

HOUSE OF REPRESENTATIVES  
STANDING COMMITTEE ON INDUSTRY  
SCIENCE AND RESOURCES

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HOUSE OF REPRESENTATIVES

INQUIRY INTO

RESOURCES EXPLORATION IMPEDIMENTS

NORTHERN TERRITORY GOVERNMENT

SUBMISSION

AUGUST 2002



**Northern Territory Government**

# CONTENTS

## TERMS OF REFERENCE

1.	INTRODUCTION	1
2.	RESOURCE REVIEW	3
3.	GLOBALISATION AND SMALL MINERS	4
4.	ACCESS TO LAND	4
5.	ENVIRONMENTAL MATTERS	10
6.	PROVISION OF GEOSCIENTIFIC DATA	13
7.	INDIGENOUS RELATIONSHIPS	14
8.	REGIONAL DEVELOPMENTS	14
APPENDIX 1	Major Northern Territory mines	16
APPENDIX 2	Exploration licence statistics on Aboriginal freehold land	18
APPENDIX 3	Survey of experience of EL applicants on Aboriginal land	21
APPENDIX 4	Native title mining tenure statistics 30 June 2002	30
APPENDIX 5	Indigenous Mining & Enterprise Task Force Annual Report	37

# INQUIRY INTO RESOURCES EXPLORATION IMPEDIMENTS

## TERMS OF REFERENCE

On 24 May 2002 the Minister for Industry, Tourism and Resources, the Hon Ian Macfarlane MP referred the following inquiry to the committee.

That the committee inquire into and report on any impediments to increasing investment in mineral and petroleum exploration in Australia, including:

- An assessment of Australia's resource endowment and the rates at which it is being drawn down;
- The structure of the industry and role of small companies in resource exploration in Australia;
- Impediments to accessing capital, particularly by small companies;
- Access to land including Native Title and Cultural Heritage issues;
- Environmental and other approval processes, including across jurisdictions;
- Public provision of geoscientific data;
- Relationships with Indigenous communities; and
- Contributions to regional development.

## 1. INTRODUCTION

The Northern Territory is recognised by the mining industry to have highly prospective regions and to be a good place to explore for minerals. The existence in the Territory of a number of major mining operations which are major resources on a world scale and an investment orientated Government are major attractions to mining companies to explore in the Territory.

Exploration expenditure for minerals in the Territory reached a maximum of \$94 million in 1995/96. Since 1995/96, the year in which the Wik High Court decision was made, mineral exploration expenditure has fallen by 49.4%.

One of the disappointing aspects of the pattern of this expenditure is that a very large percentage is for exploration on "brown fields" localities in the vicinity of existing mines rather than exploring on new "green field" sites. From the peak year of 1995/96 when green fields exploration reached \$40 million it had fallen to about \$6 million by 2000/2001 while the brown field expenditure had remained relatively steady at \$41 million. This is an indication that constraint on the grant of exploration tenure resulting from the Wik decision directly affected industry expenditure patterns.

Exploration expenditure for petroleum in the Territory is complicated by the fact that the Territory manages offshore areas on behalf of the Commonwealth and operational costs per unit are very high.

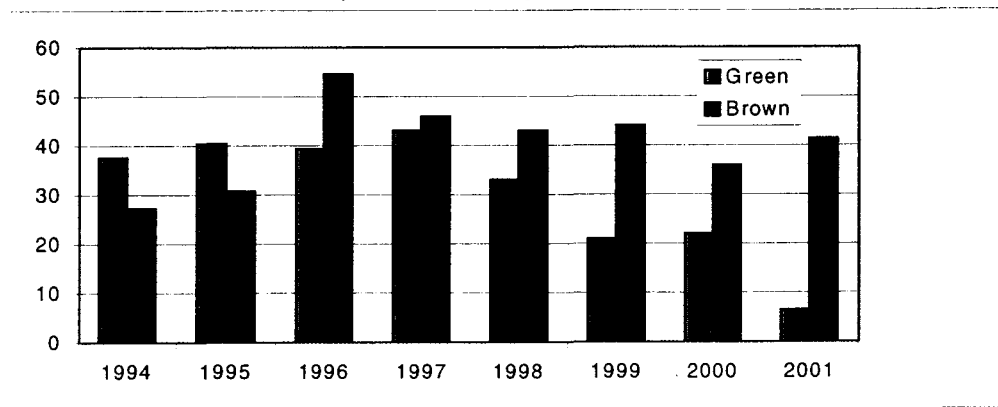
Exploration expenditure figures and exploration licence numbers are listed in Table 1 with the expenditure illustrated graphically on Figure 1.

**Table 1**

<b>Exploration Expenditure NT - \$ millions</b>				
<b>Year</b>	<b>Total number of granted EL's</b>	<b>Green field</b>	<b>Brown field</b>	<b>NT Total</b>
1994	N/A	38	27	65
1995	769	40	31	71
1996	719	39	55	94
1997	536	43	46	89
1998	351	33	43	76
1999	297	21	44	65
2000	306	22	36	58
2001	417	6	41	48

**Figure 1**

**Exploration Expenditure NT**



This submission addresses the Inquiry Terms of Reference and summarises the Territory's situation and experience in attracting mineral and petroleum exploration to the Territory.

## 2. RESOURCE REVIEW

### Australia's resource endowment and rates of draw down

There is an unfortunate perception, in some quarters that the mineral resources industry is a low technology industry based on depleting assets, leading to the image of an "old, less-than-smart" economy. This view can hit Northern Territory hard, where its world-class mineral deposits which were developed up to 30 years ago are in fact being depleted. By inference, this leads to the view that the so-called "new smart economies" are more important for the national economy than the mineral based natural resources. Nothing could be further from the truth.

This view is flawed on two grounds:

- The record of discovery in Australia in the 1990s, during the era of the State Exploration initiatives, demonstrates that money spent on generating geoscientific data can stimulate exploration and does lead to new mineral discoveries. There were at least 12 new major mineral discoveries in Australia in the 1990s, but sadly none in NT.
- The concept of resources is generally not clearly understood whereby tonnes/grade curves of gold and basemetal deposits have big tonnage "tails" at lower grades. Therefore it is possible (almost guaranteed) that with mine site exploration, increased operational efficiencies, and appropriate capital amortisation, more mining reserves (and longer lives) will flow from the same set of assets. Therefore major mineral deposits are dynamic resources and not dying assets.

In summary, provided money is spent on both green fields and brown fields (mine-site) exploration, then the future of the mining industry will be just as important and valuable as in its past. The "dying industry" perception must be dispelled. The Territory's major mineral resources are listed in Appendix 1.

### **3. GLOBALISATION AND SMALL MINERS**

#### **Structure of the industry and role of small companies**

In the Northern Territory as well as in other jurisdictions, acquisitions and mergers have created a polarised industry of major global miners at one end, cash-starved junior explorers at the other end, and very few medium sized companies in between.

This is not a well balanced structure for the exploration industry. Junior companies have an impressive record of discovery in Australia, and their “marginalisation” will be detrimental to the discovery process. A related threat is that exploration tenure becomes tied up by a small number of very large companies, which when re-prioritising their exploration programs, can effectively freeze work on exploration tenure grants or applications and conduct little active exploration. To some extent this is a Territory problem which can in theory be addressed by “encouraging” companies to roll over their exploration ground using the terms and conditions of the title and the provisions of the Territory *Mining Act*. However until the capacity for a jurisdiction to quickly grant tenure is resolved, this is not always a practical course of action.

#### **Impediments to accessing capital by small companies**

Notwithstanding some recent capital raisings at the junior end of the market, there is still a critical shortage of exploration capital available to the juniors. This is stifling exploration. The Territory would support moves by the Commonwealth to introduce financial instruments, such as tax concessions and flow-through shares, that would stimulate private investments in small publicly listed companies that focus on mineral and petroleum exploration and development.

### **4. ACCESS TO LAND**

#### **Aboriginal land, native title and cultural heritage issues**

Access to land for exploration in the Northern Territory has been a significant constraint on exploration for many years. The grant of tenure for minerals is made pursuant to the *Mining Act* and for petroleum pursuant to the *Petroleum Act*. However, depending on the underlying land status, the grant of tenure is further affected by the operation of the *Aboriginal Land Rights (Northern Territory) Act 1976 (ALRA)* or the *Native Title Act*.

There are fundamental differences between these two Acts.

The ALRA provides the capacity for Aborigines who are able to prove traditional attachment to vacant crown land (and leasehold land owned by Aborigines) to claim grant of the land as inalienable Aboriginal freehold land.

The *Native Title Act* recognises prior Aboriginal ownership of all land, provides for certain extinguishment and sets up a process for Aborigines who claim title to the land to confirm that claim.

### ***Aboriginal Land Rights (Northern Territory) Act (ALRA)***

The ALRA provided for the grant of Aboriginal reserves as Aboriginal freehold land and the ability for traditional Aboriginal owners to claim Crown land. It appointed Aboriginal Land Commissioners to hear these claims and make recommendations regarding grant to the Federal Minister. Over the 26 years since commencement of the ALRA some 43% of the area of the Territory has become Aboriginal land with a further 10% still subject to claim. The map at **Figure 2** shows the current Aboriginal land status in the Territory.

The requirement for an agreement between the relevant Land Council and the tenure applicant prior to grant of the tenure is at the centre of the procedures for grant of exploration and mining tenure on Aboriginal freehold land.

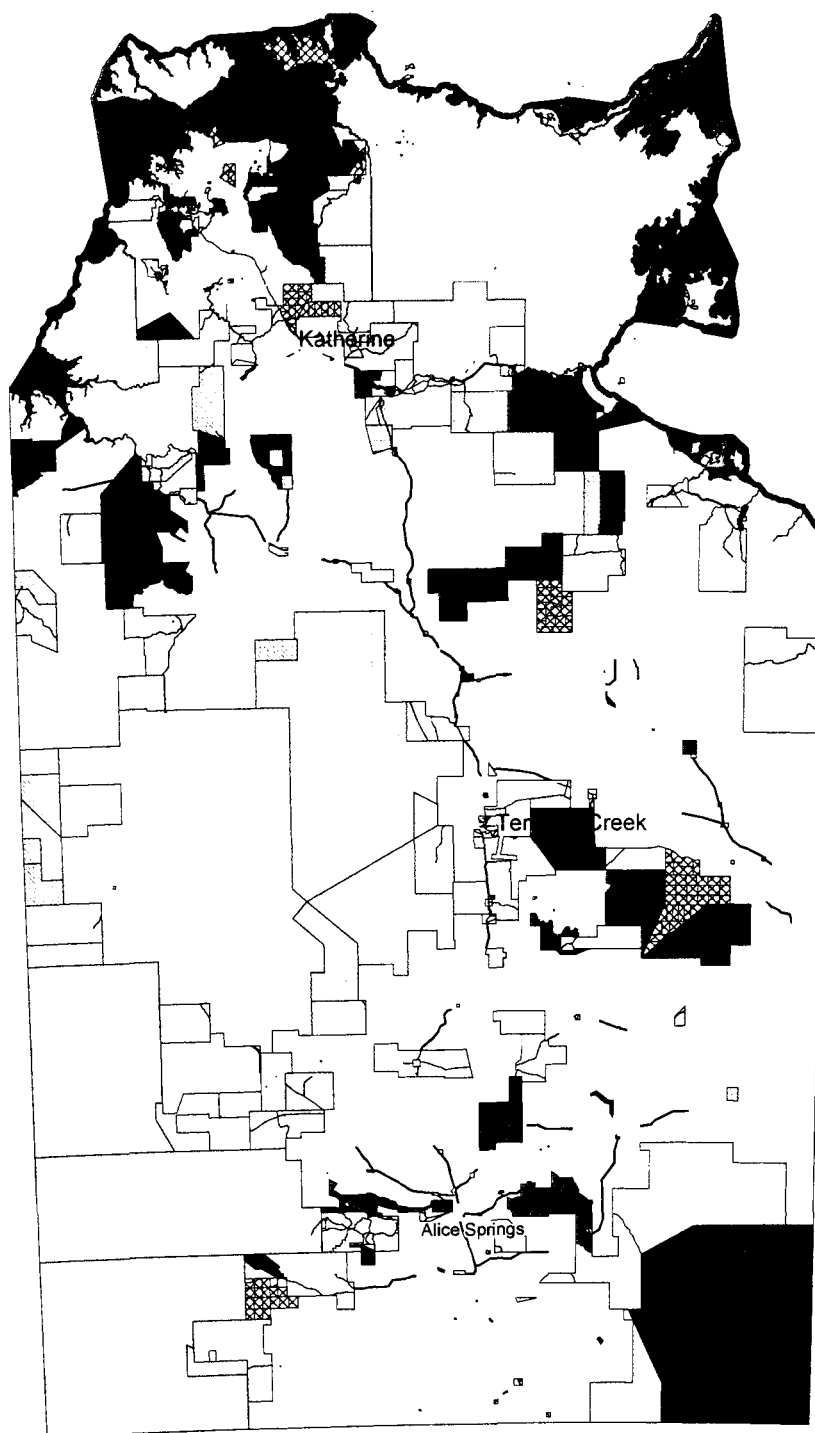
The key principle, which controls the mining aspects of the ALRA, is the presumption of Crown ownership of the mineral resources. Ownership of mineral and petroleum resources is held by the Territory on behalf of all the citizens of the Territory and the Territory Government has the responsibility of determining how and to whom the rights to explore and develop these resources are granted. This has led to a complex relationship between the Territory's Mining and Petroleum Acts and the Commonwealth's ALRA.

The grant of an exploration licence (EL) on Aboriginal freehold land follows a relatively standard pathway:

- Applicants for title submit an EL application to the Northern Territory (NT) Minister responsible for the *Mining Act*;



**LAND IN THE NT GRANTED OR SUBJECT TO CLAIM  
UNDER THE ABORIGINAL LAND RIGHTS (NT) ACT 1976. 4 September 2002.**



- |   |  |
|---|--|
| ..... Commonwealth title granted following a land claim hearing                     | ▣ NT title granted following negotiated settlement |
| ==== Commonwealth title scheduled at the commencement of the Act                    | ■ Land subject to claim                            |
| ▤ Commonwealth title scheduled following negotiated settlement                      | — Sea closure (Aboriginal Land Act)                |
| ▥ Commonwealth title scheduled following 1989 MOA (Stock Routes and Stock Reserves) |  |
| □ Land recommend for grant  | ▨ Settlement agreed, grant pending                 |

Every effort has been made to ensure the accuracy of this data. No liability is accepted for inaccuracies or omissions.  
Dept of Infrastructure, Planning & Environment. Darwin.

- The NT Minister determines if the EL should be granted and then grants the applicant a right-to-negotiate with the Land Council for the area in which the EL application is made;
- The EL applicant negotiates an agreement for grant of the EL which includes terms and conditions required by the Aboriginal landholders and the agreement is approved by the Land Council and the Federal Minister (for Aboriginal Affairs); and
- The NT Minister grants the EL.

Only the holder of an EL has the right to apply for a mining title on Aboriginal land. Prior to the grant of a mining title an agreement between the mining title applicant and the Land Council for the application area is required. The procedure for managing the grant of a mining title is the same as for an EL but due to the conjunctive system written into the ALRA the opportunity to refuse consent is not available to the Traditional Owners. This is in light of the fact that the Traditional Owners in consenting to exploration acknowledge that should exploration be successful a mine may eventuate. To freeze the process after costly exploration has been carried out is inequitable to the miner.

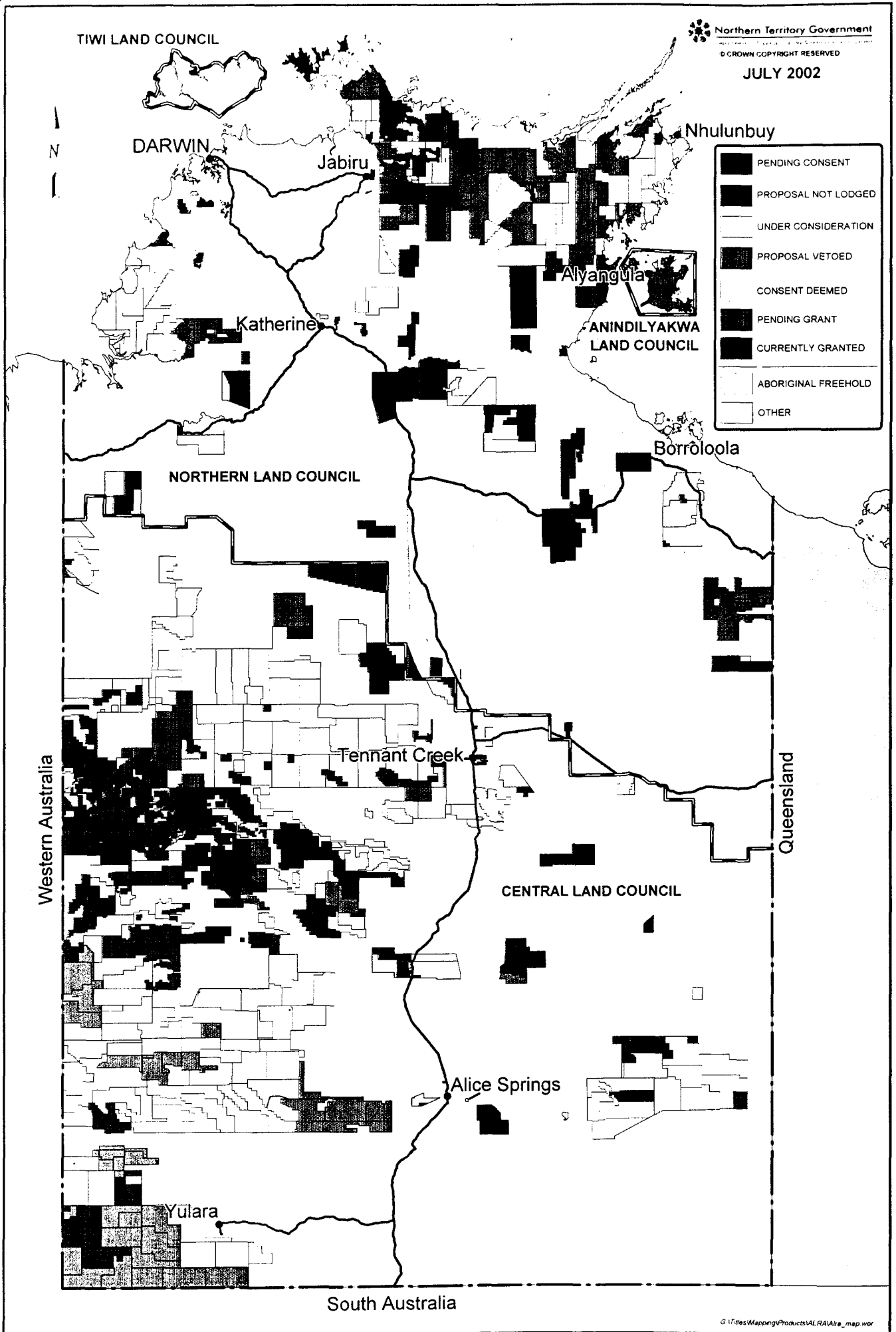
Prior to the concept of conjunctive agreements being introduced in amendments to the ALRA in 1987, the majority of resource companies refused to explore in the Territory solely due to the financial exposure of not being assured the opportunity to develop any resource found during exploration.

The ALRA sets the procedures that control the activity surrounding the negotiation of the agreement relating to the terms and conditions for exploring or mining on Aboriginal freehold land.

The distribution and status of applications and granted exploration licences for minerals on Aboriginal freehold land can be seen on the attached map at Figure 3 and for the whole of the Territory on Figure 4, and the situation for petroleum permit tenure on all Territory land is shown on the map at Figure 5.

The latest ALRA mining title statistics (to 30 June 2002) are enclosed as Appendix 2. These show that over the 26 years of the operation of the Act, 1248 exploration

# EXPLORATION LICENCES ON ABORIGINAL LAND



# EXPLORATION LICENCES IN THE NORTHERN TERRITORY

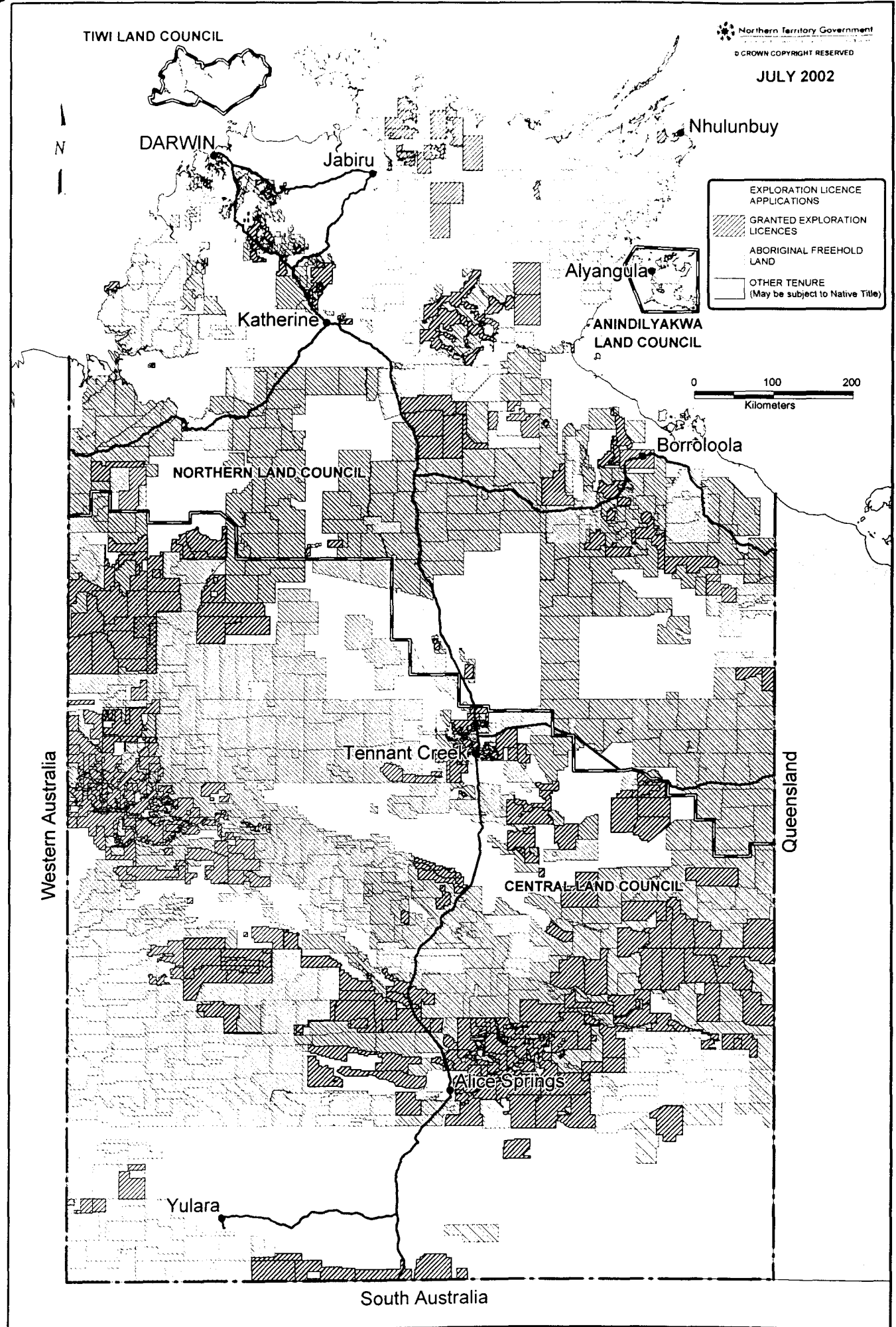
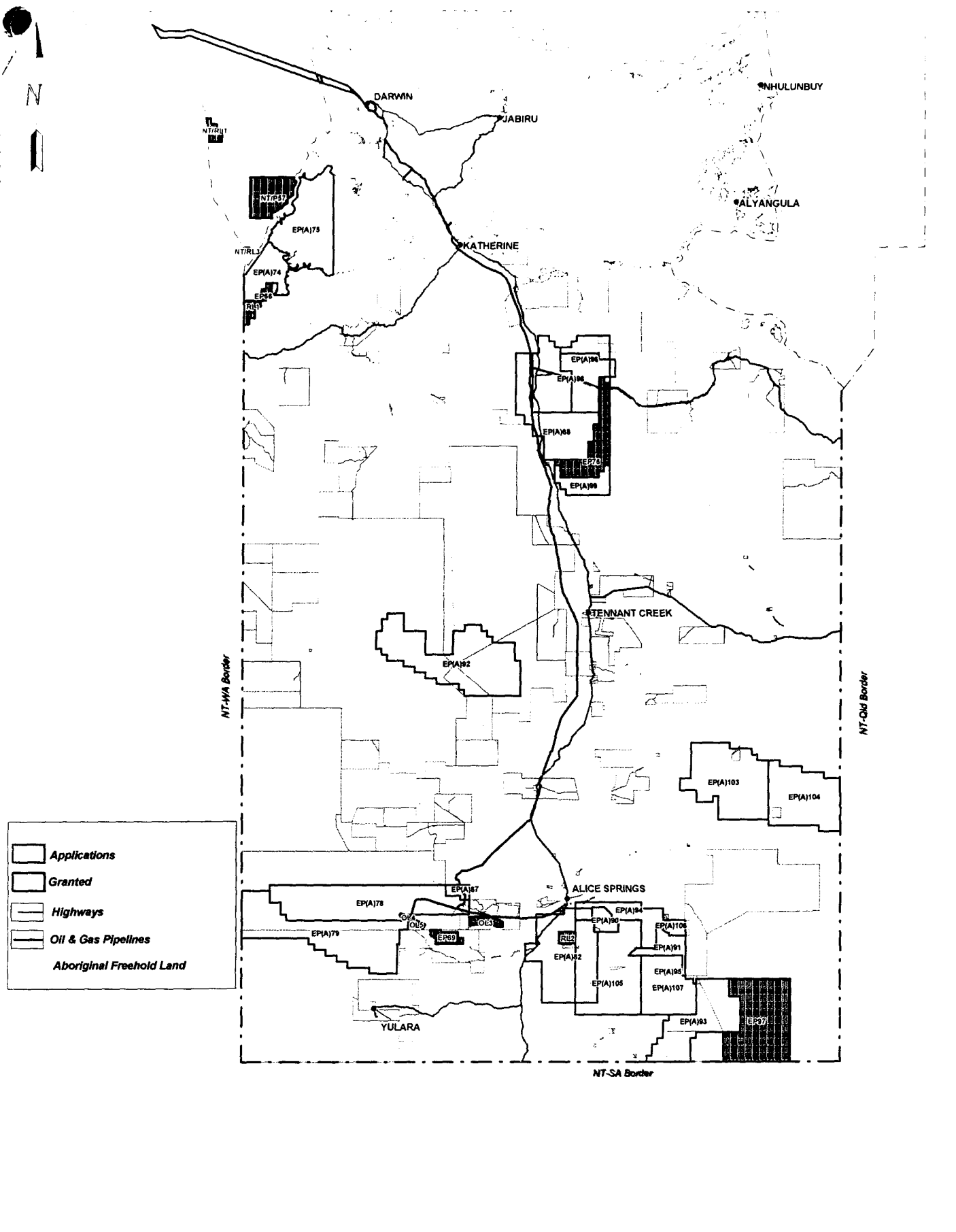


Figure 5.



Department of Business, Industry and Resource Development  
Northern Territory Government

Scale: 1:0  
Datum: AGD84  
Date: 29/07/2002  
Prepared By: DBIRD  
Prepared For: Bob Adams  
Comments: Onshore Titles

ACTIVE LAYERS  
1 NT\_Towns  
2 NT\_Highways  
3 Pet\_Pipelines  
4 AdjacentAreaBound\_CartierAshmo



NOTE TO MAP USERS. Mining and exploration tenure depicted on the map are plotted from descriptions supplied by the holders and the Northern Territory takes no responsibility as to their accuracy. Further, users should be aware that inconsistencies may occur between data on selected layers due to the origin of the data depicted.



licences have received consent to negotiate from the NT Minister, 133 have been vetoed and 304 have been granted by the Government (of which 109 have subsequently expired). When other administrative procedures are taken into account some 288 exploration licence applications are subject to negotiation by Land Councils on Aboriginal land.

Amendments to the ALRA to speed up the management of the large number of outstanding EL applications have been proposed in order to streamline the negotiating and agreement process.

Some tenure applicants have indicated that they would like to discuss their project and operational issues directly with Traditional Aboriginal Owners of the land covered by the tenure but the ALRA prevents direct contact between tenure applicants and traditional Aboriginal owners. According to the ALRA refusal to consent to the grant of tenure (or a veto) sterilises the land area for agreements concerning both mineral and petroleum tenure whereas traditional Aboriginal owners may be happy for one and not the other to occur.

Enclosed, as **Appendix 3**, is a summary of a survey conducted by the Community Services Branch of the then Department of Mines and Energy in 1999 concerning the status and views of mining companies to exploration tenure negotiations. The survey responses have been merged to preserve the anonymity of respondents.

During the period that the ALRA has existed the land surrounding most of the major Territory mines became Aboriginal freehold land. Only two new significant mines have been discovered and brought into production on mineral tenure granted on Aboriginal land during the operation of the ALRA. These are Callie/Dead Bullock Soak and Groundrush, in the Tanami area.

### ***Native Title Act***

The *Native Title Act* was passed on 23 December 1993 and came into operation from 1 January 1994. It recognised that native title may exist in Australia where the

necessary traditional connection to the land has been maintained and not extinguished by the action of Government or by the grant of certain types of exclusive tenure.

On 23 December 1996 the High Court in the Wik decision determined that native title could exist over pastoral leases.

Amendments to the *Native Title Act* were passed by the Federal Parliament on 8 July 1998 and commenced on 1 October 1998. These amendments provided powers for the States and Territories to pass (or amend preexisting) legislation validating all interests granted between 1 January 1994 and 23 December 1996 and to pass other legislation setting up alternative State/Territory procedures for the grant of mining tenure.

The Northern Territory passed appropriate validating legislation and amended its *Mining Act* and *Petroleum Act* to provide alternative procedures (to the right to negotiate) in accordance with the *Native Title Act* to grant mining interests on land subject to native title in the Territory.

The Northern Territory Government's amended procedures were endorsed by determination of the Commonwealth Attorney General on 27 April 1999. The Attorney General's determination was disallowed in the Senate on 31 August 1999.

On 21 March 2000 the Territory Government determined to commence processing mining and petroleum title applications using the right to negotiate procedures of the *Native Title Act*. There were then about 1000 outstanding applications under the *Mining Act* and 12 outstanding petroleum permit applications under the *Petroleum Act*.

In preparation for processing title applications, the Department wrote to applicants to seek their agreement to proceed with the right to negotiate grant procedure and to determine their title priority and whether they wished the Government to seek to use the "expedited process" for the grant of ELs. Applicants who did not respond to the initial and follow up letters have had their applications refused.

The first right to negotiate (Section 29) advertisements were placed on 6 September 2000 for the grant of ELs for mineral exploration. In almost all cases the Territory sought the grant of ELs by claiming the expedited process of the *Native Title Act*, all other titles were subject to the full right to negotiate procedure including petroleum permits (which contains a statutory right for grant of production permits).

For the purposes of the *Native Title Act* the Territory's two major Land Councils were appointed Representative Bodies with the responsibility of representing native title claimants and holder. The reaction of the Land Councils to the Territory's efforts to grant mining tenure has been quite diverse.

The Central Land Council (CLC) is not submitting native title applications or objecting to the claim of expedited process unless specifically asked to by Aboriginal people in the EL area. The CLC recognises that the ELs will be granted and is separately approaching the tenure applicants and seeking to negotiate a "good neighbour" agreement which covers any issues of concern, which includes recognition and avoidance of sacred sites, Aboriginal employment and compensation. A number of these "good neighbour" agreements are now being recognised as Indigenous Land Use Agreements (ILUA's).

The Northern Land Council (NLC) initially sought injunctions to prevent the Territory from proceeding with EL advertisements and following a complex and somewhat tense period of litigation during which the NLC's injunctions were dismissed the process of tenure advertising has proceeded. The NLC is now making application for recognition of native title over all EL application areas in their region and objecting to the claim of expedited process in virtually every instance. This leads to attempts by the NLC to seek a negotiated settlement between the NLC and the EL applicant and withdrawal of the objection. In cases where such an agreement has not been reached a drawn out series of affidavits and contentions is presented to the National Native Title Tribunal (NNTT) which determines whether the expedited process applies.

To 30 June 2002 the NNTT had determined 29 such applications and determined that in 27 cases the expedited process applied and in 2 cases the applicant would be required to comply with the full right to negotiate procedure.



Statistics detailing the *Native Title Act* right to negotiate procedure are in Appendix 4.

## **New Round of Government Land Council Discussions**

The Northern Territory Government has engaged the Land Councils in a new round of discussions concerning administrative (and potentially legislative) changes which could assist in speeding up or simplifying the grant of exploration and mining title.

With specific reference to the ALRA, the Northern Territory Chief Minister has advised the Federal Minister for Immigration and Multicultural and Indigenous Affairs, Mr Phillip Ruddock, that such a process was underway and that he would be advised of the outcomes in due course.

## **5. ENVIRONMENTAL MATTERS**

### **Environmental and other approval processes, including across jurisdictions**

The Territory has its own environmental assessment legislation to which all development projects are subject, prior to approval. Should there be potential for a project to have significant environmental impact, it will be subject to a formal public environmental assessment process.

The outcome of this process will determine:

- if the proposal has unacceptable environmental impacts and should not proceed; or
- if the project has acceptable environmental impacts and can proceed, subject to certain environmental recommendations being implemented.

In general, exploration activities do not trigger State or Territory environmental assessment legislation.

The Commonwealth also has environmental assessment legislation in the *Environment Protection and Biodiversity Conservation Act*. This legislation is significantly different from the State and Territory legislation in that it can only be triggered by potential impacts on identified matters of National Environmental Significance (NES) rather than a significant impact on the environment. If the Minister determines that an action (or a

proposal) may have an impact on a matter of NES, that proposal is subject to a process of public environmental assessment.

The outcome of the Commonwealth process will determine:

- if the proposal has unacceptable impacts on matters of NES and should not proceed; or
- if the proposal has acceptable impacts and can proceed subject to certain conditions imposed on the project by the Minister for the Environment.

## Issues

- The environmental assessment processes are controlled by different jurisdictions.
- The environmental assessment processes have different triggers and different focuses.
- The environmental assessment processes generally have different timeframes.
- A proposal may trigger one, both or neither of the processes.
- If a proposal does not trigger either process, the State Resource Department can issue the appropriate approvals without delays or inconvenience to industry.
- If a proposal triggers both State and Commonwealth processes and there is not a Bilateral Agreement in place:
  - The project is subject to the expense of two separate assessment processes which may or may not run in parallel.
  - Differing timeframes of the processes can cause delays.
  - There is likely to be duplication in the processes.
  - The processes may produce different outcomes.
  - The Commonwealth Environment Minister sets conditions on a project prior to the State Resource Development Minister issuing approvals for the project to proceed. Without adequate consultation, these conditions may be in conflict with State development requirements or with industry best practice.
- The State Environment Minister makes recommendations to the Resource Development Minister who can incorporate the provisions of the recommendations into the approvals and management processes of the action department who will approve and regulate the operation.

- The Commonwealth does not have the legislation or current resources to regulate any conditions it sets on a proposal. Also resource management is a State responsibility.

Where a Bilateral Agreement is in place, there should be very little disruption to industry.

If the proposal triggers the Commonwealth process but not the State process:

- The State is effectively prevented from issuing any approvals until the Commonwealth process is completed.
- The Commonwealth Environment Minister sets conditions on a project prior to the State Resource Development Minister issuing approvals for the project to proceed. Without adequate consultation (this can cause time delays), these conditions may be in conflict with State development requirements or with industry best practice.

If a proposal is likely to trigger either process, the proponent must incorporate adequate timeframes (for the assessment process) into their project development schedule and submit the proposal as soon as possible, so as to minimise the potential for any delays to the project resulting from the environmental assessment process.

The Northern Territory has no set process for assessing a project that extends across State boundaries. This generally results in discussions between the States and a decision on a joint assessment (with one State accrediting the others assessment process) which covers both jurisdictions.

## **6. PROVISION OF GEOSCIENTIFIC DATA**

### **Public access to geoscientific data**

Publicly available geoscientific information is critical in attracting new mineral exploration investment. The need for this information increases with the passage of time because since the advent of modern exploration, all easily discoverable deposits have been found. Current and future exploration will rely on 3-D modelling approaches to understand the geological setting of undiscovered blind deposits. Hence an increasing reservoir of high quality geoscientific data addressing the explorable zone down to 1000m is required.

Australia generally, and Northern Territory specifically, can be said to have quality geoscientific databases that arguably are the best in the world. This has been built up over the decades by the former BMR and AGSO (now Geoscience Australia (GA)) in conjunction with the States/Territories. However, "national" work now done by GA has been progressively declining in the last decade. For example in the 1980s AGSO/GA annual expenditure in the NT was estimated to be \$5-7 million. As a result of deliberate budget cuts, this has progressively whittled away to \$0.72M in 2001. By contrast the Northern Territory Government is currently spending \$8.2M on this program.

Although the States and the Northern Territory have picked up the data gathering and interpreting roles, there is currently a severe imbalance between the weight of the "jurisdictional" role, and the thinness of the "national role". Indeed there are specialist geoscientific processes that the jurisdictions, and specifically NT cannot undertake because of budgets and expertise. These functions include 3-D modelling, seismic refraction studies, regional geophysics, geochronology, and mineral system studies.

In summary, if Australia is to maintain the competitive advantage in its geoscientific databases, it needs greater resources from Commonwealth bodies, particularly GA to be deployed under programs of the National Geoscience Agreement.

## 7. INDIGENOUS RELATIONSHIPS

### **Indigenous participation in resource development**

Relationships with Aboriginal people in the Territory associated with exploration can probably best be divided into:

- relationships which are related to the grant of tenure which involve a role for the Land Councils, and
- relationships between title holders and local Indigenous people.

The former relationship is described in the section on access to land. Once tenure is granted, EL and other title holders including mine operators develop relationships with local Aboriginal people and often that relationship is very constructive and leads to employment and the provision of services to the Aboriginal communities.

The Northern Territory Department of Business, Industry and Resource Development's Mining Services Division has a Community Services Branch that provides education programs to Aboriginal communities and explains the importance of mining and the exploration and mining tenure procedures to the communities. The Community Services Branch leads school programs with the support of school teachers and the Education Department. **Figure 6** details this program

The Community Services Branch also facilitates the operation of the Indigenous Mining and Enterprise Task Force (IMETF) which holds meetings of mining company and mining supply groups to share experiences and results of Indigenous education and employment programs, refer **Figure 7**. This very successful group has been recognised as national leaders in this activity. The most recent Annual Report of the IMETF is attached as **Appendix 5**.

**Northern Territory Government**

Department of Business, Industry & Resource Development

# Mining Services Division

# Community Services Program



# School Visit and Community Activities

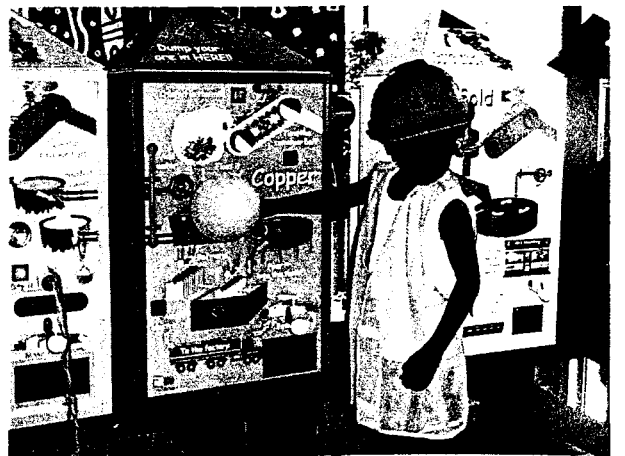
The Community Services Team - Mining Services Division, provides hands-on activities and presentations for students and teaching staff with its focus on non-urban schools in most regions of the Territory. The team provides a refreshing and interesting approach to resource development for all concerned.

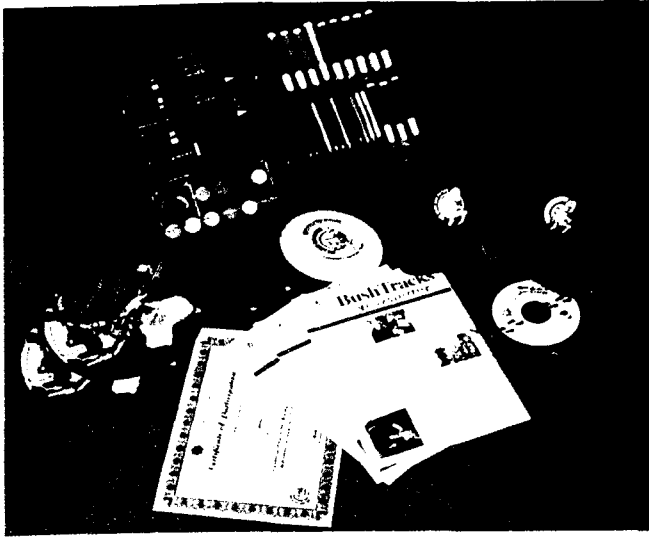
This is achieved through conducting hands-on activities at the school, explaining issues concerning natural resources and their uses. A game, entitled the "Rock Shop", examines materials such as bauxite, iron ore, lead, tin, etc. and looks at their uses in every day lives (eg. aluminium cans, steel posts, batteries and food cans).

Using a number of newly developed 'Factory Models' we involve the students in an interactive 'role-play' which examines mining and mineral processing, providing a better understanding of how ore is transformed into everyday products.

For the older students, our 'land-use' 3D model looks at how exploration for mineral resources is conducted. Issues relating to mine development and the impact of mining and rehabilitation techniques are also examined. The model is utilized in this hands-on activity, examining both the positive as well as negative implications of resource development.

With the use of our new 3D 'gas models', students have the opportunity to learn about natural gas, the processes involved with laying a gas pipeline and the impact that construction of a pipeline will have. This is again hands-on and includes a variety of activities.





The team will use a video and digital camera to record the students during the various activities. To encourage community involvement in the school and their children's activities, the parents and broader community will be invited to share a meal and view the video and a slide show of the day's activities (on the big screen) during the evening. We are also able to provide a number of other activities for the community including a video (such as "Yolngu Boy"), music video clips and static displays of who we are, employment options and a range of other information.



An album of the photos will be collated and sent to the school after our visit. We will leave the school with several other activities including a writing/colouring competition for participating students to complete and send in. All students will receive a 'Certificate of Participation' and a cap, with excellent art kits being awarded to the best pictures and stories.



We also provide a number of other activities for the community. The Team conducts presentations with Traditional Owners and Community Councils, during community visits. We will also provide the Council with a valuable resource which describes the law and processes that relate to accessing Aboriginal land. As well, an illustrated mineral exploration, mining techniques and processing resource, is left with the council.

Through its involvement with the Indigenous Mining Enterprise Taskforce (IMETF), the Community Service Team is constantly looking for ways to facilitate access to information & resources and to improve economic, employment & business opportunities for Indigenous people & industry. More information on the task force is available by contacting us or visiting <http://www.imetf.org>

We hope that you view our program as beneficial to your community/school, as we have considered a number of education, employment and social issues when designing it.







## Resources Kits

We can also provide the school with an interactive teaching resource package, entitled "Our Land Our Future", along with the necessary training to use the resource. This durable kit is produced by the Minerals Council of Australia and is equipped with many hands-on activities that are suitable for a range of age groups. The consumable components of the kits are easily replaced from most community stores.

## Additional Activities

We also conduct additional awareness programs relating to specific geoscientific studies, such as airborne magnetic surveys, gravity surveys, geochemical sampling techniques and general exploration techniques. We have hands-on resources such as metal detectors, prospecting pans and even a model aircraft, which are used to explore these concepts.

## Post-Visit Support

The team is not just committed to bringing new and innovative activities to remote schools, but is equally as committed to providing your school and community with post-visit information and support. The Community Service Team has a broad range of brochures, posters and digital data is available. A great deal of information is also available about mines, geology, minerals and energy resources both in the NT and Australia, is available on our internet site at <http://www.dbird.nt.gov.au>

## Our Community Service Team



(rear) Rob Manley, Mark Nolen, Peter Campbell  
(front) Kate Worden, Michelle Howard

*The Community Services Team, provides information and assistance to Aboriginal people, communities and representative bodies to improve their understanding of the mining and petroleum industry. The Team plays an integral role in the dissemination of information by providing a conduit for communication between the Department of Business, Industry and Resource Development and its clients. It also provides interactive educational support to the Northern Territory Department of Employment, Education and Training, specifically in the areas of resource development, mineral and petroleum awareness, earth science, mining and employment opportunities.*

### CONTACT US

If you are interested in finding out more about the Division's activities or would like to access additional teaching resources simply phone 8999 5443 or e-mail us on [Michelle.Howard@nt.gov.au](mailto:Michelle.Howard@nt.gov.au)

Figure 7.



**Indigenous Mining & Enterprise  
Task Force**



**“ Building Relationships to Stimulate New Thinking  
and Innovative Industry”**

**“Growing through the experiences and knowledge of others”**

# Indigenous Mining

## **What is IMETF?**

IMETF is an informal organisation dedicated to increasing and improving Indigenous employment and contracting opportunities in industry with its major focus on the mining sector.

It consists of mining companies, government entities, both Territory and Federal, land councils, Indigenous contractors and groups, training organisations, general contractors and other interested parties.

The "E" in IMETF, which stands for Enterprise, was inserted so potential members, who may be involved in other industries but have knowledge and expertise of value to the Taskforce, were not excluded. The emphasis on enterprise also enables IMETF to include non-mining representatives on the Taskforce.

The membership of IMETF is open to all organisations, representative bodies, companies, government departments and individuals who can contribute, or need to obtain the necessary assistance, to improve employment and business opportunities for Indigenous people and industry.

### **The Meetings provide:**

- an opportunity for continuous networking between members engaged in promoting Indigenous employment and industry;
- an awareness of the types of Indigenous training and funding programs that are currently available; and
- an opportunity for Indigenous enterprise to showcase their business and share their achievements.

***" Prosperous communities in partnership with industry"***

***"IMETF – making a difference to Indigenous employment and enterprise"***

# Enterprise Task Force

## IMETF's Visions Objectives of the Taskforce

IMETF is a dynamic group of people who collectively bring a wealth of knowledge and experience with the common goals of:

- increasing the participation of indigenous people in all sectors of the mining, exploration, supply and service industries;
- increasing employment opportunities for Indigenous people;
- reducing and removing impediments to Indigenous employment;
- maximising the benefits of Indigenous involvement in mining to the Northern Territory community;
- building long term and sustainable mechanisms/linkages between mining and Indigenous economic and social development; and
- developing community and industry inputs as a partnership to common goals.

### We do this by:

- providing a forum for Indigenous and non-Indigenous people to meet with their peers and exchange ideas and concepts about employment, training and community relations strategies;
- promoting and encouraging Indigenous involvement in all aspects of the mining exploration, and service industries whilst at the same time maintaining cultural imperatives;
- providing a forum for networking, discussion of diverse ideas and resolution of issues;
- facilitating an understanding and awareness of the mining industry with Indigenous people;
- facilitating an understanding and awareness of Indigenous people within the mining industry; and
- facilitating and encouraging open communication.

## **IMETF Values**

- We respect and value the cultural heritage, aspirations and rights of Indigenous Australians;
- We are apolitical, and perform our functions in an impartial and professional manner;
- We promote strong, cooperative working relationships with other organisations and government agencies;
- We are determined, highly motivated and committed to achieving results;
- We actively promote principals of equity, access, tolerance and cross-cultural awareness; and
- We are committed to learning and improvement.

## **How can you be involved in IMETF?**

IMETF meetings are held quarterly and are often hosted by a mining operation. At these types of venues the local industries and achievements are usually showcased as part of the meeting agenda.

Attendance and membership of IMETF is as simple as advising the secretariat of your contact details and you will receive notification of all meetings, newsletters and events.

The current IMETF Annual Report, member's contacts, and other useful information can be found on the Taskforce web site at [www.imetf.org](http://www.imetf.org)

## **Secretariat**

IMETF  
C/- Department of Business, Industry  
and Resource Development  
GPO Box 3000  
DARWIN NT 0801

Telephone (08) 8999 5189

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## **8. REGIONAL DEVELOPMENTS**

### **Impact of mining on regional infrastructure**

The Territory is participating in one of the Commonwealth Government supported Regional Mineral Studies. The "Central Region Mineral Study" covers a swathe of land from the Western Australia to the Queensland border centred on Tennant Creek. The final report of this study is almost complete with the key recommendation relating to regional road access and the need for procedural change to the system that impedes the grant of exploration title.

The Consultants suggested resolution for the title issue was that the Land Councils facilitate tenure grant by developing standard agreements and managing the title negotiations in a more timely manner.

**Major Northern Territory Mines – Mineral Resource/Ore Reserve as per verified public domain release.**

<b>Mine</b>	<b>Commodity</b>	<b>Mineral Resource/Ore Reserve</b>
Alcan Gove	bauxite/alumina	<b>Mineral Resource/Ore Reserve @ 1 January 1999</b> Resource: 196Mt of bauxite @ 4.27% silica and 50.6% aluminium oxide. Reserve: 215Mt of bauxite @ 4.24% silica and 51.24% aluminium oxide.
Gemco	manganese	<b>Mineral Resource/Ore Reserve @ 1 January 2001</b> Resource: 212.5Mt @ 47.5% manganese. Reserve: 93.7Mt @ 48.1% manganese.
Groundrush	gold, silver	<b>Mineral Resource/Ore Reserve @ 30 June 2001</b> Reserve: 3.15Mt @ 4.7g/t for 476,000oz gold.
McArthur River	zinc, lead, silver	<b>Mineral Resource/Ore Reserve @ 30 June 2001</b> Resource: Measured: 76Mt @ 13.1% zinc, 5.8% lead, 59g/t silver. Indicated: 45Mt @ 12.7% zinc, 5.8% lead, 60g/t silver. Inferred: 3Mt @ 13% zinc, 5% lead, 50g/t silver. Reserve: Proved: 3Mt @ 15.0% zinc, 5.8% lead, 60g/t silver. Probable: 37Mt @ 12.4% zinc, 5.5% lead, 57g/t silver.
Merlin	diamonds	<b>Mineral Resource/Ore Reserve @ 31 December 1999</b> Inferred resource in 4 southern pipes (Excalibur, Launfal, Palomides, Sacramore) estimated to be: approximately 2.9Mt at an average grade of 0.23 carats/t.
Mud Tank	vermiculite	<b>Mineral Resource/Ore Reserve @ 28 October 1999</b> Indicated Resource: 3-5Mt vermiculite. Estimated Reserve: 750,000t vermiculite.

Mine	Commodity	Mineral Resource/Ore Reserve																
Ranger	uranium oxide	<p><b>Mineral Resource/Ore Reserve @ 31 December 2001</b></p> <p>Ore body #3 Resource: 28.0Mt @ 0.23% uranium oxide = 65,054t uranium oxide (measured, indicated, inferred).  Ore body #3 Reserve: 14.0Mt @ 0.27% uranium oxide = 38,317t uranium oxide.  Stockpile Reserve: 7.9Mt @ 0.20% uranium oxide = 15,924t uranium oxide.</p>																
The Granites Gold	gold, silver	<p><b>Mineral Resource/Ore Reserve @ 30 June 2001</b></p> <p>ie. Callie and The Granites underground and open pit, and stockpiles.  Resource: 4,880,000oz gold.  Reserve: 2,110,000oz gold.</p>																
Tom's Gully	gold, silver	<p><b>Mineral Resource/Ore Reserve @ 30 June 2001</b></p> <table border="0"> <tr> <td>Resource: Tom's Gully</td> <td>1,171,800t</td> </tr> <tr> <td>@ 9.75g/t for 367,300oz gold.</td> <td></td> </tr> <tr> <td>Tom's Gully Tailings</td> <td>250,000t</td> </tr> <tr> <td>@ 2.40g/t for 19,300oz gold.</td> <td></td> </tr> <tr> <td>Quest 29*</td> <td>1,192,000t</td> </tr> <tr> <td>@ 2.94g/t for 112,500oz gold.</td> <td></td> </tr> <tr> <td>Total</td> <td>2,613,800t</td> </tr> <tr> <td>@ 5.94g/t for 499,100oz gold.</td> <td></td> </tr> </table> <p>*Prior to Quest 29 mining activities.</p>	Resource: Tom's Gully	1,171,800t	@ 9.75g/t for 367,300oz gold.		Tom's Gully Tailings	250,000t	@ 2.40g/t for 19,300oz gold.		Quest 29*	1,192,000t	@ 2.94g/t for 112,500oz gold.		Total	2,613,800t	@ 5.94g/t for 499,100oz gold.	
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@ 2.94g/t for 112,500oz gold.																		
Total	2,613,800t																	
@ 5.94g/t for 499,100oz gold.																		
Union Reefs	gold, silver	<p><b>Mineral Resource/Ore Reserve @ 30 June 1999</b></p> <p>Resource: 19.7Mt @ 1.54g/t for 1,000,000oz gold.  Inpit Reserve: 7.36Mt @ 1.75g/t for 415,000oz gold.  Total Reserve: 474,000oz gold.</p>																

**Note:** Updates are expected upon release of company Annual Reports 2002 (@ 30 June 2002) in the second half of 2002. Information on current major mines and projects is available on the DBIRD Web via Minerals.



**EXPLORATION LICENCES ON ABORIGINAL FREEHOLD LAND  
AS AT 30 JUNE 2002**

**BACKGROUND**

The following statistics represent an historical and current record of all exploration licence applications EL(A)s that are or have been subject to the *Aboriginal Land Rights (Northern Territory) Act 1976 (ALRA)*.

2081 applications that are affected by the ALRA have been received. An indeterminable number of these applications, dating back to 1971, predate the ALRA however, as they were on an Aboriginal Reserve, which in turn became Aboriginal Freehold land under Schedule 1 of the Act, they too were affected by the provisions of the ALRA.

Very few applications were granted, or issued with Consent to Negotiate between 1974 and 1979 mainly due to factors beyond the Departments influence and it was not until 1981 that the procedure was developed to give consent to negotiate as a matter of course.

The following data has been extracted from the Department's Titles Database although the Land Councils, the Federal Minister for Aboriginal Affairs and the Aboriginal Torres Strait Islander Commission provide some of the relevant information contained herein.

**HISTORICAL DATA**

Status	Total
Total applications received	2081
Total ceased prior to Consent	740
Total issued with Consent to Negotiate	1248
Total ceased subsequent to Consent	391
Total granted by NT Government	304
SEL's granted by NT Government	3
Total ceased subsequent to grant	109

## CURRENT DATA

STATUS	TOTAL	SQ KMS	%
Aboriginal Freehold Land (at 21-05-2002)		578,148	
Out standing Applications under ALRA	642	392,816	67.94
Pending Consent by NT Minister	90	39,539	6.84
Proposals not yet lodged	76	31,718	5.49
Under consideration by Land Council	288	217,413	37.61
Consent Refused by Land Councils (Veto)	133	74,625	12.91
Pending Grant – (Approved by Federal Minister)	14	1,115	0.19
Consent to Grant Deemed under ALRA	41	28,406	4.91
<b>Currently Granted</b>	<b>199</b>	<b>44,629</b>	<b>7.72</b>

## SUMMARY

HISTORICAL DATA	N	C	T	A	TOTAL
Total Applications Received	899	1169	8	5	= 2081
Total ceased Prior to Consent					= 740
Total issued with 1 Consent to Negotiate	397	801	6	5	= 1209
Total issued with 2 Consents to Negotiate	12	27	0	0	= 39
<b>TOTAL</b>					<b>1248</b>
Total ceased subsequent to Consent					= 391
Total Granted by NT Government	69	231	2	2	= 304
SEL's Granted by NT Government	0	3	0	0	= 3
<b>TOTAL</b>					<b>307</b>
Total ceased subsequent to Grant					= 109
<b>CURRENT DATA</b>	<b>N</b>	<b>C</b>	<b>T</b>	<b>A</b>	<b>TOTAL</b>
Outstanding Application	235	401	3	3	= 642
SEL's not requiring Consent	0	0	0	0	= 0
Pending Consent	33	55	2	0	= 90

Proposals yet to be lodged:					
• On 1 <sup>st</sup> Offer	25	51	0	0	= 76
• On 2 <sup>nd</sup> Offer	0	0	0	0	= 0
<b>TOTAL</b>	<b>25</b>	<b>51</b>	<b>0</b>	<b>0</b>	<b>= 76</b>
Under Consideration by Land Council:					
• On Offer No. 1 – Proposal No. 1	51	177	0	0	= 228
• On Offer No. 1 – Proposal No. 2	7	26	0	0	= 33
• On Offer No. 1 – Proposal No. 3	15	3	0	0	= 18
• On Offer No. 2 – Proposal No. 1	1	5	0	0	= 6
• On Offer No. 2 – Proposal No. 2	3	0	0	0	= 3
<b>TOTAL</b>	<b>77</b>	<b>211</b>	<b>0</b>	<b>0</b>	<b>288</b>
Proposals Refused by Land Council – (Veto):					
• On Offer No. 1 – Proposal No. 1	42	39	1	0	= 82
• On Offer No. 1 – Proposal No. 2	27	12	0	3	= 42
• On Offer No. 1 – Proposal No. 3	4	0	0	0	= 4
• On Offer No. 2 – Proposal No. 1	2	1	0	0	= 3
• On Offer No. 2 – Proposal No. 2	1	1	0	0	= 2
<b>TOTAL</b>	<b>76</b>	<b>53</b>	<b>1</b>	<b>3</b>	<b>133</b>
Pending Grant – (Approved by Federal Minister)	5	9	0	0	= 14
Consent to Grant Deemed under ALRA	19	22	0	0	= 41
TOTAL Pending Grant by NT Minister	24	31	0	0	55
<b>Currently Granted</b>	<b>37</b>	<b>160</b>	<b>0</b>	<b>2</b>	<b>= 199</b>
Consent issued by NT Minister on Renewal of EL” (Sect 29A) where granted prior to land becoming Aboriginal Freehold Land	0	5	0	0	= 5

**“N” denotes Northern Land Council**  
**“C” denoted Central Land Council**  
**“T” denotes Tiwi Land Council**  
**“A” denotes Anindilyakwa Land Council**

Appendix 3.

DEPARTMENT OF MINES & ENERGY QUESTIONNAIRE							
COMPANY EXPERIENCE RELATING TO TENURE ON ABORIGINAL LAND							
Question 1	Question 2	Question 3	Question 4	Question 5	Question 6	Question 7	Question 8
In 1998 how many meetings have you had with Aboriginal Land holders & the Land Council?	When did you last meet with Aboriginal Land holders and/or the Land Council	What were the results of your last meeting?	Are your needs being met by the negotiation Process?  If not, how do you believe they could be better met?	How does your company expect matters will materially progress in the near future?	If you had a choice how would your company opt to negotiate in the future?	Can you qualify your negotiation process so far? If so, please list so, please list	Further Comments
1 meeting with TOs 2 Meetings with Land Council None with TOs 2 scheduled & cancelled due to deaths 1 meeting (TOs & Land	22-24/4/98 (TOs) 15/1/99, 21/1/99 & 14/9/98 (Land Council) March 5 1999 (Land Council) 22/4/98 14/9/98 (Land Council)	Terms & conditions agreed Consent given TOs undecided Terms and conditions agreed to Have not been pressing grant but	Yes Process slow due to under-resourced Land Council Land Council needs more resources No Meetings take too long to schedule and agreements take too long to	Legal finalisation in late 1999 Verbal consent given in March 99 – awaiting written consent – hope to finalise late 1999/early 2000 Consent in late 1999 with grant in 2000	Current System Thru central body, perhaps a regional land council with more contact with TOs Direct negotiations TOs & exploration with TOs having access to reasonable	\$150,000 for all ELAs. This includes: Meeting costs \$20,000 Travel for meetings \$40,000 Staff & legal costs \$90,000 About \$5000 per licence	Land Council supportive but under-staffed Small parts of tenements refused but portioned off Land Council meetings should be more frequent Time is the greatest

<p>Council) 1 field meeting (TOs) 2 meetings with Land council Nil with TOs 1 with Land Council Nil with TOs 2 with Land Council</p>	<p>22-24/4/98 (TOs) 15/1/99 &amp; 21/1/99 with Land Council With Land Council 14/9/95 With Land Council 7/8/97 &amp; 4/3/99 20/4/93 veto for 5 Years</p>	<p>TOs have approved proposals TOs approved terms and conditions of proposed agreement Veto ½ the clan agreed to consent but Land Council wanted Anthro survey on clan boundaries</p>	<p>prepare Need a more efficient process set out by legislation Delays Anthro survey has caused excessive and frustrating delays</p>	<p>Hoped to finalise in late 1999 Draft agreement this year if we press for it Hopefully, Land Council will move this year to complete &amp; execute agreement</p>	<p>advisors Direct access to TOs with the TOs having proper access to relevant advisors to facilitate negotiations Through the Land Council but with them only being facilitators and co-ordinators</p>	<p>No response Used existing agreements Average agreement costs: \$10,000 salaries \$40,000 Legal costs \$50,000 Land Council \$30,000 other</p>	<p>problem generating extra costs Disillusion of stakeholders Land Council under-manned especially in the legal section Estimate 3 years from application to grant</p>
<p>Nil with TOs None Nil Granted in Sept 1995 Nil</p>	<p>Nov 1977 with Land Councils Never Vetoed in 1990, reapplied in 1995. No meetings since this date Both in Nov 1997</p>	<p>Company agreed to pay for Anthro work to be done in 1998. No advice yet of results Veto in 1990 Unknown – never received response from Land Council</p>	<p>Exploration agreement in 1995 took over 5 years to negotiate. This agreement was supposed to be used as a precedent but a lack of meetings since 1995 by Land Council is of concern</p>	<p>Land Council to organise meeting in near future – veto expired almost a year ago Hoped to start airborne survey in 1999 dry season but nil response from Land Council</p>	<p>Need direct access to TOs to maintain continual dialogue 1<sup>st</sup> Choice Meet with TOs 2<sup>nd</sup> Choice Meet with Regional Councils</p>	<p>\$236,000 for all ELAs over 5 year period using one exploration agreement Cost break-down: Salaries \$44,000 Legal Costs \$93,000 Consultants</p>	<p>No Response No Response Land Council appears to have too much control and influence over the negotiation process and too little accountability</p>

One planned but deferred subject to approval from DME for minimum expenditure variation	2 <sup>nd</sup> ½ of 1998				may cause this to be cancelled	Direct with the local Association	\$46,000 Travel, accom \$12,000 Land Council charges \$41,000	The company paying the costs has no control over the process
1 meeting	Never	TOs instructed Land Council to negotiate consent deed	No	Not relevant	No Response	No Response	No Response	No Response
None	Never	N/A	Very slowly	With uncertainty	Through Regional Land Council		\$8,000 per EL	No Response
None	Never	N/A	More prompt response from Land Council regarding outcomes from meetings and clear agenda with time limits outlining the entire negotiation process	Have re-prioritised the company budget due to slow progress	Benchmarks for compensation by miners and direct dealing with TOs or Regional Land Councils		Includes travel, salaries, legals and Land Council charges	No Response
None	2 years ago	N/A		Possible delays due to internal Land Council politics. Alternative Land Council to participate in negotiations. Next meeting in 2000	Depends on people dealing with – some are easier than others			No Response
None	19 July 1995	N/A			Regional Land Councils		\$10,000	No Response
None	22 August 1995	TOs gave consent to proceed with exploration. A portion was vetoed (2 years conditional)	No Response				Less than \$1000	Minister needs the right to consent to grant after 10 years automatically
2 meetings	12 April 1996		No Response				\$30,000	
One	1 October 1997		No Response				Total \$28,158 Includes: Airlfares \$6500 Vehicle hire \$1500 Salaries \$6000 Land Council \$11,708	Whim of Anthros is unproductive and sacred sites too large
One	Sept 1998	Still waiting for Decision	No Response		Through Land Councils – centralised rep bodies with clearly defined respon- sibilities			
One	Sept 1998		No Response					
One	1994	Some areas refused but these have now been split off and made separate ELAs	No Response	Land Council indicate first meeting will be held in 1998 – probable approval	Centralised Land Councils			Told small women's site was present, now it represents over 300 sq km
2 meetings	8 Sept 1998		No Response					
2 meetings	March 4 1999		No					No Response

One	2/11/95	Proposal approved in principle. Land Council preparing legal agreement after which agreement of terms is needed	Shorter time periods for Land Council response	Land Council indicate first meeting will be held in 1998 – probable veto outcome	Jawoyn should be acknowledged as the exception to the rule. Smaller land councils couldn't operate efficiently	Little so far with no negotiations yet	Many agreements seem to be the same base document with slight alternations for each EL. Cost per EL is therefore excess to this process
2 Meetings with Land Council only + many phone calls & letters	30/10/95 11/7/97 11/3/97 30/4/97	Proposed deferred due to location near a National Park	No	Excised EL falls in sickness country	Regional Land Councils	Less than \$2000	Preserve our position out of principle
5 meetings with numerous telephone follow-ups	11/11/97 22/4/98 30/10/95	Positive but agreement terms excessive	No	Land Council indicate first meeting will be held in 1998 – probable veto outcome	Negotiate with few Central Land Councils which are better resourced and take instruction from TOs	Well over 1 <sup>st</sup> years exploration budget – after 15 years total costs with JV Partners are over \$200,000	Program has also included 3 work clearance meetings with TOs and Land Council
Several meetings in 1998 with Land Council & traditional owners	Discuss matters every other week	Told negotiations were successful but no formal response by the Land Council	N/A	Anthro surveys with define vetoed portion. Part of EL will then be granted. Other portion will be revisited after 2 year veto period expires	Thru Central or Regional Councils	Total \$9607 Airtfares \$2000 Accomm \$650 Vehicle hire \$400 Salaries \$1950 Land Council \$4607	Helicopter has been used to assist meetings
Attended first meetings and one meeting on 22/04/98	1997 Aug 1994 Never	Agreements signed	Yes	Don't Know	No Response	No Response	Hosted 3 Liaison and Employment Committee meetings (not including informal meetings with Land Council and TOs)
There has been no need to attend meetings to discuss terms & conditions	Meeting in 1995 TOs in May 1997	Consent to Grant, deed pending	Yes, but too long a period taken	Hopefully satisfactory but slow	No Response	TO Meetings: Legal \$30,000 Transport \$50,000 Staff \$20,000 Admin \$100,000 other \$50,000 TOTAL \$250,000	No Response
3 formal & many informal	May 1998 N/A N/A	No consent	Land Councils need more resources	Little progress is likely in near future. Further negotiations may depend on the satisfactory environmental performance of adjacent Project	No Response	No Response	No Response
Nil	Discussed in Nov 1997	Consent granted	Yes, in the main	Mine relations have substantially facilitated access to TOs and the Land Council	No Response	No Response	Have considerable experience with the Land Council and good relationship
None	Sept 1998	Awaiting finalisation of Deed/JV	Mine relations have substantially facilitated access to TOs and the Land Council		No Comment		
None	July 1998	agreements for submission to Federal Govt.			No Response		
Meeting organised but postponed at our request		Not approved, but not vetoed			No Response		

One with the Land Council (LC)	Oct 1998 with NLC in Darwin to confirm status of all ELAs.	Further negotiation needed	Yes with the local LC	An extension of 1 year until Reeves Report finished and JV partners have had discussions with the LC	Through Regional Councils and community leaders – not the anthros for the Land Councils who seem to take too long to locate TOs	Costs per ELA: Aircraft \$11,500 Staff time \$2500 Legal \$2000 Consultant \$3000 Other \$2500 \$2500	Land Council appears to no longer being ideologically opposed to exploration, however, it is under-resourced to carry out tasks in timely manner
Numerous attempts made to contact LC to pursue negotiating an agreement. Finally spoke in late 1998 with little progress achieved	May 1998 Meeting with TOs on 19/11/98	Negotiations proceeding intermittently	No	Waiting for elders to review application and for cultural no-go zones	Spread Admin duties to Regional Councils to reduce admin burden on one central body		Little direct contact with Land Council and have built no relationship
One with LC and TOs	Initial meeting scheduled and cancelled due to other project commitments Subsequent meeting 10/9/98	Much of ELA has significance for TOs and are considering excision of a portion	Need to be able to deal with TOs not the LC	Continued growth of trust and understanding to streamline the process	No Comments	Estimated \$150,000 over the last 3 years	Land Council appears to be under resourced and is more likely to give preference to companies already active in the region
None	Unknown	LC is not opposed in principle	Yes	5 deeds executed between July 1997 and June 1998. Expect another 2,3 or 4 agreements between July 1998 & June 1999		\$30,000 (not including EM Survey costs)	No Response
None	N/A	Agreed to wait until dust has settled from other projects then finalise agreement	Compensation payments clause being pursued by the LC is too expensive			Direct negotiation costs (excluding salary & aircraft): 1994-\$78,000 1995-\$111,000 1996-\$16,000 1997-\$7,000 1998-\$59,000	Regional Councils would allow easier and quicker access to TOs and give clearer perspective on community desires and needs
None	24/09/96	Fly EM Survey and provide results to all parties	LC lacks adequate legal officers	Expect to be asked again to agree to Land Councils terms & conditions which we will refuse		No	Would like to work directly with TOs and form relationships
One per ELA	No Response	Some TOs were in favour of exploration and some were opposed. Agreed with LC to keep negotiations open until outcomes for other ELAs were achieved	Unusual ELA	Exploration has occurred nearby on granted ELs		Estimated that between 1977 & 1988 spent approx \$1M or even exceeded this figure	
2	No Response		No				
Unknown	N/A		9 months into first year of negotiations and no meetings have been held. LC is requesting a 2 year extension				
2	Oct 1988		Reasonably well				
Nil	04/02/97						
None							
2							
1							
Unknown							



None			TOs agreed to exploration in parts but boundary with vetoed areas was never clearly established	Applied for ELs in 1990 but no meeting until July 1995 Confirmation of decisions not until May 1998	Relationships with Aboriginal people will be developed further Meeting planned for 1999	No Comments No Comment No Response No Response	Review negotiation period extensions and then impose time limits on remaining admin requirements
1			TOs agreed to the Land Council negotiating exploration agreement	Applied for ELAs between 1992 & 1994 – no meetings until 1998	1999 meeting planned	No Response No Response No Response	DME should be more involved in providing info to Aboriginal people re titles process
2			NLC verbally confirmed consent to negotiate in March 1988	All titles held were applied for between 1977 & 1994 and each has	Don't envisage any changes – Land	No Response No Response No Response	
			TOs consented to agreement based on other Deeds	been stalled by at least 5 years -without formal veto!	Council will continue to have inadequate resources to deal with negotiations	No Response No Response No Response	No Comments No Comment No Response

Granted 02/06/97	Ministers consent to negotiation received 14/07/82 – no further action	Uncertain at present							Once consent received from TOs Act does not place time limits on matters such as finalisation of deeds and lodgement with DME for approval and grant
Proposal only received by NLC on 31/08/98	Proposal submitted 03/12/87	Urging Land Council to arrange meetings as soon as possible							No Response
Gained 100% TO approval	No Response	More expenditure application process – application to grant in less than 18 months							No Response
Full Council approval 30/10/97	No Response	Not optimistic under current system							No Response
N/A	Proposal submitted 03/12/87 – no further comments made								No Response
No Response	Awaiting NLC to forward draft agreement								No Response
No Response									No Response
No Response									No Response
No Response									No Response

				<p>Consent to grant from Minister or Aboriginal Affairs on 17/11/98</p> <p>No Comment</p> <p>No Response</p> <p>No Response</p> <p>DME has requested amendments. NLC finalised in April 1998 – awaiting response from DME</p> <p>No Response</p> <p>Split offs from ELAs, awaiting confirmation of veto</p> <p>No Response</p> <p>Assessing variation deeds</p> <p>Negotiations with TOs</p> <p>No Response</p> <p>Full Council approval in Oct 1998 Will negotiate with TOs</p>			<p>Negotiation periods are constantly extended under S42(14) leaving the company at the mercy of the Land Councils</p> <p>DME needs to monitor process more closely with more direct involvement from TOs, Regional Land Councils &amp; the company</p> <p>Never had a meeting with TOs without NLC so no relationships have been able to be formed</p> <p>Changes need to be made to a process</p>
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			<p>2<sup>nd</sup> proposal submitted on 30/3/94</p> <p>Proposal submitted on 3/12/87 – 2<sup>nd</sup> proposal submitted 08/10/94</p>	<p>Awaiting confirmation of split offs from DME to enable creation of Deed for exploration for all remaining Titles</p> <p>50% of TOs consented to negotiate</p> <p>Full council approval in Oct 1998</p> <p>No Response</p> <p>Split off confirmation from DME required</p> <p>Split offs have been submitted to DME – once finalised Deed for exploration for all Titles will be forwarded</p>			
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**NATIVE TITLE STATISTICS 30 JUNE 2002  
MINING AND EXPLORATION TENURE APPLICATIONS**

The Northern Territory commenced processing applications for mining and exploration tenure in accordance with the Commonwealth *Native Title Act 1993* on 6 September 2000. The figures below provide a summary of applications that are subject to that process.

**APPLICATIONS-AFFECTED BY NATIVE TITLE**

Title Type	No. of Applications not yet Advertised			No of Applications Advertised through 'Right to Negotiate'
	NLC	CLC	Total	
Exploration Licence	101	69	170	566
Exploration Retention Licence	6	9	15	0
Mineral Claim	158	43	201	61
Mineral Lease	14	16	30	0
Extractive Mineral Lease	2	0	2	18
Authority to Explore	15	7	22	
<b>TOTAL</b>	<b>296</b>	<b>144</b>	<b>440</b>	<b>645</b>

**APPLICATIONS-PROCESSED THROUGH THE EXPEDITED PROCEDURE**

Total No of Applications Advertised	Period to Lodge an Objection	No Objection Lodged			Objection Lodged		
		NLC	CLC	Total	NLC	CLC	Total
413	Closed	38	193	231	167	15	182
150	Not yet closed						
<b>563</b>							

**OBJECTION OUTCOMES- EXPEDITED PROCEDURE**

OBJECTIONS DETERMINED			OBJECTIONS WITHDRAWN	OBJECTIONS DISMISSED
Total Determined	Expedited Procedure APPLIES	Expedited Procedure Does NOT Apply		
29	27	2	8	41

**APPLICATIONS-PROCESSED THROUGH THE NORMAL RIGHT TO NEGOTIATE STREAM**

Total No of Applications Advertised	Period to Lodge a Native Title Claim	Applications Cleared For Grant			Applications Subject to Native Title Claims		
		NLC	CLC	Total	NLC	CLC	Total
56	Closed	2	26	28	9	19	28
26	Not yet closed						
<b>82</b>							

**Included with submission no. 89 was the following attachment, which has been taken as Exhibit 30:**

Appendix 5: Aboriginal Mining & Enterprise Taskforce. 2001, **Annual Report 2000/01**, 52p. (Exhibit 30)