WHAT’S NEW IN NATIVE TITLE
January 2017

1. Case Summaries
There were no native title decisions handed down in the Federal Court, Full Federal Court or High Court of Australia in January 2017.

2. Legislation
There were no relevant current Bills before the Senate and House of Representatives, or relevant previous Bills that received Royal Assent during the period 1 January 2017 to 31 January 2017. No relevant Bills were passed or presented in any other Australian jurisdiction during the period 1 January 2017 to 31 January 2017.

3. Native Title Determinations
In January 2017, the NNTT website listed no native title determinations.
4. Registered Native Title Bodies Corporate & Prescribed Bodies Corporate

The Native Title Research Unit within AIATSIS maintains a RNTBC summary document which provides details about RNTBCs and PBCs in each state/territory including the RNTBC name, RNTBC type (agent or trustee) and relevant native title determination information. The statistics for RNTBCs as of 31 January 2017 can be found in the table below.

Information on RNTBCs and PBCs including training and support, news and events, research and publications and external links can be found at nativetitle.org.au. For a detailed summary of individual RNTBCs and PBCs see PBC Profiles.

Additional information about RNTBCs and PBCs can be accessed through hyperlinks to corporation information on the Office of the Registrar of Indigenous Corporations (ORIC) website; case law on the Austlii website; and native title determination information on the NNTT and ATNS websites.

<table>
<thead>
<tr>
<th>State/Territory</th>
<th>RNTBCs</th>
<th>No. of successful (&amp; conditional) claimant determinations for which RNTBC to be advised</th>
</tr>
</thead>
<tbody>
<tr>
<td>Australian Capital Territory</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>New South Wales</td>
<td>6</td>
<td>0</td>
</tr>
<tr>
<td>Northern Territory</td>
<td>22</td>
<td>2</td>
</tr>
<tr>
<td>Queensland</td>
<td>80</td>
<td>2</td>
</tr>
<tr>
<td>South Australia</td>
<td>15</td>
<td>1</td>
</tr>
<tr>
<td>Tasmania</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Victoria</td>
<td>4</td>
<td>0</td>
</tr>
<tr>
<td>Western Australia</td>
<td>39</td>
<td>2</td>
</tr>
<tr>
<td><strong>NATIONAL TOTAL</strong></td>
<td><strong>166</strong></td>
<td><strong>7</strong></td>
</tr>
</tbody>
</table>

Note: Some RNTBCs relate to more than one native title determination and some determinations result in more than one RNTBC. Where a RNTBC operates for more than one determination it is only counted once, as it is one organisation.

Source: [http://www.nntt.gov.au/searchRegApps/NativeTitleClaims/Pages/default.aspx](http://www.nntt.gov.au/searchRegApps/NativeTitleClaims/Pages/default.aspx) and Registered Determinations of Native Title and RNTBCs as at 31 January 2017.
5. Indigenous Land Use Agreements

In January 2017, ten ILUAs were registered with the National Native Title Tribunal.

<table>
<thead>
<tr>
<th>Registration date</th>
<th>Name</th>
<th>Tribunal file no.</th>
<th>Type</th>
<th>State or Territory</th>
<th>Subject matter</th>
</tr>
</thead>
<tbody>
<tr>
<td>24/01/2017</td>
<td>Dinah Island ILUA</td>
<td>QI2016/050</td>
<td>Body Corporate</td>
<td>QLD</td>
<td>Access, Tourism</td>
</tr>
<tr>
<td>24/01/2017</td>
<td>Erub Island Multi Purpose Facility ILUA</td>
<td>QI2016/051</td>
<td>Body Corporate</td>
<td>QLD</td>
<td>Community, Development</td>
</tr>
<tr>
<td>16/01/2017</td>
<td>Bollon Township Land Exchange ILUA</td>
<td>QI2016/044</td>
<td>Area Agreement</td>
<td>QLD</td>
<td>Access</td>
</tr>
<tr>
<td>13/01/2017</td>
<td>Wanparta ILUA</td>
<td>WI2016/010</td>
<td>Body Corporate</td>
<td>WA</td>
<td>Tenure Resolution, Government</td>
</tr>
<tr>
<td>10/01/2017</td>
<td>Irwanyere Settlement ILUA</td>
<td>SI2016/004</td>
<td>Body Corporate</td>
<td>SA</td>
<td>Not yet identified</td>
</tr>
<tr>
<td>04/01/2017</td>
<td>PKKP and Kooline Downs ILUA</td>
<td>WI2016/005</td>
<td>Body Corporate</td>
<td>WA</td>
<td>Pastoral, Access</td>
</tr>
<tr>
<td>04/01/2017</td>
<td>PKKP and Ashburton Plains ILUA</td>
<td>WI2016/006</td>
<td>Body Corporate</td>
<td>WA</td>
<td>Pastoral, Access</td>
</tr>
<tr>
<td>04/01/2017</td>
<td>PKKP and Cheela Plains ILUA</td>
<td>WI2016/007</td>
<td>Body Corporate</td>
<td>WA</td>
<td>Pastoral, Access</td>
</tr>
<tr>
<td>04/01/2017</td>
<td>PKKP and Glenflorrie ILUA</td>
<td>WI2016/008</td>
<td>Body Corporate</td>
<td>WA</td>
<td>Pastoral, Access</td>
</tr>
<tr>
<td>04/01/2017</td>
<td>PKKP and Nanutarra ILUA</td>
<td>WI2016/009</td>
<td>Body Corporate</td>
<td>WA</td>
<td>Pastoral, Access</td>
</tr>
</tbody>
</table>

For more information about ILUAs, see the [NNTT website](#) and the [ATNS Database](#).
6. Future Acts Determinations

In January 2017, two Future Acts Determinations were handed down.

<table>
<thead>
<tr>
<th>Date</th>
<th>Parties</th>
<th>Tribunal file no.</th>
<th>State or Territory</th>
<th>Determination</th>
<th>Reasons for the Determination</th>
</tr>
</thead>
</table>
| 25/01/2017 | Western Desert Lands Aboriginal Corporations  
RNTBC  
and  
John Williams  
and  
David John Hudson  
and  
Western Australia | WO2015/0911  
WO2015/0926 | WA                 | Objection - Expedited Procedure Does Not Apply | Member McNamara found that the expedited procedure does not apply in relation to the proposed grant of a prospecting and exploration licence to two grantees over land of the Martu people in the East Pilbara.  
98.7% of the land in question is already subject to the Lake Disappointment Project Mining and Indigenous ILUA. Member McNamara found that the grant of licences was likely to interfere with community and social activities of the native title holders and that the proposed exploration was not satisfactorily mitigated to avoid interference with sites of significance if they exist in the area. |
| 06/01/2017 | Bunbury Energy Pty Ltd  
and  
William Webb & Others on behalf of South West Boojarah #2  
and  
Derrick Smith & Others on behalf of Gnaala Karla Booja  
and  
Western Australia | WF2016/0015 | WA                 | Future Act – May be done                        | Member McNamara found that a petroleum exploration permit may be granted over areas of the Perth basin based on the agreement between Bunbury Energy and a number of native title holders.  
The area overlaps with the majority of the Gnaala Karla Booja registered claim, and also overlaps with approximately 6% of the South West Boojarah #2 claim.  
The negotiation prior to determination resulted in the execution of agreements and deeds under s 31 of the NTA with all parties other than the South West Boojarah #2.  
The South West Boojarah group’s s 31 deeds and agreements were not fully executed because two individuals had failed to sign them, despite the agreement of the working party. |
7. Publications

**AIATSIS**

AIATSIS has published an issues paper written by Dr Pamela Faye McGrath entitled *Native Title Anthropology after the Timber Creek Decision.*

The paper considers the implications of the Timber Creek decision for the work of native title anthropologists, highlighting how the work of native title anthropologists must shift for research on future compensation claims.

To download the paper, please visit the AIATSIS website.

**Yamatji Marlapa Aboriginal Corporation (YMAC)**

YMAC’s booklet of Traditional Ecological Knowledge of Nyangamarta Warrarn Indigenous Protected Areas is now available online.

To view the booklet, please visit the YMAC website.

YMAC has published edition 18 of their Bundiyarra Gardantha newsletter.

To view the newsletter, please visit the YMAC website.

8. Training and Professional Development Opportunities

**AIATSIS**

*Australian Aboriginal Studies*

Australian Aboriginal Studies Journal (AAS) is inviting papers for coming issues. AAS is a quality multidisciplinary journal that exemplifies the vision where the world’s Indigenous knowledge and cultures are recognised, respected and valued. Send your manuscript to the Editor by emailing aasjournal@aiatsis.gov.au.

For more information, visit the journal page of the AIATSIS website.

**ORIC**

ORIC provides a range of training for Aboriginal and Torres Strait Islander corporations about the *Corporations (Aboriginal and Torres Strait Islander) Act 2006 (CATSI Act)*, the corporations rule book and other aspects of good corporate governance.

For further information on training courses, visit the ORIC website.
9. Events

AIATSIS

National Indigenous Research Conference

AIATSIS and the University of Canberra will be co-convening the AIATSIS National Indigenous Research Conference 2017. The Conference 'Impact, Engagement, Transformation' will draw together researchers, policymakers, cultural and collecting institutions, the corporate sector and Indigenous organisations and communities. The Conference will examine how we can more effectively target research efforts to achieve better policy outcomes and practice with lasting impact through transformative change.

Date: 21-23 March 2017
Location: Hotel Realm, Canberra

For further information, visit the website.

National Native Title Conference 2017

In 2017 the annual National Native Title Conference will be convened by the AIATSIS and the North Queensland Land Council (NQLC) on the traditional lands of the Gurumblibara Wulgurukaba people, Townsville Queensland.

Date: 5-7 June 2017
Location: Townsville Entertainment and Convention Centre, Entertainment Drive, Townsville City.

The conference themes and a call for papers will be available soon.

For further information, please email: ntconference@aiatsis.gov.au.

The Native Title Research Unit produces monthly publications to keep you informed on the latest developments in native title throughout Australia. You can subscribe to NTRU publications online, follow @AIATSIS on Twitter or ‘Like’ AIATSIS on Facebook. The Native Title Research Unit produces monthly publications to keep you informed on the latest developments in native title throughout Australia. You can subscribe to NTRU publications online, follow @AIATSIS on Twitter or ‘Like’ AIATSIS on Facebook.