

NATIONAL NATIVE TITLE TRIBUNAL

***Western Desert Lands Aboriginal Corporation v Acclaim Exploration NL* [2014] NNTTA 100 (17 October 2014)**

Application No: WO2012/0962

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

- and -

IN THE MATTER of an inquiry into expedited procedure objection application

Western Desert Lands Aboriginal Corporation (native title party)

- and -

The State of Western Australia (Government party)

- and -

Acclaim Exploration NL (grantee party)

DECISION TO DISMISS OBJECTION APPLICATION

Tribunal: Helen Shurven

Place: Perth

Date: 17 October 2014

Catchwords: Native title – future act – proposed grant of prospecting license – expedited procedure objection application – non participating grantee party – tenement refused by Government party – expedited procedure objection application dismissed

Legislation: *Native Title Act 1993* (Cth), ss 29, 31(1), 148(a)

REASONS FOR DECISION TO DISMISS OBJECTION APPLICATION

- [1] On 11 July 2012, 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 E45/2475 ('the proposed tenement') to Acclaim Exploration NL ('the grantee party') and included in the notice a statement that it considered the grant attracted the expedited procedure.
- [2] On 30 August 2012 the Western Desert Lands Aboriginal Corporation ('the native title party') lodged an expedited procedure objection application (WO2012/0962) in relation to the proposed tenement.
- [3] A number of conferences were convened by the National Native Title Tribunal ('the Tribunal') to move the matter towards agreement; however, the grantee party did not participate in any of those conferences.
- [4] On 5 April 2013, the Tribunal requested that the Department of Mines and Petroleum consider the options for resolving this matter, including refusal of the proposed tenement.
- [5] On 15 October 2014, the Department of Mines and Petroleum on behalf of the Government party, advised the Tribunal that tenement E45/2475 had been refused on 18 September 2014.

Decision

- [6] As there is no longer a future act for the Tribunal to deal with, expedited procedure objection application WO2012/0962 is dismissed pursuant to s 148(a) of the *Native Title Act 1993* (Cth).

Helen Shurven
Member