2001
Question 8 — Aboriginality and the Land (30 marks)

(a) Using Sources E (i) and (ii) and your own knowledge, explain the national importance of the recognition of native title to the Aboriginal land rights movement.

(b) Analyse Aboriginal and non-Aboriginal responses to Native Title legislation. Use your local Aboriginal Community Case Study in your answer.
**2002**

**Question 8 — Aboriginality and the Land (30 marks)**

**Land plan raises vital funds**

In her criticism of the Darkinjung Land Council’s development proposal for North Entrance, Alana Lambert (Letters, 12 February) has captured the general ignorance about Aboriginal land rights in NSW.

She tells us that the land at North Entrance was claimed in a successful Native Title bid and that ‘the great emotional and spiritual bond [to this land] seems to have vanished’. This is wrong.

The land was claimed under the NSW Aboriginal Land Rights Act (ALRA), not Native Title. Under the ALRA, land is given to Aboriginal people as compensation for land that was stolen, just as any other victim of crime would be compensated — not because it is ‘sacred’. As this site was a former rubbish tip and sand mine, any significant sites have long since been destroyed. Under the Native Title legislation, however, land claimed must be of cultural significance.

She goes on to say this land is environmentally sensitive. However, it was in a very degraded state when it was granted to the Land Council. Under the ALRA, the claimant becomes the owner of the land. They have the same rights and same restrictions as any other private landholder.

We face daily calls to become self-sufficient. This is what we want. If the development at North Entrance goes ahead, not only will vital funds be raised to assist Aboriginal people in this endeavour, but the whole community will benefit through tourism.

_VERONICA GRAF,_
Secretary, NSW Aboriginal Land Council, Parramatta

*Daily Telegraph*, page 33, 14 February 2002

(a) With reference to the Darkinjung Land Council’s development proposal, explain the different ways in which land can be important to Aboriginal peoples.  

(b) Analyse the impact of government legislation relating to land and water rights and native title. Use your Local Aboriginal Community Case Study in your answer.
Question 8 — Aboriginality and the Land (30 marks)

(a) Using Source C and your own knowledge, discuss the effectiveness of government policy in overcoming racism and discrimination relating to Aboriginal land and water claims.

Source C

![Image of comic strip](image)

B. Halls

(b) Analyse the impact of Aboriginal land and water claims on major industries such as tourism, agriculture and mining. Use your Local Aboriginal Case Study in your answer.
2004

**Question 8 — Aboriginality and the Land (30 marks)**

(a) Using Source C and your own knowledge, discuss the perspectives of TWO interest groups affected by land and water rights and how these perspectives are portrayed by the media.

Source C

An eviction notice was given to loggers and State Forest staff in Mission State Forest near Moree in western NSW last week.

Traditional Aboriginal owners and conservationists say they have taken the action to stop logging because of the high cultural and environmental values of Mission State Forest.

Traditional owners and Moree Aboriginal Land Council have called on the State Government to protect ‘Mission’ and six other State forests in the Terry Hic Hic area by declaring them a new Aboriginal-owned national park.

Mission State Forest is adjacent to Aboriginal-owned land and is rich in cultural heritage. Senior traditional owner Lou Swan said: ‘This area is very special to all those people whose ancestors come from Terry Hic Hic. Our people are buried here and we have to look after it. The Government should stop the logging and work with us to make a new Aboriginal national park that will be a wonderful place for all people.’

*The Koory Mail, 11 February 2004*

(b) Analyse the importance of the return of land in Aboriginal peoples’ struggle for autonomy. In your answer you must refer to your Local Aboriginal Community Case Study.
2005

Question 8 — Aboriginality and the Land (30 marks)

(a) Using Source C and your own knowledge, discuss challenges in achieving native title.

Source C

Cape York land rights win

Celebratory dances in the remote Cape York community of Aurukun heralded Federal Court recognition of native title rights in the Wik people’s traditional country.

Justice Richard Cooper had earlier handed down two determinations* recognising native title rights of the Wik and Wik Way peoples on more than 1.2 million hectares of land across the central western Cape.

The determinations stem from the High Court’s landmark Wik decision in 1996, which found native title could co-exist with pastoral leases.

They follow years of negotiations between traditional owners, pastoralists, commercial fishing interests and State and Federal governments.

Justice Cooper said, ‘Through goodwill, the parties have achieved a mutually acceptable agreement which accommodates their particular interests.’

The native title determinations are the first in Queensland to be made over pastoral leases.

Claimant Gladys Tybingoompa said many of the original claimants had passed away since the claim process began.

Adapted from the Koori Mail, 20 October 2004

* determinations – decisions

(b) Analyse the importance of land and/or water rights to Aboriginal peoples’ social and cultural lives. In your answer you must refer to your Local Aboriginal Community Case Study.

2006

Question 8 — Aboriginality and the Land (30 marks)
Question 8 — Aboriginality and the Land (30 marks)

(a) Using Source C and your own knowledge, examine the effectiveness of the Native Title Act.

Source C

200th ILUA signed

The increased take-up of Indigenous Land Use Agreements (ILUAs) around Australia reflects a trend for negotiating native title issues rather than taking the disputes to court, according to National Native Title Tribunal president Graeme Neate.

Mr Neate said the 200th ILUA was a mining and exploration agreement in the Northern Territory between Newmont Australia Limited and the Central Land Council.

‘Among the benefits, the Gurindji people have secured training and employment opportunities, protection of their sacred sites and rehabilitation of exploration and mine sites’, Mr Neate said.

“This ILUA is an example of how native title agreements can deliver real social, economic and environmental benefits in one voluntary and legally binding agreement.’

ILUAs were established as a direct result of the 1998 amendments to the Native Title Act. They can be negotiated where native title has been determined or where it still needs to be addressed.

‘Importantly, ILUAs have given mining companies, pastoralists, State and local governments the ability to proceed with projects while ensuring the rights and interests of local Indigenous people are recognised and respected’, Mr Neate said.

Koori Mail, Wednesday, 5 October 2005

(b) Analyse the ways Aboriginal peoples, government and business are responding to native title, land and/or water rights.

In your answer, you MUST refer to your Local Aboriginal Community Case Study.
2007

Question 8 — Aboriginality and the Land (30 marks)

Source C

Awaiting copyright

Source D

Awaiting copyright

(a) Using Sources C and D and your own knowledge, examine the implications of changes to the Native Title Act.

(b) Discuss the impact of legislation on Indigenous land rights and native title. Use your Local Aboriginal Community Case Study in your answer.
Question 8 — Aboriginality and the Land (20 marks)

(a) Using Source D and your own knowledge, describe contemporary issues relating to Aboriginal land and water rights.

(b) Discuss the impact on one major industry of native title and/or land and/or water rights. Refer to your local Aboriginal community case study in your answer.
(a) Using Source E and your own knowledge, examine how major community events contribute to contemporary Aboriginal social and/or cultural life.

(b) Evaluate the impact of Aboriginal cultural expression on contemporary Australian society. Refer to your local Aboriginal community case study in your answer.
2009

Question 8 — Aboriginality and the Land (30 marks)

Source D

Aboriginal Land Council poster,
New South Wales, 2008
© NSW Aboriginal Land Council

Source E

Awaiting copyright

(a) Using Sources D and E and your own knowledge, outline the key achievements of the Aboriginal land rights movement in New South Wales. 10

(b) Assess the impact of government policies and legislation on Indigenous land and/or water rights. Refer to your local Aboriginal community case study in your answer. 20
2010

Question 8 — Aboriginality and the Land (30 marks)
Source C: Extract from an article on Kowanyama traditional owners regaining land.

Awaiting copyright

Adapted from *The Koori Mail*
4 November 2009

Source D: Information from New South Wales Aboriginal Land Council website

© Aboriginal Land Council, reproduced with permission
www.alc.org.au
(a) Using Sources C and D and your own knowledge, explain how government decisions on land and water rights and native title affect traditional owners.

(b) To what extent does ownership of land and water by Aboriginal people contribute to their achievement of equality in society? Refer to your Local Aboriginal Case Study in your answer.
2011

Question 8 — Aboriginality and the Land (30 marks)

Source D

Even with native title we can’t realise the full potential of our land.

We need to create partnerships for the economic future of Aboriginal peoples.

Mining creates jobs for Indigenous people – it doesn’t exploit them!

Our country is the key to our culture, be pre

All development must be sustainable or stopped.

Legislation must be followed in all land and water rights issues!

Land and water can both be protected and used for sustainable tourist development.

Tourism Development Plans

Cultural Fishing Rights

Government Decisions

Native Title and Land Rights

(a) Using Source D and your own knowledge, examine a variety of responses to government decisions about Aboriginal land and water rights.  

(b) Analyse how various responses to Aboriginal land and water rights impact upon the social, political and cultural lives of Aboriginal people. Refer to your Local Aboriginal Case Study in your answer.