the *Land Rights and the Future of Australian Race Relations* conference out of which the *Mabo* case evolved, the first day's schedule features a commemorative program focused on the recognition and development of native title, a national treaty and reconciliation, with speakers Justice French, David Bennett, Noel Pearson, Noel Loos, Mick Dodson, Jenny Pryor, Jackie Huggins and Fred Chaney. Graeme Neate will be presenting the *Justice Toohey Chambers Paper* on reflections on land rights law. The second day examines developments in native title, including running and settling trials, framework agreements, compensation and consent determinations. A panel will address issues arising out of recent High Court and Federal Court cases. Parry Agius, Jocelyn Davies, and Richard Howitt will be speaking about the South Australian state wide agreement. Pip Hetherton and Margaret Donaldson will report on State and Territory compliance with future act processes, and corporate responsibility in native title agreements. Krysti Guest and Julie Melbourne will present 'Are Native Title Applicants 'Exceptional Litigants?' Sir Anthony Mason will be the after dinner speaker. The third day is a joint session with the National Environmental Law Association on Indigenous heritage and the environment, heritage and planning, sea rights and land management. Papers include Gary Meyers 'Native Title Rights in Natural Resources: A Comparative Perspective' and Lee Godden 'Legal Categories Are Only One Way of Imagining the Real'. A registration form follows at the end of the Newsletter. Both the registration form and conference brochure can be found on the Native Title Research Unit page of the AIATSIS website <www.aiatsis.gov.au> or contact <ntru@aiatsis.gov.au>.

Call for Issues Papers

The NTRU is looking forward to reinvigorating the Issues Papers series this year. We are actively seeking Issues Papers from our readers. They are usually 3,500 to 4,500 words long on a topic of interest to Rep Bodies, consultants or claimants. If you have a suggestion for a topic or, better yet, have a paper you would like us to consider for publication please contact the Unit.

NATIVE TITLE IN THE NEWS – MAY & JUNE 2001

National

It has been nine years since the Meriam People were awarded native title over Mer Island in the *Mabo* decision. Now they have won a second victory following Federal Court Chief Justice Michael Black's consent determination which declared that the two neighboring islands excluded from the original *Mabo* decision were theirs. Clan owner of Dauar and Waier Islands, Father Dave Passi, said of the judgement, 'It's a completion of our land and heritage and now we will go on to the sea which will complete our whole.' The islands had been excluded from the original claim due to, in part, a pre-war lease for a sardine factory. (*Age 15 June 2001*)

Attorney-General Daryl Williams and Parliamentary Secretary to the Minister for Defence Dr Brendan Nelson announced the Department of Defence has lodged two Indigenous Land Use Agreements for registration with the NNTT. This will allow the Department to use land associated with an RAAF base as part of the Townsville Redevelopment Project. (*Joint New Release 4 June 2001*)

The Native Title Committee's ILUA Inquiry

The Parliamentary Joint Committee on Native Title is required to complete a major inquiry pursuant to s.206(d) of the NTA. As a first step, the Committee has decided to consider the ILUA regime and report to Parliament within the next few months.

In its submission to the Committee's inquiry into the Native Title Amendment Bill 1997, the Commonwealth noted widespread support for the enhanced agreements process proposed in the Bill. The Special Minister of State had already confirmed that these provisions were developed in close consultation with Indigenous interests. Together with the 'Brandy amendments', reforms to the Representative Body regime and (to a lesser extent) the threshold test, the proposed ILUA system was one of the more widely supported amendments to the Act.

Since the ILUA provisions are now in place (Part 2, Division 3 of the Act), the Committee is pursuing its role of extensive consultation about their operation within the NTA. The Committee is listening to a range of views about the desirability of ILUAs, the extent of their acceptance, the ease with which they may be negotiated, experience so far in the ILUA registration process and the perceived need for any further reform of this aspect of the Act.

Since 1999 the Committee has received more than two dozen written ILUA submissions from a wide range of interests. It has heard evidence in the Torres Strait, Western Australia, South Australia and Queensland as well as in Canberra. The Committee's next interstate trip will encompass Western Australia and the Northern Territory at the least. Another visit to Queensland is possible. Importantly, the level of interest from affected parties will ensure that a comprehensive and relevant report will be available for the Parliament's consideration in the near future. As Graeme Neate, President of the National Native Title Tribunal, has said, 'ILUAs made under the new Act demonstrate the scope for agreements to be negotiated in relation to a range of land uses.'

Senator Jeannie Ferris
Committee Chair
June 2001

Indigenous Land Use Agreements Inquiry

The ongoing inquiry concerning Indigenous Land Use Agreements by the Parliamentary Joint Committee on Native Title and the Land Fund has resulted in some interesting observations concerning what many, though not all, argued to be a positive outcome from the 1998 Amendment process.

In the original Act Section 21, as it then was, simply stated that native title holders could enter an agreement with the state or Commonwealth to surrender their title or to authorise a future act. Subsection (4) was merely a negative reference to the fact that this section did not prevent agreement being made on a regional or local basis.

The Amendments sought to address the perceived need to remove government parties from some negotiations and provide a strict framework within which these agreements can be developed with some level of certainty for the non-Indigenous parties.

There are a few issues that have emerged from the evidence to the Committee, including how the ILUA provisions interact with other amendments to provide some unexpected problems.

Working outside the ILUA regime.

Many of the submissions commented on the proliferation of agreements outside the ILUA regime, or 'goodwill agreements'. The intended flexibility and timeliness of the ILUA processes has not necessarily been borne out, with the requisite notice period and difficulty of getting an ILUA registered under the strict and complex statutory requirements becoming a deterrent for some.

Has the government really been removed from the process?

Despite the evidence of companies and Indigenous groups working outside the ILUA process, many agreements are forced within the ILUA regime for various reasons. Rio Tinto noted that the native title regime fails to give native title holders the power to give rights to third parties without surrendering title to the Crown, in other words, extinguishing their title. This necessitates the involvement of the state government.

Statewide framework agreements and protocols

In recent times, the focus in many states has turned to negotiation protocols and framework agreements. These negotiations are an important acknowledgment of the special place of Indigenous peoples in the native title process and need for state governments to deal directly with Indigenous peoples on an equal footing. They are able to establish relationships in a way that, for example, mediation may not, where native title holders are one of dozens (if not hundreds) of 'interest holders'.

Governmental functions and the Treaty process

The ILUA provisions are directed primarily toward local commercial agreements. Statewide framework agreements recognise the need for engagement at a governmental level but are primarily contained within the native title and land management context. It has been recognised that to provide a mechanism for future act agreements does not remove the need for negotiations between Indigenous peoples and government over outstanding issues, including historical loss, government service delivery, autonomy options and the like. ATSIC, in their submission to the Committee, raised the issue of a treaty process in this context.

Extinguishment agreements

While acknowledging that there are many agreements that operate on the non-extinguishment principle and include ongoing relationships with the community, it is probably also true that these are agreements for low scale intrusion, such as exploration, or tourism agreements. The implications of extinguishment agreements over larger proposals should not be understated.

An agreement to extinguish native title rather than suspend rights or institute co-existence agreements creates difficult issues in terms of quantifying compensation for permanent extinguishment of all that makes up native title and is a difficult proposition for current native title holders in terms of inter-generational responsibility. This is in contrast to the perceived 'negotiability' of native title by non-Indigenous parties. Both of these issues are crucial in characterising the inherent difficulty in negotiating ILUAs for large scale development.

It may take some creative and committed negotiations to overcome the fear of uncertainty created by not extinguishing native title, but it would perhaps be liberating for Indigenous and commercial parties.

Indigenous parties: Bargaining power and resourcing

The issue of resourcing these negotiations and the under-funding of Representative Bodies is raised by both sides of the bargaining table in submissions to the inquiry. The strain on resources for native title claims, let alone ILUA negotiations, has been part of the reason that the burden for funding these negotiations has been laid at the feet of the prospective developer. But funding is not the only resource constraint. Indigenous parties are stretched in terms of their capacity by the rigours of the native title process, producing evidence for applications, participating in mediation meetings, sustaining intra-indigenous cooperation and for those that are involved in litigation the additional strain and time of that process.

Reacting to demands

The lack of resources and the relative unequal bargaining power of Indigenous parties has placed them in a highly reactive environment. Native title holders and claimants are not in a position to pro-actively pursue agreements in

government policy of engagement with traditional owners, has had a similar effect. Both the Australian Local Government Association and the Cape York Land Council note the reluctance of local government to consider native title interests at all levels of decision-making, but particularly in planning. Such consideration would again foster a more pro-active situation for native title holders and claimants.

Authorisation/certification and implications of re-registration

There are now emerging implications of the re-registration process, which forced many claims to be removed and amalgamated to reduce overlap and dispute. While many agreed that the overlaps needed to be resolved, the amalgamation of claims may have created an unforseen difficulty in the implementation of the certification/authorisation processes under the ILUA regime. These processes of themselves are onerous and resource intensive. In addition, however, amalgamation in some cases resulted in a large number of named applicants and native title claimants. This again creates an intense resource drain on the Indigenous communities and their representative bodies, who must inform each of the communities about an agreement which may only affect a small part of the claim area and hold together alliances which may be relatively new and fragile. It is a great responsibility on native title representative bodies to ensure that these connections are fostered and strengthened by processes such as ILUA negotiations rather than fractured under the pressure.

The Committee's website is at
http://www.aph.gov.au/senate/committee/ntlf_ctte/index.htm

Lisa Strelein
VRF Native Title Research Unit

New South Wales

Public notices have been issued inviting land owners and other interested parties to register for talks after a native title application by the Donald Thomas Bell on behalf of the Ngunnawal People which can affect the area of Queanbeyan. Tony Shelly of the NNTT said that the Ngunnawal People had sought to have their traditional rights recognized over the Southern Tablelands. The claim has prompted the Yarrowlumla Shire Council, among others, to take an active role in the land rights procedures. The claim does not affect areas in the ACT. If people want to be involved in the mediation talks, they have until 1 August to register. (*Queanbeyan Age 27 April and 21 May 2001*)

The claim over a large portion of Eurobodalla Shire has now entered the mediation stage. There were two claims both dating back five years. The Broulee claim,

largely related to fishing rights, was the smaller of the two claims and has been withdrawn. The Walbunja People's claim, the major one which covers 51,000 sq km including some distance out to sea, is thought to be the largest of 13 native title sea claims in NSW. (*Bay Post 18 April 2001*)

A native title claim by the Djiringanji People living south of the Walbunja People has prompted the Eurobodalla Shire Council to apply to the Federal Court to become a party to the claim so it can participate in mediation and court hearings regarding the claim if accepted. The claim which was lodged with the NNTT in 1997 covers areas from Narooma, Merimbula and Nimmitabel. (*Bay Post 6 June 2001*)

Aboriginal elder from the Wiradjuri Council of Elders in the south-western NSW, Russell Dunn, has said that native title laws are tearing Indigenous communities apart and costing tax payers money for nothing. Speaking before the Joint Parliamentary Committee on Land Use Agreements, he said he hoped the committee would hear his comments and recognise that the whole community must work together. Regarding the disputes, he said, ' I don't like the idea of drawing a line on a map...There might be a disputed area...both elders groups negotiate on that bit of land and you talk together then.' (*CT 2 June 01*)

Victoria

A native title meeting was planned for Mildura by local Aboriginal activist Mark Dengate acting on behalf of the Barkindji People. This meeting would allow for questions to be asked by any member of the public on a range of issues they are dealing with. Mr Dengate is representing five family groups who are part of the original native title claim for this area. (*Mildura Independent Star 22 April 2001*)

ATSIC visited Geelong for its second round of community consultation on Victoria's proposed native title framework agreement. An historic protocol was signed on native title last year by ATSIC, Mirimbiak Nations Aboriginal Corporation and the Victorian Government. This meeting was intended to give Indigenous people an opportunity to express their views on native title and other land matters. (*Sunaraysia Daily Mildura 14 May 2001*)

The NNTT has appointed Dr Gaye Sculthorpe as mediator in the Gunditjmara People's claim over Crown Land in western Victoria. She was to visit Hamilton for talks with seven shire councils who are just a few of 300 hundred individuals and groups who have registered an interest in the claim (*Hamilton Spectator 24 May 2001*)

An information seminar was be conducted by the NNTT to explain the role of native title in the Dunolly area. Deledio Reserve Committee of Management member Bob Henderson extended an invitation to members of the public to attend the seminar. He said that native title is an important issue especially with the Department of Natural Resources and Environment selling of small parcels of land

in the region. NNTT Case Manager Jo Newby discussed the complex issue of Indigenous Land Use Agreements, the NTA and the claim on behalf of the Dja Dja Wurrung People over crown land in the area. (*Maryborough Advertiser 5 and 12 June 2001*)

South Australia

Native title claims and fishing rights have come under discussion in areas of Eyre Peninsula. Local fishers are invited to sessions to raise awareness of how local fisheries' rights can exist alongside those of traditional owners. Peter Hutchison of the NNTT said the sessions were important in preparing the way for mediation to take place over four applications in the region. (Whyalla News 19 April 2001)

The Kaurna Aboriginal People are on track to have their native title claim registered this year. About 100 people attended a meeting conducted by ALRM Native Title Unit Manager Parry Agius to show that the claim meets the criteria to move towards certification. Once it is certified it will then go to the NNTT to be registered. (*City Messenger 9 May 2001*)

The Adelaide City Council is planning to give Victoria Square a Kaurna name such as Namaji or Tarndanyangga under plans to recognize it as a place of cultural importance for Aboriginal People. Council Chief Executive Susan Law said that Victoria Square has been recognized as a place where the Kaurna People 'must walk to maintain their cultural strength'. (*Australian Financial Review 25 May 2001*)

In the first claim in SA to be heard in Federal Court, the De Rose Hill Station between Marla and the Northern Territory border has become subject to a claim from the Yankunytjatjara People. They jepordized their claim after moving from the area 24 years ago, the Federal Court heard. Representing the group, Ross Howie maintained that, despite being allowed little access to the land since 1977, they still had physical and spiritual connections there. (*Adelaide Advertiser 5 June 2001*)

The Elliston District Council is drafting guidelines to ensure local development proceeds in a manner that does not impinge upon native title rights. The Council is in the process of creating guidelines it will follow to ensure native title rights of the Wirangu, Navu Barngarla and Barngala People are maintained. (*Port Lincoln Times 7 June 2001*)

The state government says mineral explorers must comply with native title and heritage laws. Premier John Olsen spoke after having been approached at a SA Chamber of Mines and Energy luncheon by an explorer who complained about tight budgets and the native title heritage laws which require site trips for eight traditional owners plus two anthropologist as part of the exploration approval process. (*Ad 22 June 2001*)

The Narungaa People, who will surrender their native title rights to allow the development of Vincent Landing, have had an objection lodged with the NNTT

concerning Indigenous Land Use Agreements covering the area. It is hoped this will be resolved at the next hearing. (*Yorke Peninsula Country Times 29 May 2001*)

Queensland

A native title application in QLD has taken a step closer to mediation, with public notices issued inviting affected landowners to register for talks. Joanna Boileau, a Senior Manager with the NNTT, said that the native title claim group has asked for their rights to be recognized over specific land in the Chinchilla/Dalby area north west of Toowoomba. (*Western Sun Cunnamula 25 April 2001*)

A claim on the Gold Coast in behalf of the Kombumberri People has stalled major expansion plans at Griffith University and may delay construction of the convention center. Mayor Gary Baildon has asked for the Beattie Government to use its power of compulsory acquisition to frustrate the claim. Mr Beattie responded, saying, 'We always expected there would be native title issues and we are not stressed about them at the moment...We prefer to negotiate and discuss matters.' The issues are complicated by changes in local Aboriginal interest holders. (*Gold Coast Bulletin 2 May 2001*)

The mining exploration industry continues to describe the native title process in QLD as difficult and complicated. Despite the state government promise to have the issued resolved by the end of the year, the mining industry believes the strategy to formulate Indigenous land Use Agreements in order to free up to 1200 exploration permits submitted under the pre 1998 amended native title regime, is flawed because it will be impossible to get a workable framework to cover all of the state. (*Courier Mail 15 May 2001*)

As many as 150 of the Birri People gathered in Townsville for a celebration after a substantial and confidential pay out from QLD gold mine company Pajingo/Normandy Mining Co operating in the region located about 75km south of Charters Towers. The Birri People met to organize a trust fund for the money and future compensation pay outs. (*Townsville Bulletin 15 May 2001*)

Mediation talks are set to start over a large area north west and south west of Mackay from Glenden towards Charters Towers. Affected land owners have been invited to register with the Federal Court if they want to be involved in the mediations talks. Joanna Boileau of the NNTT said the Birri People have asked for their traditional rights to be recognized. (*Morning Bulletin 31 May 2001*)

More than 20 Coral Coast fishers have responded in three separate claims to the Wide Bay area by the Gurang, the Gooreng Gooreng and the Taribelang People according to Sharon Kimmins of the QLD Seafood Industry Association. She also said that although the native title claims had been around for some time, 'We have not really faced this issue on water.' (*News Main Bunderberg 16 May 2001*)

In a consent determination the Kaurareg People have had their native title recognised to the 7 inner Torres Strait islands of Ngurapai (Horn Island); Muralag

(Prince of Wales Island); Zuna (Entrance Island); Tarilag (Packe Island); Yeta (Port Lihou Island); Damaralag (Dumuralug Islet); and Mipa (Pipa Islet also known as Turtle Island). The determination by Justice Doug Drummond are the result of five years negotiation between the QLD Government, the Cape York Land Council, the NNTT, the Kaurareg People and the Torres Strait Council. (*Advertiser Adelaide 24 May 2001*)

NNTT regional manager Joanna Boileau confirmed that the Undumbi People will claim an area of sea and land on the Sunshine Coast. She hopes to hold a mediation meeting aimed at reaching an agreement that respects everyone's rights and interests. An Aboriginal elder in the region has now cast doubt on the claim. Dr Eve Fesl, a Gubbi Gubbi elder, said that the claimants lodging the application, the Undumbi People, did not exist, that Undumbi was simply the name of one of her great uncles and that the people lodging the claim did not even traditionally belong to the coast. (*Sunshine Coast Daily 31 May and 2 June 2001*)

The local Bindal People have asked for their traditional rights to be recognized over a large number of lands within the Burdekin, Bowen, Thuringowa, Townsville, and Dalrymple local government areas. A further two more claims are in the pipeline involving some or all of the same areas. Mediation meetings are being held regarding the applications at which it is hoped that agreements will be reached which will respect everyone's rights and interests. (*Advocate 1 June 2001*)

A backlog of native title applications is set to be cleared after a meeting between the Association of Mining and Exploration Companies (AMEC) and Deputy Premier Eric Ripper. The Association told the state government that it did not object to native title and that AMEC would help streamline the approval process in a way which does not affect the rights of any party. (*Gold Gazette 1 June 2001*)

The Bar-Barrum claim over 350 sq km has been recognised in the Federal Court in what is thought to be Australia's largest native title claim. This is the result of years of talks between the Bar-Barrum People, the Queensland government, the Herberton and Mareeba Shire Councils, Ergon Energy and Telstra. (*Herald Sun 29 June 2001*)

Western Australia

Equinox Resources has given notice of their intention to explore for minerals on the Adnyamathanha claim northwest of Olary. (*Port Augusta Transcontinental 18 April 2001*)

Members of the Mullena Wajdjari community are calling for a complete overhaul of the Yamatji Land and Sea Council. They claim the NTRB has failed to meet its statuary responsibilities. Ken Papertalk who represents the claimants have asked for council, directors and staff to resign because they are neglecting some claims and pursuing others which had overlapping claims. The Yamatji Land and Sea Council wants to unite overlapping claims with a single application. Five groups with

the overlapping claims will be asked to join the new Wilunji claim. (*Geraldton Guardian 24 April and 13 June 2001*)

The Wanjina Wunggur Willinggin claim over 67,000 sp km in the northern Kimberley is the nation's biggest ever native title claim. Robert Blowes, representing the claimants, said the area is the size of Tasmania, took in nine Aboriginal remote communities and was being claimed on behalf of about 2000 claimants. The Wanjina Wunggur Willinggin Peoples' claim is one of two native title claims in the Kimberley set to open for trials. The Bardi Jawi People are seeking native title over their country in the northern part of Dampier Peninsula and surrounding sea and land. The Wanjina Wunggurr Willingin People's claim is set to be heard in Perth after the Kimberley Land Council unsuccessfully requested to have the trial heard in the Kimberley. (*WA 8 May 2001* and *Broome Advertiser 9 May 2001*)

Landowners and mining exploration companies have been invited to register interest in a native title application for a 607 sq km tract of the western desert. WA NNTT Manager Andrew Jaggers said that the Ngankali People have asked for their rights to be recognized over the area. (*KM 17 May 2001*)

A settlement of two native title agreements has been marked with a celebration in Kalgoorlie. The deal with the central west and east claimants clears the way for Heron Resources to develop its 40 million Goongarrie Nickel deposit 100 km north west of Kalgoorlie. Heron has promised to protect heritage sites within part of the claim. (*WA 21 May 2001*)

BHP is expected to pay central Pilbara Aboriginal groups Innawonga Bunjima Niapaili, Martu Idja Banyjima and Nyiyaparli more than 3 million dollars a year over 20 years in Australia's biggest ever negotiated deal. BHP is said to be eager to commence iron ore operations at Marra Mamba before Rio Tinto's West Angelas operation is fully functioning. (*WA 7 June 2001*)

After a native title legal action was scrapped as a result of the state government brokered deal between the company and the Goldfield Land Council, Anaconda Nickel will be granted 16 mining tenements needed at its Murrin Murrin operation. This deal has been hailed as a step forward in relations between mining companies and Aboriginal groups in the Goldfields. (*KM 1 June 2001*)

Three native title claims in the Kimberley have come a step closer to mediation. Public notices were issued inviting land owners and other interested holders to register for talks. Andrew Jaggers of WA NNTT said the claim groups sought recognition for their traditional rights over areas in the northwest Kimberley and the Fitzroy crossing area. (*Kimberley Echo 7 June 2001*)

Cable Sands has reached native title agreements after 12 months negotiation between themselves and the Gwaala Karla Booja claimants giving the company access to areas in the state forest at Gwindinup for mining. (*Denmark Bulletin 7 June 2001*)

The Federal Court ruled that an area of land know as Kunin near Dampier Creek was central to the belief system of the Yawuru People and highly significant to their culture. In only the fourth successful native title determination in WA, Justice Merkel held that the Yawuru People are the rightful owners of Kunin an area of 121 hectares near Fishermen's Bend. Justice Merkel decided that, in the absence of written records, the oral history of the Rubibi community provides both proof of continuing attachment to land and of its ceremonial use. Further, changes in the sacred ceremonies were consistent with cultural change rather than indicative of lapsed usages. Justice Merkel stated that he would like to resolve a dispute regarding dwellings owned by the Leregon clan of the Yawuru and invited submissions on that matter. (*Koorie Mail 13 June 2001* and *[2001] FCA607*)

ACT

An agreement signed between the Government and local Aboriginal People over Namadgi National Park has angered one group who felt excluded from the negotiations despite a link with the land at Namadgi. Speaking for the group, Roslyn Sal-Brown Phillips says that they fear it could extinguish their native title rights. (*CT 1 May 2001*)

ACT Namadgi National Park Agreement

On 30 April 2000, the Australian Capital Territory government signed an agreement with people from two native title claim groups. The agreement provides for the offer of a 'Namadgi Special Aboriginal Lease' for the 105,900 hectare Namadgi National Park on the withdrawal of native title claims to the ACT. The government has committed $618,000 over four years to support the new arrangements for Namadgi. Additional native title claim groups who are not initial signatories to this agreement have the option of becoming parties at a later date.

The agreement has been made under s.86F of the NTA, whereby some or all of the parties to a Federal Court proceeding relating to a native title application may negotiate an agreement to withdraw or vary the application. Such an agreement may involve matters other than native title (s.86F(1)). Under this legislation and as part of the agreement, the Aboriginal signatories to the agreement withdrew their native title claims over the ACT. The relevant native title determination applications are AG 6001 of 1998 and AG 6002 of 1998. Other applicants to the native title claims, who are not signatories to the agreement, have not withdrawn their claims.

Under the agreement, the ACT government is to offer to grant a Namadgi Special Aboriginal Lease over the park. The lease is to include the following 'rights and privileges' for the Aboriginal signatories:

(iii) to participate in the management of Namadgi in accordance with the specified arrangements;

(iv) to be acknowledged as people with an historical association with the area:

(i) to be consulted on specific regional Aboriginal cultural issues; and,

(ii) to be consulted on the development of amendments to legislation that will affect Namadgi.

The specified arrangements referred to in clause (i) include the establishment of an interim Namadgi Advisory Board which will be consulted on the draft plan of management for the park, and in relation to any decision about consenting to particular types of activities in Namadgi under section 56 of the *Nature Conservation Act 1980* (ACT). The interim board is to precede a statutory board of management, comprised of six Aboriginal members and six non-Aboriginal members, who have responsibility for preparing and overseeing the implementation of a plan of management.

The term of the lease is set at 99 years with an option of renewal at the end of that term. The Aboriginal parties are to be incorporated as a statutory corporation for the purposes of holding the lease. The agreement will be automatically terminated in respect of an Aboriginal signatory in the event that a new native title determination application over any part of the ACT is lodged with the Federal Court by or on behalf of any member of that native title claim group.

The 'Agreement between the Australian Capital Territory and A.C.T. Native Title Claim Groups' can be found in full at <http://www.act.gov.au/government/department/cmd/comliaison/>.

Jessica Weir
NTRU Research Assistant

APPLICATIONS

The National Native Title Tribunal posts summaries of registration test decisions on their website at: http://www.nntt.gov.au. The following decisions are listed for May 2001.

Taungurung Peoples	not accepted
The Wahlabul People #2 (amended 04/05/2001)	not accepted
Mamu People	accepted
Koolpinyah South	accepted
Ban Ban Springs	accepted
Fish River	accepted
Humbert-VRD	accepted