

Talking Western Australia



Future act activity

The increase in future act activity for Western Australia continues with 50 applications for future act consent determinations lodged this financial year. Thirty-eight of these applications were completed within the space of only a few weeks. The Tribunal is increasingly being asked to make future act determinations by consent where parties have reached agreement allowing a future act to proceed, but cannot formalise that agreement for various reasons.

What's happening in the regions?

South West and Goldfields

The Federal Court has scheduled a regional case management conference for 1 December for the Goldfields with the South West to follow in the week of 11 December.

The Wongatha (WC99/1) judgment is still pending. The latest advice from the Federal Court (in early August) was that there is still a considerable amount of work to be done and Justice Lindgren could not indicate a likely completion date. He will be keeping parties informed of his progress on a monthly basis.

Kimberley and Central Desert

Two indigenous land use agreements (ILUA) have been registered in the Kimberley and Central Desert region:

- Telstra - Ngaanyatjarra (WC04/3) was registered on 11 August. This is the third and final ILUA registered from the Ngaanyatjarra Lands determination of 29 June 2005. The previous two ILUAs located within the Shires of Laverton and Ngaanyatjarra involved Airservices Australia and Western Mining Corporation respectively.
- The Ord River Final Agreement (Area Agreement) ILUA (WC04/4, WC94/2) located within the Shire of Wyndham - East Kimberley was accepted for registration on 16 August.

The Tribunal has also accepted an application for registration lodged for the Nyikina Mangala - Shire of Derby ILUA (WC 99/25) in the Fitzroy Valley, which was officially signed off on 19 October 2005.

Pilbara and Geraldton

Justice French held a regional case management conference on 31 July and 1 August to undertake an intensive and detailed review of applications in the Pilbara and Geraldton regions.

The conference was conducted in a round table context rather than the usual more formal directions hearings. Members Dan O'Dea and John Catlin attended along with most parties and/or their representatives.

At Justice French's request, the Tribunal prepared a snapshot of the region and individual applications.

As a result of the conference, Justice French made orders to progress matters in the regions. The orders can be



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viewed on the Federal Court website.

Notification

Puutu Kunti Kurrama and Pinikura 2 (PKKP2) (WAD126/05 and WC05/4), a claimant application in the Pilbara region, was accepted for registration on 15 August 2006.

The claim area is located west of Tom Price and south of Pannawonica in the Shire of Ashburton and covers an area of 4,321sq km.

Notices appeared in several newspapers on 30 August 2006.

The three-month notification period commences on 13 September 2006 and will end on 12 December 2006 .

Please contact case manager Marion Towndrow on (08) 9268 7212 with any enquiries.

Legal workshops

The Tribunal held two legal workshops in Perth for stakeholders wishing to broaden their knowledge of legal issues surrounding native title.

The three-day workshops ran from August 15 to 17 and then again from August 29 to 31 and were conducted by Tribunal legal officer, Lisa Wright.

Some of the issues covered included: the definition of native title, understanding the Native Title Act and when an indigenous land use agreement (ILUA) is needed.

Participants from a range of organisations reported the workshops were extremely valuable in furthering their understanding of native title law.

The WA Registry will look at holding another workshop later in the year and is also considering conducting workshops on ILUAs.



Contacts in the WA Registry

There has been some shuffling of staff at the WA Registry with State Manager Lillian Maher taking leave from 6 September to the end of October. Stepping into Lillian's shoes is senior case manager, Kristina Nilsson, whose Goldfields and South West regions will be taken over by Steve Edwards. Alan Toogood has added the Kimberley and Central Desert regions to his portfolios while Lynda Strawbridge is on leave and Tom Weaver has taken over for Geraldton and Pilbara while Christine Scoggin is on maternity leave. Angela Murphy has taken on the role of future act mediation coordinator and Sara Burke is managing the future act arbitration portfolio.

Name	Position	Areas
Kristina Nilsson	Acting State Manager	
Angela Murphy	Senior Case Manager	Future act mediation
Sara Burke	Senior Caseflow Manager	Future act arbitration
Steve Edwards	Senior Case Manager	South West and Goldfields
Alan Toogood	Senior Case Manager	Kimberley and Central Desert regions, registration test, notification and indigenous land use agreements
Tom Weaver	Senior Case Manager	Geraldton and Pilbara
Tina Mills	Senior Case Manager	Communication and corporate
Robyn Taylor	Senior Library Technician	Library and information services

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