

NATIONAL NATIVE TITLE TRIBUNAL

Cyril Barnes & Ors on behalf of Central East Claim Group /Western Australia/Formula Resources; Rubicon Resources; AC Minerals; Westex Resources; Enterprise Uranium; Camel Toe Exploration; Abeh; Black Raven Mining; Lancaster Resources; Baracus [2014] NNTTA 68 (16 July 2014)

Application No: WO2013/0720; WO2013/0721; WO2013/0722; WO2013/0829; WO2013/0991; WO2013/0992; WO2013/0994; WO2013/1030; WO2013/1171; WO2013/1315; WO2013/1317; WO2014/0027; WO2014/0144; WO2014/0280

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

- and -

IN THE MATTER of an inquiry into an expedited procedure objection applications

Cyril Barnes & Ors on behalf of Central East Claim Group (native title party)

- and -

The State of Western Australia (Government party)

- and -

See attached schedule (grantee parties)

DECISION TO DISMISS OBJECTION APPLICATION

Tribunal: Member Helen Shurven

Place: Perth

Date: 16 July 2014

Catchwords: Native title – future act – proposed grant of exploration licenses – expedited procedure objection applications – amendment to claim application – Tribunal has no jurisdiction – objection applications dismissed

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

Representative of the native title party: Mr Andrew Burke, Goldfields Land & Sea Council

Representative of the Government party: Ms Bethany Conway, Department of Mines and Petroleum

REASONS FOR DECISION TO DISMISS OBJECTION APPLICATIONS

Background

- [1] On the dates set out in the attached schedule, the Government party gave notice under s 29 of the *Native Title Act 1993* (Cth) of its intention to grant the listed exploration licenses and included in the notice a statement that it considered that the grants attracted the expedited procedure.
- [2] On the dates set out in the attached schedule, Cyril Barnes & Ors on behalf of Central East Claim Group registered from 04 October 1999, made expedited procedure objection applications in relation to the tenements listed in the attached schedule.
- [3] On 17 June 2014 the Central East Goldfields claim application (WC1999/030) was discontinued by the Federal Court. Therefore the Tribunal no longer has jurisdiction in relation to the objection applications.

Decision

- [4] Expedited procedure objection applications as listed in the attached schedule are dismissed pursuant to s 148(a) of the *Native Title Act 1993* (Cth).

Helen Shurven
Member

OBJECTION	TENEMENT	DATE NOTIFIED BY STATE	DATE LODGED	GRANTEE PARTY
WO2013/0720	E28/2276	13/03/2013	08/07/2013	Formula Resources
WO2013/0721	E28/2277	13/03/2013	08/07/2013	Formula Resources
WO2013/0722	E28/2279	13/03/2013	08/07/2013	Formula Resources
WO2013/0829	E28/2275	27/03/2013	26/07/2013	AC Minerals
WO2013/0991	E25/273 AM420824	22/05/2013	20/09/2013	Rubicon Resources
WO2013/0992	E27/291 AM420822	22/05/2013	20/09/2013	Rubicon Resources
WO2013/0994	E27/291 AM420823	22/05/2013	20/09/2013	Rubicon Resources
WO2013/1030	E25/467	19/06/2013	17/10/2013	Westex Resouces
WO2013/1171	E28/2308	17/07/2013	15/11/2013	Enterprise Uranium
WO2013/1315	E28/2310-I	14/08/2013	13/12/2013	Camel Toe Exploration
WO2013/1317	E28/2307	14/08/2013	13/12/2013	Abeh
WO2014/0027	E28/2319	25/09/2013	15/01/2014	Black Raven Mining
WO2014/0144	E27/521	06/11/2013	04/03/2014	Lancaster Resources
WO2014/0280	E28/2358	18/12/2013	16/04/2014	Baracus