

NATIONAL NATIVE TITLE TRIBUNAL

IS (name withheld for cultural reasons) & Ors on behalf of Wajarri Yamatji ; Karajarri Traditional Lands Association (Aboriginal Corporation);; Yawuru Native Title Holders Aboriginal Corporation/ Western Australia/ Montezuma Mining Company Ltd ;Western Australian Resources Ltd; Atlas Iron Ltd [2014] NNTTA 67 (16 July 2014)

Applications No: WO2013/0559; WO2013/0945; WO2013/0965; WO2013/0993;
WO2013/1087; WO2013/1200; WO2013/1201; WO2013/1202

IN THE MATTER of the *Native Title Act 1993* (Cth)

- and -

IN THE MATTER of an inquiry into expedited procedure objection applications

Native title parties as listed in the attached schedule (native title parties)

- and -

State of Western Australia (Government party)

- and –

Grantee parties as listed in the attached schedule (grantee parties)

DECISION TO DISMISS EXPEDITED PROCEDURE OBJECTION APPLICATIONS

Tribunal: Helen Shurven
Place: Perth
Date: 16 July 2014

Catchwords: Native title – future acts – proposed grant of exploration permits – expedited procedure objection applications – applications for exploration permits withdrawn – expedited procedure objection applications dismissed.

Legislation: *Native Title Act 1993* (Cth), ss 29, s 148(a)

REASONS FOR DECISION TO DISMISS EXPEDITED PROCEDURE OBJECTION APPLICATIONS

[1] On the dates specified in the attached Schedule, the State of Western Australia (“the Government party”) gave notice under s 29 of the *Native Title Act 1993* (Cth) of its intention to grant various exploration permits to the grantee parties specified therein and included in the notices a statement that it considered that the grants attracted the expedited procedure.

[2] On the dates specified in the attached Schedule, the native title parties lodged expedited procedure objection applications with the Tribunal.

[3] The Department of Mines and Petroleum on behalf of the Government party advised the Tribunal that each of the grantee parties had discontinued or withdrawn their application for an exploration permit on the dates specified in the attached Schedule, and as a result the matters were discontinued.

Decision

[4] The expedited procedure objection applications specified in the attached schedule are dismissed pursuant to s 148(a) of the *Native Title Act 1993* (Cth).

Helen Shurven
Member

SCHEDULE – DETERMINATION

Tenement	Government Party Notification	Objection Application Lodged	Objection Application No.	Grantee Party	Native Title Party Name & Application Number	Date of Withdrawal
E20/815	30/01/2013	30/05/2013	WO2013/0559	Montezuma Mining Company Ltd	IS (name withheld for cultural reasons) & Ors on behalf of Wajarri Yamatji – WC2004/010	26/05/2014
E04/2195	31/07/2013	29/08/2013	WO2013/0945	Western Australian Resources Ltd	Karajarri Traditional Lands Association (Aboriginal Corporation) – WCD2004/002	9/07/2014
E04/2197	9/08/2013	12/09/2013	WO2013/0965	Western Australian Resources Ltd	Karajarri Traditional Lands Association (Aboriginal Corporation) – WCD2004/002	9/07/2014
E04/2196	14/08/2013	25/09/2013	WO2013/0993	Western Australian Resources Ltd	Karajarri Traditional Lands Association (Aboriginal Corporation) – WCD2004/002	9/07/2014
E51/1508	03/07/2013	31/10/2013	WO2013/1087	Atlas Iron Ltd	IS (name withheld for cultural reasons) & Ors on behalf of Wajarri Yamatji – WC2004/010	20/06/2014
E04/2198	14/08/2013	26/11/2013	WO2013/1200	Western Australian Resources Ltd	Yawuru Native Title Holders Aboriginal Corporation – WCD2006/001	9/07/2014
E04/2199	28/08/2013	26/11/2013	WO2013/1201	Western Australian Resources Ltd	Yawuru Native Title Holders Aboriginal Corporation – WCD2006/001	9/07/2014
E04/2195	31/07/2013	26/11/2013	WO2013/1202	Western Australian Resources Ltd	Yawuru Native Title Holders Aboriginal Corporation – WCD2006/001	9/07/2014