

# NATIONAL NATIVE TITLE TRIBUNAL

*Kevin Cosmos & Ors on behalf of Yaburara & Mardudhunera; Mark Lockyer & Ors on behalf of Kuruma Marthudunera; Albert Little & Ors on behalf of Badimia; Ike Simpson & Ors on behalf of Wajarri Yamatji; Buurabalayji Thalanyji Aboriginal Corporation; Elsa Derschow & Ors on behalf of Palyku/ Western Australia/Mineralogy Pty Ltd; Atlas Iron Limited; Murchison Gold Mines Pty Ltd; GTI Resources Ltd; Australian Construction Materials Pty Ltd; Redstone Minerals Pty Ltd* [2014] NNTTA 75 (29 July 2014)

**Applications No:** WO2013/0926; WO2013/0928; WO2013/0929; WO2013/0930;  
WO2013/1221; WO2014/0031; WO2014/0036; WO2014/0171;  
WO2014/0466; WO2014/0511

**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:** 29 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grant of exploration permits – expedited procedure objection applications – applications for exploration permits withdrawn – expedited procedure objection applications dismissed.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 National Native Title Tribunal ('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Petroleum, on behalf of the Government party, advised the Tribunal that each of the grantee parties had discontinued or withdrawn their application for an exploration permit on the dates specified in the attached Schedule, and as a result the matters were discontinued.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
AM-E08/636-I	19/06/2013	23/08/2013	WO2013/0926	Mineralogy Pty Ltd	Kevin Cosmos & Ors on behalf of Yaburara & Mardudhunera – WC1996/089	22/07/2014
AM-E08/698-I	19/06/2013	23/08/2013	WO2013/0928	Mineralogy Pty Ltd	Kevin Cosmos & Ors on behalf of Yaburara & Mardudhunera – WC1996/089	22/07/2014
AM-E08/1414-I	19/06/2013	23/08/2013	WO2013/0929	Mineralogy Pty Ltd	Kevin Cosmos & Ors on behalf of Yaburara & Mardudhunera – WC1996/089	22/07/2014
AM-E08/1451-I	19/06/2013	23/08/2013	WO2013/0930	Mineralogy Pty Ltd	Kevin Cosmos & Ors on behalf of Yaburara & Mardudhunera – WC1996/089	22/07/2014
E47/2728	31/07/2013	29/11/2013	WO2013/1221	Atlas Iron Limited	Mark Lockyer & Ors on behalf of Kuruma Marthudunera – WC1999/012	18/07/2014
E59/1986	25/09/2013	17/01/2014	WO2014/0031	Murchison Gold Mines Pty Ltd	Albert Little & Ors on behalf of Badimia – WC1996/098	7/07/2014
E51/1584	25/09/2013	17/01/2014	WO2014/0036	Murchison Gold Mines Pty Ltd	Ike Simpson & Ors on behalf of Wajarri Yamatji – WC2004/010	23/07/2014
E08/2430	21/02/2014	9/03/2014	WO2014/0171	GTI Resources Ltd	Buurabalayji Thalanyji Aboriginal Corporation – WCD2008/003	21/07/2014
E46/1017	12/03/2014	12/06/2014	WO2014/0466	Australian Construction Materials Pty Ltd	Elsa Derschow & Ors on behalf of Palyku – WC1999/016	3/07/2014
E46/1014	12/03/2014	23/06/2014	WO2014/0511	Redstone Minerals Pty Ltd	Elsa Derschow & Ors on behalf of Palyku – WC1999/016	3/07/2014

