

tainty to the parties for the future development of Tennant Creek. As with the Patta Aboriginal Corporation, applications for incorporation were also lodged with ORAC during 2006 to represent Native Title Holders in anticipation of both the Davenport Murchison and Pine Hill Native Title Determinations.

It is the Native Title Unit's position that where a successful Determination is likely to be achieved through negotiation and consent, or through litigation, the establishment of a PBC is desirable at the early stages to provide opportunity to build capacity, enliven interest within the claimant group, and maintain claimant involvement in the process.

The CLC continues to administer 'future act' notices particularly in respect of grants under the provisions of the Mining Act in accordance with s.203BB (NTA).

SUBOUTPUT 6.1

Perform the Facilitation and Assistance functions of a Representative Body under section 203BB of the Native Title Act

CLAIMANT APPLICATIONS

The CLC pursues native title determinations that will achieve recognition and protection of native title rights and deliver outcomes that are important to native title holders.

The CLC currently has a total of 23 registered native title applications and one compensation application filed with the NNTT which include:

Karlu Karlu

The application for a native title determination will be withdrawn as part of a negotiated settlement with the NT Government which includes grant of freehold title under the Aboriginal Land Rights (NT) Act, and lease of the area to Northern Territory Government for park land.

Joint management provisions have been agreed to.

Davenport Murchison

- Alyawarr, Kaytetye, Warumungu, Wakay v Northern Territory (area known as Davenport Murchison proposed National Park) full Federal Court appeal decision delivered in 29 July 2005 in favour of claimants.

- Respondent appealed decision to High Court 26 August 2005, but special leave to appeal was refused in March 2006.

Tennant Creek

- Four Applications within the Township area, all responsive to "future act" notifications were lodged in .

- Three of those Applications were consolidated into a single Application in the reporting period.

- A Native Title Holder identification was prepared and a consent Determination Report completed by consultant anthropologist and provided to the Northern Territory Government.

- An ILUA is under negotiation for compensation for Native Title rights extinguished in the final settlement.

- There is another Registered Claimant Application over the Partta Land north of Tennant Creek.

- This includes the area known as the Devils Pebbles (Kunjara) and is NT Freehold held by the Partta Land Aboriginal Corporation (not to be confused with the Patta AC Native Title PBC).

- This Application will be withdrawn as part of the ILUA covering the township in return for that area being scheduled under the ALRA as Aboriginal Freehold.

Pine Hill PPL

- consent Determination Report submitted to NT Government September 2004 and CLC and Government negotiations are continuing over compensation for prior extinguishment of Native Title rights.

- rules finalised for the proposed PBC and Application for Incorporation lodged with ORAC.

- in regard to the "Future Acts" acquisition of a portion of the Pine Hill PPL for horticulture development, the Government has indicated in principle support for the draft ILUA sent to them in August 2005.

The ILUA will allow the Government to develop three further horticulture farms on Pine Hill Station.

In return, Native Title Holders will receive the following compensation for the loss of native title of the farms:

- right to develop one of the farms
- living area excised near farms (water and roads only) on Ywel side
- construction of art workshop at Mulga Bore

Alyawarra (Sandover) incorporating Derry Downs, Murray Downs, Elkedra and Ammaroo PPL

- The Native Title Application was lodged in response to mining and horticultural future acts.

- Further anthropological and historical research required in respect of this application.

- However, it is unlikely to be progressed until there is settlement of three applications – Pine Hill, Newhaven and Ooratippra. The CLC has indicated to both