

# Simpson desert last of land claim hearings in the Centre

The era of winning Aboriginal land back under the Land Rights Act is coming to a close in Central Australia.

The hearing of a land claim that's expected to be the last in the Central Land Council region is nearing completion.

The Simpson Desert Land Claim Stage IV is over about 18,000 square kilometres of land, some of which was previously subject to claim during the Simpson Desert Land Claim Stage II.

The opening evidence was heard before Aboriginal Land Commissioner Howard Olney in the claim area just south of Atula Station on the northern edge of the Simpson Desert in late June.

Traditional owners from the area presented Commissioner Olney with evidence of their links to the land under the latest claim during the sittings from June the 30th to July the 3rd.

The area is so isolated that some evidence was heard after a helicopter flight deep into the Simpson Desert.

Other evidence was heard in Alice Springs later that week.

The Central Land Council is represent-



Claimants at the Simpson Desert land claim

ing the Eastern Arrernte claimants in the case, many of whom are presently living at Santa Teresa, and as far afield as Urandangie in Queensland.

The claim is part of another that was first lodged in 1980. Over the years there have been four earlier land claim hearings to other parts of the original land claim.

As a result of amendments to the Land Rights Act no further land claims will proceed in the Central Australian region.

CLC director David Ross said the land rights era has been a lengthy and exhausting process

for all involved.

"Time after time people have had to come forward to repeat their stories, share private aspects of their culture to prove ownership of their land," Mr Ross said.

"But they've done more than that, they've shown their determination to keep their culture alive and their resilience in the face of all that has happened since European settlement.

Commissioner Olney's expected to make a recommendation to the federal Indigenous Affairs Minister Jenny Macklin later this year.

# Traditional owners continue struggle against Xstrata

Traditional owners in the Borroloola region have filed an appeal against the recent Federal Court decision which allowed mining company Xstrata to divert the McArthur River and expand its mining operation.

Ten traditional owners from the Borroloola region travelled to Sydney for the hearing on August 18 and 19.

This follows a stand-off between Traditional Owners from Borroloola and mine security, Borroloola police and the Northern Territory's Tactical Response Group (TRG) at the entrance of the McArthur River Mine, one of the world's richest zinc deposits.

Traditional owners were denied access to the 'Stinking Turtle' sacred site, inside the mine

boundary, and prevented from performing a ceremony.

Under the Northern Territory Aboriginal Sacred Sites Act (NT), Aboriginal people are provided with a statutory right to access sacred sites in accordance with Aboriginal tradition.

Northern Land Council chairman Wali Wunungmurra said traditional owners are deeply upset about the diversion of the river, and its effect on their sacred sites, culture and environment.

"The grounds of the appeal include that the former Commonwealth Environment Minister, Ian Campbell, claimed he had considered Xstrata's mining management plan when approving the diversion, when in fact it was never in his possession," Mr Wunungmurra said.

"The grounds also include



Jacob Larsen and Harry Larsen (centre) with NLC members after the Federal Court decision

that there was no public comment regarding additional material provided by Xstrata as required by Commonwealth legislation."

The Full Court of the Federal Court ruled that the appeal be 'expedited' because of the urgency of the matter.

Traditional owners are anxious that the decision be handed down

before the wet season because McArthur River Mine has already diverted the river, and there are serious concerns about whether the mine can revert the river to its original course after the rains begin.

If traditional owners win the appeal, the matter will be sent back to the Environment Minister Peter Garrett to reconsider.