

Under the agreement, the Northern Land Council has also agreed to withdraw a land rights claim over the horticultural land. The claim was lodged just prior to the June 1997 sunset clause of the *Aboriginal Land Rights (Northern Territory) Act 1976*. Parties to the Agreement were the land claimants, the native title group (comprising the Northern Land Council), the Jawoyn Association, the NT Land Corporation and the Northern Territory Government.

Negotiations over the agreement received national publicity last year when the traditional owners sought to include the provision of renal dialysis machines as part of the agreement. Since then, the Northern Territory Government has committed to providing renal dialysis facilities in Katherine and they no longer form part of the agreement. If there are no objections, the Agreement will be formally registered in July. (*NNTT Media Release, 7 Apr*)

AMENDMENTS

Queensland

The Queensland State Parliament has passed legislation to set up a land and resources tribunal that will oversee the granting of mining leases in the State. This is the third stage of the Government's native title regime. The tribunal will report to Parliament with the mining Minister having the power to overturn tribunal decisions. The tribunal will also take over the functions of the State's Mining Warden's Court. (*Aus, 11 Mar, p2*)

The Commonwealth Government has asked the Queensland Government to amend recently passed State native title legislation. The Australian Democrat's spokesperson on Indigenous affairs, Senator John Woodley, has asked Queensland Premier Peter Beattie to forward the proposed amendments to him. In a letter to the Premier, Senator Woodley stated that Federal Parliament retains a veto over State native title legislation, a veto which effectively lies with the Senate. Senator Woodley said he understands that there are around 250 amendments being proposed by the Commonwealth. He said the Democrats would not support any Commonwealth amendment that would water down Indigenous rights when the legislation comes before the Senate. (*Senator Woodley - Media Release, 22 Apr*)

Western Australia

Influential figures in the Western Australian Labor Party are working on three different and conflicting compromises on the Government's proposed native title legislation as follows:

1. Deputy Leader, Eric Ripper, is negotiating with the Premier's Office to find common ground;
2. MPs Julian Grill and Mark Nevill have presented the Opposition Leader with a package worked out with the Government's native title advisor John Clarke. The package would validate leases in line with the Government's proposed Validation Bill, compromising to exclude historical and expired leases other than pastoral leases; and
3. senior factional figures have proposed a back down on opposition to the Government's proposed State Native Title Commission. (*WA, 3 Mar, p10*)*

Opposition Leader, Dr Geoff Gallop, rejected the proposed compromises saying that the Labor Party would not back down on its principles on native title rights for apparent political gain. He also made it clear that factional powerbrokers and other heavy-weights would not be allowed to dictate to the Labor Party. (*WA, 5 March, p10*)*

Labor Leader, Dr Geoff Gallop, has suggested a compromise to the Government's proposed native title legislation, which would involve setting up a committee to adjudicate on the extinguishment of native title over leasehold land. Under the plan, the Government would accept Labor amendments to legislation to validate around 9000 possibly invalid leases and extinguish native title on a further 2500 leases. The amendments would allow for the validation of more than 9000 leases, while the contentious leases over which the Government was to extinguish native title would be considered on a case by case basis, deciding where native title had been previously extinguished. Dr Gallop proposed that the committee include an Aboriginal representative. (WA, 8 Mar, p8)*

The State Government has rejected Labor amendments to the Government's proposed legislation on native title. (WA, 10 Mar, p10)*

The State Government has accepted Labor Party amendments to their native title legislation. Premier Richard Court told Parliament that the Government would allow passage of the validation bill, despite disagreeing with Opposition amendments. Mr Court said that the Labor amendments leave 1300 leaseholders exposed to possible native title litigation. He said the Government would try to introduce new legislation to protect those leaseholders. (Aus, 21 Apr, p6)* Opposition leader, Dr Geoff Gallop, said the amended legislation was balanced, treating all property rights holders equally. The legislation will validate around 9000 leases that were issued between the enactment of the NTA in 1994 and the High Court's Wik decision in 1996. (FinR, 22 Apr, p4)*

Northern Territory

The Northern Territory has requested three section 43A determinations for future acts under Northern Territory mining, lands acquisition and petroleum legislation. This is the first State or Territory alternative to the 'right to negotiate' to be formally considered since the amendments to the Act commenced on 30 September 1998. The Commonwealth Attorney-General is required to notify, invite and consider any submissions made by the Representative Bodies concerned. Closing date for submissions is 6 April 1999. (Attorney-General Media Release, 2 Mar)

The Commonwealth Attorney-General, the Hon. Daryl Williams, has determined that the Northern Territory's alternative regimes to replace certain provisions of the NTA comply with the requirements of that Act. The Attorney-General made three determinations in respect of the Northern Territory mining, lands acquisition and petroleum legislation to apply on pastoral lease and reserve land, after considering the criteria in section 43A of the NTA and submissions provided by the Central Land Council and the Northern Land Council. (Attorney-General Media Release, 27 Apr)

GENERAL NATIVE TITLE ISSUES

International

Mr Michael Anderson, chair of the Euahlai native title claim group, addressed the German Greens Party National Conference on 7 March 1999. Mr Anderson addressed the delegates on issues relating to Indigenous rights, saying that the original NTA and the amendments to the NTA are seen by Aboriginal peoples as validating land titles for non-Indigenous people but Aboriginal peoples have never ceded any of their land and still hold sovereign title. He also told the conference that the amendments had given mining companies a 'statutory