

MEDIA RELEASE

Pilbara Aboriginal Group Questions WA Minister's Decision

The West Pilbara based Wong-Goo-Tt-Oo group has spoken out against Minister Michelle Roberts' decision to ignore their interests in land and promote those of a neighbouring group which is being advised by former WA Premier and current lobbyist Peter Dowding.

In December 2007, Apache Energy Limited made an application to Minister Roberts to use land on the western side of Devil Creek on Karratha Station to construct a natural gas processing plant. The Apache Energy proposal was supported by the two relevant native title groups whose applications cover the project area. Some four months after lodgement, the Minister declined to give her consent, but rescinded that decision within two days. Finally, after a further two months had passed, the Minister gave conditional consent. The conditions which she has attached to her consent have made the Wong-Goo-Tt-Oo group see red.

"Both our group and the Yaburara group, whose members are related to us, have fully registered native title applications over the land in question", said group elder Wilfred Hicks, "and we fully support the project, which will supply additional natural gas to WA". "But", he continued, "the Minister has said that Apache must now consult the Ngarluma group, which has never claimed this land before, and, by so doing, she has ignored our rights under the *Native Title Act*. Along with that, we need to question where the Minister is getting her advice, as it is a matter of public knowledge that the Ngarluma group is being advised by former Premier Peter Dowding, who is now a Parliamentary lobbyist. Mr Dowding's family are members of the Ngarluma group".

The Minister has also drawn fire from anthropological quarters. Anthropologist Rory O'Connor, who has carried out research in the region for some thirty years, accused her of ignoring a century of research findings there. "Cambridge Professor Radcliffe-Brown carried out research in the West Pilbara in the years immediately preceding the First World War", he said, "and he showed that the interests in land of the Ngarluma people did not extend to the west of the Maitland River, which is twenty to thirty kilometers from the Apache Energy site. A century of anthropology since then has by and large agreed with those findings. But the Minister is ignoring this fact".

But the Minister is also ignoring the findings of the Federal Court according to Mr O'Connor. On 3 July 2003, Nicholson J handed down his decision on the native title application of the Ngarluma people, following hearings which ran from September 1999 to February 2003. Nicholson J found that the rights and interests of the Ngarluma claimants extended only to the Maitland River. "Not only is the Minister ignoring established anthropological fact", Mr O'Connor said, "but she is also ignoring the judgement of the second highest judicial body in the land. One must question from where her advice is being sourced".

Wilfred Hicks said that the matter was discussed by members at the group's AGM, which was held in Point Samson Hall on 28 June 2008. They are now considering what legal options are open to them to enforce their rights under the native title legislation and ensure that the project proceeds without any further delays for the benefit of the population of WA. "We will not let this matter rest", he said; "our support for this project is total and we will ensure that it proceeds; as the public, Aboriginal and non-Aboriginal needs the security of a further gas supply".

For further information and comment contact Wilfred Hicks on 0417923705 or Rory O'Connor on 93871415.