



## What's New: May 2006

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## Recent Cases (Australia)

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

### [Hamersley Iron Pty Ltd - v - Puutu Kurnti Kurrama Pinikura Native Title](#)

Available at:

[http://www.doir.wa.gov.au/documents/mineralsandpetroleum/wardens\\_decisions/2006WAMW7v2.pdf](http://www.doir.wa.gov.au/documents/mineralsandpetroleum/wardens_decisions/2006WAMW7v2.pdf)

Western Australia. Open Court. Tenements applied for to facilitate infrastructure required for the development of an iron ore mine (Brockman Number 4). The objectors maintain that the applicant did not pursuant to the relevant provisions of the Mining Act obtain an entry permit authorising it to enter and mark out the land the subject of a registered native title claim.

### [Nyangatjatjata Aboriginal Corporation & Ors v Registrar of Aboriginal Corporations \[2006\] FCA 606 \(23 May 2006\)](#)

Available at:

[http://www.austlii.edu.au/au/cases/cth/federal\\_ct/2006/606.html](http://www.austlii.edu.au/au/cases/cth/federal_ct/2006/606.html)

Federal Court of Australia. The Nyangatjatjata Aboriginal Corporation ("the Corporation") and members of its governing committee brought an application for an order for review against a decision made by the Registrar of Aboriginal Corporations appointing an administrator to the Corporation.

### [Northern Territory v Alyawarr, Kaytetye, Warumungu, Wakaya Native Title Group \[2006\] HCATrans 251 \(19 May 2006\)](#)

Available at:

<http://www.austlii.edu.au/au/other/HCATrans/2006/251.html>

High Court of Australia. Application for special leave to appeal.

### [ASHWIN & ORS -v- MINARA RESOURCES LTD \[2006\] WASC 75 \(10 May 2006\)](#)

Available at: <http://www.austlii.edu.au/au/cases/wa/WASC/2006/75.html>

Supreme Court of Western Australia. This is the return of two applications, both of which raise short but important questions in relation to native title. Both applications were brought by the defendant. By one application, the defendant seeks to have the proceedings (litigation by Goldfields native title claimants over a ten year old agreement) stayed until such time as all proper plaintiffs are identified and joined in the proceedings. By the other application, the defendant seeks to strike out all or alternatively certain parts of the plaintiffs' statement of claim.

### [Kemp v Registrar, Native Title Tribunal \[2006\] FCA 568 \(5 May 2006\)](#)

Available at: [http://www.austlii.edu.au/au/cases/cth/federal\\_ct/2006/568.html](http://www.austlii.edu.au/au/cases/cth/federal_ct/2006/568.html)

Federal Court of Australia. The motion sought an order prohibiting building or other works in an area in northern New South Wales. The area is in the jurisdiction of the Greater Taree City Council and is on a headland in the South Pacific Ocean bordered by Khappinghat Creek. The area is known as Khappinghat Nature Reserve and Saltwater National Park.

### [Rubibi Community v State of Western Australia \(No 7\)\(with Corrigendum dated 10 May 2006\) \[2006\] FCA 459 \(28 April 2006\)](#)

Available at:

[http://www.austlii.edu.au/au/cases/cth/federal\\_ct/2006/459.html](http://www.austlii.edu.au/au/cases/cth/federal_ct/2006/459.html)

Federal Court of Australia. Determination of native title.

### [Jango v Northern Territory of Australia \(No 6\) \[2006\] FCA 465 \(3 May 2006\)](#)

Available at: [http://www.austlii.edu.au/au/cases/cth/federal\\_ct/2006/465.html](http://www.austlii.edu.au/au/cases/cth/federal_ct/2006/465.html)

Federal Court of Australia. Application for a determination of compensation, and whether the Court is required to make a determination of native title. Applicants failed to establish that they were native title holders for the area. If they had reached that threshold, compensation would have been payable on the value at the time of the acquisition, not at the time the NTA came into operation.

[Manas v State of Queensland \[2006\] FCA 413](#) (13 April 2006)

Available at: [http://www.austlii.edu.au/au/cases/cth/federal\\_ct/2006/413.html](http://www.austlii.edu.au/au/cases/cth/federal_ct/2006/413.html)  
Federal Court of Australia. Consent determination.

[Nona and Manas v State of Queensland \[2006\] FCA 412](#) (13 April 2006)

Available at: [http://www.austlii.edu.au/au/cases/cth/federal\\_ct/2006/412.html](http://www.austlii.edu.au/au/cases/cth/federal_ct/2006/412.html)  
Federal Court of Australia. Consent determination.

[Determination of native title—Larrakia](#)

*Risk v Northern Territory* [\[2006\] FCA 404](#) (13 April 2006)

Available at: [http://www.austlii.edu.au/au/cases/cth/federal\\_ct/2006/404.html](http://www.austlii.edu.au/au/cases/cth/federal_ct/2006/404.html)  
Determination that native title does not exist.

### **Reported Cases**

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

*Moore and Ors v Mungeranie and Ors* (2005) 193 FLR 62; [2005] NNTTA 53

*Sampi v State of Western Australia* (No 2) (2005) 224 ALR 358; [2005] FCA 1567.

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## **Media**

## **Releases**

### **National Native Title Tribunal**

Available at [http://www.nntt.gov.au/media/1146215671\\_2912.html](http://www.nntt.gov.au/media/1146215671_2912.html)

[Yawuru people recognised in Broome](#) (28 April 2006)

Available at: [http://www.nntt.gov.au/media/1146215671\\_2912.html](http://www.nntt.gov.au/media/1146215671_2912.html)

Caring for Country campaign (Western Australia) launched  
Indigenous Affairs Minister Sheila McHale has launched the DIA's Caring for Country campaign, which encourages visitors to WA's remote areas to respect Indigenous heritage sites and the land. Click on the links to watch the Caring for Country adverts.

[Looking After the Country \(movie download\)](#)

[Travelling in Communities \(movie download\)](#)

[View Top Ten Tips for Travellers](#)

[Western Yalanji People's rights recognised by Federal Court](#)

Available at: [http://www.nntt.gov.au/whatsnew/1140137715\\_3136.html](http://www.nntt.gov.au/whatsnew/1140137715_3136.html)

[Parties invited to respond to Nyiyaparli application](#)

Available at: [http://www.nntt.gov.au/whatsnew/1140407493\\_4380.html](http://www.nntt.gov.au/whatsnew/1140407493_4380.html)

[Rubibi judgment finds Yawuru people the native title holders around Broome](#)

Available at: [http://www.nntt.gov.au/whatsnew/1146212905\\_3400.html](http://www.nntt.gov.au/whatsnew/1146212905_3400.html)

## **Federal Government**

[Farley: a life spent building bridges](#)

Available at: [http://www.hreoc.gov.au/media\\_releases/2006/26\\_06.htm](http://www.hreoc.gov.au/media_releases/2006/26_06.htm)

## **Attorney-General**

[Indigenous Law and Justice Initiatives](#)

Available at:

[http://www.ag.gov.au/agd/WWW/MinisterRuddockHome.nsf/Page/Media\\_Releases\\_2006\\_Second\\_Quarter\\_9\\_May\\_2006\\_-\\_Indigenous\\_Law\\_and\\_Justice\\_Initiatives](http://www.ag.gov.au/agd/WWW/MinisterRuddockHome.nsf/Page/Media_Releases_2006_Second_Quarter_9_May_2006_-_Indigenous_Law_and_Justice_Initiatives)

## **Other**

[Court decision may halt Tugun bypass](#) (29 May 2006) ABC News Online

Available at: <http://www.abc.net.au/news/newsitems/200605/s1649633.htm>

[Transcript-Mining company, Tanami Gold strikes a Native Title Agreement with the Tjurabalan people](#) (26 May 2006) ABC Stateline

Available at: <http://www.abc.net.au/stateline/nt/content/2006/s1648706.htm>

[Larrakia people host native title talks](#) (25 May 2006) ABC News Online

Available at: <http://www.abc.net.au/news/newsitems/200605/s1646851.htm>

[Land use bid concerns fishing industry](#) (17 May 2006) ABC News Online

Available at: <http://www.abc.net.au/news/newsitems/200605/s1640679.htm>

[Commissioner Calma says violence and abuse has no place in Indigenous culture](#) (17 May 2006) Australian Human Rights and Equal Opportunity Commission

Available at: [http://www.humanrights.gov.au/media\\_releases/2006/28\\_06.htm](http://www.humanrights.gov.au/media_releases/2006/28_06.htm)

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## **Books, Journals, Issues Papers and Discussion Papers**

### **Aboriginal Studies Press**

*Compromised Jurisprudence: Native title cases since Mabo*

Lisa Strelein

**\$39.95, pb, ISBN-10 0-85575-533-4, ISBN-13 978-0-85575-533-1**

*Over the past decade, Strelein has been a leader in the field as one of the most concise, sober and reliable commentators on the jurisprudence of the law of native title. Practitioners, scholars, teachers and students would be well advised to add this volume to their collection.*

David Ritter, Faculty of Law, University of Western Australia

*Compromised Jurisprudence* traces the development of the courts' thinking from the original thinking in *Mabo v Queensland [No. 2]* through to the significant High Court decisions in 2002 and the Federal Court's implementation in such cases as *De Rose*. Each chapter contains a discrete analysis of the most significant cases during this period. A timeline maps the trajectory of the key doctrines of native title while the book's conclusion identifies the underlying themes and contradictions in the law. This is the only critical non-textbook analysis of native title law.

### **Forthcoming publications**

#### **August**

*Aboriginal Darwin: A guide to exploring important sites of the past and present*

Toni Bauman with Samantha Wells

**\$34.95, pb, full colour throughout, ISBN-10 0-85575-446-X ISBN-13 978-0-85575-446-4**

*Aboriginal Darwin* peels back layers to show the rich heritage and complex cultures of Aboriginal people, both before and since colonisation. It includes contemporary and historical sites that range from the harbour to the beaches, monsoon forests, gardens, parks, camping places, exhibitions, cultural displays and buildings in the CBD, supplemented by information about sites not accessible to visitors. Beautifully illustrated, *Aboriginal Darwin's* easy-to-use layout allows users to explore at their own pace. It's a practical guide that offers readers the bonus of an alternative social history of Darwin.

#### **Other**

Office of Native Title WA. *Preparing Connection Material: A Practical Guide*.

This new publication is a companion document to the State's Guidelines for the Provision of Information in Support of Applications for a Determination of Native Title, published in October 2004. To obtain a copy of the Guide, please contact Theresa Venz (08) 9222 9605 or email [Theresa.Venz@ont.wa.gov.au](mailto:Theresa.Venz@ont.wa.gov.au).

[Ethnohistorical Evidence and First Nations, Metis and Tribal Claims in North America: A Review of Past and Present Experiences with an Eye to the Future](#) by Arthur J. Ray,

Professor, History Department, University of British Columbia; Woodrow Wilson Center Fellow. It provides useful comparative perspective for anthropologists and historians working in native title in Australia. Available at:

<http://www.wilsoncenter.org/events/docs/Aboriginal%20Claims%20Conference%20-%20Skip%20ray%20working%20paper%20%5Brevised%5D.pdf>

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## **On-line Publications**

### **AIATSIS**

*Indigenous Governance: The Harvard Project on Native American Economic Development and appropriate principles of governance for Aboriginal Australia* by Patrick Sullivan (2006)

[AIATSIS Discussion Paper No.17](#)

Available at: [http://www.aiatsis.gov.au/data/assets/pdf\\_file/5621/DP-17.pdf](http://www.aiatsis.gov.au/data/assets/pdf_file/5621/DP-17.pdf)

### **Attorney-General**

[Native Title Conference 2006: Tradition and Change, Culture and Commerce. Native Title: The Government's Proposals for Reform](#) by The Attorney-General Philip Ruddock MP 26

May 2006. Available at:

[http://www.ag.gov.au/agd/www/MinisterRuddockhome.nsf/Page/Interview\\_Transcripts\\_2006\\_Transcripts\\_26\\_May\\_2006\\_-\\_Transcript\\_-\\_Native\\_Title\\_Conference\\_2006](http://www.ag.gov.au/agd/www/MinisterRuddockhome.nsf/Page/Interview_Transcripts_2006_Transcripts_26_May_2006_-_Transcript_-_Native_Title_Conference_2006)

### **CAEPR**

*Views from the top of the 'quiet revolution': Secretarial perspectives on the new arrangements in Indigenous affairs* W. Gray & W.G. Sanders

[Discussion Paper 282](#)

Available at: [http://www.anu.edu.au/caepr/Publications/DP/2006\\_DP282.pdf](http://www.anu.edu.au/caepr/Publications/DP/2006_DP282.pdf)

### **National Native Title Tribunal**

Determination brochure

[The Mandingalbay Yidinji People's native title determination](#)

Available at:

[http://www.nntt.gov.au/metacard/files/Mandingalbay\\_Yidinji/A2\\_A5\\_Mand%20WEB%20PDF.pdf](http://www.nntt.gov.au/metacard/files/Mandingalbay_Yidinji/A2_A5_Mand%20WEB%20PDF.pdf)

[Library Bulletin April 2006](#)

The latest bulletin of materials recently received in the Tribunal Libraries. Available at

<http://www.nntt.gov.au/Library/files/WhatsNewInTheLibraryApril2006.pdf>

### **Human Rights and Equal Opportunity Commission**

Speech, Tom Calma, Aboriginal and Torres Strait Islander Social Justice Commissioner and Acting Race Discrimination Commissioner, Human Rights and Equal Opportunity Commission. The Elliott Johnston Tribute Lecture, Flinders University, Tuesday 23 May 2006 [From rhetoric to reconciliation - Addressing the challenge of equality for Aboriginal and Torres Strait Islander peoples in criminal justice processes](#) Available at: [http://www.humanrights.gov.au/speeches/social\\_justice/reconciliation20060523.html](http://www.humanrights.gov.au/speeches/social_justice/reconciliation20060523.html)

### **Other**

[Towards a new Indigenous representative body](#) by Bob McMullen, 23 March 2006. 'Writing for the Progressive Essay series, Bob McMullen examines the need for an Indigenous representative body to hold government to account, and suggests a number of ways in which such a representative body could be improved'.

Available at: <http://www.bobmcmullan.com/files/McMullan%20Bob%20-%20Towards%20a%20new%20indigenous%20representative%20body.pdf>

Law Report, ABC Radio National. Discussion with retiring Federal Court judge, Ron Merkel. Hear his frank views on anti-terror laws, native title and migration law. And find out why he's giving up the bench for the life of an envelope-pushing barrister who'll be taking on 'strategic litigation'. [Leaving high office for a higher purpose](http://www.abc.net.au/rn/lawreport/stories/2006/1644195.htm) Available at: <http://www.abc.net.au/rn/lawreport/stories/2006/1644195.htm>

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## Upcoming Events

### **Conferences**

#### [Contesting Indigenous Knowledge & Indigenous Studies Conference 2006](#)

Surfers Paradise - Queensland Australia  
28, 29 & 30 June 2006

'IQPC Addressing the Main Influences in Collaborative Indigenous Policy Development'  
Two-day conference 27 & 28 June 2006. Pre and Post-Conference Workshops 26 & 29  
June 2006, Brisbane Marriott Hotel, Brisbane. Call (02) 9229 1037 to Register.

#### [Land, Memory, Reconstruction and Justice: Perspectives on Land Restitution in South Africa](#)

13-15 September 2006. Houw Hoek Inn (Cape Town, South Africa)

#### [AAS Annual Conference 2006. Beyond Science and Art: Anthropology and the Unification of Knowledge](#)

James Cook University, Queensland, Australia. 27-30 September, 2006

Indigenous Researchers Forum (IRF) Adelaide, South Australia

- [Registration Form](#)
- [Preliminary Program Schedule](#)

25 - 27 September, 2006. For further information please contact Leanne Smith Telephone:  
08 8302 6784 Facsimile: 08 8302 7034 or Email: [leanne.smith@unisa.edu.au](mailto:leanne.smith@unisa.edu.au)

The 7th International Conference on Oceanic Linguistics (COOL7) will be held in Noumea, New Caledonia, 2 - 6 July, 2007. You will find the first announcement of COOL7 on our web page: <http://www.univ-nc.nc/COOL7> A pre-registration form is attached to this announcement.

### **Other**

Lecture by Professor Sir Michael Marmot on Social Determinants and the health of Aboriginal and Torres Strait Islander peoples.

Venue: Carillon Room, Sydney University Village, 90 Carillon Avenue, Newtown, NSW 2042  
Wednesday 14 June, 2006, 3.15 pm - 4.15 pm

There is limited seating available. Please register to attend by replying to [sjreport@humanrights.gov.au](mailto:sjreport@humanrights.gov.au). Otherwise, seating cannot be guaranteed on the day.  
Alternatively, for further assistance please telephone: 02 9284 9698

#### Capacity Building in Indigenous Communities Training Seminar

Explore a wide range of issues relating to Indigenous communities, with ARDS 'Capacity Building in Indigenous Communities Training Seminars' for 2006. Conducted by RICHARD TRUDGEN, author of the influential book "Why Warriors Lie Down and Die"

#### Capacity Building That Works

This training will cover both the theory and practice of capacity building techniques effectively applied to local governance, law, economics, health and substance abuse issues.

#### Seminar Dates

Alice Springs 01 - 02 August 2006

Canberra 25 - 26 July 2006

Darwin 05 - 06 September 2006

Nhulunbuy 08 - 09 November 2006

Registration Deadline: One week prior to seminar. Group discounts apply to groups of 10 or more. For bookings and enquiries, phone Alice or Zinnia on (08) 8987 3910 or go to our website: [www.ards.com.au/seminars.htm](http://www.ards.com.au/seminars.htm)

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## Recent Events

Native Title Conference 2006: Tradition and Change, Culture and Commerce  
Darwin, 24 – 26 May 2006.

The Native Title Conference 2006 was attended by 500 conference delegates, with more than 100 speakers presenting over the three days. All native title representative bodies and native title services from across Australia attended the conference, and made up more than half of the conference delegates. This year people from ten prescribed bodies corporate (PBCs) attended, and they were able to meet together for the first time. The conference conveners would like to thank the Larrakia people and nation for providing such a warm welcome to the conference delegates, and thanks also to everyone who supported and contributed to the event.

See speech by Attorney-General Philip Ruddock [Native Title Conference 2006: Tradition and Change, Culture and Commerce. Native Title: The Government's Proposals for Reform](#) by The Attorney-General Philip Ruddock MP 26 May 2006. Available at:  
[http://www.ag.gov.au/agd/www/MinisterRuddockhome.nsf/Page/Interview\\_Transcripts\\_2006\\_Transcripts\\_26\\_May\\_2006\\_-\\_Transcript\\_-\\_Native\\_Title\\_Conference\\_2006](http://www.ag.gov.au/agd/www/MinisterRuddockhome.nsf/Page/Interview_Transcripts_2006_Transcripts_26_May_2006_-_Transcript_-_Native_Title_Conference_2006)

Other papers from the Native Title Conference are being uploaded to the conference website as they become available.

Please see <http://ntru.aiatsis.gov.au/conf2006/papers.html>

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## Opportunities

National Library 2006 Round of the Community Heritage Grants is Now Open and will close 9 June 2006. Community organisations such as historical societies, museums, public libraries, archives, Indigenous and migrant community groups which collect and provide public access to their cultural heritage collections are eligible to apply  
<http://www.nla.gov.au/chg/>

Call for papers for the Cultural Heritage and Indigenous Cultural and Intellectual Property Rights conference, which will be held in Burra, South Australia, 3rd-5th December, 2006. Abstracts can be submitted on-line at the following URL:  
[http://ehlt.flinders.edu.au/archaeology/conferences/Burra%202006/Burra\\_Indigenous\\_2006.php](http://ehlt.flinders.edu.au/archaeology/conferences/Burra%202006/Burra_Indigenous_2006.php) Further information is available at: <http://ehlt.flinders.edu.au/archaeology/conferences/>

Call for papers - Pacific transnationalism: tracing ties to the homelands  
La Trobe University, Melbourne, Australia  
20 Nov 2006 to 22 Nov 2006  
[http://www.aas.asn.au/News/news\\_item.php?s=&e\\_num=45](http://www.aas.asn.au/News/news_item.php?s=&e_num=45)

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## Employment

### [Regional Anthropologist - Northern Land Council](#)

Closing date 16 June

The successful applicant will be involved in a wide range of matters including: the identification of Traditional Owners and Native Title holders; research for the distribution of royalty monies; research for native title applications and land claims; and the supervision of anthropological consultants and dispute resolution and mediation.

This position requires a minimum of a Honours Degree in Anthropology, field experience in Aboriginal Australia, experience in working in teams and the ability to work under pressure.

For additional details of the position contact Mr Kim Barber, Manager Anthropology Branch on (08) 8920 5156.

Before you apply for the position you must obtain a copy of the relevant duty statement by calling (08) 8920 5100 or emailing [kerry.ganley@nlc.org.au](mailto:kerry.ganley@nlc.org.au)

See: [http://www.aas.asn.au/Careers/career\\_item.php?s=&car\\_num=110](http://www.aas.asn.au/Careers/career_item.php?s=&car_num=110)

Web link: <http://www.nlc.org.au/>

### [Invitation to tender - consultant anthropologists](#)

Closing date: 16 June.

Native Title Services Victoria

Experienced and qualified anthropologists with experience in native title research are invited to apply for inclusion on Native Title Services Victoria's NTSV Register of Consultants.

The register will cover the period from 1 July 2006 to 30 June 2007. Tenders are required to include fixed fees for services for a 12 month period.

For further information, selection criteria and application form please contact:

Lorensz Senn

Manager, Corporate Service

Native Title Services Victoria

Tel: (03) 93215300 Fax: (03) 93264075

Email: [lsenn@ntsv.com.au](mailto:lsenn@ntsv.com.au)

Applications close 16 June 2006.

See: [http://www.aas.asn.au/Careers/career\\_item.php?s=&car\\_num=110](http://www.aas.asn.au/Careers/career_item.php?s=&car_num=110)

Web link: <http://www.ntsiv.com.au/>

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## Notifications

### **Native title applications by current notification of applications**

NOTIFICATION CLOSING DATE	APPLICATION NAME	APPLICATION TYPE	DATE FILED	STATE/TERRITORY	TRIBUNAL FILE NO.	FEDERAL COURT FILE NO.
28/06/2006	<a href="#">Forster</a> <a href="#">Local</a> <a href="#">Aboriginal</a> <a href="#">Land</a> <a href="#">Council</a>	Non-claimant application	26/09/2005	New South Wales	NN05/14	NSD1798/05

28/06/2006	<a href="#">Lumugal</a>	Claimant application	17/01/2006	Western Australia	WC06/1	WAD15/06
28/06/2006	<a href="#">Bindurrna People</a>	Claimant application	14/01/2005	Western Australia	WC05/1	WAD8/05
28/06/2006	<a href="#">Tableland Yidinji People #3</a>	Claimant application	14/10/2004	Queensland	QC04/10	QUD208/04
6/09/2006	<a href="#">Gugu Badhun People #2</a>	Claimant application	22/03/2005	Queensland	QC05/7	QUD85/05
6/09/2006	<a href="#">Lardil, Yangkaal, Gangalidda &amp; Kaiadilt Peoples</a>	Claimant application	12/01/2006	Queensland	QC06/1	QUD7/06

(This information has been extracted from the [National Native Title Tribunal website](#) 31 May 2006)

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## **Determinations**

### **Native title determinations by determination date**

SHORT NAME	CASE NAME	DATE	STATE/TERR.	OUTCOME	LEGAL PROCESS
Western Yalanji People	Riley v State of Queensland [2006] FCA 72	18 May 2006	Queensland	Native title exists in the entire determination area	Consent determination
Larrakia (Part A - consolidated proceeding)	Risk v Northern Territory of Australia (Unreported, FCA, 17 May 2006, Mansfield J)	17 May /2006	NT	Native title does not exist	Litigated determination

Rubibi Community	Rubibi Community v State of Western Australia (No 7) <a href="#">[2006] FCA 459</a>	28 April 2006	WA	Native title does not exist	Litigated determination
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(This information has been extracted from the [National Native Title Tribunal website](#) 31 May 2006)

### **Indigenous Land Use Agreements: Registered ILUAs by date**

TRIBUNAL FILE NO.	NAME (NNTT HYPERLINK)	TYPE	STATE/TERR.	REGISTRATION DATE	SUBJECT MATTER
QI2005/007	<a href="#">Western Yalanji and Mareeba Shire Council</a>	Area agreement	QLD	18/05/ 2006	Development
QI2004/025	<a href="#">Mandalingbay Yidinji People and Ergon Energy Corporation L</a>	Area agreement	QLD	18/05/2006	Access
QI2004/026	<a href="#">Mandalingbay Yidinji People and Cairns City Council</a>	Area agreement	QLD	18/05/2006	Access
QI2004/064	<a href="#">Western Yalanji &amp; Cook Shire Council</a>	Area agreement	QLD	18/05/2006	Development
QI2005/007	<a href="#">Western Yalanji and Mareeba Shire Council</a>	Area agreement	QLD	18/05/2006	Development
QI2005/015	<a href="#">Western Yalanji #3 Fossicking ILUA</a>	Area agreement	QLD	18/05/2006	Mining
VI2004/005	<a href="#">Low Impact</a>	Area	VIC	05/05/2006	Mining

	<a href="#">Exploration and Exploration. Dia Dia Wurrung</a>	agreement			
VI2005/007	<a href="#">Creswick Golf Course Redevelopment</a>	Area agreement	VIC	05/05/2006	Mining
VI2004/004	<a href="#">Taungurung - Mt Conqueror Minerals Regional Exploration and Mining ILUA</a>	Area agreement	VIC	05/05/2006	Mining

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(This information has been extracted from the [National Native Title Tribunal website](#) 31 May 2006)

## **Future Act Determinations**

### **Future Act consent determinations by Determination date**

<b>DETERMINATION DATE</b>	<b>TRIBUNAL FILE NO.</b>	<b>DECISION/ DETERMINATION</b>	<b>PARTIES</b>	<b>CATCHWORDS</b>
19/05/2006	<a href="#">QF06/1 &amp; QF06/2</a>	Consent determination: future act can be done	Bradley Foster & Ors on behalf of the Waanyi Peoples (native title party) - and - Copper Strike Ltd (grantee party) - and - State of Queensland (government party)	Native title – future act – consent determination - exploration permit – persons comprising the applicant in the native title party fail to sign agreement – native title party as a whole consents to the determination - determination that the act may be done.
17/05/2006	<a href="#">WF05/15</a>	Consent determination: future act can be done	Jack Schultz John W Graham & Others on behalf of the Ngadju People (WC99/2) (applicant/native title party)	Native title future act application for determination

			<p>- and - Pangolin Resources Pty Ltd (grantee party)</p> <p>- and - The State of Western Australia (Government party)</p>	<p>for the grant of exploration and prospecting licences</p> <p>logistical difficulties preclude execution of a State Deed</p> <p>native title party consents to the determination</p> <p>consent determination that the acts may be done</p>
15/05/2006	<a href="#">WF06/5</a>	Consent determination: future act can be done	<p>Benny Duncan and Others on behalf of the Ngarrawanji People (WC96/75) (Applicant/Ngarrawanji native title party)</p> <p>- and - Maggie John and Others on behalf of the Malarngowem People (WC99/44) (Malarngowem native title party)</p> <p>- and - Vageta Pty Ltd (grantee party)</p> <p>- and - The State of Western Australia (Government party)</p>	<p>Native title — future act — application for determination for the grant of prospecting licences — executed ancillary agreement — 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>
1/05/2006	<a href="#">WF06/12</a>	Consent determination: future act can be done	<p>Wilma Freddie and Others on behalf of Wiluna (WC99/24) (Applicant/native title party)</p> <p>- and -</p>	<p>Native title future act application for determination for the grant</p>

			<p>Murchison Resources Pty Ltd (grantee party)</p> <p>- and -</p> <p>The State of Western Australia (Government party)</p>	<p>of prospecting licences</p> <p>named applicants not signed state deed</p> <p>logistical difficulties</p> <p>Regional Standard Heritage Agreement executed by grantee party</p> <p>native title party consents to the determination</p> <p>consent determination that the acts may be done</p>
1/05/2006	<a href="#">WF06/11</a>	Consent determination: future act can be done	<p>Wilma Freddie and Others on behalf of Wiluna (WC99/24) (Applicant/native title party)</p> <p>- and -</p> <p>Galaxy Resources Ltd (grantee party)</p> <p>- and -</p> <p>The State of Western Australia (Government party)</p>	<p>Native title future acts</p> <p>application for determination for the grant of exploration licences</p> <p>named applicants not signed state deed</p> <p>logistical difficulties</p> <p>Regional Standard Heritage Agreement executed by grantee party</p> <p>native title party</p>

				consents to the determination  consent determination that the acts may be done.
1/05/2006	<a href="#">WF06/14</a>	Consent determination: future act can be done	Billy Patch and Others on behalf of Birriliburu (WC98/68) (Applicant/native title party) - and - Adrian Martin Lambert Jessup (Grantee party) - and - The State of Western Australia (Government party)	Native title  future act  application for determination for the grant of exploration licence  named native title applicants not signed state deed because of 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.
1/05/2006	<a href="#">WF06/13</a>	Consent determination: future act can be done	Billy Patch and Others on behalf of Birriliburu (WC98/68) (Applicant/native title party) - and - Empire Resources Ltd (Grantee party) - and - The State of Western Australia (Government party)	Native title  future act  application for determination for the grant of exploration licence  named native



				<p>title applicants not signed state deed because of logistical difficulties</p> <p>Regional Standard Heritage Agreement executed by grantee party</p> <p>native title party consents to the determination</p> <p>consent determination that the act may be done</p>
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**Other Future Act determinations by Determination date**

<b>Determination date</b>	<b><a href="#">Tribunal File No.</a></b>	<b>Decision/ Determination</b>	<b>Parties</b>	<b>Catchwords</b>
26/05/2006	<a href="#">WO05/846</a>	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 acts proposed grant of prospecting licences - expedited procedure objection application failure to comply with directions objection application dismissed.
26/05/2006	<a href="#">WO05/712</a>	Objection - Expedited	Wilfred Hicks a named applicant	Native title

		Procedure Applies	and representative of the Wong-Goo-Tt-Oo People – WC98/40 (native title party) -and- The State of Western Australia (Government party) -and- Geotech International Pty Ltd (grantee party)	future act proposed grant of exploration licence expedited procedure objection application not likely to be interference with the carrying on of community or social activities, sites of particular significance or major disturbance to land act attracts the expedited procedure
22/05/2006	<a href="#">WO05/845</a>	Objection Dismissed -	Leonne Velickovic on behalf of Widji People – WC98/27 (native title party) -and- The State of Western Australia (Government party) -and- Adrian Paul Byass (grantee party)	Native title future acts proposed grant of prospecting licences - expedited procedure objection application failure to comply with directions objection application dismissed.
18/05/2006	<a href="#">WO05/849</a>	Objection Dismissed -	Leonne Velickovic on behalf of Widji People – WC98/27 (native title party) -and- The State of	Native title future act proposed grant of exploration

			Western Australia (Government party) -and- Plasia Pty Ltd (grantee party)	licence expedited procedure objection application -  failure to comply with directions  objection application dismissed.
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