

Expedited procedure – sites of particular significance

***Monadee/Western Australia/Auriferous Mining Pty Ltd* [2002]
NNTTA 115**

Deputy President Franklyn, 26 June 2002

Issue

The objectors contented that there were sites of significance but this was not supported by the affidavit evidence or by the information available on the Western Australian Register of Aboriginal Sites—at [16] to [17].

Nonetheless, the Tribunal found four sites of particular significance within the meaning of s. 237(b) of the *Native Title Act 1993* (Cwlth), only one of which was precisely located. As the grantee party had not provided any evidence as to its intentions in relation to the conduct of exploration, and the Tribunal recognised that it may be some time before the sites were specifically located and identified, it was impossible for the Tribunal to conclude that the grant was not likely to interfere with sites of particular significance. Therefore, the expedited procedure was not attracted and the right to negotiate provisions apply to the proposed grant—at [20] to [23].