



What's New: August 2006

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Recent Cases

Australia

[McKenzie v State of South Australia \[2006\] FCA 891 \(30 June 2006\)](#)

This is a motion in which the applicants seek leave to discontinue the proceedings SAD 27 of 2006.

[Wiri People No 2 v State of Queensland \[2006\] FCA 804 \(19 June 2006\)](#)

Court orders: 1. The application for an extension of time in which to comply with the order made on 6 October 2005 be refused; 2. The applicant have leave to appeal against order 1.

[Kokatha Native Title Claim v State of South Australia \[2006\] FCA 838](#)

This decision involves a motion to excise a portion of their claim in relation to an overlap. It considers the exercise of discretion under s 67 of the Native Title Act 1993 (Cth) based on a series of factors including a lack of available funding, the significance of area to claimant group, prospects of mediation and settlement and the efficient administration of justice.

[Griffiths v Northern Territory of Australia \[2006\] FCA 903](#)

Involves an application for determination of native title in and around town of Timber Creek by the Ngaliwurru and Nungali Peoples. It discusses the society of Ngaliwurru and Nungali Peoples existed at sovereignty in 1825 and whether same society continues to exist. It also discusses whether shift from patrilineal system of descent to cognatic system of descent constitutes fundamental change of normative system and subsequently whether the current society of Ngaliwurru and Nungali Peoples continues to enjoy native title rights and interests under traditional laws and customs. The case also considered extinguishment under s 47B of Native Title Act 1993 (Cth) and whether it can apply within a proclaimed township. It was held that native title exists in the entire determination area.

[Kemp v Native Title Registrar \[2006\] FCA 939](#)

This case involved a judicial review of decision of Native Title Registrar to register indigenous land use agreement. It considered whether requirements for registration in s 24CG(3)(b) of Native Title Act 1993 (Cth) had been met including the authorisation process where competing claims to hold native title in relation to land or waters in the area. In particular it focused on the meaning of 'all persons who hold or may hold native title in relation to land or waters in the area covered by the agreement' in s24CG(3)(b)(i). joinder application based on 'interests' of Shire Council in relation to exercise of its powers

[Butchulla People v State of Queensland \[2006\] FCA 1063](#)

This case considers whether authorisation for the current applicant's removal and replacement was given in accordance with s 251B of Native Title Act 1993 (Cth). It focused on whether all members of the claim group needed to be present at the meeting. It also discussed whether claim group obliged to use a customary process of decision-making or whether it could adopt a contemporary process.

[Akiba & Others on behalf of the Torres Strait Regional Seas Claim People v State of Queensland \(No 1\) \[2006\] FCA 1102](#)

Involves a and operational activities. However French J found that there was no evidence of infrastructure or activities within the claim area and the joinder application refused on discretionary grounds.

[Yalanji People v State of Queensland \[2006\] FCA 1103](#)

Involves a determination for costs.

[Hillig as Administrator of Worimi Local Aboriginal Land Council v Minister for Lands for the State of New South Wales \(No 2\) \[2006\] FCA 1115](#)

This case involved an application to strike out claimant application. It was found that the applicant was not a member of the claim group and was not authorised by all members of claim group. A notice of intention to amend the claim group not given to members of original claim group and the amended claim group did not represent the totality of persons within claim group description.

[Myoung v The Northern Land Council \[2006\] FCA 1130](#)

This case considered the meaning of traditional Aboriginal owners under the Aboriginal Land Rights (Northern Territory) Act 1976 (Cth).

(Sourced from the Federal Court's Native Title Bulletin).

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Legislation

[Aboriginal Land Rights \(Northern Territory\) Amendment Bill 2006](#)

(Sourced from NNTT Judgements and Information email alert service and the Federal Court's Native Title Bulletin)

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Media Releases

Federal Government

[Land Rights Bill provides opportunities and retains choice](#)

The Hon Mal Brough MP
Minister for Families, Community Services and Indigenous Affairs
Minister Assisting the Prime Minister for Indigenous Affairs, 8 August 2006.

[Northern Territory Indigenous people now free to choose](#)

The Hon Mal Brough MP
Minister for Families, Community Services and Indigenous Affairs
Minister Assisting the Prime Minister for Indigenous Affairs, 17 August 2006.

[Improving resolution of native title claims](#)

The Attorney-General, Philip Ruddock MP, 21 August 2006.

[Appointments to the Native Title Tribunal](#)

The Attorney-General, Philip Ruddock MP, 24 August 2006.

Parliament

[Bill Weakening NT Land Rights Passes Senate](#)

Senator Andrew Bartlett, 16 August 2006

[Bad Day for Land Rights](#)

Senator Rachel Siewert, 16 August 2006

[Land Rights Bill](#)

Senator Chris Evans , 16 August 2006

['Audit Office Finds Government mismanaging native title'](#)

Senator Chris Evans and Nicola Roxon, 30 August 2006.

National Native Title Tribunal

[Reforms a welcome change](#)

21 August 2006.

Other

[Senator seeks NT land rights debate](#)

ABC News Online, 7 August 2006.

[Researcher cautions against rushing land rights legislation](#)

ABC News Online, 8 August 2006.

[Petition urges delay on land rights act vote](#)

ABC News Online, 8 August 2006.

[Govt gears up for Senate stoush over land rights changes](#)

ABC News Online, 8 August 2006.

[PM - Widespread opposition to NT land rights changes](#)

ABC Online, 8 August 2006.

[Stop the land grab! Don't let the sun set on Aboriginal land rights!](#)

[Scullion backs Land Rights Act changes](#)

ABC News Online, 9 August 2006.

[Labor attempts to delay land rights changes fail](#)

ABC News Online, 14 August 2006.

[Generations of Aboriginal people could lose control of land if new law is passed, Oxfam warns](#)

Oxfam Australia, 14 August 2006.

[Land Act debate 'lacks respect for traditional owners'](#)

ABC News Online, 16 August 2006.

[Commissioner warns against compromising Indigenous interests in the rush to satisfy mining exploration](#)

Aboriginal and Torres Strait Islander Social Justice Commissioner Tom Calma, 22 August 2006.

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Books, Journals, Issues Papers and Discussion Papers

Caroline Edwards, Louise Anderson and Siobhan McKeering 'Athropologists, lawyers and native title cases in Australia' *Anthropological Forum* (2006) Vol 16 No 2 pp. 153-171

Howard Morphy 'The practice of an expert: anthropology in native title' *Anthropological Forum* (2006) Vol 16 No 2 pp. 135-151

Tess Burton and Cedric Davies 'Major disturbance or miner disturbance?: *Little and Ors v Oriole Resources Pty Ltd* (2005) 146 FCR 576' *Indigenous Law Bulletin* (May 2006) Vol 6 Issue 19 pp 10-12

Shaun Berg and Kate d'Assumpcao '*The Pitjantjatjara Land Rights (Miscellaneous) Amendment Act*' *Indigenous Law Bulletin* (May 2006) Vol 6 Issue 19 pp 8-9

Nicole Watson 'The *Corporations (Aboriginal and Torres Strait Islander) Bill 2005* (Cth):coming soon to a community organisation near you' *Indigenous Law Bulletin* (May 2006) Vol 6 Issue 19 pp 13-16.

Gordon Kennedy 'Larrakia claims to Darwin/Palmerston' *Native Title News* (2006) Vol 7 Iss 9 pp 164-166.

Marshall McKenna 'Observations on the improvement of the native title system - extracts from the judgment of the Honourable Justice Merkel in *Rubibi Community v Western Australia (No 7)* [2006] FCA 459' *Native Title News* (2006) Vol 7 Iss 9 pp 162-164 \

Ian D. Clark 'Land succession and fission in nineteenth-century Western Victoria: the case of Knenknenwurrung' *The Australian Journal of Anthropology* (2006) Vol 17 No 1 pp. 1-14.

'Losing sight of the big picture: the narrowing of native title in Australia' *Ottawa Law Review* (2005) Vol 36 No 1 pp. 95-126.

James (Sa'ke'j) Youngblood Henderson 'Aboriginal and treaty rights and tribunals' *Canadian Journal of Administrative Law & Practice* (2006) Vol 19 No 1 pp. 1-37.

Rune S. Fjellheim and John B. Henriksen '*Oil and gas exploration on arctic Indigenous Peoples' territories*' [Kautokeino, Norway] : Resource Centre for the Rights of Indigenous Peoples, 2006.

Jeremy Waldron, '[Suppression and sovereignty](#)' paper presented at the 2006 Julius Stone Lecture, Sydney, 3 August 2006.

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On-line Publications

AIATSIS

The NTRU [native title resource guide](#) has recently been updated to include statistics to 30 June 2006 and other information and hyperlinks relating to new state government policy documents, native title determinations, registered native title bodies corporate, ILUAs, native title reform processes, Northern Territory land rights amendments, revised ILC regional indigenous land strategies.

Other documents recently updated on the NTRU website include:

[Native Title Determinations Summary \[PDF format\]](#)

[Registered Native Title Bodies Corporate Summary \[PDF format\]](#)

CAEPR

[Community Governance newsletter—August 2006](#)

The second edition of this year's Community Governance newsletter (Vol.2, No.2), produced as part of the ARC Indigenous Community Governance Project, is now available online.

[Indigenous socioeconomic outcomes: A focus on the 2002 NATSISS—CAEPR Research Monograph 26](#)

This monograph presents the peer-reviewed proceedings of the CAEPR conference on Indigenous Socioeconomic Outcomes: Assessing Recent Evidence, held at The Australian National University in August 2005. The main focus of this volume is on analysing the 2002 National Aboriginal and Torres Strait Islander Social Survey (NATSISS) outputs and issues about how to interpret the data. It also offers some assessment of changes in Indigenous social conditions over time and examines how Indigenous people fared vis-à-vis other Australians in other statistical collections.

National Native Title Tribunal

[Maps and statistics as at 30 June 2006](#)

Also see the NNTT [maps and spatial data](#) page for national, state and regional maps available.

Government Publications

[Native title claims resolution review](#)

Graham Hiley and Ken Levy, Canberra: Attorney-General's Department, 2006.

The Claims Resolution Review was established by the Attorney-General to consider the process by which native title applications are resolved. The Review examined the roles of the National Native Title Tribunal (NNTT) and the Federal Court and considered measures for the more efficient management of native title claims within the existing framework of the Native Title Act 1993.

See also the [Government response](#) to the claims resolution review.

(Source: <http://www.ag.gov.au/claimsresolutionreview>)

[Aboriginal Land Rights \(Northern Territory\) Amendment Bill 2006](#)

Australia. Parliament. Senate. Community Affairs Legislation Committee, Canberra : The Committee, 2006.

[Exploring country: a guide to making an exploration and mining agreement](#)

Northern Territory. Dept. of Primary Industry, Fisheries and Mines, Darwin, N.T: Dept. of Primary Industry, Fisheries and Mines, 2006

[Administration of the native title respondents funding scheme](#)

The Auditor General, Audit Report No.1 2006–07.

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Upcoming Events

Book Launches

Penny van Toorn's book *Writing Never Arrives Naked: Early Aboriginal cultures of writing in Australia* (ASP) will be launched on Thursday 21 September in the Koori Centre, University of Sydney.

Please RSVP
Amity Raymont
Aboriginal Studies Press
Amity.Raymont@aiatsis.gov.au
02 6246 1183

Conferences

[Governments and Communities in Partnership: From Theory to Practice](#)

Venue: Melbourne

When: 25 – 27
September, 2006

This international conference has been organised in association with the OECD and aims to deepen the academic and policy debate about the impact and value of efforts to 'join-up' different public services and related initiatives to strengthen communities. This event boasts a stellar line up of over 200 speakers (both academics and policy practitioners) from all around the world.

Program: [available here](#)
(Speaker profiles and abstracts for the Centre for Public Policy Governments)

and Communities in Partnership are also available online).

[World Archaeological Congress symposium, "Cultural Heritage and Indigenous Cultural and Intellectual Property Rights"](#)

Venue: Burra, South Australia Program

When: 3rd to 5th December 2006 Multi-disciplinary conference will address the history and current developments in the intersections between cultural heritage and Indigenous cultural and intellectual property rights in Indigenous customary and academic worlds. Key speakers are from George Nicolas and Julie Hollowell, Canada/USA; Maui Solomon, New Zealand; and Sven Ouzman, South Africa.

Regenerating the Phoenix: Anthropology's Public Futures

See further < <http://anthropology.anu.edu.au> >

Venue: Burra, South Australia

When: 8-10 November, 2006

This workshop seeks to debate what Richard Werbner (*Reasonable Radicals*) calls a dialogic cosmopolitan anthropology which recognises the positive contributions that early anthropologists have made to the discipline, questions aspects of the post-colonial critique that unfairly labels Anthropologists as reproducing false notions of cultural isolation and objectification and shows how it engages in an intercultural dialogue that has gone on for centuries and continues with all of its political inequalities and intrigues today.

Draft Program

Day 1, Wednesday, November 8

Round Table Discussion:

1. The State of the Field of Public Anthropology, Dr. Monique Skidmore (ANU)
2. Regenerating Anthropology in Australia, Professor David Trigger (UWA)
3. The Australian Anthropological Society and the Future of Anthropology in Australia, Dr. Martha Macintyre, President, Australian Anthropological Association (University of Melbourne)
Question and Answer session

Day 2, Thursday, November 9

Student workshops

Day 3, Friday, November 10

Dr. Mandy Thomas (Senior Executive Director, Humanities and Creative Arts, Australian Research Council): Anthropology's Future in Australia

Blogging for Anthropologists (Dr. Andrew Walker)

Managing the media: Influencing the political and bureaucratic elites (Professor Jon Altman)

Seminar Series

Centre for Aboriginal Economic Policy Research 2006 Seminar Series

Venue: Seminar Room G058, Ground Floor, Hanna Neumann Building, Australian National University

When: Wednesdays 12.30 – 2.00pm

Program:

13 September: Literacy, culture and power: reflections on the neoconservative assault on Indigenous education. Jerry Schwab, Fellow, CAEPR

20 September: Indigenous peoples and indicators of well-being: UN perspectives on global framework. John Taylor, Deputy Director and Senior Fellow, CAEPR

27 September: Regionalised governance processes in the Northern Territory: The West Central Arnhem Regional Authority. Diane Smith, Fellow, CAEPR

4 October: Accountability in Indigenous Organisations: What can it reasonably mean? Kathryn Thorburn, PhD scholar, CAEPR

11 October: Self assessments of successful Indigenous governance: analysis of the first two years of the Indigenous Governance Awards (tbc). Members of the Indigenous Community Governance Project Team

25 October: Arguing for a treaty between Indigenous and settler Australians: Beginning a better relationship (A thesis proposal). Katarina Ferro, PhD scholar, CAEPR

1 November: The making of contemporary Aboriginal learning and literacy: Ngaanyatjarra engagement with changing western practices. Inge Kral, PhD scholar, CAEPR

8 November: Dealing with distance: Mobility, sociality and governance in Central Cape York Peninsula. Benjamin Richard Smith, Research Fellow, CAEPR

Anthropology @ Monash Seminar Series 2006

Venue: Room W1010, PSI School Library, 10th Floor Menzies Building, Clayton Campus Monash University

When: Thursdays at 4.00-5.30pm fortnightly during the teaching weeks

Program:

7 September: Dr Trudy Jacobsen, ARC Postdoctoral Fellow in Anthropology & Centre of Southeast Asian Studies, MAI. "Dabbling in Dhamma? The Lives of Theravada Buddhist Nuns in Cambodia."

3.00pm Tuesday, 19th September PLEASE NOTE: different day and time Prof Gillian Cowlshaw, ARC Professorial Fellow at University of Technology, Sydney. "Erasing Social Trauma: Contemporary Australian History and Ethnography."

21 September: Lejla Voloder, PhD candidate in Anthropology, Monash University

12 October: Dr Bianca Smith, Endeavour Award Postdoctoral Fellow in Anthropology, Monash University.

[AIATSIS Seminar Series – Semester 2](#)

Venue: Acton Peninsula, Canberra.

Program:

Commencing 2 September with a presentation by:

When: 4 September to 6 November 2006

Ms Marianne Riphagen; Cultural Anthropologist, Radboud University Nijmegen, the Netherlands, in affiliation with the Centre for Aboriginal Economic Policy Research (CAEPR) Australian National University

Topic

Framing Indigenous Australian photography in the twenty-first century: the creation of photographic meanings by contemporary Indigenous Artists

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Opportunities

[Indigenous Law Journal Call for Papers](#)

Articles should be received by September 8, 2006 at 4 pm, Eastern Standard Time.

The Indigenous Law Journal provides a forum for the discussion of Indigenous legal issues in Canada and internationally. Articles, notes, comments and reviews are sought from academics, students, members of the judiciary and practitioners for Volume 6 of the Indigenous Law Journal, which will be published in the fall of 2006. All submissions are subject to anonymous peer review.

[Indigenous Researchers Forum](#)

25 – 27 September, 2006, Adelaide, South Australia

The Indigenous College of Education and Research will be hosting the National Indigenous Researchers Forum. Areas of focus will include: Indigenous Methodologies; Indigenous Voices in Research; Implications for Future Research.

Registrations Close: 8 September 2006.

[Postdoctoral Fellowships](#)

Applications close 31 December 2006.

The Southeast Asian Program of the Faculty of Arts and Social Sciences at the National University of Singapore is looking for someone who holds a PhD degree (or is awaiting conferment) and has broad interdisciplinary expertise and research interests in Southeast Asian Studies (including specializations in anthropology, cultural studies, economics, geography, history, political science and sociology). The

Fellow will work with faculty members in the Department with ongoing research in these and/or related areas.

[The Annual Australian Sociology Association \(TASA\) Conference](#)

Murdoch University and the University of Western Australia

Conference Theme: 'Sociology for a Mobile World'
There are ten streams, and presenters are required to nominate a stream on submission of their abstract.

(UWA)
4 - 7 December, 2006

Registrations close 12
November, 2006

Submissions close 8
September, 2006

Submit your abstract on line at
http://www.ias.uwa.edu.au/activities_and_programs/programs_2006/TA_SA_2006/tasabstract_online_rego3

[AAS Best Thesis in Anthropology Award](#)

Submissions to be sent
to: Administrator, AAS,
LPO Box 8099, ANU,
Canberra ACT 2601

Contact: Shane Silva
Administrator, Australian
Anthropological Society

LPO Box 8099,
Australian National
University

Tel: (02) 6125 3208

Fax:(02) 6125 2711

The AAS will award prizes of \$500 in two categories:
a) Honours and b) PhD / M.A. (by research).

Winners are announced during the course of the annual AAS
Conference. Each winner receives
\$500 and a commemorative certificate.

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Employment

Description and closing date	Location	Description	Contact
The Thomas and Margaret Ruth McArthur Fellowship 14 Sep 2006	University of Melbourne, Faculty of Arts Budget Division: Faculty of Arts	Post-doctoral Research Fellowship, offered at either Level A or Level B. Level will be determined by qualifications and experience. Salary: \$45,224 - \$61,370 p.a. (Research Fellow, Level A) or \$64,602 - \$76,714 p.a. (Research Fellow, Level B)	Applications can be forwarded: Email: hr_applications@unimelb.edu.au Fax:+61 3 8344 6080 Mail:Vice-Principal (Human Resources), The University of Melbourne Victoria 3010 For enquiries contact: Prof Verity Burgmann, tel. +61 3 8344 7943, email <mailto:vnb@unimelb.edu.au>

Level 6 Senior Project Officer	Department of Indigenous Affairs (WA) Kununurra office	Level 6, \$67,850 - \$75,133 (12 month contract)	Ms Pam Thorley 08 9168 2550
Level 3 Records Supervisor	Department of Indigenous Affairs (WA) Perth	Level 4/5- \$52,413 - \$64,439	Mr Andrew Pepper (08) 9235 8132
Employment Opportunities: Geospatial Specialist	NNTT, Perth or Brisbane	APS Level 6, \$57,556 - \$66,115, Non-ongoing (temp)	Jeff Harris 07 3226 8270
Employment Opportunities: Business Systems Specialist	NNTT, Operations Unit, Perth	APS Level 5, \$53,290 - \$56,505, Non-ongoing (temp)	Allan Thompson 08 9268 7233
Level 4/5 Regional Officer	Department of Indigenous Affairs (WA) Kununurra office	Level 4/5- \$52,413 - \$64,439	Ms Pam Thorley 08 9168 2550
Monash Faculty of Arts Postdoctoral Fellowship	Monash University	2 years, Academic salary Level A	deepa.balakrishnan@arts.monash.edu.au
Lecturer in Social Anthropology	University of Otago		Human Resources Division 64 3 479 8269, nicola.parsons@otago.ac.nz

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Notifications

Native title applications by current notification of applications

NOTIFICATION CLOSING DATE	APPLICATION NAME	APPLICATION TYPE	DATE FILED	STATE/ TERRITORY	NNTT FILE NO.	FEDERAL COURT FILE NO.
6/09/2006	Gugu Badhun People #2	Claimant application	22/03/2005	Queensland	QC05/7	QUD85/05
6/09/2006	Lardil, Yangkaal, Gangalidda & Kaiadilt Peoples	Claimant application	12/01/2006	Queensland	QC06/1	QUD7/06
6/09/2006	Karingbal #2	Claimant application	20/01/2006	Queensland	QC06/5	QUD23/06

6/09/2006	Gingirana	Claimant application	10/03/2006	Western Australia	WC06/2	WAD6002/03
20/09/2006	Town of Batchelor No.2	Claimant application	29/08/2005	Northern Territory	DC05/4	NTD21/05
20/09/2006	Kulyakarta	Claimant application	11/10/2005	Western Australia	WC05/7	WAD293/05
4/10/2006	Mount Doreen	Claimant application	11/04/2005	Northern Territory	DC05/2	NTD5/05
4/10/2006	Mt Everard	Claimant application	8/11/2005	Northern Territory	DC05/12	NTD36/05
4/10/2006	Bahtabah Local Aboriginal Land Council #1	Non-claimant application	22/05/2006	New South Wales	NN06/6	NSD986/06
4/10/2006	Napperby	Claimant application	12/04/2005	Northern Territory	DC05/3	NTD6/05
4/10/2006	Alcoota No. 2	Claimant application	8/11/2005	Northern Territory		NTD35/05
4/10/2006	Bahtabah Local Aboriginal Land Council #2	Non-claimant application	22/05/2006	New South Wales		NSD987/06
19/10/2006	Gunditjmarra #2	Claimant application	9/06/2006	Victoria		VID655/06
1/11/2006	Karnapyrri	Claimant application	22/03/2006	Western Australia		WAD77/06
15/11/2006	Wiluna #2	Claimant application	28/10/2004	Western Australia		WAD241/04
29/11/2006	Robert Kingwell	Non-claimant application	28/06/2006	New South Wales		NSD1249/06
29/11/2006	Lorenze, Robert and Ruby Bucton	Non-claimant application	7/07/2006	New South Wales		NSD1314/06
12/12/2006	Puutu Kunti Kurrama and Pinikura 2	Claimant application	1/06/2005	Western Australia		WAD126/05

(This information has been extracted from the National Native Title Tribunal website www.nntt.gov.au) For further information regarding Applications Currently in Notification contact the National Native Title Tribunal on 1800 640 501 or visit www.nntt.gov.au

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Determinations

Native title determinations by determination date

SHORT NAME	CASE NAME	DATE	STATE/	OUTCOME	LEGAL
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			TERR.		PROCESS
Worimi Local Aboriginal Land Council #3	Hillig as Administrator of Worimi Local Aboriginal Land Council v NSW Native Title Services Ltd [2006] FCA 1184	01/09/2006	NSW	Native title does not exist	Unopposed determination
Yankunytjatjara/Antakirinja	Yankunytjatjara/Antakirinja Native Title Claim Group v The State of South Australia [2006] FCA 1142	28/08/2006	SA	Native title exists in parts of the determination area	Consent determination
Timber Creek	Griffiths v Northern Territory of Australia (No 2) [2006] FCA 1155	28/08/2006	NT	Native title exists in the entire determination area	Litigated determination
Eden Local Aboriginal Land Council	Cruse v New South Wales Native Title Services Ltd [2006] FCA 1124	23/08/2006	NSW	Native title does not exist	Unopposed determination

(This information has been extracted from the [National Native Title Tribunal website](#) 07/09/06)

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Indigenous Land Use Agreements: Registered ILUAs by date

TRIBUNAL FILE NO.	NAME (NNTT HYPERLINK)	TYPE	STATE/TERR.	REGISTRATION DATE	SUBJECT MATTER
WI2005/003	Ord Final Agreement	Area agreement	Western Australia	16/08/2006	Development
WI2004/006	Telstra Ngaanyatjarra ILUA	Body corporate agreement	Western Australia	11/08/2006	Access

(This information has been extracted from the [National Native Title Tribunal website](#) 01/09/06)

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Future Act Determinations

Future Act consent determinations by Determination date

DETERMINATION DATE	TRIBUNAL FILE NO.	DECISION/ DETERMINATION	PARTIES	CATCHWORDS
24/08/2006	WF06/69	Future Act - Can be done	Wilma Freddie and Others on behalf of the Wiluna Native Title Claimants (WC99/24) (Applicant/native title party)	Native title — future act — application for determination for the grant of exploration licence — named applicants not

			<p>- and -</p> <p>The State of Western Australia (Government party)</p> <p>- and -</p> <p>Mark Gareth Creasy (Grantee party)</p>	<p>signed state deed — logistical difficulties — Regional Standard Heritage Agreement executed by grantee party — native title party consents to the determination — consent determination that the act may be done.</p>
22/08/2006	WF06/52	Consent determination: future act can be done	<p>Ollan Dimer on behalf of the Ngadju People (WC99/2) (Ngadju native title party)</p> <p>- and -</p> <p>Dorothy Tucker and Thelma Tucker on behalf of the Narnobinya Family Group (WC97/40) (Narnobinya native title party)</p> <p>- and -</p> <p>The State of Western Australia (Government party)</p> <p>- and -</p> <p>Heron Resources Ltd (grantee party)</p>	<p>Native title — future act — application for determination for the grant of exploration licences — deceased registered native title claimants — no valid native title party — s.31(1)(b) agreement executed — logistical difficulties preclude execution of a State Deed — native title party as a whole consent to the determination — consent determination that the act may be done.</p>
16/08/2006	WO03/505	Consent determination: expedited procedure does not apply	<p>Charlie Lapthorne and Others on behalf of the Thudgari People (WC97/95) (native title party)</p> <p>- and -</p> <p>The State of Western Australia (Government party)</p> <p>- and -</p> <p>Eastern Goldfields Exploration Pty Ltd (grantee party)</p>	<p>Native title - objection to inclusion in an expedited procedure - proposed grant of exploration licence - determination by consent - not an act attracting the expedited procedure</p>
16/08/2006	WO03/473	Consent determination: expedited procedure does not apply	<p>Angus Abdullah and Others on behalf of Njamal Native Title Claimants (WC99/8) (Njamal native title party)</p>	<p>Native title - objection to inclusion in an expedited procedure - proposed grant of exploration</p>

			- and - The State of Western Australia (Government party) - and - Mark Gareth Creasy (grantee party)	licence - determination by consent - not an act attracting the expedited procedure
16/08/2006	WO03/678	Consent determination: expedited procedure does not apply	Angus Abdullah and Others on behalf of the Njama Native Title Claimants (WC99/8) (native title party) - and - The State of Western Australia (Government party) - and - Pandell Pty Ltd (grantee party)	Native title - objection to inclusion in an expedited procedure - proposed grant of exploration licence - determination by consent - not an act attracting the expedited procedure
11/08/2006	WF06/37	Consent determination: future act can be done	Aubrey Lynch and Others on behalf of the Wongatha People (WC99/1) (Wongatha native title party) - and - Geoffrey Alfred Ashwin and Others on behalf of the Wutha People (WC99/10) (Wutha native title party) - and - The State of Western Australia (Government party) - and - Paul Winston Askins and Callum Baxter (grantee party)	Native title future act application for determination for the grant of exploration licence named applicants decline to sign state deed regional standard heritage agreement - native title party as a whole consents to the determination consent determination that the act may be done.
8/08/2006	WF06/54; WF06/56	Consent determination: future act can be done	Cyril Barnes and Others on behalf of the Central East Goldfields People (WC99/30) (native title party) - and - The State of Western Australia (Government party) - and -	Native title future acts applications for determination for the grant of exploration and prospecting licences named applicant declines to sign state deed

			Heron Resources Ltd (WF06/54) Pilbara Metals Pty Ltd (WF06/56) (grantee parties)	regional standard heritage agreement - native title party as a whole consents to the determination consent determination that the acts may be done.
8/08/2006	WF06/55	Consent determination: future act can be done	Cyril Barnes and Others on behalf of the Central East Goldfields People (WC99/30) (native title party) - and - The State of Western Australia (Government party) - and - Gindalbie Metals Ltd (grantee party)	Native title future acts application for determination for the grant of exploration licences named applicant declines to sign state deed regional standard heritage agreement native title party as a whole consents to the determination consent determination that the act may be done.
6/08/2006	WF06/31 ; WF06/34 ; WF06/35 ; WF06/36 ; WF06/38 ; WF06/40 ; WF06/41 ; WF06/46 ; WF06/47 ; WF06/53 ; WF06/57 ; WF06/58 ; WF06/59 ; WF06/61 ; WF06/63	Consent determination: future act can be done	Aubrey Lynch and Others on behalf of the Wongatha People (WC99/1) (Wongatha native title party) (WF06/31 WF06/34 WF06/35 WF06/36 WF06/38 WF06/40 WF06/41 WF06/46 WF06/47 WF06/53 WF06/57 WF06/58; WF06/59 WF06/61 WF06/63) - and - Geoffrey Alfred Ashwin and Others on behalf of the Wutha People (WC99/10) (Wutha native title party) (WF06/31	Native title future acts applications for determination for the grant of exploration and prospecting licences named applicants decline to sign state deed regional standard heritage agreement - native title party as a whole consents to the determination consent determination that the acts may be done.

			<p>WF06/36 WF06/41 WF06/47 WF06/59)</p> <p>- and -</p> <p>The State of Western Australia (Government party)</p> <p>- and -</p> <p>WF06/31 Wayne Vincent Halloran and Neale Graeme Johnson WF06/34 Bronzewing Gold Ltd WF06/35 Anglogold Ashanti Australia Ltd WF06/36 Giralia Resources NL WF06/38 Great Gold Mines NL WF06/40 Christopher Gerrard Dashorst WF06/41 Frontier Mining Pty Ltd WF06/46 Kundana Gold Pty Ltd and Plutonic (Baxter) Pty Ltd WF06/47 Tarmoola Australia Pty Ltd WF06/53 Heron Resources Ltd WF06/57 and WF06/58 Adelaide Prospecting Pty Ltd WF06/59 Telferscot Nominees Pty Ltd WF06/61 Dalrymple Resources NL WF06/63 Robert Adam Harrison (grantee parties)</p>	
4/08/2006	WF06/65	Consent determination: future act can be done	<p>Angus Abdullah and Others on behalf of Njamal (WC99/8) (Applicant/native title party)</p> <p>- and -</p> <p>The State of Western Australia (Government party)</p> <p>- and -</p> <p>Barry Neil Kayes (grantee party)</p>	<p>Native title</p> <p>future act</p> <p>application for determination for the grant of mining lease</p> <p>named applicants not signed agreements</p> <p>decision making process</p> <p>native title party as a whole consent to the determination</p> <p>consent</p>

				determination that the act may be done.
4/08/2006	WF06/28	Consent determination: future act can be done	<p>Aubrey Lynch and Others on behalf of the Wongatha People (WC99/1) (Wongatha native title party)</p> <p>- and -</p> <p>Mr Geoffrey Alfred Ashwin and Others on behalf of the Wutha People (WC99/10) (Wutha native title party)</p> <p>- and -</p> <p>The State of Western Australia (Government party)</p> <p>- and -</p> <p>Brian R Cahill (grantee party)</p>	<p>Native title</p> <p>future act</p> <p>application for determination for the grant of prospecting licence</p> <p>named applicants decline to sign state deed</p> <p>regional standard heritage agreement</p> <p>native title party as a whole consents to the determination</p> <p>consent determination that the act may be done.</p>
3/08/2006	WF06/25	Consent determination: future act can be done	<p>Western Desert Lands Aboriginal Corporation (Jamukurnu-Yapalikurnu) on behalf of the Martu People (WC96/78) (First Martu native title party)</p> <p>- and -</p> <p>Jeffrey James and Others on behalf of the Martu People (WC96/78) (Applicant Second Martu native title party)</p> <p>- and -</p> <p>Annette Kogolo and Others on behalf of the Ngurrara People (WC96/32) (Ngurrara native title party)</p> <p>- and -</p> <p>The State of Western Australia (Government party)</p> <p>- and -</p> <p>New Standard Exploration NL (Grantee party)</p>	<p>Native title</p> <p>future acts</p> <p>application for determination for the grant of petroleum exploration permits</p> <p>named applicants not signed state deed</p> <p>logistical difficulties</p> <p>native title parties consent to the determination</p> <p>consent determination that the acts may be done.</p>

(This information has been extracted from the [National Native Title Tribunal website](#) 01/09/06)

Other Future Act determinations by Determination date

Determination date	Tribunal File No.	Decision/ Determination	Parties	Catchwords
29/08/2006	WF06/66	Future Act - Can be done	Mr Barney U and Others on behalf of Wanjina/Wunggurr-Wilinggin (WC99/11) (native title party) - and - The State of Western Australia (Government party) - and - Kimberley Explorations Services Pty Ltd and Wildtime Investments Pty Ltd (grantee party)	Native title — future act — application for determination for the grant of exploration licence — deceased applicants — logistical difficulties — ancillary agreement reached — native title party consents to the determination — consent determination that the act may be done.
26/08/2006	WO05/4	Objection - Dismissed	Banjo Wurrunmurra & Others on behalf of Bunuba Native Title Claimants (WC99/19) (native title party) - and - The State of Western Australia (Government party) - and - Ozwest Holdings Pty Ltd (grantee party)	Native title future acts proposed grant of exploration licences expedited procedure objection application Tribunal has no jurisdiction objection application dismissed.
25/08/2006	WF06/21	Future Act - Tribunal has jurisdiction	Raymond Dann Barry Dodd Wayne Warner Ron Ronan Rod Little Clarrie Cameron Rob Ronan Betty Forsyth Donna Ronan and Colin Whitby on behalf of the Amangu People (native title party) - and - State of Western Australia (government party) - and - Empire Oil Company (WA) Limited	Native title future act determination application proposed petroleum exploration permit jurisdiction whether s 29(3) notice (tenement description) provided a clear description of the area that may be affected by the act in accordance with the Native Title (Notices) Determination 1998 whether the section

			(grantee party)	<p>29(3) notice was published in the appropriate print size</p> <p>consequence of non-compliance with print size requirement</p> <p>voluntary insertion of wrong information in the section 29 notice</p> <p>challenge to section 29 notice dismissed</p> <p>Tribunal has jurisdiction to conduct a section 139(b) inquiry.</p>
15/08/2006	WO06/82	Objection - Dismissed	<p>Judy Hughes on behalf of the Thalanyji People – WC99/45 (native title party)</p> <p>-and-</p> <p>The State of Western Australia (Government party)</p> <p>-and-</p> <p>Contact Resources Ltd (grantee party)</p>	<p>Native title</p> <p>future acts</p> <p>proposed grant of exploration licences</p> <p>expedited procedure objection application</p> <p>failure to comply with Directions</p> <p>springing order dismissing expedited procedure objection application in event of non-compliance</p> <p>objection application dismissed.</p>
15/08/2006	WO03/594	Objection - Dismissed	<p>Barbara Stammner-Corbett on behalf of South West Boojarah – WC98/63 (native title party)</p> <p>-and-</p> <p>The State of Western Australia (Government party)</p> <p>-and-</p> <p>Metal Sands Ltd (grantee party)</p>	<p>Native title</p> <p>future act</p> <p>proposed grant of exploration licence</p> <p>expedited procedure objection application</p> <p>objector failed the registration test</p> <p>no native title party with procedural rights</p> <p>Tribunal has no jurisdiction</p> <p>objection</p>

				application dismissed.
14/08/2006	WO03/930	Objection - Expedited Procedure Does Not Apply	<p>Jack John Leonard Hill on behalf of South West Boojarah – (WC98/63) (native title party)</p> <p>- and -</p> <p>The State of Western Australia (Government party)</p> <p>- and -</p> <p>South Coast Metals Pty Ltd (grantee party)</p>	<p>Native title</p> <p>future act</p> <p>proposed grant of exploration licence</p> <p>expedited procedure objection application</p> <p>objector failed the registration test</p> <p>no native title party with procedural rights</p> <p>Tribunal has no jurisdiction</p> <p>objection application dismissed.</p>
11/08/2006	WO06/108	Objection - Dismissed	<p>Dickey Cox on behalf of the Noonkanbah People – WC98/9 (native title party)</p> <p>-and-</p> <p>The State of Western Australia (Government party)</p> <p>-and-</p> <p>United Kimberley Diamonds NL (grantee party)</p>	<p>Native title</p> <p>future act</p> <p>proposed grant of exploration licence</p> <p>expedited procedure objection application</p> <p>failure to proceed with application</p> <p>failure to comply with directions</p> <p>objection application dismissed.</p>
10/08/2006	WO06/114	Future Act - Dismissed	<p>Evelyn Gilla & Others on behalf of Yugunga-Nya – (WC99/46) (native title party)</p> <p>- and -</p> <p>The State of Western Australia (Government party)</p> <p>- and -</p> <p>Wiluna Operations Ltd (grantee party)</p>	<p>Native title</p> <p>future act</p> <p>proposed grant of exploration licence</p> <p>expedited procedure objection application</p> <p>excision of tenement from native title claim</p> <p>Government party makes grant</p> <p>Tribunal has no jurisdiction</p> <p>objection</p>

				application dismissed.
10/08/2006	WO03/394	Objection - Dismissed	Robin Boddington and Others on behalf of Wajarri Elders – (WC01/3) (native title party) - and - The State of Western Australia (Government party) - and - Jindalee Resources Ltd (grantee party)	Native title future act proposed grant of amalgamation licence into exploration licence expedited procedure objection application amalgamation application lapsed Tribunal has no jurisdiction objection application dismissed.
10/08/2006	WO03/439	Future Act - Dismissed	Reg Hayden on behalf of Ballardong (WC97/56) (native title party) - and - The State of Western Australia (Government party) - and - Tom Bateman (grantee party)	title future act proposed grant of exploration licence - expedited procedure objection application objector failed the registration test no native title party with procedural rights - Tribunal has no jurisdiction objection application dismissed.
7/08/2006	WO06/97	Future Act - Dismissed	Leonne Velickovic on behalf of Widji People – WC98/27 (native title party) -and- The State of Western Australia (Government party) -and- Murchison Resources Pty Ltd (grantee party)	Native title future act proposed grant of prospecting licences - expedited procedure objection application failure to comply with directions springing order dismissing expedited procedure objection application in event of non-compliance objection application

				dismissed.
7/08/2006	WO06/94	Objection - Dismissed	Leonne Velickovic on behalf of Widji People – WC98/27 (native title party) -and- The State of Western Australia (Government party) -and- Hayes Mining Pty Ltd (grantee party)	Native title future act proposed grant of prospecting licence - expedited procedure objection application failure to comply with directions springing order dismissing expedited procedure objection application in event of non-compliance objection application dismissed.
4/08/2006	WO05/652	Objection - Dismissed	Leo Thomas & Others on behalf of the Wongatha People – (WC99/1) (native title party) - and - The State of Western Australia (Government party) - and - Chatswood Crest Pty Ltd (grantee party)	Native title future act proposed grant of amalgamation licence into exploration licence expedited procedure objection application amalgamation application lapsed Tribunal has no jurisdiction objection application dismissed.
3/08/2006	WO06/59		Judy Hughes & Others on behalf of the Thalanyji People – WC99/45 (native title party) -and- The State of Western Australia (Government party) -and- Baracus Pty Ltd (grantee party)	Native title future acts proposed grant of exploration licences -expedited procedure objection application failure to comply with directions springing order dismissing expedited procedure objection application in event of non-compliance objection application

				dismissed.
2/08/2006	WO06/73	Objection - Dismissed	Nicholas Cooke & Alice Smith on behalf of the Innawonga & Bunjima People (WC96/61) (native title party) - and - The State of Western Australia (Government party) - and - Cullen Exploration Pty Ltd (grantee party)	Native title future act proposed grant of exploration licence - expedited procedure objection application Tribunal has no jurisdiction objection application dismissed.
2/08/2006	WO05/884		Judy Hughes & Others on behalf of the Thalanyji People – (WC99/45) (native title party) - and - The State of Western Australia (Government party) - and - Kingsmen (Asia Pacific) Pty Ltd (grantee party)	Native title future act proposed grant of exploration licence - expedited procedure objection application Tribunal has no jurisdiction objection application dismissed.

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