

NATIONAL NATIVE TITLE TRIBUNAL

Ronald Crowe & Ors on behalf of Gnulli; David Smirke & Ors on behalf of the Jurruru People; WF (deceased) & Ors on behalf of Wiluna/ Western Australia/Adrian Christopher Griffin; Australian Outback Mining Pty Ltd; Earraheedy Minerals Pty Ltd [2014] NNTTA 69 (21 July 2014)

Applications No: WO2014/0134; WO2014/0358; WO2014/0572; WO2014/0573

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: 21 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grant of exploration permits – expedited procedure objection applications – applications for exploration permits withdrawn – expedited procedure objection applications dismissed.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Petroleum on behalf of the Government party advised the Tribunal that each of the grantee parties had discontinued or withdrawn their application for an exploration permit on the dates specified in the attached Schedule, and as a result the matters were discontinued.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 |
|-----------------|--------------------------------------|-------------------------------------|----------------------------------|-----------------------------------|---|---------------------------|
| E09/2071 | 23/10/2013 | 24/02/2014 | WO2014/0134 | Adrian Christopher Griffin | Ronald Crowe & Ors on behalf of Gnulli – WC1997/028 | 11/07/2014 |
| E08/2538 | 29/01/2014 | 23/05/2014 | WO2014/0358 | Australian Outback Mining Pty Ltd | David Smirke & Ors on behalf of the Jurruru People – WC2000/008 | 28/05/2014 |
| E38/2895 | 26/02/2014 | 25/06/2014 | WO2014/0572 | Earaheedy Minerals Pty Ltd | WF (deceased) & Ors on behalf of Wiluna – WC1999/024 | 26/06/2014 |
| E38/2897 | 26/02/2014 | 25/06/2014 | WO2014/0573 | Earaheedy Minerals Pty Ltd | WF (deceased) & Ors on behalf of Wiluna – WC1999/024 | 26/06/2014 |