

SENATE LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE  
ATTORNEY-GENERAL'S DEPARTMENT

**Output 1.6**

**Question No. 34**

**Senator Crossin asked the following question at the hearing on 31 October 2005:**

Reviews of the Native Title Act:

- (a) Who have you been consulting with in relation to the six aspects?
- (b) Please provide the committee with a list of all those who have been consulted and when?

**The answer to the honourable senator's question is as follows:**

On 7 September 2005, the Attorney-General announced a package of reforms to improve the performance of the native title system. The package comprises six elements:

- measures to improve the effectiveness of Native Title Representative Bodies (NTRBs)
- reform of the native title non-claimants (respondents) financial assistance program to encourage agreement making rather than litigation
- consultations about possible technical amendments to the *Native Title Act 1993* to improve existing processes for native title litigation and negotiation
- an independent review of native title claims resolution processes to consider how the National Native Title Tribunal and the Federal Court may work more effectively in managing and resolving native title claims
- consultations about measures to encourage the effective functioning of Prescribed Bodies Corporate (PBCs), and
- increased dialogue and consultation with the State and Territory Governments to promote and encourage more transparent practices in the resolution of native title issues.

The Attorney-General's Department is primarily responsible for five of the six elements while the Office of Indigenous Policy Coordination, within the Department of Families, Community Services and Indigenous Affairs, is primarily responsible for the reform measures to improve the effectiveness of NTRBs.

This answer covers consultations conducted up to and including 3 February 2006, with respect to all elements of the reform package. It details consultations conducted at multilateral forums, by the Attorney-General and Government officers, as well as bilateral consultations conducted through face-to-face meetings and teleconferences. It also details opportunities for stakeholders to review publications outlining various reform proposals and to express their views by written correspondence.

*Consultations conducted at multilateral forums*

The Attorney-General consulted directly with State and Territory Ministers about these reforms and other matters at the Native Title Ministers' Minister on 16 September 2005.

Government officers have also taken opportunities to outline, discuss and receive feedback about the reforms at the following multilateral forums:

- meetings on 18 October 2005 and 23 November 2005 of the Chief Executive Officers of all NTRBs and Native Title Services (NTSs). Senior officers from the Attorney-General's Department and the Office of Indigenous Policy Coordination attended these meetings and outlined and discussed the key elements of the reform package. Graham Hiley QC and Dr Ken Levy attended the meeting on 23 November to discuss the Claims Resolution Review.
- a meeting on 25 November 2005 of State and Territory officials with responsibility for native title. Senior officers from the Attorney-General's Department attended the meeting and outlined and discussed the key elements of the reform package, and
- a meeting on 2 December 2005 of the Native Title Consultative Forum (NTCF). The NTCF is convened three times yearly by the Attorney-General's Department and comprises representatives of the Australian Government, State and Territory governments, the Federal Court, the National Native Title Tribunal, Native Title Representative Bodies, the Human Rights and Equal Opportunity Commission and peak industry bodies (on 2 December 2005, those in attendance were the Minerals Council of Australia, the National Farmers' Federation, the Western Australian Fisheries Industry Council, Australian Petroleum Production & Exploration Association and the Combined Small Scale Miners Association of Australia). Key items discussed included an overview of the reform package, stakeholders' experience with Prescribed Bodies Corporate (PBCs) and possible technical amendments to the Native Title Act.

#### *Bilateral meetings and written consultation*

Government officers are conducting extensive consultations directly with key stakeholders through bilateral meetings and teleconferences. The Government has prepared publicly available documents concerning the reforms, which it has provided directly to stakeholders and/or published on its website. Comments have been invited from stakeholders and the public on key aspects of the reforms. In particular:

- In relation to the proposed revision of the Guidelines for the respondent funding program, the consultation period commenced on 23 November 2005 and will continue until 10 February 2006. Consultation will be extensive. The consultation draft of the guidelines has been available on line at the Department's web site address since its release. The consultation draft has also been provided to peak bodies representing fishing, mining, local government and pastoral interests, legal practitioners and relevant Government agencies. These parties are listed at **Appendix A**. Officers are also meeting with a number of peak bodies and legal representatives to explain and discuss, and seek comment on, the draft Guidelines. Parties who have been consulted up to, and including, 3 February 2006 are listed at **Appendix B**.
- The Government announced details of the reforms to improve the effectiveness of NTRBs on 23 November 2005. The package was outlined to the Chief Executive Officers of all NTRBs and NTSs that day. Further consultations with NTRBs and NTSs, and other stakeholders, will be undertaken before changes are introduced into Parliament next year.
- Consultations regarding possible technical amendments to the Native Title Act have been primarily conducted through the release of the technical amendments discussion paper which contains a series of technical amendments that have been suggested to the Australian Government. The discussion paper was released by the Attorney-General on 22 November 2005. It has been provided to a large number of stakeholders, listed at **Appendix C**, and has also been available on line at the Attorney-General's Department's web site since its

release. All interested parties were invited to submit comments on the paper by 31 January 2006. As of 3 February 2006, 15 responses to the paper had been received. An exposure draft of the technical amendments will also be released for comment in the first part of this year. Possible technical amendments have also been discussed in many of the meetings with NTRBs and other bodies listed in **Appendix D** (at which issues regarding PBCs were also discussed).

- The Attorney-General's Department is coordinating Australian Government consultations with stakeholders as part of the examination of Prescribed Bodies Corporate (PBCs). The consultations are being guided by a Steering Committee, comprised of officers from the Attorney-General's Department, the Office of Indigenous Policy Coordination and the Office of the Registrar of Aboriginal Corporations. Officers from the Attorney-General's Department and the Office of Indigenous Policy Coordination met with a number of PBCs and NTRBs during October and November 2005, listed at Appendix C. Issues papers have been provided, with requests for comment, to all NTRBs and NTSs and contactable PBCs, State and Territory governments, relevant Australian Government agencies and Departments, the Aboriginal and Torres Strait Islander Social Justice Commissioner, the National Native Title Tribunal, the Australian Institute of Aboriginal and Torres Strait Islander Studies and peak industry bodies. The recipients are listed at **Appendix E**. In December 2005 correspondence was also sent to relevant Australian Government departments and agencies seeking information on resources or services which may be available to PBCs. A list of these departments and agencies is at **Appendix F**.
- The claims resolution review is being conducted by independent consultants (Graham Hiley QC and Ken Levy) and is overseen by a steering committee composed of the Registrar of the Federal Court, a member of the National Native Title Tribunal and senior officers from the Attorney-General's Department and the Office of Indigenous Policy Coordination. The Attorney-General's Department is providing secretariat support to the review. The Government encouraged public submissions from key native title stakeholders, State and Territory governments and respondent bodies, including industry and pastoralist representatives, before 1 December 2005. As at 3 February 2006, 35 submissions have been received. The consultants engaged in extensive direct consultations with representatives of State and Territory governments, NTRBs and peak industry bodies as well as individual legal practitioners. The various meetings conducted prior to 3 February 2006 are listed at **Appendix G**. Information about the review and its objectives is available on the Claims Resolution Review web site ([www.ag.gov.au/claimsresolutionreview](http://www.ag.gov.au/claimsresolutionreview)).

In addition, officers from the Attorney-General's Department have discussed the reform package and consultation processes in bilateral meetings with the Aboriginal and Torres Strait Islander Social Justice Commissioner (on 27 September 2005 and 17 November 2005) and the Minerals Council of Australia (on 24 October 2005).

## **Appendix A: Respondent funding reform – parties to which reform proposals have been provided**

The consultation draft of the proposed guidelines for the respondent funding program, with requests for comments, has been provided to the following parties:

- Department of the Prime Minister & Cabinet
- Office of Indigenous Policy Coordination
- National Native Title Tribunal
- Federal Court
- All State and Territory Governments
- AgForce
- Amalgamated Prospectors & Leaseholders Association
- Association of Mining Exploration Companies Inc
- Mr Fergus Austin
- Australian Canegrowers Council Ltd
- Australian Seafood Industry Council
- B & P Surveys
- Badman Environmental
- Ms Margot-Anne Barefoot
- Blake Dawson Waldron
- Mr Robert Blowes
- Boltons Lawyers
- Bottoms English Lawyers
- Ms Helen Bowskill
- Brazier Motti Pty Ltd
- Mr John Burless
- Ms Susan Burton Phillips
- Cahills Barristers and Solicitors
- Capricorn Mapping and Mining Title Services
- Ms Deanna Cartledge
- Chalk & Fitzgerald, Lawyers & Consultants
- Christensen Legal
- CJ Cooper & Associates
- Mr Geoff Clark

- Ms Suzette Coates
- Cook Shire Council
- Corrs Chambers Westgarth
- Cottrell Cameron & Steen Surveys Pty Ltd
- Ms Rosemary Craddock
- Cridlands Lawyers
- Cullen & Couper Pty Ltd
- D & G Lawyers
- De Silva Hebron
- Deacons Lawyers
- Dibbs Barker Gosling
- Mr Adrian Duffy
- Dwyer Durack Lawyers
- Mr Trevor Egan (W S Group)
- Elrington Boardman Allport
- Encompass Research
- Ethnographix Australia
- LA Evans
- Exploremin Pty Ltd
- Mr George Farkas
- Ms Zoe Farmer
- Farrellys Lawyers
- Finlaysons Lawyers
- Mr Jack Flanagan
- Mr Peter Flanagan SC
- Frenkel Partners
- Mr Michael Gaden
- Gadens Lawyers
- Mr John Greenwood QC
- Golder Associates
- Mr Carey Goodall
- Gore & Associates
- Mr James Curtis-Smith Hargraves
- Mr Graham Hiley QC

- Mr Vance Hughston SC
- Hunt & Humphry
- Jackson McDonald
- Mr Tim Jacobs
- Mr Andrew Jones
- Ms Tina Jowett
- Just Outcomes (Aust) Pty Ltd
- Mr Stephen Keim
- Kelly & Co
- Mr Noel Kennedy
- Mr Peter Kilduff
- King & Company Solicitors
- Mr Hinko Kostanjevec
- Ms Patricia Lane
- Mr Michael Liddy
- Local Government Association of Queensland
- Local Government Association of South Australia
- M H Lodewyk Pty Ltd
- M W Consult Pty Ltd
- MacDonnells Solicitors
- Mr J W S MacKenzie
- Mallesons Stephen Jacques
- Mr William Markwell
- Mathews & Dangar
- McLeod & Co
- Ms Lucy McMillan
- Michael Neal Lawyers
- Miller Harris Lawyers
- Minerals Council of Australia
- Mr Garrie Moloney
- Mony de Kerloy
- Mr Richard Morgan
- Mullins Handcock Lawyers
- Nall Payne Solicitors

- Native Title Solutions
- Mr Anthony Neal SC
- New South Wales Farmers' Association
- New South Wales Seafood Industry Council
- Norman Waterhouse Lawyers
- North Queensland Miners Association
- Northern Cattlemen's Association Inc
- Northern Territory Seafood Council
- Mr Damien O'Brien
- Mr Ben O'Loughlin
- O'Reilly and Stevens
- Mr Luke Passfield
- Pastoralists and Graziers Association of Western Australia
- Dr Melissa Perry QC
- Piper Alderman Lawyers
- Power & Bennett
- Mr Peter Poynton
- Mr Andrew Preston
- Project and Development Management (Qld) Pty Ltd
- PW Skewes & Dempster
- QASCO Surveys Pty Ltd
- Queensland Lapidary and Allied Crafts Clubs Association
- Queensland Seafood Industry Association Inc
- Mr Peter Quinlan
- Mr Paul Richards
- Rigby Cooke Lawyers
- Roberts Nehmer McKee Lawyers
- Mr Dennis Rose QC
- Rowe Lawyers
- Mr Michael Rynne
- Sarasan Pty Ltd
- Mr Paul Smith
- Mr Justin Serong
- Mr Phillip Sheridan

- Mr Markus Spazzapan
- Suthers Taylor Lawyers
- Suzanna Sheed & Associates
- Ms Carolyn Tan
- Terry Fisher and Co
- The Bruce and Stewart Commercial Practice
- The Rowland Company
- South Australian Chamber of Mines and Energy
- South Australian Farmers' Federation
- South Australian Fishing Industry Council
- Mr J Grant Thompson
- Thynne and Macartney
- Toowoomba City Council
- Mr Peter Walker
- Mr Paul Walsh
- Ward Keller Lawyers
- Mr John Waters QC
- Ms Kate Waters
- Ms Raelene Webb QC
- Western Australian Fishing Industry Council
- Western Australian Local Government Association
- Mr Simon Whiley
- Mr Robert Whittington QC
- Mr Ernst Willheim
- Ms Nancy Williams
- Williams Graham & Carman Solicitors
- Williams Love & Nicol Lawyers
- Mr Kim Wilson
- Withnall Maley and Co
- Mr Michael Wright QC
- WT McMillan & Co
- WW & SM McLachlan Consultancy
- V G Peters & Co
- Victorian Farmers' Federation (VFF)



## **Appendix B: Respondent funding reform – parties met with to 3 February 2006**

Government officers have met with representatives of the parties listed below, to 3 February 2006, to discuss the proposed guidelines for the respondent funding program:

- Blake Dawson Waldron (Perth) (28 November 2005)
- Bottoms English (Cairns) (28 November 2005)
- Hunt & Humphrey Project Lawyers (Perth) (28 November 2005)
- MacDonnells Solicitors (Cairns) (28 November 2005)
- North Queensland Miners Association (28 November 2005)
- Western Australian Fishing Industry Council (28 November 2005)
- Great Eastern Country Zone (29 November 2005)
- Cornerstone Legal (Perth) (29 November 2005)
- David Kempton (29 November 2005)
- Michael Neal Lawyers (29 November 2005)
- Minter Ellison (Perth) (29 November 2005)
- Suthers Taylor Lawyers (Townsville) (29 November 2005)
- Western Australian Pastoralists and Graziers Association (29 November 2005)
- Helen Bowskill (30 November 2005)
- D & G Lawyers (Townsville) (30 November 2005)
- Local Government Association of South Australia (30 November 2005)
- Mellor Olsson Solicitors (Adelaide) (30 November 2005)
- Paul Smith (30 November 2005)
- AgForce (1 December 2005)
- Finlaysons Lawyers (Adelaide) (1 December 2005)
- Gadens Lawyers (Brisbane) (1 December 2005)
- Gore & Associates (Brisbane) (1 December 2005)
- Graham Hiley QC (1 December 2005)
- Local Government Association of Queensland (1 December 2005)
- Bill Markwell (Brisbane) (1 December 2005)
- Queensland Seafood Industry Association (1 December 2005)
- Rosemary Craddock Barrister and Solicitor (Adelaide) (1 December 2005)
- South Australian Chamber of Minerals & Energy (1 December 2005)
- South Australian Fishing Industry Council (1 December 2005)

- Williams Love & Nicol Lawyers (Canberra) (1 December 2005)
- Zoe Farmer (Brisbane) (2 December 2005)
- McDonnell Solicitors (2 December 2005)
- Queensland Lapidary and Allied Crafts Club Association (2 December 2005)
- Minerals Council of Australia (5 December 2005)
- Victorian Local Governance Association (5 December 2005)
- Victorian Farmers' Federation (5 December 2005)
- Victorian Association of Forest Industries (5 December 2005)
- Federal Court, Native Title Registrar (Victoria) and Deputy Registrar (Northern Territory) (6 December 2005)
- Rigby Cook (Melbourne) (6 December 2005)
- Just Outcomes (Aust) Pty Ltd (Melbourne) (6 December 2005)
- Frenkels Partners (Melbourne) (6 December 2005)
- Grant Thompson (Shepparton) (6 December 2005)
- Rowan Skinner (Melbourne) (6 December 2005)
- Suzannah Sheed & Associates (7 December 2005)
- Amateur Fishermens' Association of the Northern Territory (13 December 2005)
- Maleys Barristers & Solicitors (Darwin) (13 December 2005)
- Office of Indigenous Policy, Department of Chief Minister (Northern Territory) (13 December 2005)
- Northern Territory Cattlemen's Association (Darwin) (14 December 2005)
- Cridlands Lawyers (Darwin) (14 December 2005)
- Ward Keller (Darwin) (14 December 2005)
- Northern Territory Seafood Council (Darwin) (14 December 2005)
- NSW Farmers' Association (19 December 2005)
- Bruce Stewart Dimarco (19 December 2005)
- Director, Native Title, NSW Department of Lands (19 December 2005)

### **Appendix C: Technical amendments – parties to whom discussion paper has been provided**

A discussion paper outlining technical amendments proposed by the Australian government was released by the Attorney-General on 22 November 2005, and is available on the Attorney-General's Department web site. Comments on the proposals along with suggestions for other technical amendments were sought, and submissions closed on 31 January 2006. The paper was also been provided directly to the following parties:

- all State and Territory governments
- all NTRBs and NTSs and the National NTRB and NTS Forum
- Federal Court of Australia
- National Native Title Tribunal
- Australian Local Government Association
- Aboriginal and Torres Strait Islander Social Justice Commissioner (Human Rights and Equal Opportunities Commission)
- Australian Institute for Aboriginal and Torres Strait Islander Studies
- National Indigenous Council
- Australian Petroleum Production & Exploration Association
- Minerals Council of Australia
- Minerals Exploration Action Agenda Land Access Subcommittee
- National Farmers' Federation
- Pastoralists and Graziers Association of Western Australia
- Queensland Small Miners Association
- Western Australian Fisheries Industry Council
- various interested legal practitioners

## **Appendix D: measures to encourage effective functioning of PBCs – parties met with to 3 February 2006**

Government officers have met with representatives of the parties listed below about measures to encourage the effective functioning of PBCs, to 3 February 2006. Technical amendments were also discussed at many of these meetings.

### *PBCs*

- Lhere Artepe Aboriginal Corporation (26 October 2005)
- Gumulgal (Torres Strait Islanders) Corporation (14 November 2005)
- Magani Lagaugal (Torres Strait Islanders) Corporation (14 November 2005)
- Mura Badulgal (Torres Strait Islanders) Corporation (14 November 2005), and
- Mualgal (Torres Strait Islanders) Corporation (14 November 2005)

### *NTRBs*

- Central Land Council (26 October 2005)
- Ngaanyatjarra Council (9 November 2005)
- Yamatji Marlpa Barna Baba Maaja Aboriginal Corporation (9 November 2005)
- South West Aboriginal Land & Sea Council (10 November 2005)
- Kimberley Land Council (11 November 2005)
- Torres Strait Regional Authority (14 November 2005)
- Cape York Land Council (15 November 2005)
- Carpentaria Land Council Aboriginal Corporation (15 November 2005)
- North Queensland Land Council Native Title Representative Body Aboriginal Corporation (15 November 2005), and
- Aboriginal Legal Rights Movement Inc (1 December 2005)

### *State and Territory governments*

- Western Australian government (10 November 2005)
- New South Wales Government (6 December 2005)
- Australian Capital Territory Government (7 December 2005)
- Northern Territory Government (23 January 2006)

### *Other parties*

- Chamber of Minerals and Energy, Western Australia (10 November 2005)
- Indigenous Land Corporation (11 January 2006)

**Appendix E: measures to encourage effective functioning of PBCs –  
parties to which issues papers have been provided**

Issues papers concerning measures to encourage effective functioning of PBCs, with request for comment, have been provided to the following parties:

*Prescribed Bodies Corporate*

- Bar-Barrum Aboriginal Corporation
- Dauanalgalw (Torres Strait Islanders) Corporation
- Dunghutti Elders Council (Aboriginal Corporation) (NSW NTS)
- Erubam Le Traditional Land and Sea Owners (Torres Strait Islanders) Corporation
- Gebaralgal (Torres Strait Islanders) Corporation
- Gumulgal (Torres Strait Islanders) Corporation
- Hopevale Congress Aboriginal Corporation
- Jidi Jidi Aboriginal Corporation
- Kaiwalagal Aboriginal Corporation
- Karajarri Traditional Lands Association (Aboriginal Corporation) (KLC)
- Kulkalgal (Torres Strait Islanders) Corporation
- Kunin (Native Title) Aboriginal Corporation
- Lhere Artepe Aboriginal Corporation
- Magani Lagaugal (Torres Strait Islanders) Corporation
- Malu Ki'ai (Torres Strait Islanders) Corporation
- Masigalgal (Torres Strait Islanders) Corporation
- Mer Gedkem Le (Torres Strait Islanders) Corporation
- Mualgal (Torres Strait Islanders) Corporation
- Mura Badulgal (Torres Strait Islanders) Corporation
- Ngan Aak Kunch Aboriginal Corporation
- Pila Nguru Aboriginal Corporation
- Porumalgal (Torres Strait Islanders) Corporation
- Saibai Mura Buway (Torres Strait Islanders) Corporation
- Tjamu Tjamu Aboriginal Corporation
- Tjurabalan Native Title Land Aboriginal Corporation
- Walmbaar Aboriginal Corporation
- Western Desert Lands Aboriginal Corporation (Jam ukurnu-Yapalikunu)
- Western Yalanji Aboriginal Corporation
- Yarnangu Ngaanyatjaraku Parna (Aboriginal Corporation)

- Yindjibarndi Aboriginal Corporation (for the Yindjibarndi People).

*Other parties*

- All NTRBs and NTSS
- All state and territory governments
- National Native Title Tribunal
- Social Justice Commissioner (Human Rights and Equal Opportunities Commission)
- Australian Local Government Association
- Australian Institute for Aboriginal and Torres Strait Islander Studies
- Cape York Institute for Policy and Leadership
- National Indigenous Council (note: this paper was sent on 6 December 2005)
- Australian Seafood Industry Council
- Chamber of Minerals and Energy, Western Australia
- Combined Small Scale Miners Association of Australia
- Minerals Council of Australia
- National Farmers' Federation (Native Title Taskforce)
- Pastoralists and Graziers Association of Western Australia

**Appendix F: PBCs – measures to encourage effective functioning of PBCs – parties to whom the Attorney-General's Department has written to seeking information on resources or services which may be available to PBCs**

- Federal Court of Australia
- Indigenous Land Corporation
- Indigenous Business Australia
- Department of Industry, Tourism and Resources
- Department of Environment and Heritage
- Department of Family and Community Services
- Department of Employment and Workplace Relations
- Department of the Prime Minister and Cabinet
- Department of Finance and Administration
- Department of Agriculture, Fisheries and Forestry
- Department of Transport and Regional Services
- Department of Education, Science and Training
- Department of Communications, Information Technology and the Arts (DoCITA)

**Appendix G: Claims resolution review –  
parties met with to 3 February 2006**

IN PERSON CONSULTATIONS – AS AT 3 FEBRUARY 2006

*Queensland*

- Department of Natural Resources and Mines – 4 November 2005
- Crown Solicitor’s Office – 4 November 2005
- Ebsworth and Ebsworth – 4 November 2005
- Andrew Preston - 4 November 2005
- Tony Dalton – 4 November 2005
- Gore and Associates – 4 November 2005
- Queensland Seafood Industry Association – 4 November 2005
- Federal Court – 15 November 2005, 8 December 2005
- Macdonnells – 15 November 2005
- Local Government Association of Queensland – 15 November 2005
- Central Queensland Land Council – 15 November 2005
- National Native Title Tribunal – 15 and 21 November 2005
- Queensland Native Title Liaison Committee – 16 November 2005
- North Queensland Land Council – 16 November 2005
- Marita Stinton – 16 November 2005
- Chris Athanasiou – 16 November 2005
- Carpentaria Land Council – 16 November 2005
- Cape York Land Council – 18 November 2005
- Gurang Land Council - 1 December 2005
- Torres Strait Regional Authority - 1 December 2005
- Bob Munn – 8 December 2005
- BHP – 8 December 2005

*Western Australia*

- Yamatji Marlpa Barna Baba Maaja Aboriginal Corporation – 9 November 2005
- Department of Premier and Cabinet, Office of Native Title – 9 November 2005
- Hunt and Humphry – 9 November 2005
- Goldfields Land Council – 9 November 2005
- South West Aboriginal Land and Sea Council – 9 November 2005
- National Native Title Tribunal – 9 and 10 November 2005
- Philip Vincent – 10 November 2005



- State Solicitor's Office – 10 November 2005
- Kimberley Land Council – 18 November 2005
- Ngaanyatjarra Land Council – 1 December 2005

*Northern Territory*

- Northern Land Council – 7 November 2005
- Central Land Council – 7 November 2005
- Northern Territory Solicitor-General – Tom Pauling QC – 7 November 2005
- Department of Justice – 7 November 2005
- Chief Minister's Department – 7 November 2005
- Cridlands – 7 November 2005
- Northern Territory Seafood Council – 7 November 2005
- Northern Territory Cattleman's Association – 7 November 2005
- Federal Court – 8 November 2005

*Victoria*

- Department of Justice – 11 November 2005
- Federal Court – 11 November 2005
- Native Title Services Victoria – 11 November 2005
- Tom Keely – 11 November 2005

*New South Wales*

- Department of Lands – 17 November 2005
- Crown Solicitor's Office – 17 November 2005
- Federal Court – 17 November 2005

*South Australia*

- Crown Solicitor's Office – 8 December 2005

*Australian Capital Territory*

- NTRB Chief Executive Officers – 23 November 2005
- Australian Government Solicitor – 24 November 2005
- Minerals Council of Australia – 24 November 2005

SENATE LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE  
ATTORNEY-GENERAL'S DEPARTMENT

**Output 1.6**

**Question No. 34 – Additional reply**

**Senator Crossin asked the following question at the hearing on 31 October 2005:**

Reviews of the Native Title Act:

- (a) Who have you been consulting with in relation to the six aspects?
- (b) Please provide the committee with a list of all those who have been consulted and when?

**The answer to the honourable senator's question is as follows:**

On 7 September 2005, the Attorney-General announced a package of reforms to improve the performance of the native title system. The package comprises six elements:

- measures to improve the effectiveness of Native Title Representative Bodies (NTRBs)
- reform of the native title non-claimants (respondents) financial assistance program to encourage agreement making rather than litigation
- consultations about possible technical amendments to the *Native Title Act 1993* to improve existing processes for native title litigation and negotiation
- an independent review of native title claims resolution processes to consider how the National Native Title Tribunal and the Federal Court may work more effectively in managing and resolving native title claims
- consultations about measures to encourage the effective functioning of Prescribed Bodies Corporate (PBCs), and
- increased dialogue and consultation with the State and Territory Governments to promote and encourage more transparent practices in the resolution of native title issues.

The Attorney-General's Department is primarily responsible for five of the six elements while the Office of Indigenous Policy Coordination, within the Department of Families, Community Services and Indigenous Affairs, is primarily responsible for the reform measures to improve the effectiveness of NTRBs.

This answer covers consultations conducted up to and including 3 February 2006, with respect to all elements of the reform package. It details consultations conducted at multilateral forums, by the Attorney-General and Government officers, as well as bilateral consultations conducted through face-to-face meetings and teleconferences. It also details opportunities for stakeholders to review publications outlining various reform proposals and to express their views by written correspondence.

*Consultations conducted at multilateral forums*

The Attorney-General consulted directly with State and Territory Ministers about these reforms and other matters at the Native Title Ministers' Minister on 16 September 2005.

Government officers have also taken opportunities to outline, discuss and receive feedback about the reforms at the following multilateral forums:

- meetings on 18 October 2005 and 23 November 2005 of the Chief Executive Officers of all NTRBs and Native Title Services (NTSs). Senior officers from the Attorney-General's Department and the Office of Indigenous Policy Coordination attended these meetings and outlined and discussed the key elements of the reform package. Graham Hiley QC and Dr Ken Levy attended the meeting on 23 November to discuss the Claims Resolution Review.
- a meeting on 25 November 2005 of State and Territory officials with responsibility for native title. Senior officers from the Attorney-General's Department attended the meeting and outlined and discussed the key elements of the reform package, and
- a meeting on 2 December 2005 of the Native Title Consultative Forum (NTCF). The NTCF is convened three times yearly by the Attorney-General's Department and comprises representatives of the Australian Government, State and Territory governments, the Federal Court, the National Native Title Tribunal, Native Title Representative Bodies, the Human Rights and Equal Opportunity Commission and peak industry bodies (on 2 December 2005, those in attendance were the Minerals Council of Australia, the National Farmers' Federation, the Western Australian Fisheries Industry Council, Australian Petroleum Production & Exploration Association and the Combined Small Scale Miners Association of Australia). Key items discussed included an overview of the reform package, stakeholders' experience with Prescribed Bodies Corporate (PBCs) and possible technical amendments to the Native Title Act.

#### *Bilateral meetings and written consultation*

Government officers are conducting extensive consultations directly with key stakeholders through bilateral meetings and teleconferences. The Government has prepared publicly available documents concerning the reforms, which it has provided directly to stakeholders and/or published on its website. Comments have been invited from stakeholders and the public on key aspects of the reforms. In particular:

- In relation to the proposed revision of the Guidelines for the respondent funding program, the consultation period commenced on 23 November 2005 and will continue until 10 February 2006. Consultation will be extensive. The consultation draft of the guidelines has been available on line at the Department's web site address since its release. The consultation draft has also been provided to peak bodies representing fishing, mining, local government and pastoral interests, legal practitioners and relevant Government agencies. These parties are listed at **Appendix A**. Officers are also meeting with a number of peak bodies and legal representatives to explain and discuss, and seek comment on, the draft Guidelines. Parties who have been consulted up to, and including, 3 February 2006 are listed at **Appendix B**.
- The Government announced details of the reforms to improve the effectiveness of NTRBs on 23 November 2005. The package was outlined to the Chief Executive Officers of all NTRBs and NTSs that day. Further consultations with NTRBs and NTSs, and other stakeholders, will be undertaken before changes are introduced into Parliament next year.
- Consultations regarding possible technical amendments to the Native Title Act have been primarily conducted through the release of the technical amendments discussion paper which contains a series of technical amendments that have been suggested to the Australian Government. The discussion paper was released by the Attorney-General on 22 November 2005. It has been provided to a large number of stakeholders, listed at **Appendix C**, and has also been available on line at the Attorney-General's Department's web site since its

release. All interested parties were invited to submit comments on the paper by 31 January 2006. As of 3 February 2006, 14 responses to the paper had been received. (This figure was incorrectly recorded as 15 responses in the original reply to this Question on Notice.) An exposure draft of the technical amendments will also be released for comment in the first part of this year. Possible technical amendments have also been discussed in many of the meetings with NTRBs and other bodies listed in **Appendix D** (at which issues regarding PBCs were also discussed).

- The Attorney-General's Department is coordinating Australian Government consultations with stakeholders as part of the examination of Prescribed Bodies Corporate (PBCs). The consultations are being guided by a Steering Committee, comprised of officers from the Attorney-General's Department, the Office of Indigenous Policy Coordination and the Office of the Registrar of Aboriginal Corporations. Officers from the Attorney-General's Department and the Office of Indigenous Policy Coordination met with a number of PBCs and NTRBs during October and November 2005, listed at Appendix C. Issues papers have been provided, with requests for comment, to all NTRBs and NTSs and contactable PBCs, State and Territory governments, relevant Australian Government agencies and Departments, the Aboriginal and Torres Strait Islander Social Justice Commissioner, the National Native Title Tribunal, the Australian Institute of Aboriginal and Torres Strait Islander Studies and peak industry bodies. The recipients are listed at **Appendix E**. In December 2005 correspondence was also sent to relevant Australian Government departments and agencies seeking information on resources or services which may be available to PBCs. A list of these departments and agencies is at **Appendix F**.
- The claims resolution review is being conducted by independent consultants (Graham Hiley QC and Ken Levy) and is overseen by a steering committee composed of the Registrar of the Federal Court, a member of the National Native Title Tribunal and senior officers from the Attorney-General's Department and the Office of Indigenous Policy Coordination. The Attorney-General's Department is providing secretariat support to the review. The Government encouraged public submissions from key native title stakeholders, State and Territory governments and respondent bodies, including industry and pastoralist representatives, before 1 December 2005. As at 3 February 2006, 35 submissions have been received. The consultants engaged in extensive direct consultations with representatives of State and Territory governments, NTRBs and peak industry bodies as well as individual legal practitioners. The various meetings conducted prior to 3 February 2006 are listed at **Appendix G**. Information about the review and its objectives is available on the Claims Resolution Review web site ([www.ag.gov.au/claimsresolutionreview](http://www.ag.gov.au/claimsresolutionreview)).

In addition, officers from the Attorney-General's Department have discussed the reform package and consultation processes in bilateral meetings with the Aboriginal and Torres Strait Islander Social Justice Commissioner (on 27 September 2005 and 17 November 2005) and the Minerals Council of Australia (on 24 October 2005).

## **Appendix A: Respondent funding reform – parties to which reform proposals have been provided**

The consultation draft of the proposed guidelines for the respondent funding program, with requests for comments, has been provided to the following parties:

- Department of the Prime Minister & Cabinet
- Office of Indigenous Policy Coordination
- National Native Title Tribunal
- Federal Court
- All State and Territory Governments
- AgForce
- Amalgamated Prospectors & Leaseholders Association
- Association of Mining Exploration Companies Inc
- Mr Fergus Austin
- Australian Canegrowers Council Ltd
- Australian Seafood Industry Council
- B & P Surveys
- Badman Environmental
- Ms Margot-Anne Barefoot
- Blake Dawson Waldron
- Mr Robert Blowes
- Boltons Lawyers
- Bottoms English Lawyers
- Ms Helen Bowskill
- Brazier Motti Pty Ltd
- Mr John Burless
- Ms Susan Burton Phillips
- Cahills Barristers and Solicitors
- Capricorn Mapping and Mining Title Services
- Ms Deanna Cartledge
- Chalk & Fitzgerald, Lawyers & Consultants
- Christensen Legal
- CJ Cooper & Associates
- Mr Geoff Clark

- Ms Suzette Coates
- Cook Shire Council
- Corrs Chambers Westgarth
- Cottrell Cameron & Steen Surveys Pty Ltd
- Ms Rosemary Craddock
- Cridlands Lawyers
- Cullen & Couper Pty Ltd
- D & G Lawyers
- De Silva Hebron
- Deacons Lawyers
- Dibbs Barker Gosling
- Mr Adrian Duffy
- Dwyer Durack Lawyers
- Mr Trevor Egan (W S Group)
- Elrington Boardman Allport
- Encompass Research
- Ethnographix Australia
- LA Evans
- Exploremin Pty Ltd
- Mr George Farkas
- Ms Zoe Farmer
- Farrellys Lawyers
- Finlaysons Lawyers
- Mr Jack Flanagan
- Mr Peter Flanagan SC
- Frenkel Partners
- Mr Michael Gaden
- Gadens Lawyers
- Mr John Greenwood QC
- Golder Associates
- Mr Carey Goodall
- Gore & Associates
- Mr James Curtis-Smith Hargraves
- Mr Graham Hiley QC

- Mr Vance Hughston SC
- Hunt & Humphry
- Jackson McDonald
- Mr Tim Jacobs
- Mr Andrew Jones
- Ms Tina Jowett
- Just Outcomes (Aust) Pty Ltd
- Mr Stephen Keim
- Kelly & Co
- Mr Noel Kennedy
- Mr Peter Kilduff
- King & Company Solicitors
- Mr Hinko Kostanjevec
- Ms Patricia Lane
- Mr Michael Liddy
- Local Government Association of Queensland
- Local Government Association of South Australia
- M H Lodewyk Pty Ltd
- M W Consult Pty Ltd
- MacDonnells Solicitors
- Mr J W S MacKenzie
- Mallesons Stephen Jacques
- Mr William Markwell
- Mathews & Dangar
- McLeod & Co
- Ms Lucy McMillan
- Michael Neal Lawyers
- Miller Harris Lawyers
- Minerals Council of Australia
- Mr Garrie Moloney
- Mony de Kerloy
- Mr Richard Morgan
- Mullins Handcock Lawyers
- Nall Payne Solicitors

- Native Title Solutions
- Mr Anthony Neal SC
- New South Wales Farmers' Association
- New South Wales Seafood Industry Council
- Norman Waterhouse Lawyers
- North Queensland Miners Association
- Northern Cattlemen's Association Inc
- Northern Territory Seafood Council
- Mr Damien O'Brien
- Mr Ben O'Loughlin
- O'Reilly and Stevens
- Mr Luke Passfield
- Pastoralists and Graziers Association of Western Australia
- Dr Melissa Perry QC
- Piper Alderman Lawyers
- Power & Bennett
- Mr Peter Poynton
- Mr Andrew Preston
- Project and Development Management (Qld) Pty Ltd
- PW Skewes & Dempster
- QASCO Surveys Pty Ltd
- Queensland Lapidary and Allied Crafts Clubs Association
- Queensland Seafood Industry Association Inc
- Mr Peter Quinlan
- Mr Paul Richards
- Rigby Cooke Lawyers
- Roberts Nehmer McKee Lawyers
- Mr Dennis Rose QC
- Rowe Lawyers
- Mr Michael Rynne
- Sarasan Pty Ltd
- Mr Paul Smith
- Mr Justin Serong
- Mr Phillip Sheridan



- Mr Markus Spazzapan
- Suthers Taylor Lawyers
- Suzanna Sheed & Associates
- Ms Carolyn Tan
- Terry Fisher and Co
- The Bruce and Stewart Commercial Practice
- The Rowland Company
- South Australian Chamber of Mines and Energy
- South Australian Farmers' Federation
- South Australian Fishing Industry Council
- Mr J Grant Thompson
- Thynne and Macartney
- Toowoomba City Council
- Mr Peter Walker
- Mr Paul Walsh
- Ward Keller Lawyers
- Mr John Waters QC
- Ms Kate Waters
- Ms Raelene Webb QC
- Western Australian Fishing Industry Council
- Western Australian Local Government Association
- Mr Simon Whiley
- Mr Robert Whittington QC
- Mr Ernst Willheim
- Ms Nancy Williams
- Williams Graham & Carman Solicitors
- Williams Love & Nicol Lawyers
- Mr Kim Wilson
- Withnall Maley and Co
- Mr Michael Wright QC
- WT McMillan & Co
- WW & SM McLachlan Consultancy
- V G Peters & Co
- Victorian Farmers' Federation (VFF)

## **Appendix B: Respondent funding reform – parties met with to 3 February 2006**

Government officers have met with representatives of the parties listed below, to 3 February 2006, to discuss the proposed guidelines for the respondent funding program:

- Blake Dawson Waldron (Perth) (28 November 2005)
- Bottoms English (Cairns) (28 November 2005)
- Hunt & Humphrey Project Lawyers (Perth) (28 November 2005)
- MacDonnells Solicitors (Cairns) (28 November 2005)
- North Queensland Miners Association (28 November 2005)
- Western Australian Fishing Industry Council (28 November 2005)
- Great Eastern Country Zone (29 November 2005)
- Cornerstone Legal (Perth) (29 November 2005)
- David Kempton (29 November 2005)
- Michael Neal Lawyers (29 November 2005)
- Minter Ellison (Perth) (29 November 2005)
- Suthers Taylor Lawyers (Townsville) (29 November 2005)
- Western Australian Pastoralists and Graziers Association (29 November 2005)
- Helen Bowskill (30 November 2005)
- D & G Lawyers (Townsville) (30 November 2005)
- Local Government Association of South Australia (30 November 2005)
- Mellor Olsson Solicitors (Adelaide) (30 November 2005)
- Paul Smith (30 November 2005)
- AgForce (1 December 2005)
- Finlaysons Lawyers (Adelaide) (1 December 2005)
- Gadens Lawyers (Brisbane) (1 December 2005)
- Gore & Associates (Brisbane) (1 December 2005)
- Graham Hiley QC (1 December 2005)
- Local Government Association of Queensland (1 December 2005)
- Bill Markwell (Brisbane) (1 December 2005)
- Queensland Seafood Industry Association (1 December 2005)
- Rosemary Craddock Barrister and Solicitor (Adelaide) (1 December 2005)
- South Australian Chamber of Minerals & Energy (1 December 2005)
- South Australian Fishing Industry Council (1 December 2005)

- Williams Love & Nicol Lawyers (Canberra) (1 December 2005)
- Zoe Farmer (Brisbane) (2 December 2005)
- McDonnell Solicitors (2 December 2005)
- Queensland Lapidary and Allied Crafts Club Association (2 December 2005)
- Minerals Council of Australia (5 December 2005)
- Victorian Local Governance Association (5 December 2005)
- Victorian Farmers' Federation (5 December 2005)
- Victorian Association of Forest Industries (5 December 2005)
- Federal Court, Native Title Registrar (Victoria) and Deputy Registrar (Northern Territory) (6 December 2005)
- Rigby Cook (Melbourne) (6 December 2005)
- Just Outcomes (Aust) Pty Ltd (Melbourne) (6 December 2005)
- Frenkels Partners (Melbourne) (6 December 2005)
- Grant Thompson (Shepparton) (6 December 2005)
- Rowan Skinner (Melbourne) (6 December 2005)
- Suzannah Sheed & Associates (7 December 2005)
- Amateur Fishermens' Association of the Northern Territory (13 December 2005)
- Maleys Barristers & Solicitors (Darwin) (13 December 2005)
- Office of Indigenous Policy, Department of Chief Minister (Northern Territory) (13 December 2005)
- Northern Territory Cattlemen's Association (Darwin) (14 December 2005)
- Cridlands Lawyers (Darwin) (14 December 2005)
- Ward Keller (Darwin) (14 December 2005)
- Northern Territory Seafood Council (Darwin) (14 December 2005)
- NSW Farmers' Association (19 December 2005)
- Bruce Stewart Dimarco (19 December 2005)
- Director, Native Title, NSW Department of Lands (19 December 2005)

### **Appendix C: Technical amendments – parties to whom discussion paper has been provided**

A discussion paper outlining technical amendments proposed by the Australian government was released by the Attorney-General on 22 November 2005, and is available on the Attorney-General's Department web site. Comments on the proposals along with suggestions for other technical amendments were sought, and submissions closed on 31 January 2006. The paper was also been provided directly to the following parties:

- all State and Territory governments
- all NTRBs and NTSs and the National NTRB and NTS Forum
- Federal Court of Australia
- National Native Title Tribunal
- Australian Local Government Association
- Aboriginal and Torres Strait Islander Social Justice Commissioner (Human Rights and Equal Opportunities Commission)
- Australian Institute for Aboriginal and Torres Strait Islander Studies
- National Indigenous Council
- Australian Petroleum Production & Exploration Association
- Minerals Council of Australia
- Minerals Exploration Action Agenda Land Access Subcommittee
- National Farmers' Federation
- Pastoralists and Graziers Association of Western Australia
- Queensland Small Miners Association
- Western Australian Fisheries Industry Council
- various interested legal practitioners
- an interested member of the public (this person was omitted from the original reply to this Question on Notice)

## **Appendix D: measures to encourage effective functioning of PBCs – parties met with to 3 February 2006**

Government officers have met with representatives of the parties listed below about measures to encourage the effective functioning of PBCs, to 3 February 2006. Technical amendments were also discussed at many of these meetings.

### *PBCs*

- Lhere Artepe Aboriginal Corporation (26 October 2005)
- Gumulgal (Torres Strait Islanders) Corporation (14 November 2005)
- Magani Lagaugal (Torres Strait Islanders) Corporation (14 November 2005)
- Mura Badulgal (Torres Strait Islanders) Corporation (14 November 2005), and
- Mualgal (Torres Strait Islanders) Corporation (14 November 2005)

### *NTRBs*

- Central Land Council (26 October 2005)
- Ngaanyatjarra Council (9 November 2005)
- Yamatji Marlpa Barna Baba Maaja Aboriginal Corporation (9 November 2005)
- South West Aboriginal Land & Sea Council (10 November 2005)
- Kimberley Land Council (11 November 2005)
- Torres Strait Regional Authority (14 November 2005)
- Cape York Land Council (15 November 2005)
- Carpentaria Land Council Aboriginal Corporation (15 November 2005)
- North Queensland Land Council Native Title Representative Body Aboriginal Corporation (15 November 2005), and
- Aboriginal Legal Rights Movement Inc (1 December 2005)

### *State and Territory governments*

- Western Australian government (10 November 2005)
- New South Wales Government (6 December 2005)
- Australian Capital Territory Government (7 December 2005)
- Northern Territory Government (23 January 2006)

### *Other parties*

- Chamber of Minerals and Energy, Western Australia (10 November 2005)
- Indigenous Land Corporation (11 January 2006)

**Appendix E: measures to encourage effective functioning of PBCs –  
parties to which issues papers have been provided**

Issues papers concerning measures to encourage effective functioning of PBCs, with request for comment, have been provided to the following parties:

*Prescribed Bodies Corporate*

- Bar-Barrum Aboriginal Corporation
- Dauanalgal (Torres Strait Islanders) Corporation
- Dunghutti Elders Council (Aboriginal Corporation) (NSW NTS)
- Erubam Le Traditional Land and Sea Owners (Torres Strait Islanders) Corporation
- Gebaralgal (Torres Strait Islanders) Corporation
- Gumulgal (Torres Strait Islanders) Corporation
- Hopevale Congress Aboriginal Corporation
- Jidi Jidi Aboriginal Corporation
- Kaiwalagal Aboriginal Corporation
- Karajarri Traditional Lands Association (Aboriginal Corporation) (KLC)
- Kulkalgal (Torres Strait Islanders) Corporation
- Kunin (Native Title) Aboriginal Corporation
- Lhere Artepe Aboriginal Corporation
- Magani Lagaugal (Torres Strait Islanders) Corporation
- Malu Ki'ai (Torres Strait Islanders) Corporation
- Masigalgal (Torres Strait Islanders) Corporation
- Mer Gedkem Le (Torres Strait Islanders) Corporation
- Mualgal (Torres Strait Islanders) Corporation
- Mura Badulgal (Torres Strait Islanders) Corporation
- Ngan Aak Kunch Aboriginal Corporation
- Pila Nguru Aboriginal Corporation
- Porumalgal (Torres Strait Islanders) Corporation
- Saibai Mura Buway (Torres Strait Islanders) Corporation
- Tjamu Tjamu Aboriginal Corporation
- Tjurabalan Native Title Land Aboriginal Corporation
- Walmbaar Aboriginal Corporation
- Western Desert Lands Aboriginal Corporation (Jam ukurnu-Yapalikunu)
- Western Yalanji Aboriginal Corporation
- Yarnangu Ngaanyatjaraku Parna (Aboriginal Corporation)

- Yindjibarndi Aboriginal Corporation (for the Yindjibarndi People).

*Other parties*

- All NTRBs and NTSs
- All state and territory governments
- National Native Title Tribunal
- Social Justice Commissioner (Human Rights and Equal Opportunities Commission)
- Australian Local Government Association
- Australian Institute for Aboriginal and Torres Strait Islander Studies
- Cape York Institute for Policy and Leadership
- National Indigenous Council (note: this paper was sent on 6 December 2005)
- Australian Seafood Industry Council
- Chamber of Minerals and Energy, Western Australia
- Combined Small Scale Miners Association of Australia
- Minerals Council of Australia
- National Farmers' Federation (Native Title Taskforce)
- Pastoralists and Graziers Association of Western Australia

**Appendix F: PBCs – measures to encourage effective functioning of PBCs – parties to whom the Attorney-General's Department has written to seeking information on resources or services which may be available to PBCs**

- Federal Court of Australia
- Indigenous Land Corporation
- Indigenous Business Australia
- Department of Industry, Tourism and Resources
- Department of Environment and Heritage
- Department of Family and Community Services
- Department of Employment and Workplace Relations
- Department of the Prime Minister and Cabinet
- Department of Finance and Administration
- Department of Agriculture, Fisheries and Forestry
- Department of Transport and Regional Services
- Department of Education, Science and Training
- Department of Communications, Information Technology and the Arts (DoCITA)



**Appendix G: Claims resolution review –  
parties met with to 3 February 2006**

IN PERSON CONSULTATIONS – AS AT 3 FEBRUARY 2006

*Queensland*

- Department of Natural Resources and Mines – 4 November 2005
- Crown Solicitor’s Office – 4 November 2005
- Ebsworth and Ebsworth – 4 November 2005
- Andrew Preston - 4 November 2005
- Tony Dalton – 4 November 2005
- Gore and Associates – 4 November 2005
- Queensland Seafood Industry Association – 4 November 2005
- Federal Court – 15 November 2005, 8 December 2005
- Macdonnells – 15 November 2005
- Local Government Association of Queensland – 15 November 2005
- Central Queensland Land Council – 15 November 2005
- National Native Title Tribunal – 15 and 21 November 2005
- Queensland Native Title Liaison Committee – 16 November 2005
- North Queensland Land Council – 16 November 2005
- Marita Stinton – 16 November 2005
- Chris Athanasiou – 16 November 2005
- Carpentaria Land Council – 16 November 2005
- Cape York Land Council – 18 November 2005
- Gurang Land Council - 1 December 2005
- Torres Strait Regional Authority - 1 December 2005
- Bob Munn – 8 December 2005
- BHP – 8 December 2005

*Western Australia*

- Yamatji Marlpa Barna Baba Maaja Aboriginal Corporation – 9 November 2005
- Department of Premier and Cabinet, Office of Native Title – 9 November 2005
- Hunt and Humphry – 9 November 2005
- Goldfields Land Council – 9 November 2005
- South West Aboriginal Land and Sea Council – 9 November 2005
- National Native Title Tribunal – 9 and 10 November 2005
- Philip Vincent – 10 November 2005

- State Solicitor's Office – 10 November 2005
- Kimberley Land Council – 18 November 2005
- Ngaanyatjarra Land Council – 1 December 2005

*Northern Territory*

- Northern Land Council – 7 November 2005
- Central Land Council – 7 November 2005
- Northern Territory Solicitor-General – Tom Pauling QC – 7 November 2005
- Department of Justice – 7 November 2005
- Chief Minister's Department – 7 November 2005
- Cridlands – 7 November 2005
- Northern Territory Seafood Council – 7 November 2005
- Northern Territory Cattleman's Association – 7 November 2005
- Federal Court – 8 November 2005

*Victoria*

- Department of Justice – 11 November 2005
- Federal Court – 11 November 2005
- Native Title Services Victoria – 11 November 2005
- Tom Keely – 11 November 2005

*New South Wales*

- Department of Lands – 17 November 2005
- Crown Solicitor's Office – 17 November 2005
- Federal Court – 17 November 2005

*South Australia*

- Crown Solicitor's Office – 8 December 2005

*Australian Capital Territory*

- NTRB Chief Executive Officers – 23 November 2005
- Australian Government Solicitor – 24 November 2005
- Minerals Council of Australia – 24 November 2005