

NATIONAL NATIVE TITLE TRIBUNAL

Kulyamba Aboriginal Corporation; Harry Lennard & Ors on behalf of Warrwa #2; Western Desert Lands Aboriginal Corporation; Maggie John & Ors on behalf of Malarngowem; Ronald Crowe & Ors on behalf of Gnulli; IS (name withheld for cultural reasons) & Ors on behalf of Wajarri Yamatji; Isaac Hale & Ors on behalf of Bunuba #2; David Smirke & Ors on behalf of Jurruru People; Johnson Taylor & Ors on behalf of Njamal / Western Australia/ GRG Mining Resources Pty Ltd; Maincoast Pty Ltd; FMG Resources Pty Ltd; Pindan Exploration Company Pty Ltd/ Thundelarra Limited; PGS Uranium Resources Pty Ltd; Australian Outback Mining Pty Ltd; FMG Pilbara Pty Ltd [2014] NNTTA 60 (4 July 2014)

Applications No: WO2013/0906; WO2013/0971; WO2013/1131; WO2013/1122;
WO2013/1293; WO2013/1294; WO2013/1299; WO2013/1300;
WO2013/1344; WO2014/0110; WO2014/0331; WO2014/0358;
WO2014/0367

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: 4 July 2014

Catchwords: Native title – future acts – proposed grant of exploration and prospecting permits – expedited procedure objection applications – applications for exploration and prospecting permits withdrawn – expedited procedure objection applications dismissed.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 and prospecting 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Petroleum on behalf of the Government party advised the Tribunal that each of the grantee parties had discontinued or withdrawn their application for an exploration or a prospecting permit on the dates specified in the attached Schedule, and as a result the matters were discontinued.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
E09/2050	9/08/2013	23/08/2013	WO2013/0906	GRG Mining Resources Pty Ltd	Kulyamba Aboriginal Corporation - WCD2009/002	5/06/2014
E04/2232	28/08/2013	17/09/2013	WO2013/0971	Maincoast Pty Ltd	Harry Lennard & Ors on behalf of Warrwa #2 – WC2012/009	19/06/2014
E52/2949	23/10/2013	12/11/2013	WO2013/1131	FMG Resources Pty Ltd	Western Desert Lands Aboriginal Corporation - WCD2002/002	20/06/2013
E80/4765	28/08/2013	07/11/2013	WO2013/1122	Pindan Exploration Company Pty Ltd; Thundelarra Limited	Maggie John & Ors on behalf of Malarngowem – WC1999/044	20/06/2014
E09/2061	14/08/2013	12/12/2013	WO2013/1293	PGS Uranium Resources Pty Ltd	Ronald Crowe & Ors on behalf of Gnulli – WC1997/028	5/06/2014
E09/2051	14/08/2013	12/12/2013	WO2013/1294	GRG Mining Resources Pty Ltd	Ronald Crowe & Ors on behalf of Gnulli – WC1997/028	5/06/2014
E09/2051	14/08/2013	12/12/2013	WO2013/1299	GRG Mining Resources Pty Ltd	IS (name withheld for cultural reasons) & Ors on behalf of Wajarri Yamatji – WC2004/010	5/06/2014
E09/2060	14/08/2013	12/12/2013	WO2013/1300	PGS Uranium Resources Pty Ltd	IS (name withheld for cultural reasons) & Ors on behalf of Wajarri Yamatji – WC2004/010	5/06/2014
E04/2232	28/08/2013	16/12/2013	WO2013/1344	Maincoast Pty Ltd	Isaac Hale & Ors on behalf of Bunuba #2 – WC2012/004	19/06/2014
E04/2342	12/02/2014	19/02/2014	WO2014/0110	Maincoast Pty Ltd	HL (name withheld for cultural reasons) & Ors on behalf of Warrwa #2 – WC2012/009	20/06/2014

E04/2342	12/02/2014	16/05/2014	WO2014/0331	Maincoast Pty Ltd	Isaac Hale & Ors on behalf of Bunuba #2 – WC2012/004	20/06/2014
E08/2538	29/01/2014	23/05/2014	WO2014/0358	Australian Outback Mining Pty Ltd	David Smirke & Ors on behalf of Jurruru People – WC2000/008	28/05/2014
E45/4276	29/01/2014	23/05/2014	WO2014/0367	FMG Pilbara Pty Ltd	Johnson Taylor & Ors on behalf of Njamal – WC1999/008	5/06/2014