



Aboriginal Way

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Yalari closing the gap in education

Yalari is an organisation established in 2005 with a goal of creating a national network of educational opportunities for Indigenous children from rural and remote communities. Yalari held a fundraising dinner in Adelaide recently. Left to right: Moogie Sumner, Brandon (Pt Lincoln), Jeremy Donovan, Nara (Yaralun NT), Kaleisha (Katherine NT), Jacob (Darwin), Josie Agius. Read more on page 4.

Consent Determination welcomed by First Peoples

The First Peoples of the River Murray and Mallee Region have welcomed the Federal Court decision which recognises their native title rights and interests over 260 kilometres of land and waters in the Riverland, South Australia.

On November 18, at a specially convened court hearing at Barmera, Justice John Mansfield made a Consent Determination recognising the First Peoples of the River Murray and Mallee Region's non-exclusive native title rights and interests over parts of their traditional land in areas of the Murray River around Renmark, Berri, Barmera, Waikerie and Morgan.

The Consent Determination finalises the native title application of the First Peoples of the River Murray and Mallee Region. That application was first lodged in 1998 and it is the first successful native title claim in the southern region of South Australia.

The court has recognised rights to hunt, fish, camp, gather and use the natural resources to conduct ceremonies and meetings, undertake cultural activities such as births and deaths, and protect places of cultural and religious significance.

Along with the Consent Determination the South Australian Government and

the First Peoples of the River Murray and Mallee Region have entered into an indigenous land use agreement that sets out the terms of their ongoing relationship and the protocols for protecting sites and objects of significance, notice of development activities in the area and the benefits to be granted to the native title holders including the transfer of several freehold blocks of land.

Native Title holder, Barney Lindsey, said the decision affirms what the First Peoples of the River Murray and Mallee Region have always known.

"The consent determination recognises what we already know, that we are, and always will be, the traditional owners of this land," said Mr Lindsey.

"It's been a difficult process, and we are now at a point where we can work to gain access and enjoy our rights and make decisions about our country," he said.

The new South Australian Minister for Aboriginal Affairs, Paul Caica, attended the ceremony and signed the indigenous land use agreement.

The Minister said the determination was a great outcome.

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Parry's view



Above: SANTS CEO, Mr Parry Agius.

With the passing of another year it gives us all time to reflect on what has been achieved and a chance to look towards the future.

I believe this has been a good year for Aboriginal people in this state, we've seen quite a bit of activity, particularly in the field of native title.

There have been some significant issues and developments in native title in South Australia. On a positive note it has been great to achieve another consent determination – the First Peoples of the River Murray and Mallee Region are to be commended for the work they put into achieving this agreement.

I am pleased that more native title claims are currently on the pathway to achieving a consent determination.

An issue that has come to the forefront in the consent determination process has been the question of compensation. This has caused concern for the State and native title groups alike and has resulted in some delays in the consent determination timetables.

It will be interesting to see how the first compensation claim, lodged by the De Rose Hill Ilpalka Prescribed Body Corporate, develops.

In another development there has been an increased level of native title litigation in South Australia this year.

SANTS has engaged in litigation to successfully protect native title and also to provide assistance for two native title groups to prosecute their claims.

Nevertheless it is a worrying development for SANTS as the costs of litigation can be quite significant and can have a profound effect on the ability of SANTS to continue servicing other native title groups.

At a general state level, we have a new Premier – Jay Weatherill. He brings with him a new Minister for Aboriginal Affairs and new hope for better outcomes for Aboriginal people.

On behalf of all the staff and board of SANTS I wish all Aboriginal Way readers a very happy festive season and I look forward to catching up again in 2012.

South Australian native title claims update

Adnyamathanha

Flinders Ranges
Part settled through approved determination (March 2009)
Balance of claim in mediation:
Federal Court/National Native Title Tribunal.

Adnyamathanha 3

Flinders Ranges (application in relation to s. 47A and s. 47B of the NTA)
In mediation: Federal Court

Adnyamathanha 4

East of Port Augusta extending beyond Quorn and Wilmington
Not in mediation.

Arabunna

Central SA including Lake Eyre
In mediation: Federal Court/
National Native Title Tribunal.

Barnjarla

Eyre Peninsula. Not in mediation.

De Rose Hill-Ilpalka Aboriginal Corporation Compensation Claim

Far northwest SA and adjacent to APY Lands. Not in mediation.

Dieri

Central SA east of Lake Eyre
In mediation: Federal Court.

Dieri 2

Eastern SA north of Lake Frome
In mediation: Federal Court/
National Native Title Tribunal.

Far West Coast

Far West Coast SA
In mediation: Federal Court.

First Peoples of the River Murray & Mallee Region

Riverland and Murray Mallee Region
Part settled through approved determination (November 2011).
Not in mediation.

Kurna

Fleurieu Peninsula north to Port Broughton. In mediation:
National Native Title Tribunal.

Kokatha Uwankara

Lake Torrens Region
Not in mediation.

Nauo

Eyre Peninsula
Not in mediation.

Ngadjuri Nation

Southern Flinders Ranges
In mediation: Federal Court/
National Native Title Tribunal.

Ngadjuri Nation 2

Northeast of the Fleurieu
Not in mediation.

Ngarrindjeri

River Murray, Lakes and Coorong Region. In mediation:
National Native Title Tribunal.

Nukunu

Spencer Gulf Region
Not in mediation.

Ramindjeri

Southern Fleurieu Peninsula and Kangaroo Island. In mediation:
National Native Title Tribunal.

Tjayiwara/Unmuru

Far northwest SA and adjacent to APY Lands. In mediation:
National Native Title Tribunal.

Wangkangurru/Yarluyandi

Simpson Desert Region and extending into QLD
Part settled in SA through approved determinations (September 2008, December 2011)
In mediation: Federal Court/
National Native Title Tribunal.

Wirangu 2

Eyre Peninsula and West Coast
In mediation: National Native Title Tribunal.

Yandruwandha/Yawarrawarrka

Innamincka area. Not in mediation.

Determinations including pending determinations:

First Peoples of the River Murray & Mallee Region

Riverland and Murray Mallee Region
Part settled through approved determination 18 November 2011.

Eringa

Far north SA including portion Witjira National Park
Balance of claim to be settled through approved determination 13 December 2011.

Eringa 2

Far north SA including portion Witjira National Park
Balance of claim to be settled through approved determination 13 December 2011.

Eringa 3

North of Oodnadatta
Claim to be settled through approved determination 13 December 2011.

Gawler Ranges

North of Eyre Peninsula
Claim to be settled through approved determination 19 December 2011.

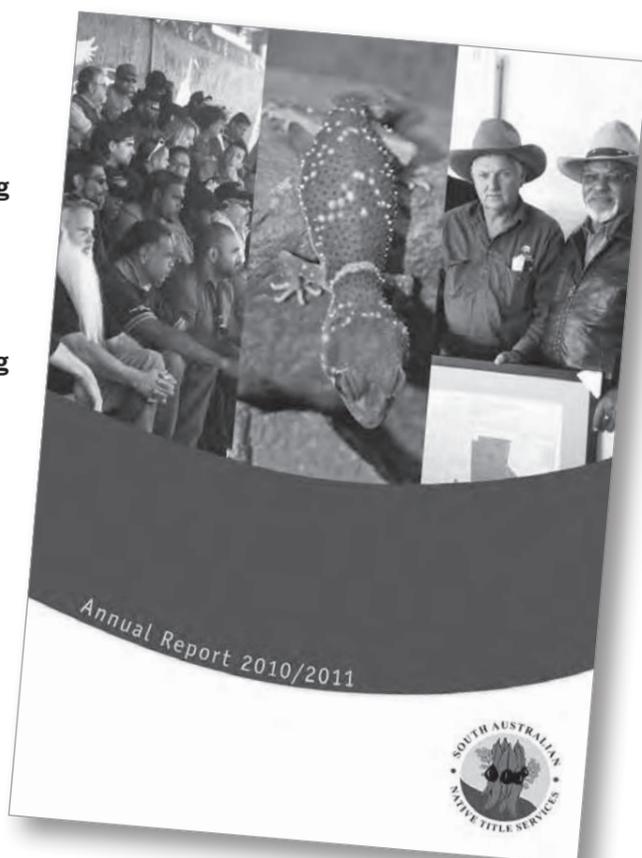
Information provided by the National Native Title Tribunal – visit www.nntt.gov.au for more about native title.

For information on claim activity (other than mediation) contact South Australian Native Title Services.

SANTS has released the Annual Report 2010/11

The report (pictured) features participants at the 3rd National Indigenous Land and Sea Management Conference, a barking gecko and the lessee of Hamilton Station and Bill Lennon following the consent determination hearing for the Antakarinja Matu-Yankunytjatjara group on the cover.

It is available from www.nativetitlesa.org or by contacting SANTS on 8110 2800 or emailing info@nativetitlesa.org



Tjayiwara Unmuru pass registration test

Tjayiwara Unmuru native title applicants successfully passed the native title registration test on 5 October 2011, after filing an application in December 2010.

The named Applicants are Peter De Rose and Tjaruwa Anderson.

The native title claim group are those claimants who, under the relevant traditional laws and customs of the Western Desert Bloc, have a spiritual connection to the Tjayiwara Unmuru

Claim Area and the Tjukurpa (dreaming) associated with that area.

The claim area includes Tieyon Station and Ayers Range South (part of Mount Cavenagh Station), in between De Rose Hill Station and the Northern Territory/South Australian border.

The registered claim means the Tjayiwara Unmuru people now have the right to negotiate with other parties, and use the land for cultural, spiritual and practical reasons while their claim is pending.

The Registration Test

The native title registration test was introduced in the 1998 amendments to the Native Title Act. Its intention is to ensure only 'credible' claims are entered on the Register of Native Title Claims.

The test is a vigorous process and if the claimant does not satisfy all of the conditions, the Registrar will not accept the claim for registration.

If the claimant does meet the requirements of the registration test the applicant is given rights to negotiate specific land activities affecting the claim area and also the right to oppose non-claimant applications.

The Registrar applies the registration test to approximately 40 new and amended claimant applications per year, and the Tribunal expects that this trend will continue for the foreseeable future.

Conditions for the Registration Test

- An application must include, among other things, the following information in order to satisfy the merit conditions for Registration.
- Identification of the area subject to the native title claim
- A sufficient description to identify the persons in the native title claim group
- A clear description of the native title rights and interests claimed
- A sufficient factual basis for the assertion that the claimed native title rights exist, including the native title claim group's continuing association with the area and continuing observation of traditional laws and customs
- A current or previous traditional physical connection by at least one member of the native title claim group with any part of the area.

Information provided by the National Native Title Tribunal.

Message from Minister Caica



Above: Minister for Aboriginal Affairs and Reconciliation, Paul Caica.

South Australia's new Premier Jay Weatherill took office in October, with a promise of change and a better future for South Australians. Among the changes is the appointment of a new Minister for Aboriginal Affairs and Reconciliation, Paul Caica. He tells Aboriginal Way of his plans for the portfolio.

I'm honoured and excited about the opportunity Premier Weatherill has given to me to extend the important work I have already been doing with South Australia's Aboriginal communities.

As Minister for Environment and Conservation and Minister for The River Murray and Water, I had enjoyed working closely with Aboriginal communities and I certainly benefitted in learning from their knowledge and understanding of their land. That knowledge has proven to be a vital ingredient in the success of many programs.

The constructive relationships that have been developed in working closely with many Aboriginal people and communities

around the State include helping to protect the Coorong, Lower Lakes and Murray Mouth region during the recent drought and the movement to a number of co-management arrangements in national and conservation parks.

I've also had the privilege of attending Native Title consent determinations and the signing of Indigenous Land Use Agreements.

As Minister for Aboriginal Affairs and Reconciliation I'm genuinely enjoying meeting with the leaders and other members of Aboriginal communities right around South Australia ... listening to them and working with them as they strive to meet the challenges they face.

I've already met with the Federal Minister for Indigenous Affairs, Hon Jenny Macklin MP and I committed to working closely with the Commonwealth. The ongoing support of the Commonwealth and its partnering with the State Government and Aboriginal communities and organisations will be a critical ingredient in achieving successful outcomes for Aboriginal People in South Australia.

As Minister for Aboriginal Affairs and Reconciliation, I become the Presiding Member of the Aboriginal Lands Parliamentary Standing Committee, a role which I'm looking forward to undertaking.

In relation to working with that Committee and indeed, more broadly with all Members of Parliament, I'm hopeful for a return to the traditional non-partisan approach in relation to Aboriginal Affairs and Reconciliation. If we do otherwise, I think all South Australians have a lot to lose.

Agreement first step to long-term engagement



Above: Left to right: Bruce Weribone (Santos), Craig Allen (YYTLOAC Chairperson) and Jon Bok (Santos).

A landmark agreement between the Yandruwandha Yawarrawarrka peoples and Santos has been signed during a ceremony held in Adelaide.

The agreement is intended to be best practice relating to the maintenance and protection of Aboriginal cultural heritage.

It sets out procedures to protect Aboriginal cultural heritage and allows Santos to continue its exploration activities in the Cooper/Eromanga Basins.

The agreement was reached after negotiations over a two year period between the Yandruwandha Yawarrawarrka Traditional Land Owners Aboriginal Corporation and Santos.

"Importantly for the YY peoples, this agreement is what they consider to be a crucial first step in long-term engagement and becoming self-sufficient, providing substantial benefits so that they may build capacity and comply with the agreement," said South Australian Native Title Services lawyer, Michael Pagsanjan.

"Both parties agreed that protecting Aboriginal cultural heritage was an integral part of Santos' exploration activities and that this agreement marked the start of a sustainable and mutually beneficial relationship" he said.

Yalari – bridging the gap in education

180 students at 31 schools across the country – Yalari is not just talking about making a difference, it is making a difference.

Yalari is a not-for-profit organisation that was founded in 2005 by Waverley Stanley.

By offering full scholarships to some of Australia's leading boarding schools, Yalari gives carefully selected children the chance to achieve their full potential and contribute to all aspects of society.

Waverley Stanley believes education is a life-changing experience for Indigenous children and the only way to 'bridge the gap' between Indigenous and non-Indigenous Australians.

He was given the same opportunity in rural Queensland by a teacher who noticed his potential and decided that he should be given the chance to achieve it.

Students are carefully selected, closely monitored and supported, not just at school but in the crucial first years after completing their secondary education.

The 2011 Yalari Adelaide Dinner was held on 29 October at St Peter's College. More than 300 people attended.

If you'd like to know more about the work of Yalari visit www.yalari.org



This page: Top: Carolyn McAdam, Bradley (Halls Creek WA) and Waverley Stanley (Yalari founder). Middle: Left to right: Josie Agius giving welcome to country. Carolyn McAdam giving her parents' speech. Shannon (Darwin NT) giving student speech. Bottom: Jeremy Donovan performing.



This page: Clockwise from top left: Tim Oughton (principal, Scotch College) Governor and Mrs Sparce, Waverley Stanley. Lou Wilson (National Volunteer's Coordinator, Yalari) Moogie Sumner, Peter (Darwin NT). Josie Agius, Joseph (Darwin NT). Howard MacPherson (Scotch) Heather Oughton (Scotch) Waverley Stanley, Reggie (Halls Creek WA) Brandon (Halls Creek WA). Howard MacPherson, Joseph (Darwin NT) Natalie Althouse. Carolyn McAdam, Bradley, Jackie Freeman (Scotch parent and Yalari volunteer).

Consent Determination welcomed by First Peoples

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"...[It] means we can work with those communities to be able to make sure the life of Aboriginal People and the First Peoples in this area not only recognises their traditional ownership but also manifests itself as them being able to use their rights with respect to traditional ownership along sections of this country and it's a good thing," said the Minister.

SANTS CEO Parry Agius said the agreement is significant to the First Peoples of the River Murray and Mallee Region and the Australian community, in general.

"The decision recognises the First Peoples as traditional owners of their lands and waters," said Mr Agius.

"It declares their spiritual and cultural connection, which has always existed.

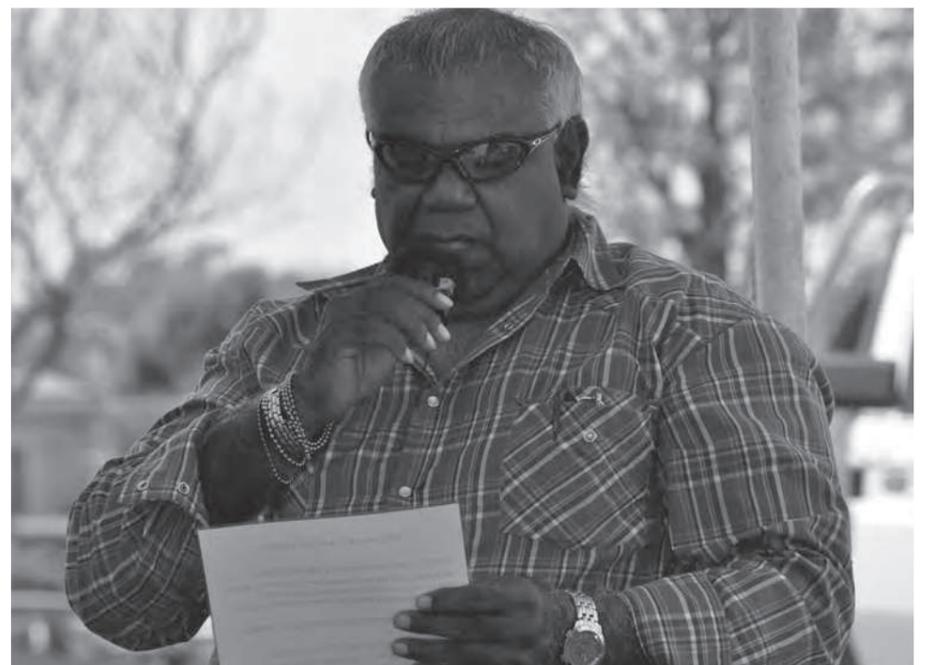
"This recognition is very important within the local Riverland community and the wider Australian community."

Mr Agius praised those who had been involved in the negotiations, saying that positive working relationships and goodwill by all parties had resulted in positive outcomes for all parties.

"The Consent Determination and agreements provide certainty for

all and sets out the relevant processes for access to land. This is the sixth determination in South Australia, demonstrating our commitment to the native title process and its associated outcomes."

The Federal Court is expected to make two further determinations by consent in the Gawler Ranges and Eringa native title applications in December.



This page: Top: Family members celebrate the Consent Determination. Middle: Left to right: Anna Nelligan (SANTS) and Edward Lindsey. Denise Varcoe and Joan Agius. Bottom: Left to right: Denise Varcoe and Justice Mansfield. Barney Lindsey.



What is a consent determination?

In a nutshell a consent determination is a decision by the Federal Court, High Court or a recognised body in relation to native title rights and interests that reflects an agreement reached by the parties under the Native Title Act 1993 (Cth). Consent determinations are an alternative to litigated determinations.

Extended Definition

Consent determinations aim to provide an efficient and resourceful means of settling native title issues. The process has been described as: encouraging relationship building between Indigenous communities and others; less intrusive on Aboriginal culture than litigated determinations; and often more expert driven (Paul Scheiner).

The *Native Title Act 1993* (Cth) sets out that a native determination can be made by an Australian Court (such as the Federal Court or High Court) or another 'recognised body'. A recognised body must be a court, office, tribunal or body of a State or Territory that the Commonwealth Attorney-General has formally recognised to make determinations in relation to areas of particular land or waters. The Attorney-General must be satisfied that the body will operate in a way that is consistent with the Act.

In making a determination of native title, the court (or recognised body) must:

- decide whether or not native title exists in respect of the determination area;
- identify the group that holds native title;
- state the nature and extent of the native title rights and interests; and
- set out other rights and interests in the determination area and the relationship between those rights and native title.

The court or recognised body is allowed to make a determination without holding a hearing, where there is agreement (consent) between the parties, or where the orders sought by the applicants are unopposed.



This page: Top: Barney Lindsey with friend. Middle: Left to right: Minister Paul Caica. International student with Chris Sumner (Deputy President, NNTT) and Michael Knowling (NNTT). Bottom: Left to right: George Tripp and Justice Mansfield. Dorothy Turner and Justice Mansfield.

Congress Joins with Health Groups to Lead on Aboriginal Health

The National Congress of Australia's First Peoples has teamed with eleven Aboriginal and Torres Strait Islander health groups to form the National Health Leadership Forum.

The group, which combines the expertise of existing organisations, and will drive the active involvement of Aboriginal and Torres Strait Islander communities in health policy at a national level.

Congress Co-Chair, Jody Broun, who leads the Forum together with Justin Mohamed, Chair of National Aboriginal Community Controlled Health Organisation, said the Forum is about partnership not just consultation.

"Congress's leadership on this issue

will enable links between all levels of government, peak health organisations and our people," Ms Broun said.

"...and we look forward to working in partnership with Minister Snowdon on developing the Aboriginal and Torres Strait Islander Health Equity Plan."

"All of the Forum member organisations are also members of Congress. In this way, the NHLF shows the value that Congress adds in Aboriginal and Torres Strait Islander leadership in Australia and the combined strength and experience of our members' views, experience and expertise.

"Congress members have said that one of their top priorities is health – especially mental health and chronic

disease. This is not surprising given both the health statistics confronting our people and the numbers of our people involved in health services.

"For example, chronic disease contributes to two thirds of the health gap between Indigenous and non-Indigenous Australians and the death rate from diabetes for our people is 7 times higher than that of other Australians.

"Clearly we will work in collaboration with and recognise the expertise of other bodies like the Indigenous Mental Health Advisory Group and NATSIHEC and draw on input from other Congress members – individuals and organisations," Ms Broun concluded.

National Health Leadership Forum Members are:

- Australian Indigenous Doctors' Association
- Australian Indigenous Psychologists' Association
- Congress of Aboriginal and Torres Strait Islander Nurses
- Indigenous Allied Health Australia Inc.
- Indigenous Dentists' Association of Australia
- The Lowitja Institute
- National Aboriginal and Torres Strait Islander Healing Foundation
- National Aboriginal and Torres Strait Islander Health Workers' Association
- National Aboriginal Community Controlled Health Organisation (NACCHO)
- National Association of Aboriginal and Torres Strait Islander Physiotherapists
- Torres Strait Regional Authority.



Above: Left to right: The Hon Warren Snowdon Minister for Indigenous Health, Congress Co-Chair, Jody Broun and NACCHO Chair Justin Mohamed at the launch of the National Health Leadership Forum and the National Aboriginal and Torres Strait Islander Health Plan at Parliament House, Canberra.

SANTS plan for the future

South Australian Native Title Services has released its Strategic Plan 2011–2014.

The plan confirms SANTS vision of producing exceptional outcomes for the Aboriginal community of South Australia and also to provide expert native title services to realise the aspirations of the community.

"In South Australia, a defining aspect of native title processes is the joint

leadership and various commitments between our clients and other stakeholders to achieve successful outcomes, preferably through negotiation," states the plan.

"Fundamental to this plan are the goals and strategies that will continue to uphold and deliver on this commitment including through the negotiation of Indigenous Land Use Agreements and consent determinations and the

facilitation of projects and partnerships to protect and maximise native title rights and interests."

The plan outlines four clear goals; they are:

1. Client Services – to deliver a full range of statutory services to our clients to achieve the formal recognition and exercise of native title rights.
2. Influence Change – to provide leadership in native title

3. Capacity Development – to enhance our client's capacity to achieve their aspirations on their terms
4. Organisation Capability – to enable SANTS to achieve excellence through all operations and working relationships.

Copies of the plan are available from the website www.nativetitlesa.org or from info@nativetitlesa.org

Caring for rock-holes in the Gawler Ranges

Throughout 2011 SANTS has continued to participate in a project to record and protect rock-holes in the Gawler Ranges claim area.

The project centres on the cultural and ecological assessment and protection of rock-holes and includes a partnership approach involving South Australian Arid Lands Natural Resources Management Board (SAAL NRM Board), the Department for Water, local pastoralists and most importantly the Gawler Ranges native title claim group.

This year, SANTS received funding from the Caring for our Country initiative of the Commonwealth Government's Department of Sustainability, Environment, Water, Population and Communities.

As with previous activities through this project, native title claimants returned to

country through field work to share their knowledge with other experts and jointly assess rock-hole condition and identify management options.

The project also included a workshop at Wilgena station to develop and implement agreed management strategies which included the establishment of thirteen monitoring sites.

The Gawler Ranges cultural and ecological database through the implementation of remote data collection systems were also developed.

SANTS' Caring for Country Project Officer, Michael Ellul, said the project was valuable for the Gawler Ranges claimants in supporting them to look after their country, culture and heritage and to have elders out on country sharing their traditional knowledge and family history.

Through two field trips, the Gawler Ranges claimants with SANTS project team and consultants assessed 23 rock-hole complexes across the pastoral leases of Nonning, Lake Everard, Hiltaba and Yarna. At each rock-hole, the cultural and ecological values were assessed to provide important baseline data.

The on-country assessments confirmed the ecological and cultural significance of the rock-holes, with many providing important natural watering points supporting a range of plants and animals. This year, the project team recorded the occurrence of a vulnerable aquatic plant, the granite mudwort (*Limosella granitica*), outside its known distribution.

As consultant ecologist Glen Scholz from the Department for Water said, "the project is adding new important ecological knowledge for the State and

Nationally by collecting information on sites where previously there has been no assessment work".

The rock-hole project and the partnership are important to the protection of Aboriginal heritage and to the exercise of native title rights and interests.

In May 2011, SANTS submitted a competitive application to the Australian Government under the Caring for our Country program to continue the rock-hole project in 2011/12.

It is hoped that the project will see a long term partnership between native title claimants, pastoralists, scientists and government established to care for rock-holes across the Gawler Ranges.

This project is supported by SANTS, through funding from the Australian Government's Caring for our Country initiative.



Top: Mel White (DFW Consultant), Michael Ellul (SANTS), Michael McBride (Pastoral Board) and Mick Starkey (SANTS) setting up a monitoring site on Wilgena Station. Bottom: Gawler Ranges native title claimant, Shane Wright, measuring rock-hole depth on Nonning Station along with other field participants.

Social Justice Commissioner welcomes Stronger Futures Bills

The Stronger Futures Bills introduced into the Federal Parliament on November 23, indicates that the government has started to listen to Aboriginal and Torres Strait Islander peoples, according to Social Justice Commissioner Mick Gooda.

"It is important that we seize this moment as a chance to move beyond the initial hurt, distress and anger caused to many people when the Intervention was imposed on them in 2007," Commissioner Gooda said.

He said it was encouraging that the Government is investing in long term solutions to overcoming the chronic disadvantage faced by Aboriginal peoples in the Northern Territory and welcomed the 10 year life span proposed for the measures.

Commissioner Gooda said he understood that the proposed Bills had consultation and review requirements built in.

He said this is a positive step towards ensuring that any measures put forward remain relevant into the future.

"I call on Parliament to work constructively in a bipartisan way to address the issues confronting our communities in the Northern Territory," Commissioner Gooda said.

He again stressed that the solutions to the challenges in the Northern Territory must be achieved by making sure that Aboriginal people are integral to these processes, particularly in implementing the new laws, policies and programs.

"For example, every child has the right to be educated. We need to make sure we provide every opportunity for this to happen. It's critical for our kids to attend school," Mr Gooda said.

"I'd also call on the Indigenous education sector to collaborate and identify the reforms necessary to ensure our kids are achieving the best educational outcomes. In particular, this needs to include an active role for parents in their kids' education.

"The implementation of any proposed measures under the Stronger Futures Bills, such as school attendance and alcohol management, must be done in a culturally safe and culturally secure way," Mr Gooda said.

Doing time – time for doing

The Australian Government has tabled its response to the House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs Report *Doing Time – Time for Doing: Indigenous Youth in the Criminal Justice System*.

Attorney-General Robert McClelland said "the report has once again highlighted the national shame that is the overrepresentation of Indigenous Australians in prisons across this country".

"It is simply unacceptable that the detention rate for Indigenous young people is 28 times higher than for non-Indigenous young people and that Indigenous young people account for 59 per cent of the total juvenile detention population.

"Governments of all persuasions – both state and federal – need to continue to focus our efforts on ensuring equitable justice outcomes for indigenous Australians," said Mr McClelland.

The Minister for Indigenous Affairs, Jenny Macklin, said the Doing Time Report demonstrates that the high levels of disadvantage experienced across Indigenous Australia are contributing to

high incarceration rates for Indigenous young people.

"While there are no simple answers, this report is another clear demonstration of the importance of our work to close the gap on Indigenous disadvantage" said Ms Macklin.

"Reducing the rates of offending and incarceration will require continued and concerted effort from all levels of government, in partnership with Indigenous communities, to make improvements in a range of areas," said Mr McClelland.

"That's why, in responding to this report, the Australian Government has accepted all 40 recommendations in whole, in part or in principle."

"The Australian Government is committed to working with State and Territory Governments and Aboriginal and Torres Strait Islander representatives and communities to further investigate a range of the Report's recommendations to reduce the over-representation of Indigenous juveniles and young people in the justice system," said Mr McClelland.

Agreement over Razorback signed

A native title mining agreement has been signed with the Ngadjuri people covering the Razorback Iron Project tenements.

The mining agreement was signed by the executives of the Ngadjuri Nation Native Title Claim Group and Royal Resources in Orrooroo.

The agreement will provide opportunities for employment and education for the Ngadjuri people, and protection of Ngadjuri culture.

Mr Quentin Agius, Chairperson of the Ngadjuri Nation Native Title Claim Group, said "Royal understood our

concerns around Aboriginal culture and heritage and addressed those issues during our negotiations.

"They came to the table with benefits, including employment and an Aboriginal scholarship that will lay the basis for a good partnership going forward," he said

Royal's Managing Director, Mr Marcus Flis, said Royal Resources looked forward to a positive relationship with the Ngadjuri people.

The agreement details are confidential to the parties.



Above: Ngadjuri Nation Applicants Vincent Branson, Quentin Agius and Josie Agius (Vincent Copley not in attendance) signing the agreement with Royal's Managing Director, Mr Marcus Flis.

Let's talk recognition with Reconciliation SA



Above: Reconciliation SA was really pleased to have Nevada Brown and Grant Paulson from the national Reconciliation Australia Office as guests at the third Schools Congress in Marion pictured here with the Wirreanda High School students as well as the State Manager of Reconciliation SA, Mark Waters.

Reconciliation SA ran its Schools Congress series this year with the theme of "Citizenship: Let's Talk Recognition".

The Congress built on the excellent resources in the 2011 Education Pack distributed to all schools in South Australia in May. Schools Congress has been run over the past four years in SA and targets conversations between Aboriginal and non-Aboriginal opinion leaders in schools between Years 8–11.

In previous years, one Congress was held centrally, but this year the program went regional and was delivered in two metropolitan regions, Playford and Marion and at Port Augusta.

185 participants from 21 different schools attended and were involved in a program focussed on kinship run by Lynette Riley from Sydney University.

The program helps students to understand the cultural links and moiety system that existed in Aboriginal

communities before the invasion of the British in 1836 in SA.

It also helps students realise the affect that the arrival of British colonists had in breaking down the cultural rules and traditional associations with families and land and water.

In the afternoon session, Citizenship and Human Rights, in particular the UN Declaration upon the Rights of Indigenous Peoples, were explored.

Jade Pass, a young Aboriginal woman from Alice Springs, is a Year 11 student at Loreto College. She participated in the 2010 Schools Congress and was a highlight as the keynote speaker at Schools Congress.

Reconciliation SA intends to follow up with each of the schools that participated in Schools Congress to check progress on reconciliation action and provide advice and encouragement where needed.

Looking for benefits from new Carbon Farming Initiative

The National Indigenous Climate Change research and project team is continuing to evaluate the benefits for Indigenous Australians under Australia's new Carbon Farming Initiative.

The CFI is a voluntary carbon crediting mechanism established by the Australian Government to provide market-based incentives for land activities that reduce greenhouse gas emissions.

A report drafted by the research team outlines some responses of Aboriginal and Torres Strait Islanders to the proposal that Indigenous co-benefits criteria and requirements be made part of the national initiative.

A co-benefit means extra benefits of a carbon project which goes beyond the 'bare minimum' carbon credit. For example, planting trees may store carbon and create carbon credits but planting the right trees in the right areas may store carbon and also bring back animals,

birds and plants that should be on country as well. The return of animals, birds and other plants could be 'co-benefits'.

As part of the initiative the Australian government plans to create a standard of co-benefits, which can be easily recognised within the carbon market and which will include a national Indigenous co-benefit standard.

While there is general support for the idea that the CFI can have positive outcomes for Indigenous Australians, there is still some uncertainty about whether a national Indigenous co-benefit standard is the best way forward.

One of the key issues facing Indigenous Australians, which is outlined in the report, is the need for the CFI legal and policy infrastructure to support the needs, interests and responsibilities of Aboriginal and Torres Strait Islander peoples. This includes respecting the objects of existing land rights and native title law.

A successful Indigenous Carbon Industry will depend on Aboriginal and Torres Strait Islander people's participation in, and rights to benefit from, emerging mitigation opportunities, financial resources, and a well informed community.

Relevant information needs to be provided to Indigenous organisations and related Indigenous communities about the potential impact of climate change on already vulnerable communities, and about the possible carbon market opportunities that have arisen.

The Chair of the NICC Indigenous Steering Committee, Rowan Foley, said the national Indigenous industry standard has the potential for positive outcomes.

"The development of national Indigenous industry standards will bring financial benefits and a higher degree of certainty in the market place. The adoption of cultural, social and biodiversity Indigenous co-benefits will add value and has the potential to build positive relationships".

The NICC project research team was commissioned by the Department of Sustainability, Environment, Water, People, and Communities (DSEWPac) to progress the development of draft 'Aboriginal and Torres Strait Islander co-benefits' criteria and requirements that could be included in the draft regulations.

A research agreement between DSEWPac, RIRDIC and the CSIRO was finalised on 14 June 2011.

For further enquiries or if you require a copy of the draft report please contact Kaliah Alice by email kaliaha@nativetitlesa.org

Information provided by: Robinson, C.J Wallington, T, Gerrard, E., Griggs, D., Walker, D and May, T. 2011. Draft Indigenous co-benefit criteria and requirements to inform the development of Australia's Carbon Farming Initiative. A report for the Australia's Rural Industry Research development Corporation and Australian Government Department of Sustainability, Environment, Water, People, and Communities, Canberra.

Aboriginal Heritage News

To recognise the importance of Heritage and Native Title being considered together, the Aboriginal Heritage Branch (AHB) of the Aboriginal Affairs and Reconciliation Division (AARD) will have a small section in this newspaper to address what we are doing about important issues.

The State Aboriginal Heritage Committee (SAHC) and the AHB are working closely with the Congress Heritage Sub-Committee and the South Australia Native Title Services (SANTS).



**Government
of South Australia**

Aboriginal Heritage Site Recording and Conservation Workshop at Copley

The Heritage Conservation Team from the Aboriginal Affairs and Reconciliation Division's Aboriginal Heritage Branch delivered a site recording and conservation workshop to 27 community members from Copley, Nepabunna and Beltana at Copley on 6–8 September 2011.

The three-day workshop included indoor and outdoor sessions. Participants

received practical experience in site recording, including the identification of archaeological sites and materials, recording sites using GPS, compass and digital cameras, then filling out site cards by recording site contents and condition.

Participants also talked about how the *Aboriginal Heritage Act 1988* works and how to write a management plan.

Participants practised site recording on archaeological sites at Cutaway Hill and historic sites at the Top Camp and Bottom Camp at Copley. Everyone from kids to elders joined in the activities and learned a lot about life in the historic camps at Copley.

Peter, Tim and Heidi from the Aboriginal Heritage Branch were grateful to the elders for their kind welcome to country

and all of the participants for their enthusiasm and hard work.

We also acknowledge the contribution of Mr Vince Coulthard, Chairperson of the Adnyamathanha Traditional Lands Association, in promoting the workshop.

A second workshop for ATLA members living around Port Augusta is planned to be held at Oraparinna on 2–3 April 2012.



Above: Participants site recording at Cutaway Hill.

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Yorke Peninsula Mass Site Registration Project – Phase One Complete

As reported previously, the Aboriginal Heritage Branch (AHB), in the Department of the Premier and Cabinet, Aboriginal Affairs and Reconciliation Division has been involved in a partnership with the Narungga Aboriginal community on a project to verify over 100 unregistered Aboriginal sites on the Yorke Peninsula.

The primary goal of this work is to move these sites through the determination processes outlined under the *Aboriginal Heritage Act 1988* (AHA), so that they can be entered on the Register of Aboriginal Sites and Objects (the Register) maintained by the AHB on behalf of the Minister for Aboriginal Affairs and Reconciliation.

Although the AHB maintains records of Aboriginal sites throughout the State, the submission of site information to the AHB does not mean that a site is automatically determined.

Instead, if site information is complete and to the current standard, it is held on the central archive until an opportunity for determination arises.

However, as the determination process takes a considerable amount of time and resources to complete, it is more cost effective to determine several sites at once rather than individually.

Even though unregistered sites are still protected under the AHA, the advantage of determined sites is that they are proven to be sites in any legal proceedings, and they are entered on the land title for the property so that landowners are aware of their presence.

In 2010, AHB staff and members of the Narungga community conducted a series of eight field trips to relocate and confirm or update information for previously reported Aboriginal sites.

The search team ranged all over the leg, from north of Wallaroo right down to the toe at Innes National Park in the far southwest corner, and everywhere in between.

The team travelled by car and on foot, using maps, global positioning system (GPS), photos and written descriptions to track down and verify as many of the sites as possible.

In all, the team was able to verify and update information held for the locations and details of 101 previously recorded or reported sites.

A number of additional sites were recorded, which were known to the Narungga community but had not yet been reported to the AHB. Narungga



Above: Members of the fieldwork crew in April 2010: Left to right: Carlo Sansbury and Eddie Newchurch.



Above: Members of the fieldwork crew in September 2010: Left to right: Lynnette Newchurch, Thomas Wanganeen and Deryce Cattermole.

community members know of many more sites but time constraints prevented them from all being recorded at the time. In all, 102 Aboriginal sites are proposed for determination, including new sites.

On 27 September 2011, AHB staff, on behalf of the Minister, conducted a consultation meeting at Point Pearce, inviting all interested Aboriginal parties to attend and present their views on the proposed determination of all of the sites.

Seventeen members of the Narungga community attended, including Point Pearce residents and from further afield,

and all of the sites were endorsed for determination.

While supportive of the verification project, however, the community took pains to point out that the determination of these sites is only a first step, and that there are still many more sites out there that need to be put on the register.

Branch staff acknowledged that the AHB is aware of this and restated their commitment to continue working with the community to get these sites recorded and determined.

Aboriginal Heritage Branch

If you have a question about heritage or want to be on our mailing list you can contact us via the people listed below.

Manager

Anne Stimson
anne.stimson@sa.gov.au
Ph: (08) 8226 8902 or
0401 124 391

Heritage Conservation

Heidi Crow
heidi.crow@sa.gov.au
Ph: (08) 8226 8917

Community and Industrial Relations

Ribnga Green
ribnga.green@sa.gov.au
Ph: (08) 8226 7052

Heritage Information Management

Justin Wearne
justin.wearne@sa.gov.au
Ph: (08) 8226 8860

Register Searches

heritagesites.aard@dpc.sa.gov.au

State Aboriginal Heritage Committee

Laura Najjar
laura.najjar@sa.gov.au
Ph: (08) 8226 6200

Fax number

(08) 2260390

Location

State Administration Building
Level 13
200 Victoria Square/
Tarndanyangga
ADELAIDE SA 5000

Postal address

GPO Box 2343
ADELAIDE, SA 5001

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paper tracker

The Anangu Lands Paper Tracker is an online project of Uniting Care Wesley, Adelaide.

The website tracks government commitments to Anangu (Pitjantjatjara and Yankunytjatjara people). It publishes accurate, up-to-date information on projects and services that are important to Anangu.

The Paper Tracker aims to make it easier for Anangu to work with governments as equal partners. It helps Anangu make sure governments are following through on commitments.

Aboriginal Way will assist Paper Tracker by highlighting some of the issues it is following.

If you want more information on any of these items log on to www.papertracker.com.au

Amata and Mimili: tracking government expenditure

In late 2008, the Australian, State and Territory Governments agreed to focus their efforts and resources on improving conditions in 29 remote Indigenous communities. Two of these communities, Amata and Mimili are located on the APY Lands

On 30 September 2011, Australia's Coordinator-General for Remote Indigenous Services, Mr Brian Gleeson called for an "agreed statement" of government expenditure in the communities to be publicly released by the end of 2011.

The statement of expenditure is expected to reveal how much funding individual State and Federal government departments are spending in each of the 29 communities.

On 1 November 2011, Mr Gleeson explained that the statement will provide

a "scorecard" of government expenditure in Amata and Mimili that can be aligned with the commitments contained in key planning documents.

APY Lands: three key reports

Between November 2011 and January 2012, the South Australian Government is scheduled to release three key reports focused on the Anangu Pitjantjatjara Yankunytjatjara (APY) Lands.

The first report, documenting the Government's ongoing response to the recommendations of the Mullighan Inquiry into child sexual abuse, was tabled in Parliament on 24 November 2011.

The second report, a comprehensive summary of government activities on the APY Lands, is due to be released by the end of November 2011.

The third report, an evaluation of the impact of an APY Food Security Strategic Plan, is expected to be completed in January 2012.

More information about these reports can be found on the website www.papertracker.com.au

Pukatja, Amata and Mimili: family wellbeing centres

In mid 2008, the South Australian Government received \$5 million from the Australian Government to build a court and administration centre at Umuwa on the APY Lands. The facility was never built.

In September 2011, the State and Federal Governments announced that this funding would be redirected to establish Family Wellbeing Centres in three Anangu communities and that each Centre would provide families with a "single, coordinated access point for critical support services."

Both the State and Federal Governments expect the Centres to be completed within "a tight and strongly managed implementation timetable."

On 10 November 2011, the State Government advised Parliament that the Centres would be built in Amata and Pukatja (by July 2012) and in Mimili (by December 2012).

Anangu housing: status reports

In recent years, Housing SA has played a much greater role in the construction and management of housing in remote Anangu communities.

As part of a 10-year national agreement, Housing SA expects to build or upgrade more than 400 houses by 2018. Most of this work will occur in remote Anangu communities.

In December 2010, Housing SA agreed to provide the *Paper Tracker* with regular progress reports on this work. As of 3 November 2011, the *Paper Tracker* had received five such reports, all of which can be downloaded on the website www.papertracker.com.au

Unanswered question

Sometimes governments are very slow to answer our questions. More than a year ago, we asked the State Government for some data on the number of South Australian public employees working in remote Anangu communities.

Despite numerous follow-up requests, this information has not been provided.

In 2004, the State Government announced plans to increase the number of Aboriginal people working in the South Australian public service "to 2% within 5 years."

This target was not met. In September 2011, the Government extended the timeframe for achieving its "Aboriginal employees" target until 2014.

Creating more community-based employment opportunities for Anangu could help the State Government reach this target.

In October 2010, the *Paper Tracker* asked the Government for an update on public sector employment in remote Anangu communities.

As of 18 November 2011, this information had not been provided.

Looking ahead

Over summer, the *Paper Tracker* team will continue to post new information on the website and through its radio programs.

We'll also be sketching out plans for another year of tracking. As always, we'd welcome your thoughts and suggestions on the direction of our work and how it can be improved.

If you have any ideas contact:

Jonathan Nicholls

Uniting Care Wesley Adelaide

10 Pitt Street

Adelaide SA 5000

Ph: (08) 8202 5867

Email: info@papertracker.com.au



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Strong Cultures Inspires Strong Futures

Commissioner for Aboriginal Engagement, Khatija Thomas, says this year's State Aboriginal Women's Gathering, which was held in late November, was one of the best attended gatherings to date.

The gathering, which is held annually over two and a half days, provides an opportunity for Aboriginal and Torres Strait Islander women from across the

state to come together in a culturally supportive environment to discuss issues which affect their lives.

"It is a great way for Aboriginal women to connect and discuss common issues," said Ms Thomas.

"This year's theme was Strong Cultures, Inspires Strong Futures and the recommendations that have come out of the gathering so far have included

strengthening and revitalising Aboriginal culture to inspire our community, nurturing and supporting our youth and acknowledging the important role our Elders play in mentoring our youth."

The Office for Women coordinated the 2011 gathering, along with the help from a Working Group of Women who were elected by their fellow participants at the 2010 gathering.

The gathering included a welcome dinner, hosted by the Hon Gail Gago MLC, Minister for the Status of Women, guest speakers, and numerous workshops.

Ms Thomas will provide the final recommendations to the Minister for Aboriginal Affairs and Reconciliation, the Hon Paul Caica MP.

National basketball spotlight on Gawler



The 6th annual National Indigenous Basketball Championships were held in South Australia in September.

More than 45 teams competed in the competition held over five days at Gawler's Starplex Stadium at Trinity College.

President and Tournament director, Nikita Ridgeway said the event was a big success.

"Having the National Basketball Championship consistently every year portrays to the Aboriginal and Torres Strait Islander Community that there are avenues available to compete at National levels and that the opportunity is there to help basketball players within the community to excel in the field of basketball," she said.

Teams from Western Australia dominated the event, taking out the A Grade Men (Yandayerra Buccs), A Grade Women (Blue Jays), Under 18 Boys (WA), Under 18 Girls (Clontarf Girls Academy), Under 16 Boys (Wizards).

Two teams from South Australia were successful – Under 16 Girls (Port Augusta



Boomerangs) and Under 14 Boys (Bookyana Sea Eagles).

Next year's championships are going to be held in Hobart in September.



Photos courtesy of South Australian Aboriginal Sports Training Academy and Janette Milera from Dreaming Connection.

Our column in review features reviews and stories on Aboriginal writers, artists and musicians. We welcome your feedback and suggestions. So if you know of a new work about to be published or an artist or musician please contact us on (08) 8110 2800.

IWANTJA – palya

A new CD has been released from the desert country of the Anangu Pitjantjatjara Yankunytjatjara lands of Central Australia.

IWANTJA have taken their name from the Indigenous language name for their community, Indulkana. These five young wati (men) are living their dream, bringing their music and story to the world.

"This is the story of barefoot footy, aboriginal rock and desert reggae unseen by the hordes of tourists en route to Uluru. A story made from countless hours spent driving the complex networks of sand tracks between SA, WA and the NT; on unending dirt roads in Toyota Troop Carriers packed with dusty guitars, bush mechanic amps and whatever equipment the band can muster," says the write-up on their CD.

IWANTJA describe themselves as having a blend of raw desert guitar rock with vocal harmonies from the Top End.

"They have seen their lands colonised, families torn apart and generations stolen but regardless they say, "PALYA" offering and invitation to walk with them, in their world, and not just listen to their story but to become a part of it.

IWANTJA provides a view to the oldest living culture in the world through the eyes of young men, just discovering the ways that we have taken for granted since our grandparents' time," says their producer and manager Mark Smerdon.

'Palya' is available to download on i-tunes and is also available from CAAMA Music stores in Alice Springs or by email info@iwantja.com



in
review



**SOUTH AUSTRALIAN
NATIVE TITLE SERVICES**

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

Editor
Parry Agius

Journalist
Lesley Johns

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.

Hospitality training for job seekers in Ceduna and Far West Coast

Up to 40 Indigenous job seekers in Ceduna and the Far West Coast of South Australia will be given pre-employment training and supported into employment in the hospitality industry as a result of the Australian Government's Indigenous Employment Program.

Minister for Indigenous Employment and Economic Development Mark Arbib said the HETA Hospitality and Retail Training and Employment Project would provide industry specific skills and job placement for participants.

"The participants will undergo a pre-employment program and all who successfully complete it will be given jobs with local companies," Senator Arbib said.

"This project, along with other similar projects, is bringing new opportunities to Indigenous people in remote areas of South Australia and across the country.

"The participants will receive accredited training, individual case management and mentoring support."

Senator Arbib said the Federal Government was providing \$424,000 for the project from the Indigenous Employment Program.

"This project is making a huge difference to the lives of Indigenous people in these communities, giving them the opportunity to earn economic independence for themselves and their families," Senator Arbib said.

"This is not just training for training's sake. This program provides ongoing job opportunities in the hospitality industry locally and provides participants with skills that can be used in the industry around Australia."

Senator Arbib said it was critical that Indigenous Australians had the support and training they needed to take up employment opportunities.

"Over the next four years the Australian Government has committed almost \$650 million to the Indigenous Employment Program," Senator Arbib said.

"This is part of the Australian Government's target to create more than 100,000 jobs for Indigenous Australians by 2018."

Indigenous Business Advisory Policy Group formed to advise government

The newly formed Indigenous Business Advisory Policy Group will provide a direct, independent voice to Government on the provision of Indigenous business support and the policies needed to support growth in the sector.

Minister for Indigenous Employment and Economic Development Mark Arbib recently joined Indigenous business leaders in Sydney to discuss how to support and grow the Indigenous business sector.

Senator Arbib said the Indigenous businesses were a fast-developing and important sector of the Australian economy.

"Indigenous businesses are vital to driving Indigenous economic development. Not only do they help to build individual and community wealth, but they are strong employers of Indigenous Australians as well," Senator Arbib said.

"Successful Indigenous businesses also provide role models and leadership to aspiring Indigenous entrepreneurs.

"The job of this group will be to look at ways to drive their success including dealing with government and private sector, provide information to the Indigenous sector and maximise the benefits of recent changes to the government procurement process."

The Advisory Group includes experts from Indigenous business and research. Parry Agius is a member of the group, in his capacity as Chairperson, Aboriginal Enterprises in Mining, Exploration and Energy Ltd.

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ISSUE 47



**Merry Christmas & Happy New Year
from the Board and Staff of
South Australian Native Title Services**