and if we were to proceed, talk about a way, what sort of actions would be necessary to have a proper engagement," he told the meeting.

Michael Anderson, Chair of Adnyamathanha Traditional Lands Corporation explained at the meeting that he would put any relevant proposals relating to the Commission's Findings to his community for discussion and decision.

"Our people are prepared to look at all propositions they come across,

whether that be the nuclear waste or whatever, and they'll make the assessment," Mr Anderson said.

Following the Commissioner's report to Congress, John Reid from the Gawler Ranges Aboriginal Corporation asked about how much the Commission had considered water security in making its recommendations.

"One of the things that I haven't seen too much of in this document is modelling on water security...there is not a lot of modelling of how the water resources are going to be used in these types of activities and the big issue for a lot of Aboriginal people is water security," Mr Reid said.

"We took a lot of advice regarding the management of water, particularly the importance of safe guarding the resources we have and therefore that figures prominently in our thinking about a storage facility," the Commissioner responded.

Karina Lester, Chair of Yankunytjatjara Native Title Corporation asked the Commissioner how community and social consent would be measured.

Reasons for caution about the Royal Commission's ideas

- The nuclear waste disposal plan would mean that both a shorter term storage site to operate for up to one hundred years and a longer term disposal site at a different location in SA would be built.
- The plan is bigger than has ever been built before and no county has yet delivered on disposal of high level nuclear wastes.
- Being prepared for the first nuclear waste shipment imposes vast liabilities on South Australia.
- It would need a potential dedicated nuclear waste deep sea port to be built, probably south of Whyalla.
- Costs are estimated at \$145 billion before any profit and costs may go up, in other countries cost estimates have risen by 50 percent.
- Transport of waste and shorter term storage poses serious risks to the SA community.
- The shorter term nuclear waste storage site would open 11 years after any decision to go ahead.
- The proposed waste disposal site would open around 28 years after any decision to go ahead.
- The storage site would be closed down in 120 years' time, and then require hundreds of years of monitoring.
- The Federal government holds many key powers and responsibilities for national approvals – it's not just up to the SA Government.

Source: Anti-nuclear campaigner, David Noonan



Opposite page: Left to right: Tanya Hunter, Rose Lester, Pascoe Braun at the Adelaide Town Hall on 15 February. Above: Commissioner Kevin Scarce addressed a public meeting at the Adelaide Town Hall on 15 February.

The Commissioner responded by explaining how he sees that social and community consent differ and how principles and a process could be established.

"Well what we've tried to do is mirror what's been successful overseas. In the end it will be a political decision, social consent. So what we'll do is prepare a final report, which I'll advocate be made public quickly. In that report we'll identify what we think are the central principles behind social consent. Really these are the sorts of principles that need to be considered, governments will decide how they'll get the social consent they need."

Once the government has determined it has social consent, community consent would be a more detailed, locally based process, the Commissioner explained.

"In terms of community consent... I envisage something similar to what I saw in Canada, where we have a process of engaging those communities right at the start, funding the community to make independent reviews, plenty of time to make decisions, plenty of review steps. All of that based on what we've seen around the world to indicate here's a process that works, the community in the end have a say – yes or no, if it's no, that's the end of the process."

"I do think, where it's failed overseas, it's because these two processes, social consent and community consent have failed and it's not the technical issues that have been the undoing of these issues, it's the failure to get community consent," Commissioner Scarce stated.

Elliott McNamara, Chairperson of the Barngarla Aboriginal Corporation expressed concern about how consent would work for some Aboriginal people and communities.

"The issue I have, it's like the city versus the country. Everybody repeats the words 'not in my backyard' but the majority of people live in the cities. Country people and Aboriginal people are already the minority voices in any census. Which makes Aboriginal people a minority voice within a minority. It's alright for you to say that we take everyone and everything into consideration, but realistically we Aboriginal people don't matter. You just need to look at history to see that," Mr McNamara said.

"We may have a responsibility to store our own nuclear waste in SA. But why then should we be responsible for every state. Shouldn't they take responsibility for storing their own waste? And definitely why should we become the dumping ground for the world's nuclear waste," he said.

It's not put back on us, it's an opportunity we can take up" the Commissioner responded.

Following the discussion with the Royal Commission, anti-nuclear campaigner David Noonan presented his perspective to Congress.

He explained that the nuclear waste disposal facility proposed by the Royal Commission was of an unprecedented scale internationally and would involve considerable risk and investment by the State.

The final report of the Royal Commission will be handed to the Premier in May 2016.

For further information, head to the Commission website at <http://nuclearrc.sa.gov.au>

Stolen Generations Reparation Fund commences work and faces questions

Independent Assessor John Hill has begun work on implementing the Stolen Generations Reparation Fund.

The \$11 million fund was announced by the South Australian Government in November 2015, following many years of debate in Parliament. The fund will make payments to Aboriginal people who were removed from their families, bypassing the need for litigation to settle compensation.

Ex-Labour Government Minister John Hill attended the Stolen Generations Alliance meeting at Tauondi College in Port Adelaide on 5 February to set out the process for community members.

The scheme commences on 31 March and from that date people who believe they fit the category will have 12 months to apply for compensation up to \$50,000. The scheme will close two years after applications open.

According to SA Native Title Services Board Deputy Chair Lavene Ngatokorua, who attended the meeting, the Independent Assessor and his staff

would hear individual's stories and then decide on compensation.

"He would go and listen to stories and figure out how much that person is worth in terms of repatriation. They're going to employ an Aboriginal person, a woman, in a position to hear the stories of victims," she explained.

The Scheme only includes compensation for people directly affected by past policies of removal.

"What I also heard, it's got to be for the victims, not for their families. And that caused a lot of murmur among the people that attended, because a lot of them are second generation, not first," Ms Ngatokorua said.

"I also have some concerns" she said. "He could never walk in our shoes and he could never understand where we come from. He can try all we like, but when we look at the social, the structure, then how can you make a call on somebody without understanding where they've really come from. And yet he's going to make that call."

Ms Ngatokorua also expressed concern about people being asked to tell their stories again.

"When I think that you have people's stories – you've got your Link Ups, you've got other places where people have told their story. You've got the Mulligan report. If you've already told your stories, wouldn't it be good just to get those. To tell them again is traumatising, reliving the trauma."

The Stolen Generations Reparation Fund was also discussed by the CEO of Anglicare, Reverend Peter Sandeman at the National Apology Breakfast at the Adelaide Entertainment Centre on 12 February.

He said that "this redress has broadly been received well – providing a sense of justice and recognition. It has been a long time coming."

However he pointed out that the delay in establishing such a scheme has meant that many people who were stolen have since passed.

"Sadly, many Stolen Generations passed away before this Scheme was announced – they passed waiting for this moment in time – but it was never to be achieved in their lifetime. And, tragically, heart-breakingly, some have passed since the announcement in late November 2015."

Mr Sandeman asked the government to re-consider the Fund's timeline, which currently would mean that no payment would be received until after the closing date and after all applications have been assessed, which could take up to two years.

"Forced Removal policies spanned several generations, with some Stolen Generations Survivors being in their 40s through to their 90s," he pointed out

"For Government, it would seem both just and logical that the elderly, the sick, the frail be triaged to in this process to ensure that they receive their long-awaited and deserved individual reparation – in their lifetime," Mr Sandeman told the Apology Breakfast audience.

New group to give voice to Stolen Generations in South Australia

An independent organisation dedicated to advancing the interests of the Stolen Generations and their families has been established in South Australia.

Vicki-Lee Knowles from the South Australian Stolen Generations Working Party said that the new organisation is needed because for far too often the Stolen Generations of South Australia have been excluded from direct consultations about community matters that have an impact on their, and their families, lives.

"Stolen Generations of South Australia have been calling for a statewide Stolen Generations body to be established to progress the collective interests of Stolen Generations and to be an accountability mechanism for the implementation of the 54 recommendations of the Bringing Them Home report," said Ms Knowles.

"We need a strong and united voice if we are to affect change for our Stolen Generations who are now old or frail," she said.

The South Australian Stolen Generations Working Party met at Tauondi College in Port Adelaide on 5 February and discussed the establishment of the new South Australian Stolen Generations Aboriginal Corporation (pictured).

The new Corporation's Rule Book, including its Vision Statement and Objectives, has been finalised and was



Above: Attendees at Stolen Generations Working Party Meeting 5 February 2016. Left to right: Janette Milera, Lyn Jones, Lily Disher, Audra Landers.

submitted to the Office of the Registrar of Indigenous Corporations (ORIC) for the new group to become a reality. ORIC accepted the corporations Rule Book and so the group achieved formal incorporation on 17 March 2016.

According to the Rule Book, the aim of the SA Stolen Generations Aboriginal Corporation is to:

"In the spirit of truth, justice and healing provide a strong united voice of Stolen Generations, our descendants, families, and communities who were removed from, or permanently reside in, South Australia."

Membership of the new body is open to any Aboriginal person who was fostered, adopted or institutionalised

as a result of removal policies across South Australia or members of Stolen Generations who now live permanently in South Australia. Descendants of members of the Stolen Generations are also eligible to become members.

Non-voting membership is also open to Aboriginal people or organisations who support the aims of the association.

Reflecting on the Eighth Anniversary of the National Apology

The eighth anniversary of Prime Minister Kevin Rudd's apology to members of the Stolen Generations was celebrated across the country on 13 February through song, stories and community gatherings.

In Adelaide, 1600 people attended an Apology Day breakfast hosted by Reconciliation SA at the Adelaide Convention Centre. The event included performances by Aboriginal performers Archie Roach, Nancy Bates, Ellie Lovegrove and the Dusty Feet Mob.

Barkinji woman and Adelaide singer Nancy Bates performed her original songs for the Breakfast and supported Archie Roach in his performance.

Ms Bates opened the morning with her original song "Old Black Woman". It's a song that comes directly from her own experiences and connection with the Stolen Generations.

"Old Black Woman is a song that comes from a very deep place, a very deep narrative from within the Aboriginal community," Nancy Bates said.

"I did write it when I was working at Link Up, helping members of the Stolen Generations and their descendants to find their way home, so retrieving records and finding out information that can help people link back to their communities and families," she explained.

Ms Bates wrote the song following the funeral of a prominent elder in South Australia, Aunty Veronica Brody.

"I went home feeling quite heavy hearted and feeling loaded up with stories of Stolen Generations, I just picked up the guitar on that afternoon because I'd been watching our elders together at the funeral and I knew a lot of their stories. The words just began to flow on a page and I think the song was written within twenty minutes to half an hour. I really do believe when songs come to you in that way that it's really meant to be. When you don't have to struggle to write a song, it's just waiting to be kind of realised."

Nancy Bates says that the song gets a very strong reaction from listeners whenever she plays it live.

"Lots of tears, I think it brings up a lot of pain for a lot of our elders in particular. But I hope it also gives them a sense of pride and also an understanding that we as the younger generation are completely there for them, and we feel their stories on a very deep level. I hope they feel I've respected their stories in the story telling and I hope that it also makes them, with Old Black Woman I also try to capture the strength and the resilience of our Stolen Generations and I hope that they feel that as well," she said.



From top, left to right: Attendees at Apology Day Breakfast on 13 February 2016; Ellie Lovegrove; Nancy Bates; Archie Roach.



Archie Roach played three songs at the Breakfast event, starting with “A Child was Born Here”, which reflects on the sacredness of connection to country, and “Down City Streets”, which drew Archie Roach to reflect on his days as a young homeless man and the time when he met his late wife Ruby Hunter.

“Archie and Ruby had met in Adelaide, so any time Archie does a gig in Adelaide, it’s really profound for him, lots of memories come flooding back, this was the place he fell in love with Auntie Ruby, an iconic relationship,” Nancy Bates said following the event.

Archie Roach’s powerful and well known song “Took the Children Away” was the closing piece for the morning. Archie Roach was joined on stage by the Dusty Feet Mob, a group of young people from Port Augusta, who accompanied him with their own interpretation of the song.

Nancy explained the impact of the song on that morning.

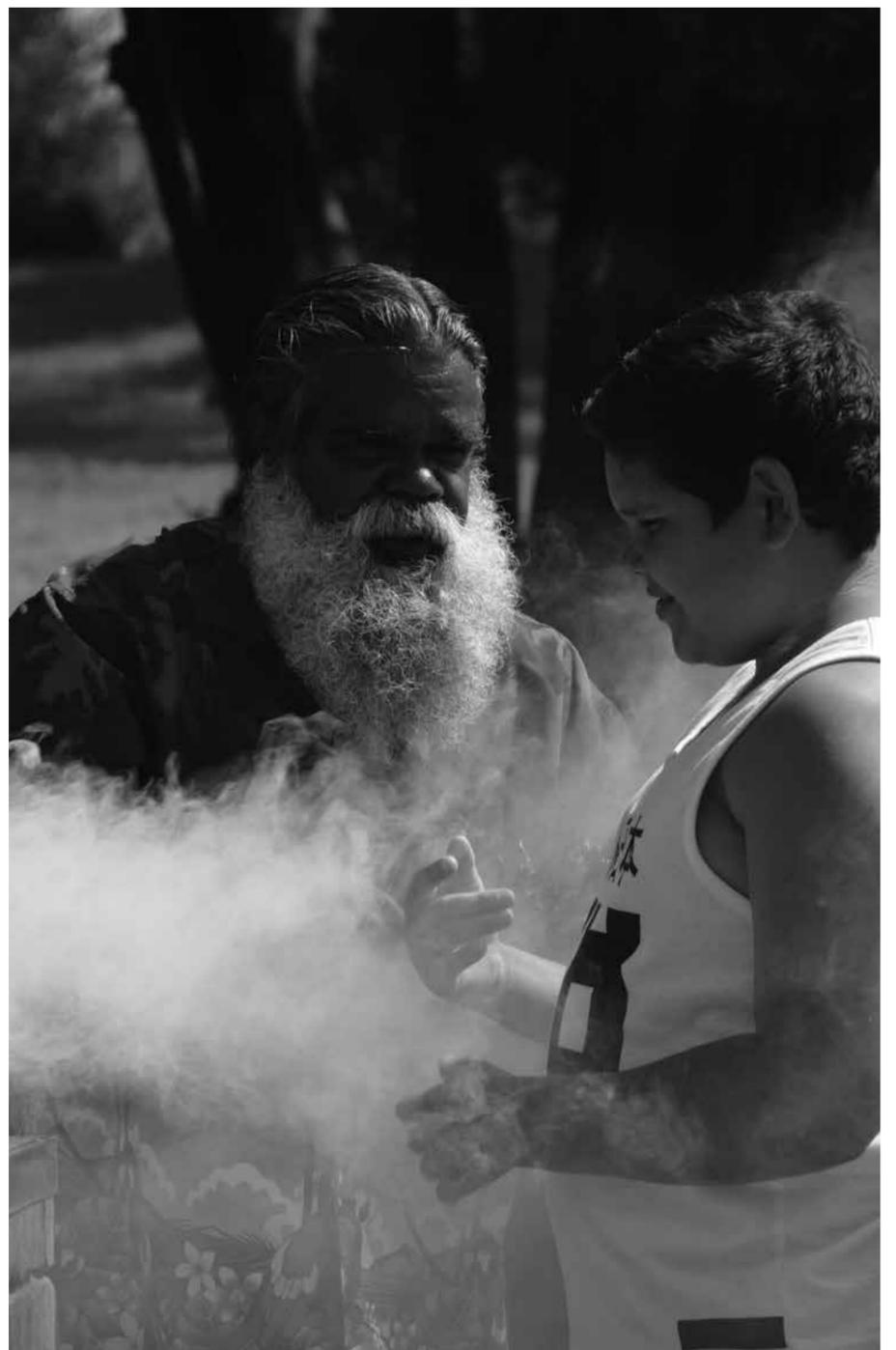
“Took the Children Away was so incredible because, our young people who had interpreted it in such a powerful way. In rehearsal it was very telling when Uncle Archie broke down seeing the children perform during our rehearsal, because the way they had interpreted it really interpreted the sense the younger generation and the way they are able to process what has happened to their elders, understand what it means to them in a contemporary setting and to feel it on a very deep level. And so I think what was very clear on that day is that the intergenerational process, processing of history and stories is very real for our young people, and there’s a

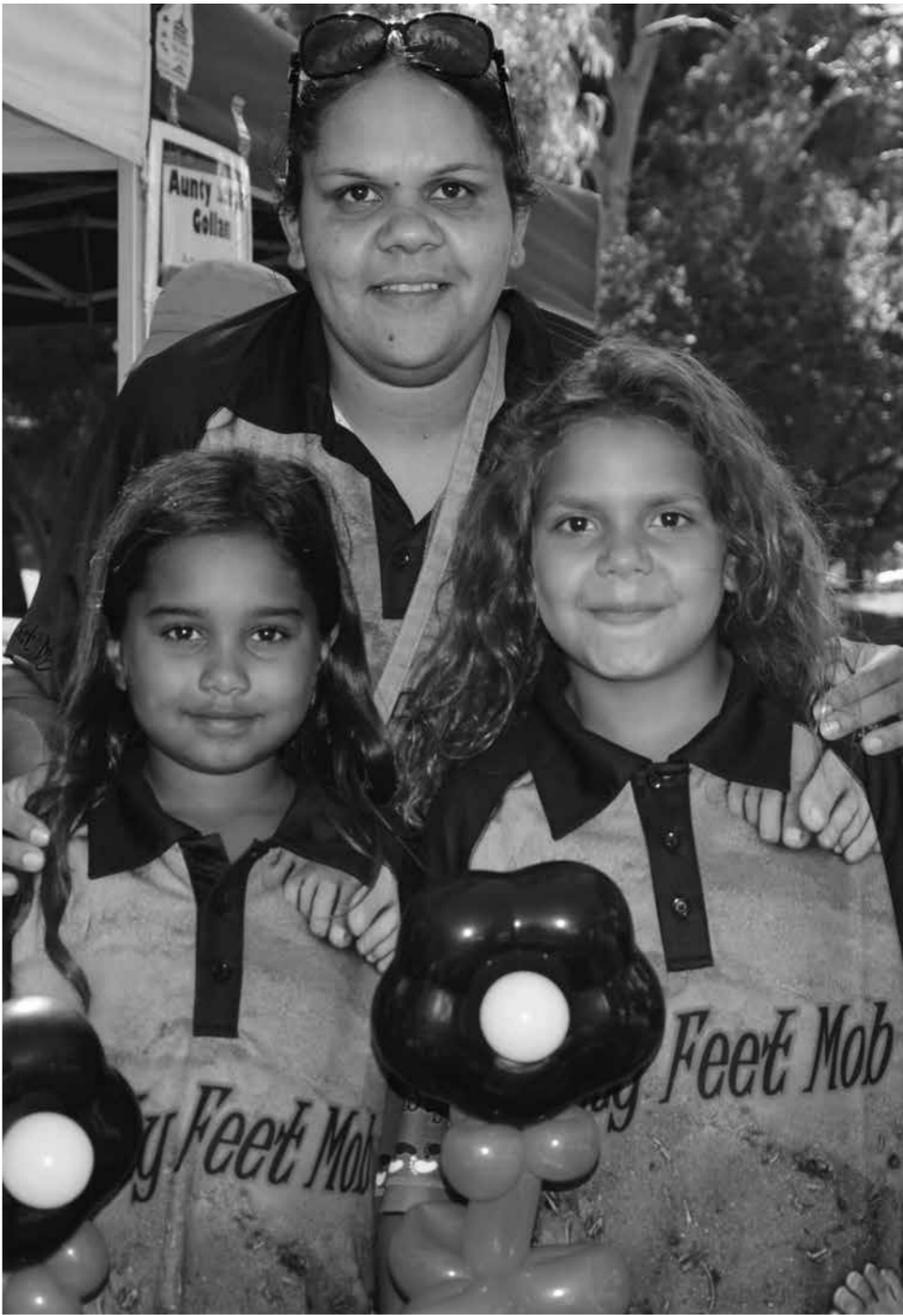
trauma attached to that for our young people, to know what’s happened to our previous generations, and to know that that affects a number of children today, of children in care, Aboriginal children in care today is completely related to those past policies that saw the separation of so many children from families. So I think that was what was so powerful, this interpretation of Took the Children Away, by children, Aboriginal children.”

The large audience at the Apology Breakfast in Adelaide clearly felt the power of the performance.

“And from what I could see up on the stage, there was hardly a dry eye in the room. Everybody felt the significance of these children joined with Uncle Archie really expressing what that song meant to them on a very real, deep level. I’ve spoken to people since the Breakfast and they are saying it’s one of the most profound events they’ve ever been to, it will never leave them and a large part that was the collaboration between the children and Uncle Archie. At the end there was an amazing moment when Archie embraced all of the children and that was I think that was a really special moment to witness and it says everything about who Uncle Archie is, it really does.”

The Breakfast was followed by a community barbeque, a community event held for the Survivors of the Stolen Generations and their families and supporters in the Veale Gardens. The event was coordinated by a coalition of community organisations, headed by Relationships Australia SA (RASA). The event included a smoking ceremony, traditional food, live entertainment and a focus on healing and well-being.





Opposite page, from top, left to right: Ellie Lovegrove, Nancy Bates and Archie Roach; SANTS staff Nicole Clark and Jodie Martin; Stephen Gadlabarti Goldsmith and Tyrone Rankine; Community event at Veale Gardens. This page, from top: Rebecca Tenner, Sasha Taylor and Layla Buckskin (Dusty Feet Dance Mob); Didgeridoo Player Jamie Goldsmith at Community BBQ; Massage stall; Aunty Irene and Wendy McKell; Veale Gardens; Anne Peterson; Robin Davey, Derek Newchurch, Fred Agius and Matt Axelby from Aboriginal Youth and Family Services.

What does 26 January mean to you?

While Australia takes a day off on 26 January, many Aboriginal people see it as a day of mourning, and a time to protest. Others take the opportunity to celebrate the survival of Indigenous people and cultures in the face of colonisation and dispossession.

Each year Tandanya Aboriginal Cultural Institute partners with other organisations, including Kura Yerlo, to present the Survival Day event at the Semaphore Foreshore.

The theme in 2016 was "Still Surviving, Still Thriving". Event producer Narisha Cash acknowledges the conflicting feelings that 26 January can evoke.

"It can be quite a sensitive day, a lot of people acknowledge that it's also Invasion Day, so with Survival Day it's looking at it in a more positive manner. We commemorate and acknowledge the past, and what has happened previously, but we also want to look at the positives

of moving forward and acknowledging the success that we've had, and that journey over the last 40 thousand, 60 thousand years" she said.

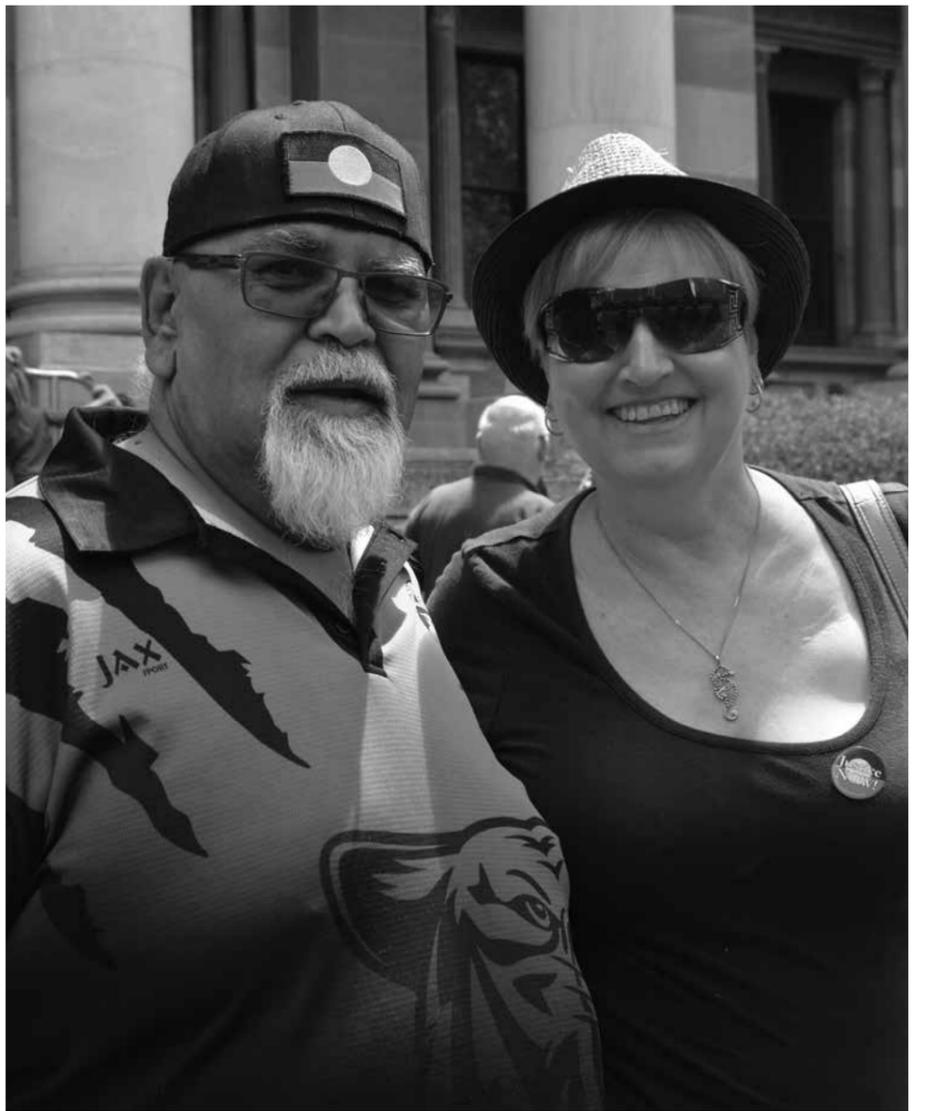
She is proud of Tandanya's Survival Day event, and the talented people who contribute to it.

"We love the fact that Survival Day brings a lot of the traditional elements as well as the contemporary elements, and it's a space where we can showcase our beautiful talents and the repertoires of our cultures, such as music, dance, art and food," Ms Cash said.

The event included live performances by Eddie Peters, Catherine Carter, Tempest Sumner-Lovett, Electric Fields, Tilly Thomas, Michael Colbung and The Bec Gollan Trio.

Early in the day, a crowd gathered on the steps of Parliament House for an Invasion Day protest.





Opposite page: Invasion Day protesters on the steps of Parliament House on 26 January 2016. This page, from top, left to right: Eddie Peters, Tilly Thomas, Cassie May Brown and Ashum Owen; Latoya Rule; Tauto Sansbury and Grace Nelligan; Jasmin and Luke Dinos; Invasion Day protesters on the steps of Parliament House on 26 January 2016.

Elder Tauto Sansbury spoke at the event and following the rally he explained what 26 January means to him.

“It means a lot. Especially it means a lot of sad stories and people talking about them. Sorrow and it also means that every other state and territory around Australia is doing the same as we are today and as I’ve already advised the group today at the protest is that New Zealand is actually doing the same thing as we speak.”

Mr Sansbury said that he understands why many people would like the date of Australia Day to be changed.

“Well that’s understandable, because Australia Day is 1788, the day that Cook landed. The day that 15 minutes after he landed he instructed his men to start firing on the natives in Botany Bay, so you know that’s when the slaughter first started,” he said.

He also emphasised that the protest was not just about a day in history, but about drawing attention to the way Aboriginal people live today.

“Everything is not on an even par” he said. “Aboriginal people are the most highly incarcerated, the removal of Aboriginal children is much higher than non-Aboriginal children, our mortality rate is 20 years less than the non-Aboriginal population and the list goes on and on. You know the housing of Aboriginal people is basically in the homeless area, Aboriginal people are being removed off their land. There’s something going on in Australia that’s not right,” Mr Sansbury said.

Ashum Owen was another speaker at the Invasion Day protest. She explained what 26 January means to her.

“I’m an Indigenous person, so personally I don’t celebrate the day because it marks the start of so much loss for my people. 26 January 1788 was the day that we began losing a lot of our land, a lot of our people, a lot of our language, and those things we can’t really regain.

So, in terms of celebrating the day, there’s nothing for Aboriginal people to celebrate.”

She also emphasised that the protest wasn’t just about what happened in 1788, but about the impact that is still felt in contemporary Australia.

“Aboriginal people are still living with the consequences from that date. We’re still living with racism, we’re still living with socio economic disadvantage, we’re still living with health problems, like kidney disease, alcoholism, the diseases that were brought here on 26 January,” Ms Owen said.

There seems to be a growing awareness of the significance of the date among the general population according to Ashum Owen.

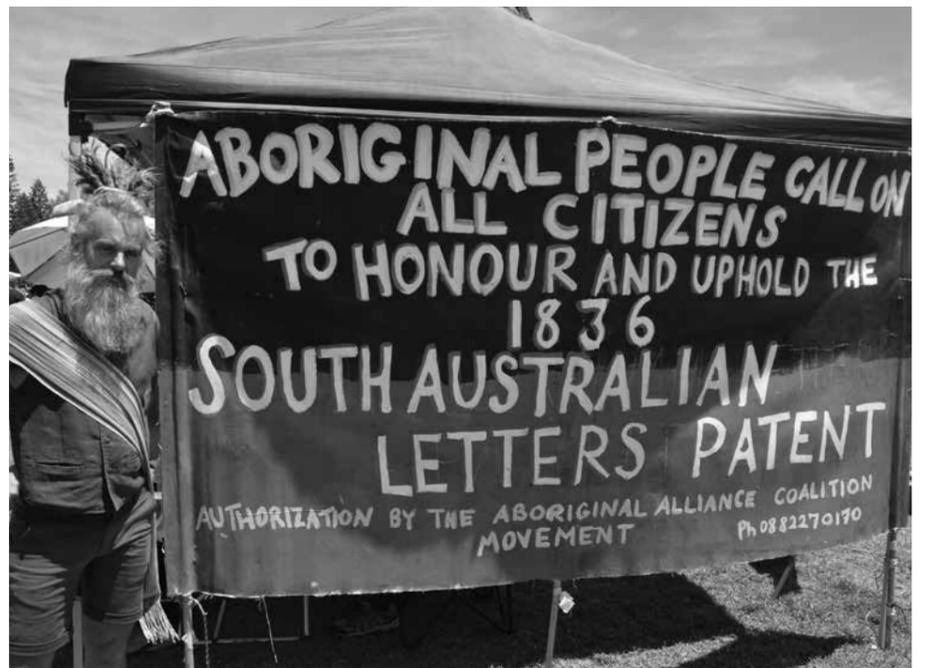
“I’ve had a few conversations with a few non-Indigenous friends of mine and they seem to be on the same page, I think they’ve grown a little bit aware of why Indigenous people aren’t celebrating the day, or what it means for Indigenous people. So it was good to have those conversations and find out they actually support changing the date. Yeah, so I guess changing the date would probably be one step forward to include all of Australia in celebrating Australia.”

Another central topic of the Invasion Day protest was the question of constitutional recognition. Many criticised the current campaign for the constitutional recognition, instead calling for a treaty.

Event organiser La Toya Rule told the crowd at the rally:

“For me personally, I don’t understand how we can recognise Indigenous people in a colonial document when on a day like today we’re not being recognised,” she said.

“Constitutional recognition will not bring about any true legislative change, it’s purely symbolic,” Ms Rue told the crowd.



This page, from top: Letters Patent Sign and supporter at the Survival Day event 2016; Haley McClure and Josh Morely outside Parliament; Claudia, Max and Laurence from Socialist Alternatives; Uncle Russell Milera, Mark Waters, Waylon Johncock; Agius Family at Survival Day 2016. Opposite page, from top: Sean Ken; Northern Health Network Staff; Deb Lee and Governor of South Australia Hieu Van Le; In Com Pro Members; Close the Gap Balloon; David Highfold and Dean Hodgson; Carisbrooke Park; Christine Kite and Lynette Crocker.

Northern Adelaide shows commitment to Aboriginal Health

To celebrate National Close the Gap Day, Northern Health Network held a community event at Carisbrooke Park, Salisbury North.

The day focussed on healthy eating and the promotion of local medical services.

There were words from the City of Salisbury, Northern Health Network CEO Sageran Naidoo and The governor of South Australia His Excellency the Honourable Hieu Van Le AO, all noting the importance of the Close the Gap Campaign and recognition its progress.

Host, Gary Goldsmith said there is still a gap between Indigenous and non-Indigenous health but there is dedication by our people to continue to improve the health and lives of Aboriginal people.

“It is clear now what close the gap is all about and it is true that there is still a gap that needs to be closed between Indigenous and non-Indigenous health.

We can see from the turnout today that there is effort and commitment by the community and our health organisations for improving our health outcomes and

being happy and successful in our lives,” he said.

The Governor spoke about the importance of local support to ensure positive change.

“Success starts locally. I thank the health professionals for their support and walking with your clients on their health journey.”

“It has been 10 years since the beginning of the Close the Gap Campaign, and I am happy to learn that the health targets are making progress.”

“I thank the Northern Health Network for bringing everyone together today and I offer my congratulations to all who have contributed,” he said.

Sageran Naidoo, Northern Health Network CEO said the local health services exist to support people with their health journey’s and the day was a way to celebrate that.

“We believe we are part of this community, we believe we are here to serve you and to show you a pathway to better health and wellbeing.”



This day is indeed very special to us because it is a day that we get a chance to put aside the formalities and just sit down and talk and share food” he said.

This year marks ten years since the campaign began to close the life expectancy gap between Aboriginal and non-Aboriginal Australians by 2030.

In a report posted on the National Aboriginal Community Controlled Health Organisation’s (NACCHO) website, the Australian Healthcare and Hospitals Association (AHHA) has urged health leaders and organisations around the country to continue to pledge their commitment to work with community leaders to improve Aboriginal and Torres Strait Islander health.

“Close the Gap Day is a reminder for the entire healthcare sector about how far we still have to go to remove health inequalities between Aboriginal and Torres Strait Islander peoples, and other Australians,” AHHA Acting Chief Executive Dr Linc Thurecht said.

On National Close the Gap Day, more than 1500 community and corporate events were registered across the country. Demonstrating how this generation of Australians are dedicated to achieving health equality for Aboriginal people by meeting the Closing the Gap targets.

Closing the Gap targets are:

- Close the life expectancy gap within a generation
- Halve the gap in mortality rates for Indigenous children under five within a decade

- Ensure access to early childhood education for all Indigenous four year olds in remote communities within five years
- Halve the gap in reading, writing and numeracy achievements for children within a decade
- Halve the gap for Indigenous students in year 12 attainment rates by 2020
- Halve the gap in employment outcomes between Indigenous and non-Indigenous Australians within a decade

This year’s Closing the Gap report card tabled in Parliament showed there had been little progress in raising the life expectancy of Aboriginal and Torres Strait Islander.

At present, Indigenous men have a life expectancy of 69.1 years, which is nearly 10 years less than for non-Indigenous men, while Indigenous women are also living almost 10 years less than other Australian women.

Human Rights Commissioner and Co-Chair of the Close the Gap Campaign Mick Gooda said although there have been some advances there is still a lot to do to reach the goal to end the life expectancy gap by 2030.

“The stark reality for Aboriginal and Torres Strait Islander peoples is a life expectancy 10 years shorter than non-Indigenous Australians.

“There have been positive changes over the past decade, including improvements

in infant and child health, the number of health checks being reported and better access to medicines, but there’s still a long way to go to achieve health equality for our people,” said the Commissioner.

To find out more about the Close the Gap Campaign visit humanrights.gov.au There are also a range of tools and resources available via this website to help plan your next National Close the Gap Day event.



From top: Doris Kartinyeri; Elizabeth Vale Student; Cancer Council Stall; Brittany Marsh at smoothie stall.

Aboriginal employment on the move

The Aboriginal Foundation has developed a new and growing association with Indigenous Business Australia (IBA), which means it is now more involved in supporting growth for Aboriginal enterprises in South Australia.

Currently the Foundation is looking at a business opportunity on the Eyre Peninsula and projects involving renewable energy for the IBA.

The Foundation now assesses new business projects proposed by Aboriginal businesses before they are considered by IBA for loan applications. This participation will help with generating economic growth for Aboriginal businesses, says CEO of the Aboriginal Foundation, Grahame Tonkin.

“It’s a great way for the Foundation to contribute to economic development for Aboriginal interests in South Australia,” said Mr Tonkin.

“We are hopeful of a formal agreement between the Foundation and IBA soon, and also more collaboration on this in the future,” he said.

The Aboriginal Foundation was formed in 2008 at the request of the Aboriginal

Congress of South Australia. Its aim is to develop employment and economic opportunities for Aboriginal people in South Australia.

The Foundation already has a partnership with McMahon Services Pty Ltd called INTRACT. The partnership generates a royalty for the Foundation based on the income earned by INTRACT.

INTRACT has won tenders for work with the Department of Planning and Transport Infrastructure (DPTI), meaning that Aboriginal people are now working on the new Northern Connector, and is well positioned for more employment on the Torrens-to-Torrens road corridor.

Despite the promising projects on the horizon, the last year was a challenging one for the Aboriginal Foundation and INTRACT Mr Tonkin explained.

“2015 was very difficult, because INTRACT had very little work. Due to the outstanding support from McMahon Services, INTRACT was able to keep key staff on. With very little work, there was no royalty income flowing in to sustain The Aboriginal Foundation. During that time the Foundation was reliant on the State Government.”

“But since then, there’s been considerable opportunity, particularly in terms of future work,” he said.

This includes involvement in a significant project – the Mount Peak mine in the Northern Territory.

“INTRACT have won a tender from publicly listed company TNG Limited, to have a mine developed at Mount Peake in the Northern Territory, and will be involved in multi-million dollar contracts in developing that mine and the infrastructure that goes with it. So we’re feeling quite optimistic about the Foundation in terms of the royalties that will flow from that income as well as the associated Aboriginal employment,” said Mr Tonkin.

As well as involvement in current projects, the Aboriginal Foundation keeps a long term view on potential activities for Aboriginal enterprise.

“There are many infrastructure projects on which AFSA keeps a watching brief including large road construction projects, not just in the metropolitan area but to the North of the State. Road construction projects in the APY Lands and elsewhere in the outback

Current Activities

Aboriginal Foundation

- Meeting KPIs associated with State Government grant
- Indigenous Business Australia – assessing Aboriginal business proposals
- Current Aboriginal business proposals include – Eyre Peninsula, Renewable Energy project

INTRACT

- DPTI construction contracts underway – Northern Connector and tendering for the Torrens to Torrens roadway
- TNG Limited’s Mount Peake mine project

of SA are obvious targets – with the intention to support aboriginal enterprises to build up a viable business for future road infrastructure and maintenance contracts,” said Mr Tonkin.

The Aboriginal Foundation reports to the State Government and Aboriginal Congress of SA.

Business leaders honoured for work in Aboriginal employment

Business people from some of South Australia's leading companies have been honoured for their efforts to help Aboriginal people find jobs.

South Australia's Governor, His Excellency Hieu Van Le AO, has named 15 industry stalwarts as inaugural Ambassadors to the Governor's Aboriginal Employment Industry Clusters Program.

Employment Minister Kyam Maher said the program had successfully supported more than 1,600 Aboriginal and Torres Strait Islander people into industry specific training or sustainable employment since 2011.

"The appointment of these highly influential Ambassadors will help to drive further success for the program. They'll encourage other employers to identify job opportunities, facilitate skill development, and connect Aboriginal job seekers, further education students, and graduates to these roles," he said.

The Governor's Aboriginal Employment Industry Clusters Program Ambassadors are:

- Kim Cheater – Partner, PwC
- Andrew Downs – Group Managing Director, SAGE Automation
- Reverend Peter Sandeman - CEO, AnglicareSA
- David Syme – Manager People and Culture, SA Power Networks
- Simon Hockridge – General Manager Human Resources, Adelaide Venue Management
- David Cruickshanks-Boyd – National Director Sustainability, Parsons Brinkerhoff

- Adam Bannister – Managing Partner, Minter Ellison
- Simon Brewer – Mayor, Campbelltown City Council
- Erma Ranieri – Commissioner for Public Sector Employment
- Mark Butcher – Chairman SA/NT, Minter Ellison/EY
- Carol Hampton – Manager Land and Property, City of Marion
- Lew Owens – Chair, SA Water
- Khatija Thomas – Board Member, Reconciliation SA
- Frank Lampard OAM – Commissioner for Aboriginal Engagement
- Warren McCann – Principal, #PublicSector Solutions

There are nine Aboriginal Employment Industry Clusters representing employers from the accounting and finance, advanced manufacturing, community services, energy water and resources, hospitality, infrastructure, legal services, local government, and public sectors.

The program is a key contributor to the National Indigenous Reform Agreement target to halve the gap in employment outcomes between Indigenous and non-Indigenous Australians by 2018.

It also contributes to the State Government's Our Jobs Plan and Strategic Priorities.

To view videos about the program or find out more information: aboriginalemploymentsa.com.au

South Australian native title claims update

Native Title Determinations

Yandruwandha/Yawarrawarrka Native Title Claim	16/12/2015
Adnyamathanha No. 1	08/12/2015
Adnyamathanha People Native Title Claim No.3	08/12/2015
The Wangkangurru/Yarluyandi Native Title Claim	03/10/2014
Kokatha People (Part A)	01/09/2014
Dieri No.2 Native Title Claim	26/02/2014
Adnyamathanha No.1 – Stage 2	25/02/2014
Adnyamathanha No.1 – Stage 3	25/02/2014
Far West Coast	05/12/2013
De Rose Hill Compensation Application	01/10/2013
Tjayiwara Unmurru Native Title Claim	16/07/2013
Arabana People	22/05/2012
Dieri	01/05/2012
Gawler Ranges People	19/12/2011
Eringa	13/12/2011
Eringa No. 2 and Wangkangurru/Yarluyandi	13/12/2011
First Peoples of the River Murray & Mallee Region	18/11/2011
Antakirinja Matu-Yankunytjatjara	11/05/2011
Adnyamathanha People No.2	30/03/2009
Adnyamathanha People No.1 (Angepena Pastoral Lease)	30/03/2009
Adnyamathanha People No.1 (Stage 1)	30/03/2009
Eringa Part A Proceeding	11/09/2008
Wangkangurru/Yarluyandi Part A Proceeding	11/09/2008
Irrwanyere Mt Dare Native Title Determination	11/09/2008
Yankunytjatjara/Antakirinja	28/08/2006
De Rose Hill	08/06/2005

Native Title Active Claims

Wilyakali #2
Malyankapa Peoples
Barngarla (Lake Torrens)
Tjayuwara Unmurru Compensation Application
Kokatha Native Title Claim
Walka Wani Oodnadatta
Narungga Nation
Arabana No 2
Adnyamathanha #5 Native Title Claim
Ngadjuri Nation #2
Wilyakali
Kurna Peoples Native Title Claim
Adnyamathanha No. 1
Ngarrindjeri and Others Native Title Claim
Nauo Native Title Claim
Wirangu No. 2 Native Title Claim
Nukunu Native Title Claim
Barngarla Native Title Claim

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From Prison to playing WOMADelaide, Radical Son proves anything is possible

David Leha (Radical Son) spent time in Australia's toughest prisons, and a lot of his time was in solitary confinement. This year he was sharing the WOMADelaide stage with some of the world's best musical acts, and wowing the crowds with his deep soulful music.

Leha's musical influence comes from his own experiences as a young Indigenous man who grew up fast whilst moving from State to State with his adoptive mother, never settling in one place for long.

Once he left home at 21 years old he became a heroin addict. Now 38-year-old David Leha shares his tough lessons learned throughout his life, using Radical Son as an outlet.

Radical Son told Aboriginal Message that music was something that came to him later in life.

"It wasn't until I started the degree I am doing now, I am studying music at Newcastle, and I see how this has helped me to improve as a singer and performer and I have been given opportunities to work with others and make a difference through music," he said.

Radical Son has been involved in Community Action for many years to support those from more disadvantaged areas of our Community. He is heavily involved in the Gamarada Indigenous Men's Self Healing Program, the Please Help Our Homeless Campaign and the Community Ice Forum.

Radical Son's lyrics are about his search for culture, family and peace. He sings about taking responsibility, being proud of who you are and helping each other.

"I think it's important to help others by letting them know they are not alone and that I've done the things that they have done," he said.

Radical Son owned the stage at this year's WOMADelaide. Backed by a funky and passionate band, his voice carried his soulful tunes and thoughtful words that easily captured the attention of the audience. In between songs he shared parts of his story and would then bust into a cool reggae number to make sure the crowd was dancing and having fun.



Before the Festival Leha said he was excited about coming to Adelaide, he was sure that the gig was going to be significant.

"I'm looking forward to coming over to Adelaide. It's going to be huge for us. I am so grateful to be playing WOMADelaide and I am sure this be our biggest yet.

His latest album Cause 'n Affect was released through Wontok Musik. Wontok Musik is a not-for-profit Music Label representing indigenous and world music groups of this unique region.



From top: Radical Son; Backing Vocalist at WOMADelaide 2016.



Radio program **Aboriginal Message...**

...is recorded weekly at Radio Adelaide.

If you have an interesting story or event that you would like to share on radio, please contact Kaliah Tsakalidis on (08) 8110 2800 or email aboriginalmessage@nativetitlesa.org

Listen online at radio.adelaide.edu.au

Songs, birds, teapots and identity

A theatre production which featured at this year's Spirit Festival questions the role that tradition, family and culture plays in Aboriginal people's identity.

The play "Song – The Story of A Girl, a Bird and a Teapot" is written and performed by Waiata Telfer, a Narrunga-Kurna Aboriginal woman who also has British and Burmese ancestry. Ms Telfer was originally from Adelaide, but now lives in Brisbane.

The production revolves around central character of a young girl as she makes a journey to find a sense of herself, her belonging and in her identity as an Aboriginal person with mixed heritage.

She faces many challenges along the way.

"There are the challenges of breaking away from culture, and culture that has been impacted by colonisation. So she's looking at culture and the things that have created fractures and dysfunctions within communities, and why she struggles with being in community, and she also makes a choice to be there or not," Ms Telfer explains.

A large part of that struggle is the relationship the central character has with the other characters in the production, her mother, grandmother and aunty. The show also includes a spirit woman who is an ancestor and the spirit of a bird.

"Well, she respects them but she's also got a lot of turmoil about the characters

and what they impose upon her on who she's supposed to be as a person in her family and community. So she's torn between who she's told to be and who she wants to be," says Ms Telfer.

The story is based on Waiata Telfer's own story, but is not an autobiography.

"I kind of used experiences in my life, and we created a character. To lift it out of my experience and make it a story that could be everybody's experience. And we've had people to come and see the show who are non-Aboriginal and have said that it's a universal story about family, about community, about people going to new countries and having to start over again," Ms Telfer says.

Ms Telfer admits to having some anxiety about presenting a show that questions the role of tradition, family and culture as the backbone of an Aboriginal person's identity.

"There's a lot of anxiety around how it's going to be received by blackfella community, because it is talking about somebody who wants to leave their community. And the reasons why they want to leave the community is because of all of the, the negative aspects that they encounter within something that they supposedly see as the strength," she says.

However, Ms Telfer felt that she needed to discuss the issue.

"I have had these conversations with a lot of other Aboriginal people, but nobody's ever, that I've ever seen, but them forward. So for me, it was really I would really like to put this out there so that we can discuss this," she says.

"It's about acknowledging that within community, community can be really hard, and family can be really hard. And because of the trauma that is in our communities, the impact of colonisation, we put it in on ourselves. And sometimes that's really difficult to deal with on a day to day basis. When everybody's going through trauma within a community, then how do you survive that and break through?" Ms Telfer asked.

Waiata Telfer acknowledges that leaving family and community is not an easy choice, or necessarily the right choice.

"I'd say in a sense I could be seen as a strong person for breaking out and away from community in order to feel a sense of peace, but then at the same time it could be seen that the ones who stayed behind, they're actually the strong ones. The ones who are on the ground, who have to contend with lots of grief in the community, lots of violence in the community, things that have been passed down for generations, that we ourselves have not actually talked about in our own communities yet."

The Spirit Festival takes place in Adelaide every year during March. For details visit: thespiritfestival.com

in
review
Waiata





**SOUTH AUSTRALIAN
NATIVE TITLE SERVICES**

**Level 4
345 King William Street
ADELAIDE SA 5000**

Editor
Keith Thomas

Communications Officers
Kaliah Tsakalidis
Lucy Kingston

Advertising Enquiries
(08) 8110 2800

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If you have any stories of interest to our readers, please address any correspondence to:
editor@nativetitlesa.org

Aboriginal Way
South Australian
Native Title Services
Level 4
345 King William Street
ADELAIDE SA 5000
Ph: 8110 2800
Fax: 8110 2811
FREECALL: 1800 010 360

The Editor has the final decision on all stories and advertising that appear in this publication.

A new name with historic meaning for Flinders Ranges National Park



The Flinders Ranges National Park has a new title which includes the Aboriginal word for the area – Ikara.

Traditional owner Mark McKenzie announced the name change in a ceremony at Wilpena Pound in early February this year, declaring the national park, Ikara-Flinders Ranges National Park.

The Adnyamathanha word, Ikara,

means “meeting place” and reflects the traditional name for Wilpena Pound – a natural amphitheatre of mountains forming one of the most prominent features of the Ranges.

Adnyamathanha Traditional Lands Association (ATLA) chairman Michael Anderson said the change recognised the important history of the country.

Mr Anderson told ABC news “the Pound initially was a meeting place for ceremony, not just for our own groups but [for] other neighbours to come and hold ceremonies.”

“It has always been a significant part of our culture; we maintain Dreamtime stories about the Pound and how it was formed.”

“We describe those Dreamtime stories to our visitors and still tell them our stories today.”

The national park covers 95,000 hectares between the South Australian townships of Hawker and Blinman and has been co-managed by the State Government and the Adnyamathanha Traditional Lands Association since 2011.

The new name for the park was suggested by ATLA at the request of the State Government in 2014 as part of its policy to dual-name national parks in the state.

New directional and interpretive signs will be installed in the park reflecting the name change, and an updated management plan is expected to be adopted soon.

Job Opportunity with SANTS

Position: Senior Legal Officer
Level: NTS L04.1–4.3
Reports to: Principal Legal Officer

The Senior Legal Officer is accountable for ensuring the provision of high level legal services and advice to assigned native title claim groups and SANTS. The Native Title Services Team exists to deliver a full range of statutory services to our clients to achieve the formal recognition and exercise of native title rights.

SANTS is now seeking an outstanding Senior Legal Officer to work within our Native Title Services Team, reporting to our Principal Legal Officer. The Senior Legal Officer is accountable for delivering native title legal services to our clients. This is a full time position based in the Adelaide CBD. Significant experience working in the area of native title and/or significant experience as a Senior Legal Officer is essential for this role. A full position description is available at <http://www.nativetitlesa.org/> or on request. **SANTS strongly encourages Aboriginal and Torres Strait Islander applicants to apply.**

Key Objectives include:

- I. Provide complex legal and high level strategic advice to native title claim groups and native title holders.
- II. Contribute to the Native Title Services team as a Senior Lawyer.
- III. Work (including some supervision of Legal Officers) with other members of the legal team to ensure an effective service provision to internal and external clients.
- IV. Provide assistance and support in working with native title claimants and holders, Prescribed Bodies Corporate (PBCs), other Aboriginal Corporations and other staff within SANTS with high level advice and representation in relation to Native Title and related matters.
- V. Support the PLO in managing SANTS’ Strategic and Operational objectives.

Contact mariaa@nativetitlesa.org or visit www.nativetitlesa.org for full details.

Want to know more about Native Title?

Contact SANTS:

**Phone (08) 8110 2800
FREECALL 1800 010 360
www.nativetitlesa.org**

**Level 4
345 King William Street
ADELAIDE SA 5000**