Native Title Act 1993 (Cth) Future Act
Provisions
Right to Negotiate Process for Mining Lease Applications

Legend:
- Proponent action
- Agency action
- Minister’s action
- NNTT action
- NT party(s) action
- Decision point
- Critical path

Application for grant of mining lease
Public notification of intention to grant mining lease; registered NT claimant(s), lease applicant, NTRB and NNTT notified S29

4 months

Existing registered NT claimant(s) affect(s) mining lease area
New NT claimant(s) application filed

NT claimant application complies with registration test, is placed on Registrar of Native Title Claims S30

Letter commencing negotiations issued to negotiation parties S31/Negotiation Protocol

Submission(s) made to Government and NT party(s)

No submission(s) made

Reminder letter sent to NT party(s) requesting submission

Submission(s) made

49 days

At least 6 months since date of notification

No registered NT claimant(s) affect(s) mining lease area

Existing registered NT claimant(s) affect(s) mining lease area
New NT claimant(s) application filed

NT claimant application complies with registration test, is placed on Registrar of Native Title Claims S30

Letter commencing negotiations issued to negotiation parties S31/Negotiation Protocol

Submission(s) made to Government and NT party(s)

No submission(s) made

Reminder letter sent to NT party(s) requesting submission

Submission(s) made

14 days

14 days

4 months

Establish negotiations in good faith has occurred

Establish negotiations in good faith has occurred

Mediation conferences held

Mediated agreement not reached

Mediated agreement reached

Application can be referred to NNTT for mediation assistance S31(3)

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Typically, negotiations take place between Government, NT party(s) and lease applicant

Negotiations break down

Negotiations progress

Tripartite (Section 31) agreement reached

Relevant Minister advised of the making of the Agreement

Grant of mining lease process continues (see Mining Lease Application chart for more information)

Commonwealth Minister may overturn decision

Sources:
Native Title Act 1993 (Cth)