

PART 9



NNTT
National Native
Title Tribunal

National Native Title Tribunal



Overview

The 2025–26 reporting period has been a year of significant activity across multiple fronts. The National Native Title Tribunal (NNTT) continued to develop and refine its services, raise awareness of its work, undertake a brand refresh in partnership with First Nations creative agency Yirra Miya, and contribute to the broader native title sector through inter-agency committees and reform processes.

A key focus during the year was the NNTT's contribution to the Australian Law Reform Commission's Future Act Review Report. The review considered many aspects of the NNTT's current work and makes recommendations that may have a significant bearing on the future operation of the native title system and the NNTT.

The NNTT acknowledges the contribution of Mr Glen Kelly, who completed his five-year term as a Member in March 2026. During his tenure, Glen finalised an important report following extensive consultation with parties to the expedited procedure in Western Australia. The report has since been published by the Western Australian (WA) Government, which is now rolling out its response. We thank Glen for his dedication and service to the NNTT and wish him all the best in his future endeavours. It has been a privilege to work alongside him.

The NNTT was also pleased to welcome Dr Giovanni (Joe) Fardin as a Member with the NNTT in May 2026. Based in Perth, Joe brings decades of industry and academic experience across native title resources and the academic sector. His experience includes working with the World Bank in Pacific nations. His expertise strengthens the Tribunal's capability and supports its ongoing work, and we look forward to the contribution he will make to the Tribunal.

The NNTT's Business Support Team (BST), together with colleagues across the Federal Court of Australia Corporate Services, have spent much of the year preparing to replace several key business systems that have reached the end of their operational life. Initial work to transition to a new cloud-based website and information management system commenced during the reporting period and will continue into 2026–27. Future systems improvements and efficiencies in respect of the NNTT's existing intranet, case management and databases are also being progressed, improving current performance and in preparation for system replacement and upgrade in the future.

The digitisation project, referenced later in this Report, is partially funded through new monies shared with the Federal Court Native Title Unit, has continued throughout the year with 5,700 paper files digitised. This comprises some 20 per cent of the total paper file archive held by the NNTT.

BST has also steered a successful rebranding process, which included the approval to use a new more informal logo on appropriate materials. The beautiful design work evident in this Report reflects the success

of the new brand, the partnership with Yirra Miya, and our own enhanced internal capability to build a visual identity that reflects our vision and purpose.

Refining and promoting the NNTT's Promoting Agreement package under section 60AAA of the *Native Title Act 1993* (Cth) (NTA) has been a whole-of-organisation effort. The model is designed to cater to the needs of First Nations parties and their representatives in the post-determination context is now actively being employed in several NNTT assistance processes around the country. The service is also being introduced to Prescribed Bodies Corporates (PBCs) through collaboration with the National Native Title Council (NNTC) via a Promoting Agreement presentation in its PBC Directors Training, and through a YouTube video and other products available online and in print.

The future act work under Subdivision P of the NTA continues to be a key part of the NNTT's work requiring considerable resourcing. Some 85 per cent of that work is in Western Australia and the number of objection applications to the expedited procedure remaining active at the end of the reporting period are at a three-year high. The rate of expedited procedure decisions, future act determination application decisions, and section 150 conferences remain reasonably constant with a downturn in the number of section 31(3) mediation requests received.

In contrast to the previous reporting period, the number of claimant and non-claimant native title applications increased during 2025–26. Many of the remaining native title applications raise complex issues when applying the registration test. Claims also outnumbered Indigenous Land Use Agreements (ILUAs), challenging the trend seen in recent years.

The Geospatial Services Team continues to provide demonstrations of the NNTT's online mapping and spatial data services for various stakeholders on request. It has provided several information sessions this past year to introduce the changes and enhancements in the upgraded Native Title Vision facility. Geospatial provides regular mapping products to other NNTT teams and to third parties to use in their own systems, either by downloading the data, or by taking advantage of web map services. It has been particularly occupied with generating maps for PBCs featuring layered data over their determination areas to assist the section 60AAA service.

The NNTT has maintained a strong presence in the native title system, contributing to initiatives aimed at strengthening the current capability of the system and enhancing resilience to manage future changes. It takes its stakeholder education responsibilities seriously, responding to several requests for bespoke training from government, industry and First Nations groups. It has also provided information sessions during the notification period for large new native title applications where many non-native title interests exist.

Establishment

The NTA established the NNTT as an independent body with a range of important statutory functions. The NTA is itself recognised as a ‘special measure’ designed to advance and protect the rights of Aboriginal and Torres Strait Islander peoples (First Nations Peoples). The preamble makes clear its broader purpose of advancing reconciliation among all Australians, which is in turn embraced by the NNTT vision statement:

‘A Reconciled Future — where Country thrives on recognised native title rights and respectful relationships.’

Key objectives of the NTA are to:

- provide for the recognition and protection of native title
- establish mechanisms for the determination of native title, including claimant, non-claimant, revision, and compensation applications
- set out how future acts may proceed validly, ensuring certainty for all parties

The NTA requires that the NNTT perform its functions in a manner that is fair, just, economical, informal, prompt and has regard for the cultural and customary concerns of First Nations Peoples.

Office locations

The NNTT maintains offices in Brisbane, Cairns, Melbourne, Adelaide, Perth and Sydney.

The President, Members and the Native Title Registrar

The President, Members of the Tribunal and the Native Title Registrar are statutory office holders appointed by the Governor-General for specified terms not exceeding five years. The NTA sets out the qualifications required for appointment and defines the respective roles, functions, and responsibilities of these offices.



Kaurna Country. Port Wilunga Beach, South Australia

Statutory office holders

Table 9.1 NNTT statutory office holders as of 30 June 2026

Title	End of term	Term	Location
President Kevin Smith	July 2028	Five Years	Brisbane
Member Nerida Cooley	February 2029	Five Years	Brisbane
Member Lisa Eaton	December 2027	Five Years	Perth
Member Simon Grant	March 2030	Five Years	Brisbane
Member Joe Fardin	May 2031	Five Years	Perth
Registrar Katie Stride	August 2028	Five Years	Brisbane



President Kevin Smith



Registrar Katie Stride

Functions and powers of the President

- The NTA provides that the President is responsible for the administrative affair—except for matters under the *Public Governance, Performance and Accountability Act 2013* (Cth) (PGPA Act) of the *Public Service Act 1999* (Cth) (PSA Act)—of the NNTT, assisted by the CEO and Principal Registrar of the Federal Court of Australia, who may delegate their powers to the Native Title Registrar or other NNTT staff members.
- The President can direct who mediates, provides assistance or undertakes reviews or inquiry functions, and can direct where the Tribunal sits and the procedures it follows.

Functions and powers of the Native Title Registrar

Under the NTA, the Registrar has specific functions to:

- assist the President manage the administrative affairs of the NNTT and for that purpose, is delegated most of the functions of the CEO and Principal Registrar of the Federal Court of Australia in relation to the NNTT,
- provide assistance to people preparing native title applications and more generally in respect of training, education and mapping,
- consider whether claimant applications meet the requirements of the registration test, to be included on the Register of Native Title Claims,
- give notice of new and amended claim applications, compensation applications, and of ILUAs in accordance with the NTA,
- consider whether ILUAs meet the necessary requirements of the NTA for registration,
- maintain the Registers of Native Title Claims, National Native Title Register, Future Act Applications and Determinations, Registered ILUAs and the record of State Deeds.



From left to right: Member Simon Grant, Member Lisa Eaton, Registrar Katie Stride, President Kevin Smith, Member Nerida Cooley, Member Dr Joe Fardin.

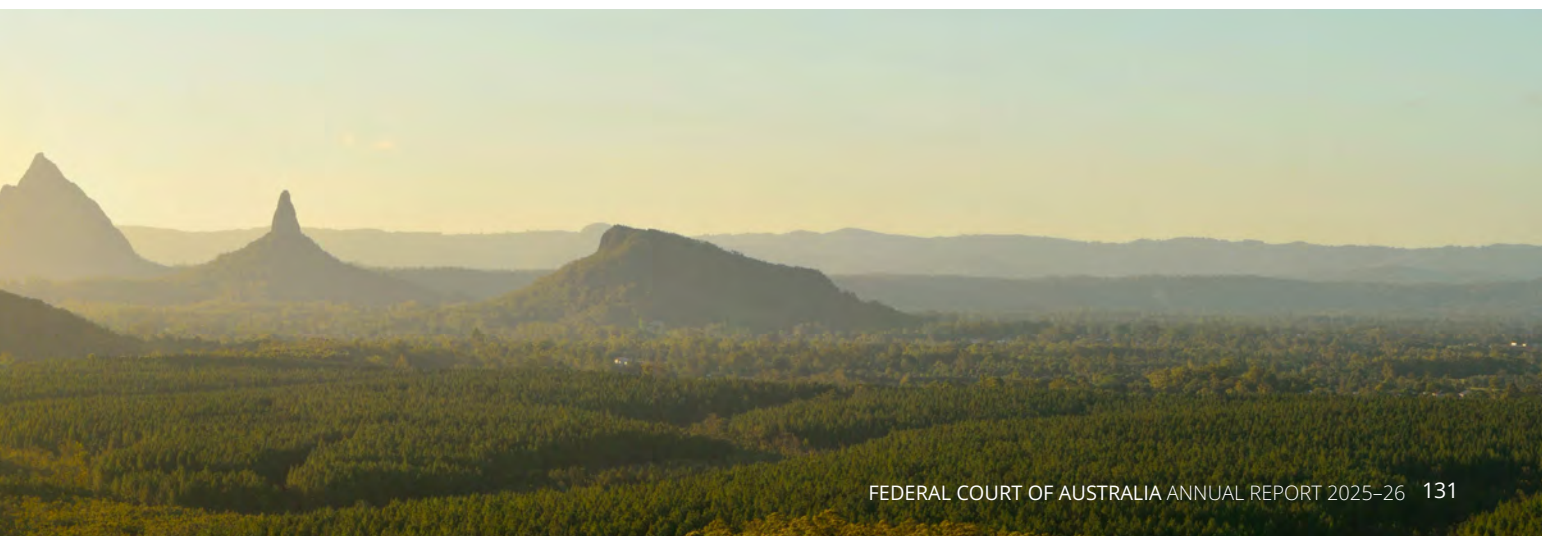
Functions and powers of the Tribunal

Under the NTA, the Tribunal (defined as the President and Members) has specific functions to:

- mediate native title proceedings or conduct reviews, upon referral to it by the Federal Court of Australia,
- determine objections to the expedited procedure,
- mediate between parties in the right to negotiate proceedings,
- determine future act determination applications,
- assist people to negotiate ILUAs and resolve any objections to ILUA registration,
- assist representative bodies in performing their dispute resolution functions,
- reconsider decisions of the Native Title Registrar not to register claimant applications on a request for internal review, and
- conduct special inquiries under ministerial direction.

Functions and powers of the NNTT

- Assist in promoting agreement post-determination, on request by Registered Native Title Bodies Corporate (RNTBCs) and common law holders.
- Assist native title representative bodies and service providers in the exercise of their dispute resolution powers.



Cultural acknowledgement and reconciliation

The NNTT would not exist were it not for the High Court's landmark decision in *Mabo*, which recognised the continuing existence of Indigenous peoples in Australia since time immemorial and the integral relationship they have with Country. The NNTT recognises and acknowledges the traditional owners of Country throughout Australia today and acknowledges their ancestors.

The launch of the Federal Court of Australia Listed Entity's 2026–2027 Reflect Reconciliation Action Plan (RAP) on 15 April 2026 in Brisbane marked an important milestone in our reconciliation journey. Led by Native Title Registrar and RAP Champion Katie Stride, the event brought together the Courts and the NNTT reflecting a unified commitment to reconciliation and a shared vision of learning, respect and meaningful connection.

The RAP reinforces our ongoing commitment to working respectfully with First Nations peoples and strengthening enduring relationships. The NNTT continues to demonstrate leadership through communications, social media, and engagement on key national days of significance for First Nations Peoples. We remain committed to continuous improvement in the effort to realise the NNTT vision.



Kevin Smith (President NNTT), Kirsty Maylin (RAP Working Group and Director Indigenous Policy (FCFCOA), Libby Ferrari (CEO Reconciliation Qld, Katie Stride (Registrar NNTT)

2025–26 Business support – at a glance

 Client enquiries

1,764

 Website traffic / views

702,815

 Social media posts

112

 External training and presentations

12

 Cultural Agility sessions hosted in NNTT offices nationally

4

 Documents digitised

5,714

Cultural artwork: logo and branding

The NNTT has introduced a new logo and brand identity, following approval from the Prime Minister's Branding Unit and with the support of the Attorney-General.

As an independent statutory body established under the NTA, and in line with the Australian Government Branding Guidelines, courts and tribunals are exempt from standard branding requirements—and may adopt distinct branding where appropriate.

The new identity, developed by First Nations creative agency Yirra Miya, has been designed to better engage First Nations communities throughout their native title journeys by consistent and recognisable application. The artwork reflects the NNTT's commitment to culturally informed and respectful practice while reinforcing its role as a trusted, impartial, and independent body.



Logo co-created by Yirra Miya Artists Leticia Anne Forbes and Lauren Henry.

Designed to work alongside the cultural artwork, our logo's meeting place represents the current context of the NNTT reflecting the space cultivated through our work internally and externally, whilst committing to be respectful of land, cultural connections, people, and community.

The different layers in our logo meeting place intertwine colours of water, country, and sky to reflect the diverse landscapes across Australia.



By Wodi Wodi Walbunja Artist Lauren Henry
©Yirra Miya 2025

The cultural artwork acknowledges the rich history of the NNTT and key moments in our history which have shaped the present. The artwork also highlights how our present moments will impact the future of the Tribunal while also providing a place for First Nations communities to feel supported on their native title journeys.

Cultural Agility Training

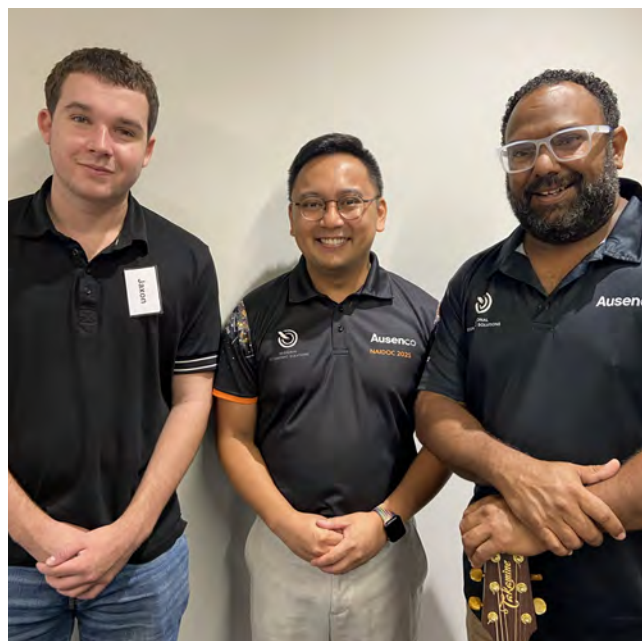
Foundation 2-day workshop

Fifteen staff from the NNTT and an additional two participants from the Federal Court of Australia took part in the foundational two-day Cultural Agility Training workshop held in Brisbane in March 2026. Facilitated by Ivan Ingram, Jeremy Marou and Jaxon Wilson, from the First Nations provider Regional Economic Solutions, the workshop used storytelling to build understanding of Australia's legislative history, the importance of Country, and the lived experiences of First Nations Peoples. Participants also explored practical ways to strengthen cultural agility in their day-to-day work and engagement.

The training was both extremely informative and deeply memorable. A Dispute Resolution and Assistance Case Manager provided the following feedback:

'I feel privileged to have had the opportunity to participate. It was very eye-opening to see the injustice embedded in Australia's early legislative instruments toward First Nations Peoples. Many thanks to Jaxon, Jeremy, and Ivan for their powerful truth-telling.'

Following the foundational training, 36 NNTT staff attended Day 3 of the program across three locations—Brisbane, Sydney and Perth. This personal and professional reflection day builds on the educative components of the two-day workshop, focusing on the **Closing the Gap** and Governance of Indigenous Data frameworks, the Listed Entity RAP commitments and how these learnings can be applied in everyone's sphere of influence.



Jaxon Wilson, Ivan Ingram, Jeremy Marou



Foundational two-day Cultural Agility Training held in Brisbane in March 2026



Day 3 Cultural Agility Training in Perth, 18 June 2026

AIATSIS 2026: NNTT relaunches 'Promoting Agreement model'

From 1 to 5 June 2026, a delegation of NNTT staff attended the AIATSIS 2026 Summit on the Gold Coast. The 2026 theme 'Our Truth. Our Power. Our Future' provided an opportunity to network, gain knowledge and share the NNTT's work.

NNTT Native Title Registrar, Katie Stride, and Dr Ivan Ingram (Regional Economic Solutions) jointly presented on 'Indigenous Data Sovereignty, Native Title Records and Artificial Intelligence'. Legal & Compliance Director Paulette Dupuy and Manager Mike Raine delivered a session titled 'There's ILUAs in them there hills!: Tips and tools for ILUA landscapes.'

In the exhibition hall, the NNTT's stall attracted steady interest, showcasing **Native Title Vision**, and the **Promoting Agreement framework**.

More than 70 delegates visited the NNTT's stall, sparking conversations on post-determination assistance, geospatial services, ILUAs and native title applications. Staff connected with a wide range of stakeholders, including PBCs, government representatives, researchers and organisations such as UNESCO, CSIRO and the National Native Title Council.



Innovation: social media and website accessibility improvements

Social media innovation and website development

In 2025–26, the NNTT strengthened its digital presence through a more strategic and data-driven approach to social media. A key achievement was transitioning to the Listed Entity's social media management platform, Brandwatch, which enabled improved monitoring, audience insights and more targeted content delivery. The NNTT also introduced the digitalisation of statutory notifications on its LinkedIn and Facebook platforms, increasing reach, efficiency and accessibility for stakeholders.

These initiatives and the current redevelopment of the NNTT website have enabled the NNTT to better inform stakeholders, increase engagement and modernise the way we communicate key information.

The NNTT recently launched its new website, featuring a modern, minimalist design that improves usability and delivers a more intuitive experience across devices, with improved accessibility and navigation on mobile phones and tablets. Phase 2 of this project is a comprehensive content review of the site that will take place over the next reporting year.

NNTT's Digitisation Project update

Priority Reforms 1 and 4 of the Closing the Gap Agreement supports the digitisation of paper and audio-visual native title records so that responsible custodianship can support Indigenous data governance practices. Funding from the 2024–25 Federal Budget has enabled the continuation of this work, with appropriate protections maintained for confidential and culturally sensitive material.

During the reporting period, the project progressed to the large-scale digitisation of Perth office records. By June 2026, 97 per cent of Perth files (5,714 files) had been digitised and downloaded from secure transfer, with 65 per cent also completing further checks against National Archives of Australia standards, internal quality assurance and filed. Some 20 per cent of the NNTT's paper file archive has been digitised with the project funding largely expended.

Financial review

The Federal Court's appropriation includes funding for the operation of the NNTT. This funding is detailed at sub-program 1.1.2 in the Court's Portfolio Budget Statements. A sum of \$10,326 million was originally budgeted for the NNTT's operations in 2025–26. A further revenue payment increased this amount to \$10,383 million. The total expenditure for the reporting year was \$11,475 million.

The Federal Court Listed Entity Annual Report shows the consolidated financial results for both the Federal Court and the NNTT.

External scrutiny

Freedom of information

During the reporting period, one request was received under the *Freedom of Information Act 1982* (Cth) (FOI Act) for access to documents. The NNTT publishes a disclosure log on its website, as required by the FOI Act. The disclosure log lists four documents released in full and one document released in part in response to the one FOI request processed during the reporting period.

Accountability to clients

The NNTT maintains a Client Service Charter (Commitment to Service Excellence) to ensure that service standards meet client needs. During the reporting period there were no complaints requiring action under the Charter.

Statutory office holder conduct next reporting year

There is a code of conduct for NNTT statutory office holders that have been reviewed for currency during the reporting period to be republished in the next year. During the reporting period, there were no complaints concerning Members that required action in accordance with the code.

Online services

The NNTT maintains a public website at www.nntt.gov.au, which provides accessible, up-to-date information on its functions and services. The website enables users to search key statutory registers, including the National Native Title Register, the Register of Native Title Claims, the Future Act Register and the Register of ILUAs.

Native title spatial information and related data are also available online through Native Title Vision, supporting improved access to geospatial information.

Following amendments to the NTA in 2021, the NNTT also established and maintains a publicly accessible record of section 31 agreements provided to it from 2021.

Australian Human Rights Commission

Under section 209 of the NTA, the Commonwealth Minister may, by written notice, direct the Aboriginal and Torres Strait Islander Social Justice Commissioner to report to the Commonwealth Minister about the operation of the NTA or its effect on the exercise and enjoyment of human rights by First Nations Peoples.

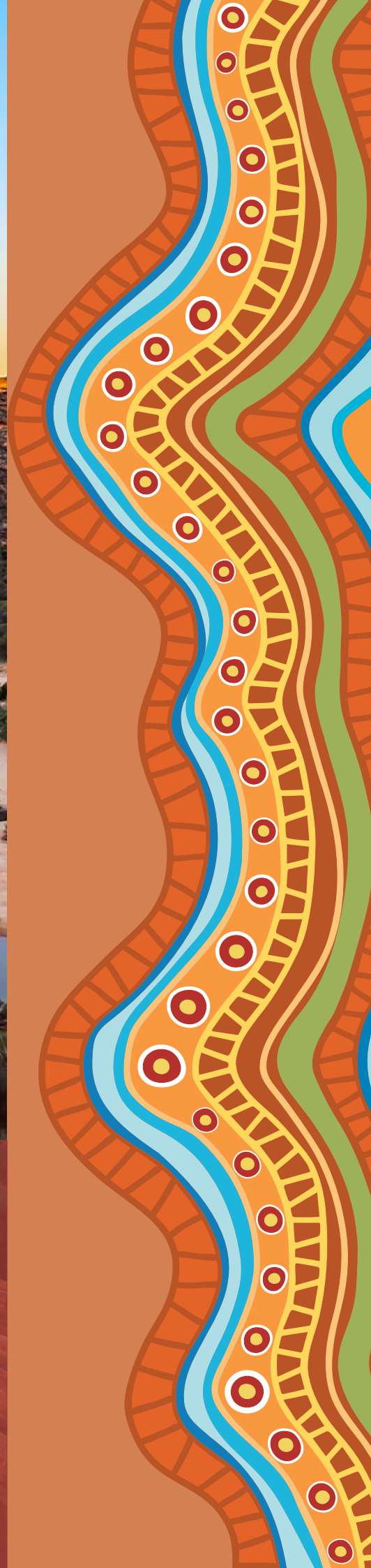
The NNTT has provided Social Justice Commissioner Ms Katie Kiss with statistics and other information required to produce reports on request through the 2025–26 year.

Geospatial



Nanda Country. Kalbarri National Park, Western Australia.

This part of the NNTT report looks at how the Geospatial Services Team supports the work of the NNTT through the delivery of high-quality mapping, spatial information, and geospatial services that are essential to the administration and navigation of the native title system.



2025–26 Geospatial – at a glance



Geospatial assistance requests—applications
section 78 assistance

104



Geospatial assistance requests—ILUAs
section 24 assistance

25



Mapping and assistance requests (other)

228



Compliance assessment reports

144



Geospatial assistance requests (other)

497



Geospatial search requests—section 78(2) assistance

2,046

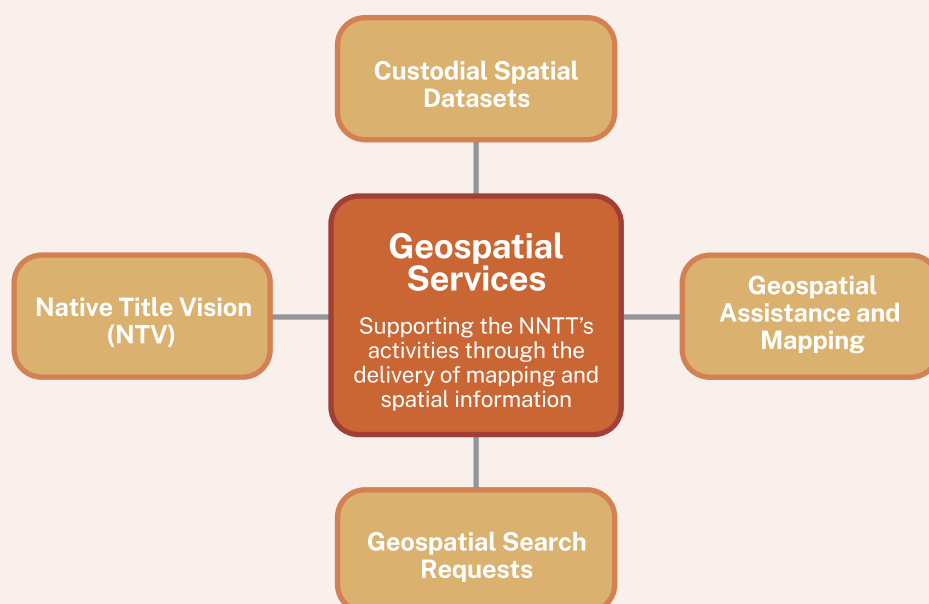
Overview

The Geospatial Services Team supports the work of the NNTT through the delivery of high-quality mapping, spatial information, and geospatial services that are essential to the administration and navigation of the native title system.

The team is responsible for:

- Managing, maintaining, and distributing authoritative spatial datasets that underpin the NNTT's registers and schedules for native title determinations, applications, and future acts ILUAs.
- Producing maps and geospatial information products to support native title applicants, registered native title bodies corporate, commonwealth, state and territory government agencies, industry stakeholders, researchers, and the broader community.
- Providing geospatial analysis and advisory services that assist decision-making, spatial planning, and the interpretation of native title-related information.

Through these services, the team plays a critical role in enabling stakeholders to understand the spatial extent and status of native title matters across Australia.



Assistance

There continues to be strong national demand for geospatial products and services that support stakeholders in accordance with the provisions of the NTA. Assistance provided by Geospatial Services includes the preparation of maps, boundary descriptions, and overlapping interest reports to support parties preparing applications and associated documentation for native title proceedings, as well as parties involved in agreement-making processes (ILUAs). The team also provides pre-lodgment compliance assessment advice for applications, determinations, and ILUAs.

The Geospatial Services Team continues to enhance and deliver Native Title Vision (NTV), the NNTT's free online mapping platform. NTV enables stakeholders to view and query the NNTT's custodial datasets alongside a range of third-party spatial information, including non-freehold land tenure, mining and petroleum tenements, and administrative boundaries. Training and technical support are provided to stakeholders as required to maximise the effective use of the platform.

The NNTT's custodial spatial datasets remain freely available for integration into external systems through downloadable datasets and web map services. These services are widely utilised by Commonwealth and state government agencies, with NNTT custodial datasets incorporated into numerous online applications systems across Australia.

Pursuant to section 78(2) of the NTA, individuals and organisations may request searches of the NNTT's registers to determine whether a particular area of land or water is subject to a native title interest. Geospatial Services conducts these searches and provides reports identifying the area of interest and any overlapping native title matters.

Geospatial Services also delivers critical support across the NNTT for a range of business functions. This includes the preparation of mapping products to support the NNTT's 'Promoting Agreement' functions, spatial analysis and mapping services for mediation functions, and the preparation of compliance assessment reports for new and amended native title matters, and applications subject to registration.

Since 2014, Geospatial Services has compiled a National Indigenous Estate dataset on behalf of the Productivity Commission. The analysis derived from this dataset underpins the provision of nationally consistent statistics for the Closing the Gap (CtG) Dashboard, supporting the monitoring and reporting of Indigenous land and water outcomes across Australia.

Three-year comparison—assistance requests for geospatial services

Table 9.2 Geospatial services assistance requests completed

Title	2023–24	2024–25	2025–26
Geospatial Services assistance requests	1,097	913	998
Geospatial search requests—section 78(2) assistance	2,099	2,080	2,046

National Native Title Status

Determinations

The 677 registered determinations (including 129 where native title does not exist in the entire determination area) as of 30 June 2026 covered a total area of about 4,271,458 km² or 55.5 per cent of the land mass of Australia and approximately 177,324 km² of sea (below the high-water mark) as indicated in Table 9.3—Registered Native Title determinations (by area coverage) as at 30 June 2026.

One conditional determination (South Australia) is still awaiting registration. Upon registration, this determination will increase the areas determined to about 4,286,826 km² or 55.7 per cent of the land mass of Australia as indicated in Figure 9.1—Registered Native Title Determinations as at 30 June 2026.

The conditional consent determination is *Branson on behalf of Ngadjuri Nation #2 Native Title Claim v State of South Australia* [2023] FCA 715.

Indigenous Land Use Agreements

Registered ILUAs cover about 2,713,573 km² or 35.3 per cent of the land mass of Australia and approximately 52,802 km² of sea, as indicated in Figure 9.2—Registered Indigenous Land Use Agreements as at 30 June 2026 and Table 9.4—Registered Indigenous Land Use Agreements (by area coverage) as at 30 June 2026.

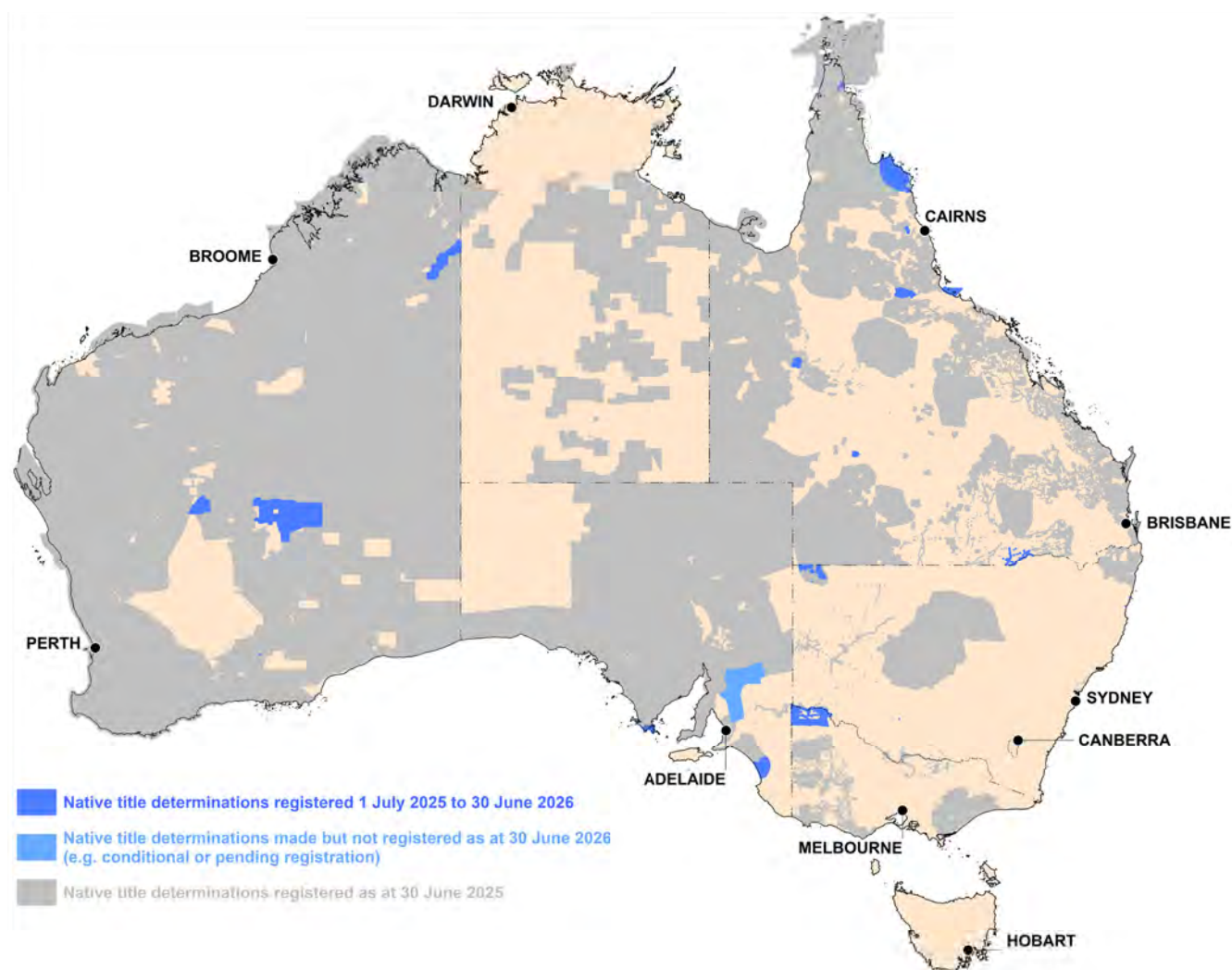


Figure 9.1: Native Title Determinations as of 30 June 2026

Table 9.3 Registered Native Title Determinations (by area coverage) as of 30 June 2026

Jurisdiction	Native title exists (exclusive)	Native title exists (non-exclusive)	Sub-total	Native title does not exist	Total area (km ²)	Determined Area %
Landmass	43	62	104			
ACT	0	0	0	0	0	0%
NSW	684	10,521	11,205	101,718	112,923	14.1%
NT	14,056	361,699	375,755	828	376,583	27.9%
QLD	84,414	610,888	695,302	137,267	832,569	48.1%
SA	7,858	548,110	555,968	92,821	648,789	65.9%
TAS	0	0	0	0	0	0%
VIC	0	20,154	20,154	11,018	31,172	13.7%
WA	1,111,070	835,819	1,946,889	322,533	2,269,422	89.6%
Total	1,218,082	2,387,191	3,605,273	666,185	4,271,458	55.5%
Offshore	0	114,746	114,746	62,578	117,324	

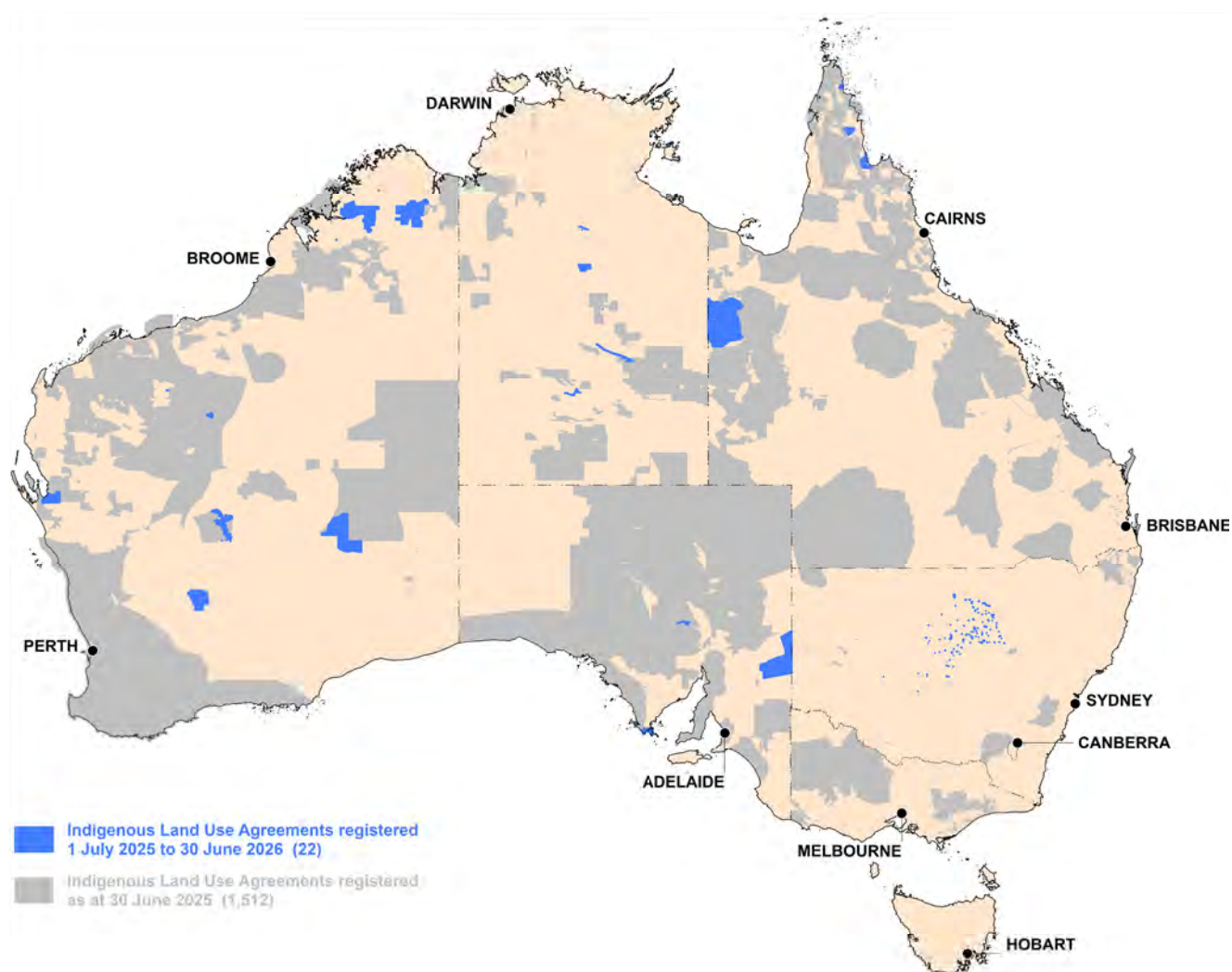


Figure 9.2: Registered Indigenous Land Use Agreements as of 30 June 2026

Table 9.4 Registered Indigenous Land Use Agreements (by area coverage) as of 30 June 2026

Jurisdiction	Area of land covered (km ²)	% of land covered	Area of sea covered (km ²)
ACT	0	0	0
NSW	33,524	4.20%	8
NT	182,260	13.50%	29
QLD	835,693	48.30%	6,9278
SA	609,882	62.00%	1,849
TAS	0	0%	0
VIC	86,766	38.10%	272
WA	965,448	38.20%	34,940
Commonwealth	0	0%	8,776
Total	2,713,573	35.30%	52,802



Baiyungu Country. Coral Bay, Western Australia.

Dispute Resolution and Assistance



This section reports on the NNTT's future act functions under the *Native Title Act 1993* (Cth)

Karlu Karlu Country. Devils Marbles, Northern Territory.



2025–26 Future Acts – at a glance

 Advertised section 29 notices

2,762

 Objections lodged

1,415

 Objections finalised

1,228

 Active objections

1,590

 Tenements cleared

1,173

 section 150 conferences concluded

22

Future acts

The NNTT's future act case management supports lawful decision-making about acts that are covered by Subdivision P of the NTA, which may affect native title rights and interests. The case management procedures provide a framework for proponents, native title parties and state governments to negotiate, object, mediate and, where necessary, have matters determined by the Tribunal. The NNTT's role is to support agreement-making wherever possible and provide a fair, just, economical, informal and prompt pathway for determination where agreement cannot be reached.

In 2025–26, this work continued in a high-volume environment. The NNTT received 2,762 section 29 future act notices, comprising 2,180 notices that asserted the expedited procedure applied to the grant of tenements and 582 that did not.

Three-year comparison—section 29 notices and core future act activity

Table 9.5 Section 29 notices and core future act activity

Statistic	2023–24	2024–25	2025–26
Advertised section 29 tenement notices—total	2,468	2,347	2,762
Section 29 notices including the expedited procedure statement	2,188	2,039	2,180
Section 29 notices not including the expedited procedure statement	280	308	582
WA advertised tenements section 29 notices—total	1,966	1,926	2,306

Expedited procedure

The expedited procedure is designed for future acts expected to have minimal impact on native title. If a government party asserts the expedited procedure applies to the grant of a future act, and no native title party objects, the government party may do the act. If a native title party objects and the parties cannot otherwise reach agreement, the Tribunal must hold an inquiry into whether the expedited procedure should apply. If it does not apply, the matter proceeds through the usual section 31(1) right to negotiate process.

Over the reporting year, 1,415 objections were lodged and 1,228 were finalised. Finalisations increased by 20 per cent from the previous year; however, active objections rose to 1,590 at year end. Agreement remained a key resolution pathway: 529 objections were withdrawn following agreement, while 289 matters were closed after the relevant tenement application was withdrawn. The NNTT made 43 substantive determinations; 34 that the expedited procedure applied and nine that it did not.

Three-year comparison—Expedited Procedure Objection Applications and Outcomes

Table 9.6 Expedited Procedure Objection Applications and Outcomes

Statistic	2023–24	2024–25	2025–26
Objection applications lodged	1,097	1,442	1,415
Active objection applications at end of financial year	980	1,404	1,590
Objection applications finalised	869	1,018	1,228
Withdrawn following agreement	362	305	529
Tenement application withdrawn	278	397	289
Determination—expedited procedure applies	12	8	34
Determination—expedited procedure does not apply	8	3	9
Dismissed—section 148(b)	87	92	13

■ Western Australia ■ Rest of Australia

Advertised s29 Notices	2,306/2,760	84%
Objections lodged	1,330/1,415	94%
Active objections	1,462/1,590	92%

Figure 9.3: Percentage of national objection activity in WA.

Future Act Determinations

Where the expedited procedure does not apply, or is not asserted, parties must negotiate in good faith. If agreement is not reached after the statutory negotiation period, a party may apply to the Tribunal for a future act determination. The Tribunal will conduct an inquiry, taking into account the criteria set out in section 39 of the NTA, and may determine that the act may be done, may be done subject to conditions, or must not be done. If any party asserts that negotiations in good faith have not occurred, the Tribunal will hold an inquiry to establish whether that is the case. A finding of a failure to negotiate in good faith means the Tribunal has no jurisdiction to determine the application.

Over the reporting year, 18 future act determination applications (FADAs) were lodged across New South Wales (2), Victoria (4), Queensland (1) and Western Australia (11). Eleven FADA applications remained active as of 30 June 2026.

The Tribunal finalised 14 FADA decisions during the reporting year. Of these, the Tribunal made six substantive determinations, the reasons for which can be found on the NNTT's website. Four of the decisions found that the future act could be done (two subject to conditions), one related to a preliminary issue of whether a hearing was required and one found that negotiation in good faith was not satisfied and was dismissed under section 148(1) of the NTA.

Other matters were finalised through withdrawal, either by agreement under section 31(3)(b) of the NTA or withdrawal of the tenement application.

Three-year comparison – FADAs and outcomes by tenement

Table 9.7 FADAs and Outcomes by Tenement

Statistic	2023–24	2024–25	2025–26
FADAs lodged	8	21	18
Active FADAs at end of financial year	7	7	11
FADAs finalised	17	21	14
Application withdrawn	1	0	4
Application withdrawn—section 31(1)(b) agreement	5	6	2
Determination—act may be done	6	8	2
Determination—act may be done subject to conditions	0	6	2
Dismissed—section 148(a) negotiation in good faith not satisfied	5	1	2
Tenement application withdrawn	0	0	2

Future act agreement-making assistance: section 31(3) mediation and section 150 conferences

Agreement-making remains central to the future act system. Under section 31(3), negotiation parties may ask the NNTT to assist them to reach agreement about proposed future acts subject to the right to negotiate.

In 2025–26, five new section 31(3) mediation requests were submitted, 14 remained active and 23 were finalised.

Three-year comparison—section 31(3) mediations and section 31 deeds

Table 9.8 Section 31(3) mediations and section 31 deeds

Statistic	2023–24	2024–25	2025–26
Section 31(3) mediation requests	34	28	5
Active section 31 mediation requests at end of financial year	35	32	14
Section 31 mediation requests finalised	33	31	23
Section 31(1)(b) agreement outcomes	0	5	4

Pursuant to section 150 of the NTA, the President or an Inquiry Member may direct the holding of a conference to assist parties in resolving any matter that is relevant to an NNTT inquiry. Section 150 conferences can help parties better understand issues, explore options for reaching agreement and narrow matters in dispute.

Over the year, 19 section 150 conferences were directed in the context of objection applications and 20 were concluded. A further two section 150 conferences in the context of FADAs were directed and two were concluded.

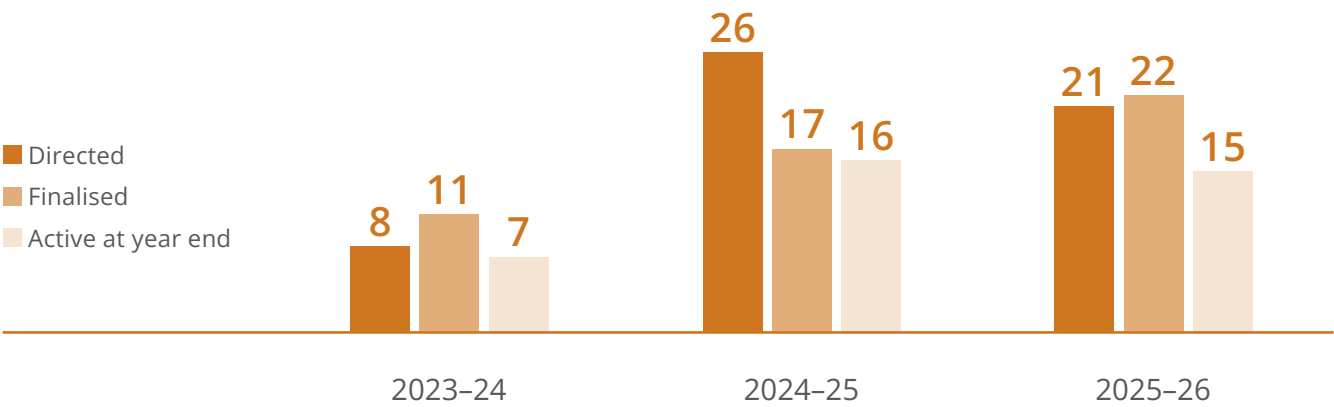


Figure 9.4: section 150 conferences

Three-year comparison—section 150 conferences

Table 9.9 section 150 conferences

Statistic	2023–24	2024–25	2025–26
Section 150 objection conferences directed	8	25	19
Section 150 objection conferences active at end of financial year	7	15	14
Section 150 objection conferences concluded	10	17	20
Section 150 FADA conferences directed	0	1	2
Section 150 FADA conferences active at end of financial year	0	1	1
Section 150 FADA conferences concluded	1	0	2

Record of section 31 deeds

A section 31 deed records the agreement of the parties to the doing of a future act to which the ‘right to negotiate’ applies. Often some or all the parties will also enter into another written agreement, known as an ‘ancillary agreement’.

As required under section 41B of the NTA, since 2021, the Registrar has kept a public record of the section 31 agreements received that is published to the NNTT website.

Six-year comparison—by jurisdiction

Table 9.10 Record of section 31 deeds

Jurisdiction	2020–21	2021–22	2022–23	2023–24	2024–25	2025–26	Total
NSW		1	6	5	4	4	20
NT			1	2	1	1	5
QLD	21	39	40	31	25	17	173
VIC		4	5	1	1	2	13
WA	9	25	32	18	35	55	174
Total	30	69	84	57	66	79	385

New developments and key achievements

At the request of the Premier of Western Australia in February 2025, the NNTT assisted with the Western Australia Government’s review of Western Australia’s native title and Aboriginal heritage processes as they operate within the mining and exploration sector. Consultation occurred across July to October 2025 with stakeholders including exploration and mining proponents, Traditional Owner organisations and Aboriginal heritage professionals, with additional engagement with relevant native title legal service provider or representative body. Regional forums were held in Karratha, Kalgoorlie and Broome to support participation. The final report, **Review of Native Title and Aboriginal Cultural Heritage Processes**, made 25 recommendations. The Western Australia Government has developed several initiatives in response to the report’s findings.

During the year, the NNTT invested in sector-wide capability building for statutory dispute resolution. It partnered with the Resolution Institute of Australia to co-design mediation accreditation training, supporting a more consistent and culturally responsive approach to mediation.

The NNTT has responded to an increasing number of requests from industry and government to provide education and information on native title and future act activities and processes.

The NNTT continues to strengthen its future act case management, mediation and conferencing practice responding to a changing environment and emerging trends.

2025–26 Post Determination Assistance – at a glance

 Requests from Common Law Holders (CLHs)

67

 Native Title Journey Timelines

22

 NNTC PBC Forums

3

 Requests from RNTBCs

15

 PBC area maps

50

 NNTC PBS Directors Training

2

Promoting Agreement assistance requests

Section 60AAA of the NTA provides that a PBC or Native Title holder may request the NNTT to assist with promoting agreement about matters relating to native title or the operation of the NTA. The NNTT has packaged the expertise and resources it holds that could assist PBCs in their self-determination journey under the service banner of ‘Promoting Agreement’.

In the reporting period, three PBCs requested Promoting Agreement assistance regarding longstanding disputes. In all three matters, a significant amount of preparatory work was undertaken in conjunction with the PBC board and the relevant native title legal service

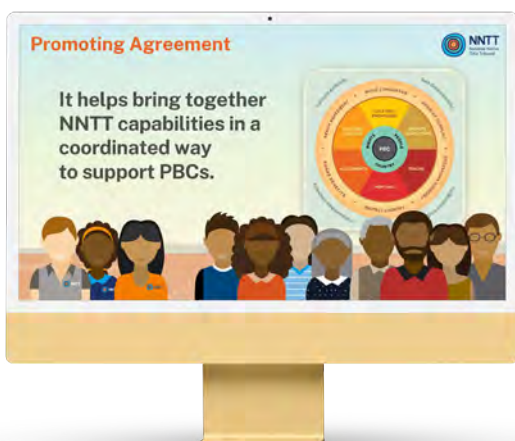
provider (Native Title Representative Bodies (NTRB)) before community education and mediation sessions were held on Country.

In the reporting period, the NNTT received 67 requests for assistance from individual native title holders. The assistance provided to them includes providing copies of relevant documents (for example, the RNTBC Rule Book), sector navigation and referrals to related agencies (for example, Office of the Registrar of Indigenous Corporations (ORIC)).

Promoting Agreement information products

YouTube video and factsheet

The NNTT produced a video and factsheet in-house which highlight that the NNTT’s Promoting Agreement service is a request-driven pathway to obtaining support in a holistic and facilitative way.



Native Title Journey Timelines

Native Title journey timelines outline significant milestones along a group’s native title claim proceeding.

Fifteen requests for the timelines were received from PBCs in the 2025–26 reporting period. We also prepared seven timelines for PBCs participating in National Native Title Council PBC Forums and Directors Training.



PBC area maps

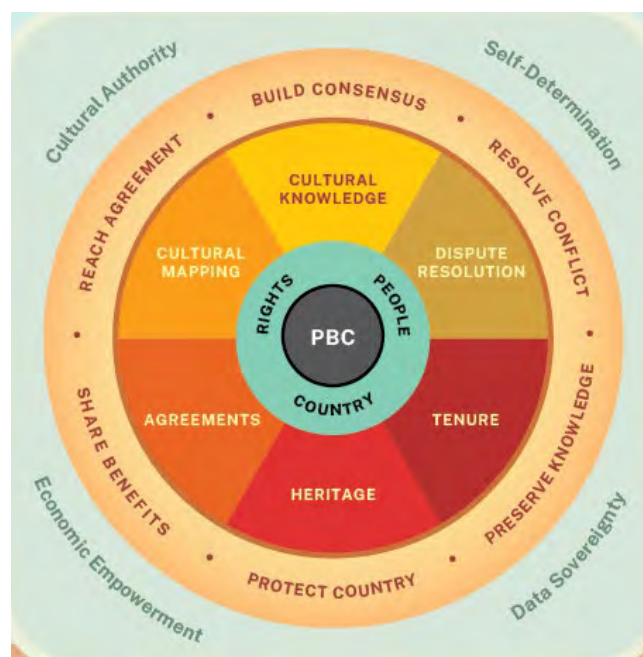
Fifty PBC area maps have been requested during the reporting year. The maps depict areas of:

- determined outcomes (exclusive, non-exclusive and does not exist),
- land tenure,
- topography,
- Native title agreements (ILUAs, state deeds, section 31 agreements), and
- future acts.

Further layers of data can be added by request from PBCs developing plans for various purposes.

Promoting Agreement graphic

The graphic reflects the six priority areas of: Cultural Mapping; Cultural Knowledge; Dispute Resolution; Tenure; Heritage; and Agreements.



Three-year comparison—Section 60AAA requests for assistance

Table 9.11 Section 60AAA requests for assistance

Statistic	2023–24	2024–25	2025–26
Requests for post determination assistance from CLHs:	71	68	67
Requests for post determination assistance from RNTBCs:	4	9	16

Capability strengthening

In the reporting period, the NNTT continued to participate in capability strengthening for PBCs by:

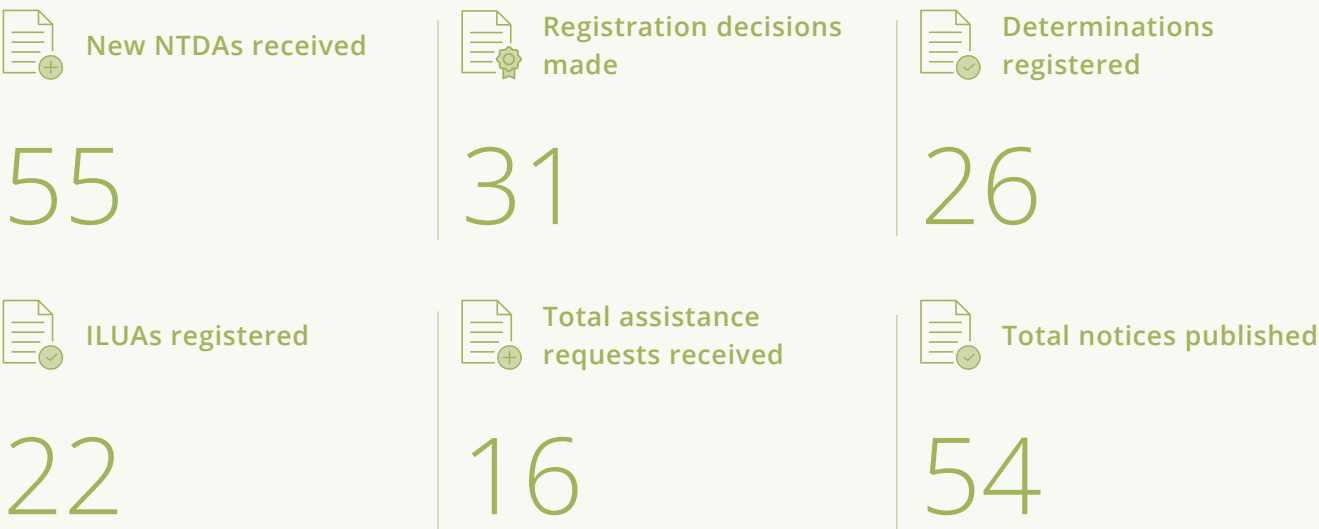
- co-designing community education sessions with NTRBs,
- delivering training at NNTC PBC Directors Training (Perth and Broome), and
- participating in NNTC PBC Regional Forums (Townsville, Broome and Kalgoorlie).

Legal and Compliance

This part of the NNTT report looks at how the Legal and Compliance Team administers and supports the registration, notification and register management functions associated with native title determination and ILUA applications.



2025–26 Legal and compliance – at a glance



The Registers

Under Parts 7, 8 and 8A of the NTA, the Native Title Registrar is responsible for the following registers:

- The Register of Native Title Claims (RNTC) records details of claimant applications that have met the statutory conditions for registration. As of 30 June 2026, 98 claimant applications were registered on the RNTC however, it should be noted that a proportion of these applications were received prior to the commencement of the reporting period. Where an application is not accepted for registration, reconsideration by the NNTT is available under section 190E or the applicant may apply for judicial review in the Federal Court. Two applications for reconsideration were received during 2025–26.
- The National Native Title Register (NNTR) records specific information concerning approved determinations of native title made by the Federal Court of Australia, the High Court of Australia or a recognised state or territory body. As of 30 June 2026, 677 determinations were recorded on the NNTR, including 129 determinations that native title does not exist.
- The Register of ILUAs records area agreements and body corporate agreements that have met the statutory conditions for registration.

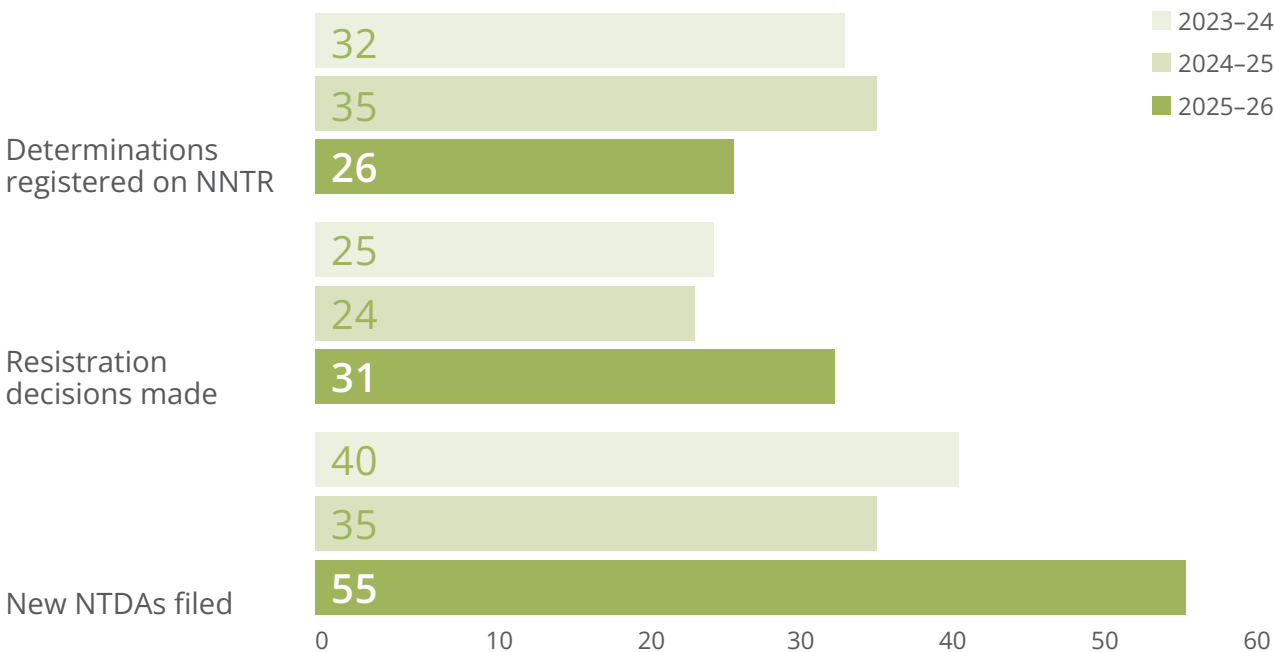


Figure 9.5: Native title determinations applications.

Native title determination applications

Under section 61 of the NTA, four types of native title applications may be made:

- Claimant native title determination application.
- Non-claimant native title determination application.
- Compensation application.
- Revised native title determination application.

2025–26 Filed

Table 9.12: Native title determination applications by state

Native title determination applications	NSW	NT	QLD	SA	TAS	VIC	WA	Total
Claimant (new)	1	2	7	0	0	6	7	23
Non-claimant	13	1	15	0	0	0	0	29
Compensation	0	1	0	0	0	0	0	1
Revised native title determination	0	1	0	1	0	0	0	2
Total	14	5	22	1	0	6	7	55

In this reporting period there was a significant increase in the number of non-claimant applications filed in Queensland (15 this reporting period compared to five in the previous reporting period). There was also an increase in the number of new claimant applications received (23 in this reporting period compared to 16 in the previous reporting period). Consequently, 31 registration decisions have been made in the reporting year compared to 24 in the previous year. Of the 31 registration decisions during this reporting period, 10 related to applications or amended applications received in the previous reporting period.

Indigenous Land Use Agreements

Under the NTA, the Native Title Registrar is responsible for the Register of ILUAs. Parties to an ILUA may apply to the Native Title Registrar for registration of an ILUA. Each registered ILUA, in addition to taking effect as a contract among the parties, binds all persons who hold, or may hold, native title in relation to any of the land or waters in the area covered by the ILUA.

2025–26 Lodged

Table 9.13: Indigenous Land Use Agreements by state or territory

Indigenous Land Use Agreements	NSW	NT	QLD	SA	TAS	VIC	WA	Total
Area Agreement	2	0	2	0	0	1	0	5
Body Corporate Agreement	0	1	3	1	0	1	8	14
Total	2	1	5	1	0	2	8	19

In this reporting period there was a decrease in the ILUA applications received, in particular in Queensland (five in this reporting period compared to nine in the previous reporting period) and South Australia (one in this reporting period compared to nine in the previous reporting period).

ILUAs registered and removed

Of the 1,534 ILUAs on the Register of ILUAs at the end of the reporting period, the majority are in Queensland.

During the reporting period, the Native Title Registrar registered 22 ILUAs—15 less than in the previous year. Fifteen body corporate and seven area agreement ILUAs were accepted for registration and entered in the Register of ILUAs.

During the reporting period eight ILUAs were removed from the Register of ILUAs.

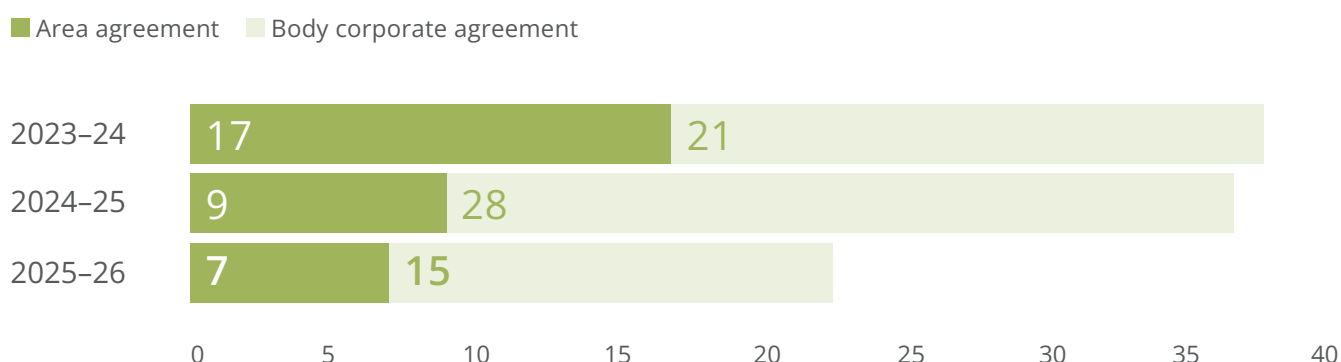


Figure 9.6: New ILUAs registrations 2023-24 to 2025-26.

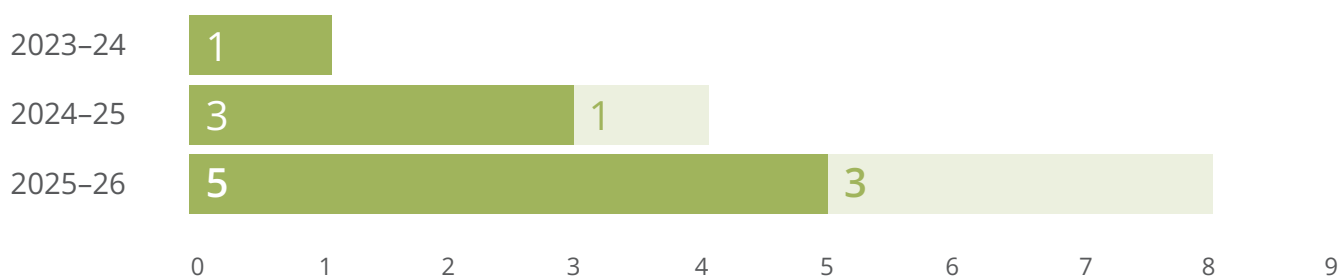


Figure 9.7: ILUAs removed from Register 2023-24 to 2025-26.

There are an increasing number of ILUAs being removed from the Register of ILUAs. ILUAs may be removed under section 199C of the NTA for reasons including because they have expired, because they have been terminated or following a determination of native title where the determined native title holders are inconsistent with the native title party in the ILUA.

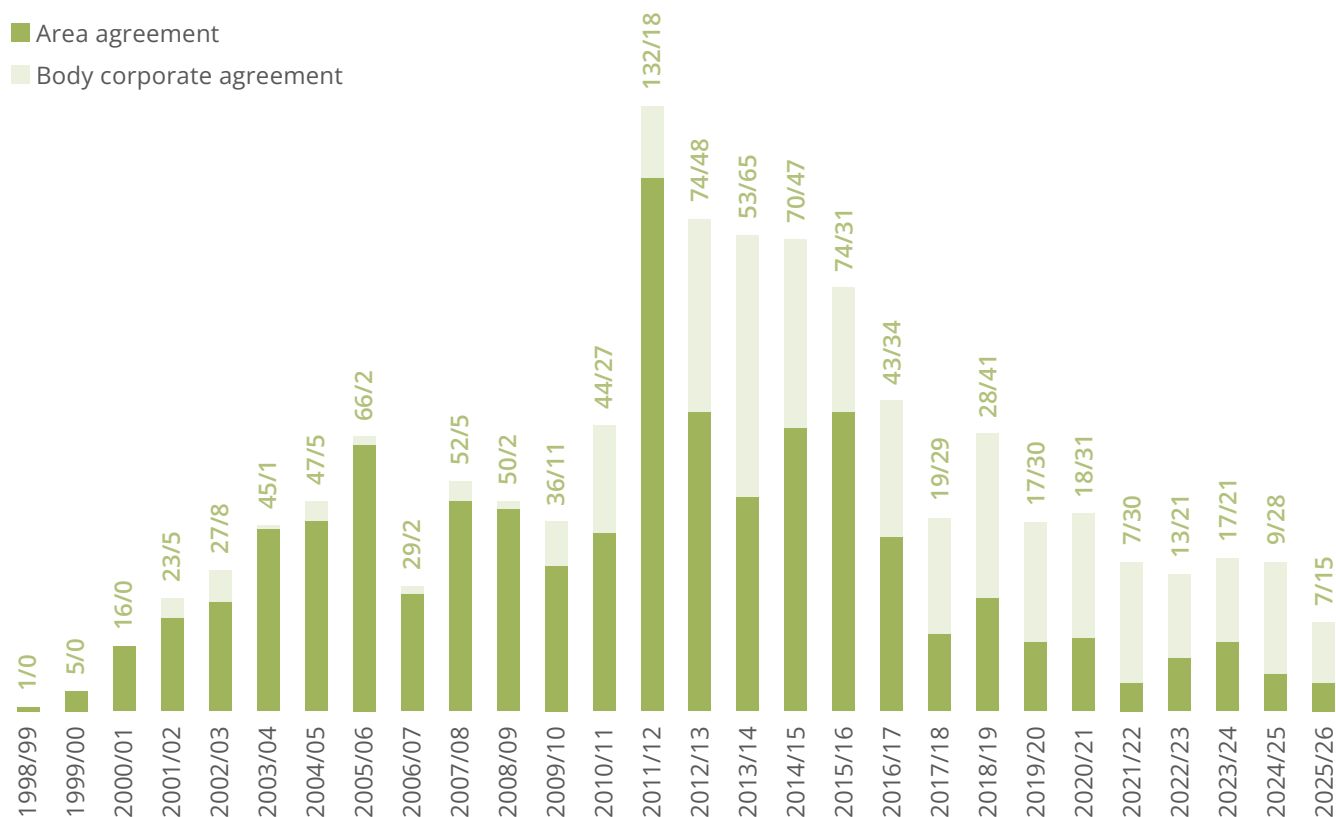


Figure 9.8: Registered area and body corporate ILUAs 1998–99 to 2025–26.

The percentage of body corporate ILUAs registered is increasingly exceeding the number of area agreements registered as more ILUAs are made over areas where native title has been determined to exist.⁴

⁴ Note: An error was identified in the NNTT section of the 2024–25 FCA Annual Report. Figure 6.1 on page 158 (Registered Area and Body Corporate ILUAs, 1998–99 to 2024–25) is incorrect. The correct figures are displayed in Figure 9.8 above.

Assistance functions

Claims assistance

The Native Title Registrar may assist applicants under section 78(1)(a) of the NTA. Such assistance often includes preliminary assessments of draft native title determination applications for compliance with conditions of the registration test.

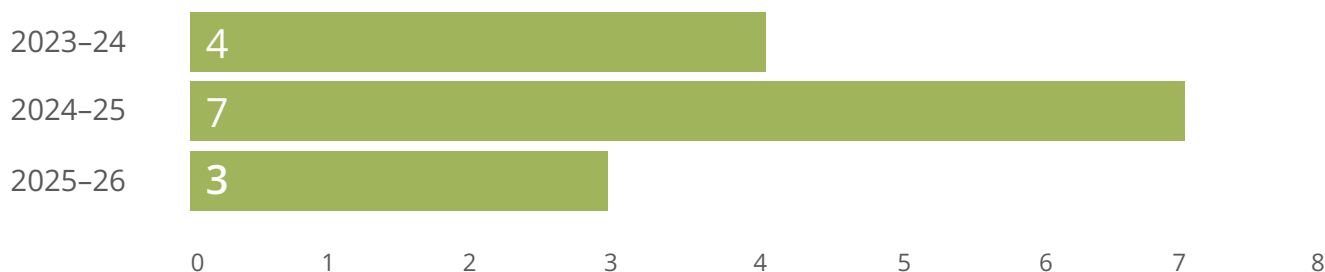


Figure 9.9: NTDA assistance requests provided 2023–24 to 2025–26.

ILUA assistance

The Native Title Registrar may assist applicants under sections 24BG(3) and 24CG(4) of the NTA. Such assistance often includes preliminary assessments of draft ILUA applications and agreements.

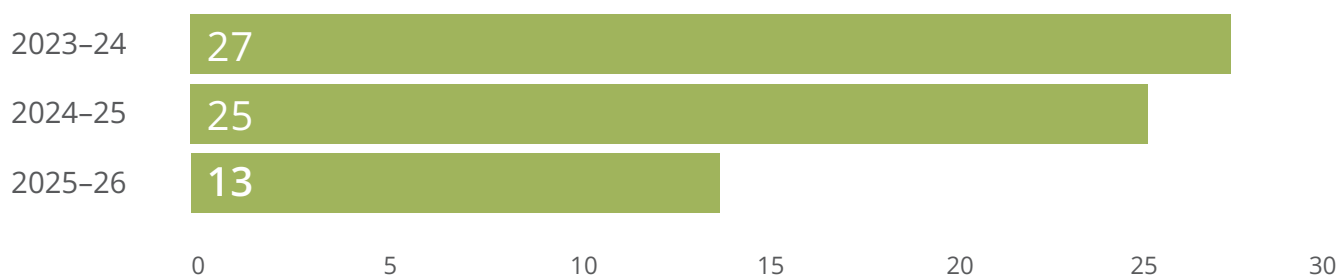


Figure 9.10: ILUA assistance requests provided 2023-24 to 2025-26

Notifications

The Native Title Registrar is responsible for the notification of native title determination applications and ILUAs.

NTDA notifications

Under section 66 of the NTA, native title determination applications must be publicly notified. This includes claimant applications, non-claimant, compensation and revised applications and certain amended claimant applications. Notices may be published in a newspaper, the NNTT website, NNTT social media and by correspondence.

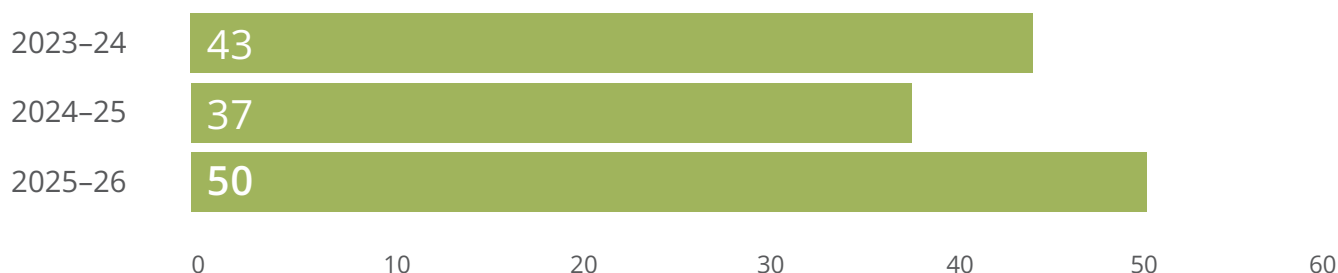


Figure 9.11: NTDA notifications 2023-24 to 2025-26

ILUA public notifications

ILUA applications that are publicly notified are limited to area agreements under section 24CH(1)(b) of the NTA. Body corporate agreement applications are not publicly notified, but notice is provided by correspondence to certain parties under section (start date) 24BH(1) of the NTA.

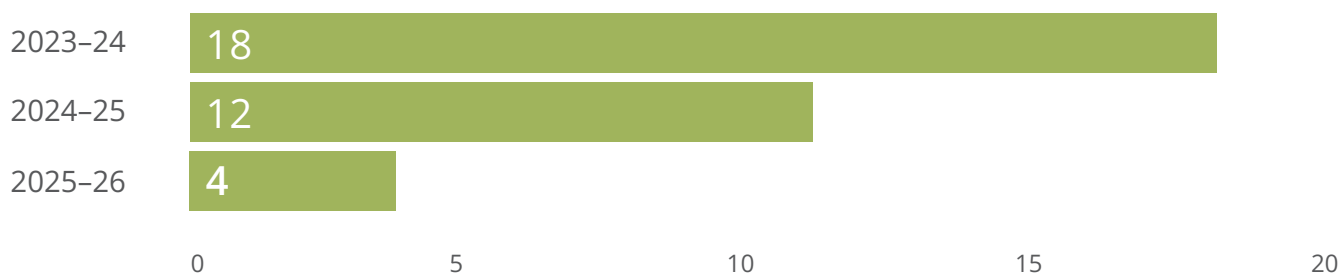


Figure 9.12: ILUA public notifications 2023-24 to 2025-26

Presentations, information sessions and enhancements

The Legal and Compliance Team participated in a number of presentations throughout 2025–26. Presentations were delivered to seven external stakeholder groups, and the 2026 AIATSIS Summit.

The Legal and Compliance Team completed a review of its ILUA workflow processes during the reporting period. The completion of this project has achieved efficiencies to the internal ILUA registration process and simplified communications with external users.

Updates to the search functionality on the NNTT website for the Register of ILUAs were also completed in the reporting period. The ILUA Register can now be searched by 'ILUA Party name' and/or 'ILUA Party type', enhancing the external user experience.



Kaurna Country. Port Wilunga Beach, South Australia.