



What's New: November 2005

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Recent Cases (Australia)

[Sampi v State of Western Australia \(No 3\) \[2005\] FCA 1716](#) ABORIGINES – native title determination – final determination following contested proceedings – determination covering mainland area, offshore intertidal zone and adjacent reefs and islets

[Wakka Wakka People # 2 v State of Queensland \[2005\] FCA 1578](#) The application to be joined as a party in these proceedings be dismissed.

[Henry & Ors v Shellharbour City Council & Ors \[2005\] NSWLEC 600](#)

Aboriginal :- whether alleged disturbance of artefacts amounts to a breach of the National Parks and Wildlife Act - not proved

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

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Legislation

NTA Reforms

Information about the proposed NTRB reforms is available at the OIPC website at [Questions and Answers - Changes to Native Title Representative Body \(NTRB\) Arrangements](#)

See also the [Attorney-General's](#) site for:

Technical amendments to the Native Title Act 1993 Discussion Paper; and

Guidelines on the provision of financial assistance by the Attorney-General under the Native Title Act 1993: Consultation draft

WA State Government Alternative Settlements Framework

The [Consultation Paper](#) can be downloaded from

Deadlines for submissions is 19 December 2005

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Media Releases

Human Rights and Equal Opportunity Commission

[Co-operative approach needed for ALRA reforms.](#) Sydney : HREOC. 23 November 2005. [NT - land rights; legislation] Media release - following reforms announced by Amanda Vanstone on Friday, Tom Calma has urged the government to maintain a co-operative and participatory process in amending and implementing changes to this important legislation

National Native Title Tribunal

[Native title recognised in the Kimberley](#) 30 November 2005 A group of traditional owners from the Kimberley region of Western Australia, are the country's newest recognised native title holders following an on-country determination at One Arm Point.

Federal Government

[Attorney-General](#)

[Media release re. native title reform.](#)

Office of Indigenous Policy Coordination

[Information Sheet. ALRA \(NT\) The Northern Territory Land Rights Act: Unlocking the Potential](#)

Federal Minister for Multicultural and Indigenous Affairs

[Delivering Better Outcomes in Native Title - Update on Government's Plan for Practical Reform](#) - 23 November

[Reforming the NT Aboriginal Land Rights Act](#) - 18 November

[Minister clears way for settlement of historic land claim in NT](#) - 2 November

Department of Employment and Workplace Relations

[Indigenous Economic Development Strategy Launched](#)

SNIPPET: The Australian Government has launched new measures to help more Indigenous Australians achieve economic independence. Mr Andrews said the Government was committed to improving the circumstances of Indigenous Australians through economic development leading to economic independence. Mr Andrews said there had been improvements in recent years in Indigenous employment as well as increases in the levels of Indigenous home ownership and business activity.

Northern Territory Government

Martin, Clare. NT workability reforms part of new package. Darwin : Chief Minister. 18 November 2005. Clare Martin has welcomed the Commonwealth Government's decision to accept the majority of the recommendations in the joint NT Government-Land Council submission on 'workability' reforms to the ALRA <http://tinyurl.com/74p2v>

Warren Snowden Friday, 18 November 2005: [Devil in the detail on Land Rights Act](#) changes

NTRB Net

[WA State Government's proposed Alternative Settlement Framework for native title](#) 22 November 2005(WA State Government Media Release) The WA State Government has called for public comment on a plan to offer alternative settlement arrangements to speed up the resolution of native title claims in Western Australia.

Central Land Council

[Land Rights Act Amendments: resolution after eight years of uncertainty](#) 18 November 2005 The Central Land Council has responded cautiously to amendments to the Aboriginal Land Rights Act (Northern Territory)1976 announced by the Australian Government today.

[Waste dump - traditional owners take their fight to Canberra](#) 3 November 2005 Traditional owners of the two proposed waste dump sites in Central Australia are taking their fight to Canberra

Goldfields Land and Sea Council

[State's native title alternative is snake oil](#) November 18

[Strong regional voice for Aboriginal people is well advanced](#) November 4

[Aboriginal employment and skilling progress welcomed](#) November 2

Northern Land Council

[Historic land claim 'landmark achievement'](#) 2 November 2005

Northern Land Council (NLC) Chief Executive Norman Fry has welcomed today's announcement by Indigenous Affairs Minister, Amanda Vanstone, that she will recommend the grant of land in the Warnarrwarnarr-Barranyi (Borroloola No. 2) Land Claim to its traditional owners (TO)s.

Assembly of First Nations-Canada

[Assembly of First Nations National Chief Applauds Historic Reconciliation and Compensation Agreement as a Major Victory For Residential School Survivors.](#)

The National Chief, on behalf of the Assembly of First Nations, and the Hon. Frank Iacobucci, on behalf of the Government of Canada, signed an historic and unprecedented Agreement in Principle, which was then approved by Cabinet on November 21st. The agreement provides for \$2.2 billion compensation for children removed from their families under Canada's Residential Scholl system.

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Books, Journals, Issues Papers and Discussion Papers

Aboriginal Studies Press

Aboriginal Studies Press invites you to visit www.aiatsis.gov.au/asp where you can order copies of ASP titles, read about the latest news and events, and Join Our Mailing List.

AIATSIS

Other

[Macquarie Atlas of Indigenous Australia](#). Both authoritative and accessible, the Macquarie Atlas of Indigenous Australia is the first of its kind. An electronic version of a selection of the maps, allowing interactive use, will be available on MacquarieNet - www.macquarienet.com.au

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On-line Publications

Democratic Audit. The Political Science Program in the Australian National University's Research School of Social Sciences is conducting an Audit to assess Australia's strengths and weaknesses as a democratic society. Recent contributions include Larissa Behrenht on ['The End of ATSIC'](#) Visit <http://democratic.audit.anu.edu.au/> for more information.

[Joint Committee on Native Title and the Aboriginal and Torres Strait Islander Land Account 21 November 2005 Transcript of the public hearing in Brisbane](#); witnesses were: Russell Bellear, Charles Budby, Martin Dore, David Galvin, Tony Johnson, Graeme Neate, Marnie Parkinson, Trevor Robinson, Peter Whalley, Murrandoo Yanner, and Justine Yanner

[Rights of Passage: A Dialogue with Young Australians about Human Rights](#)
Human Rights and Equal Opportunity Commission, Sydney, November, 2005

['Voices of Australia' - The Good And Bad Faces Of Race Relations In Australia Over The Past 30 Years](#) 31 October 2005 Acting Race Discrimination Commissioner Tom Calma and the Attorney-General, The Hon. Philip Ruddock MP, launched the 'Voices of Australia' project in Canberra to mark the 30th anniversary of the Racial Discrimination Act - Australia's first anti-discrimination law.

[Aboriginal and Torres Strait Islander Heritage Protection Amendment Bill 2005 Parliament of Australia Department of Parliamentary Services Parliamentary Library. Information analysis and advice for the Parliament](#) 30 November 2005, no. 67, 2005-06, ISSN 1328-8091 Moira Coombs, Law and Bills Digest Section

[2004-2005 Review Of The Aboriginal Land Rights Act 1983 Issues Paper 2: Structure, Representation, Governance And Benefits](#). Prepared for the New South Wales Aboriginal Land Rights Act Review Task Force 9 November 2005

CAEPR

277/2005 [Tracking change in the relative economic status of Indigenous people in New South Wales](#)
J. Taylor Since its formation in 1990, CAEPR has produced a series of research papers tracking progress in the relative economic status of Indigenous people in New South Wales using mostly census data. Viewed in sequence, the findings have indicated a rise over time in the Indigenous employment rate and a slight decline in the unemployment rate, but with both of these remaining substantially below equivalent rates for the State's non-Indigenous population

278/2005 [Capacity development in the international development context: Implications for Indigenous Australia](#) J. Hunt Capacity development has become a key concept in international development in

recent years. Older approaches involving technical cooperation, in which knowledge and skills were to be transferred to developing countries, have been unsuccessful. In contrast capacity development is viewed as an endogenous process within organisations and communities which are themselves embedded in wider systems. Understanding the features of these systems which might support rather than inhibit capacity development is therefore important.

National Native Title Tribunal

[NNTT Indigenous Fishing Bulletin November 2005](#)

[Guide to future act decisions made under the Commonwealth right to negotiate scheme as at 30 September 2005](#) Compiled by Deputy President of the National Native Title Tribunal, the Hon. C.J. Sumner

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Upcoming Events

Conferences

7-9 December 2005

[Whiteness and the Horizons of Race](#)

Australian Studies Centre, University of Queensland.

8-10 December 2005

[Pain & Death: Politics, Aesthetics and Legalities](#)

Centre for Cross-Cultural Research, Australian National University

The so-called war on terror and its representations have ignited interest in pain and death across a wide range of disciplines, including criminology, political science, law, history, literature, sociology, anthropology, cultural studies, psychology, linguistics, journalism and philosophy. At the same time artists working in the visual arts, as well as music, poetry, dance, and theatre have taken up the issue of state violence with renewed vigour. Fertile dialogue among and between artists, activists and scholars is the aim of this gathering.

8-9 December 2005

The Centre for Multicultural and Community Development, University of the Sunshine Coast presents: "Racisms in the New World Order: Realities of Culture, Colour and Identity" Conference

Hyatt Regency Hotel

Coolumb, Queensland

Australia

This conference will provide opportunity to examine the contemporary manifestations of racism across the world around key themes. The Centre for Multicultural and Community Development invites representatives from community, government and other organisations, as well as academics to attend the conference to develop a better understanding of racism and ways to combat it. For more information contact:

Ms Mitra Khakbaz

Coordinator

Centre for Multicultural and Community Development (CMCD)

Faculty of Arts and Social Sciences

University of the Sunshine Coast

Ph: +61-7-3210-6951

Fax: +61-7-3210-6967

mkhakbaz@usc.edu.au

5 Dec 2005 [Family & Community Strengths Conference - Evidence driving Practice](#) Newcastle Australia

26 Feb 2006 [Sharing the Fish - Allocation Issues in Fisheries Management](#) Fremantle Australia..

20 Apr 2006 [Community Development in a 'Global Risk Society'](#) Melbourne Australia.

15-18 August 2006 [The International Conference on the Arts in Society](#)

The University of Edinburgh, Scotland,

To be held in conjunction with the Edinburgh International Arts Festivals, the conference will include leading artists, arts practitioners and theorists through paper presentations, workshops and colloquia. The conference venue, the University of Edinburgh, is located near the heart of the various Edinburgh Festival activities.

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Recent Events

8 Nov 2005 [The Uses and Abuses of Archaeology for Indigenous Populations](#) Rangataua, Tauranga New Zealand

November 17 [Reconciling the Past](#). Amnesty International and the Coalition of Peoples Workshop: Healing without violence

24 - 25 November 2005

[W.E.H. Stanner: Anthropologist and Public Intellectual](#)

24-26 November 2005 [Beyond Ethnography: ASAA/NZ Conference](#), Victoria University. Visit for more information.

25 Nov 2005 [Culture Fix](#) Sydney Australia. Culture fix is the national conference of the Cultural Studies Association of Australia.

27 Nov 2005 [World Indigenous Peoples Conference on Education \(WIPCE\)](#) Waikato New Zealand.

GovNet conference: [Contemporary Issues in Governance](#)
Monash University's Caulfield Campus - 28-30 November 2005.
Details of the program and venue are available at

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Opportunities

[AIATSIS Research Grants](#) The Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS) is a major national funding body for research in Australian Indigenous studies. AIATSIS is now calling for applications for the Research Grants Program 2006. The Research Grants Program 2006 will support research into a wide range of research areas in Aboriginal and Torres Strait Islander Studies, such as history (including family and community history), politics, law, public policy, health (social, cultural and environmental aspects), biological sciences, education, Indigenous knowledge systems, linguistics, social anthropology, archaeology and the arts. Within this wide range of research areas, applications in the Special emphasis categories of 'Indigenous Well-Being', 'Indigenous Knowledge Systems and Intellectual Property' and 'Strengthening Community' are particularly invited for the Research Grants Program 2006. Closing date for applications: 16 December 2005. For more information go to: http://www.aiatsis.gov.au/rsrch/rsrch_grnts/rg_abt.htm

[Indigenous Health Promotion Scholarships 2005/06](#) Take a step towards a career in health promotion. The Australian Health Promotion Association (WA Branch) will offer three scholarships per

year to Aboriginal and Torres Strait Islander people who would like a career in health promotion. Aboriginal and Torres Strait Islander people are invited to apply for a 6-month scholarship to coordinate a health promotion project with support from an agency. Applications close December 16th 2005, with the successful scholarship winners commencing work by April 2006. Aboriginal and Torres Strait Islander people wishing to register their interest and receive more information about the scholarship program contact:

Lyn Dimer

Ph: (08) 9388 3343

Email: lyn.dimer@heartfoundation.com.au

For agencies interested in hosting a scholarship recipient contact:

Catherine Sayers, AHPA Executive Officer

Ph: (08) 9382 5921

Email: ahpa@heartfoundation.com.au

Australian National University: [Master of Applied Anthropology & Participatory Development](#) The Master of Applied Anthropology and Participatory Development (MAAPD) program will provide an understanding of the principal ways in which social inquiry and method can be applied to design, implementation, monitoring and evaluation processes for development activities. On completion of the program, MAAPD graduates will be better able to manage development projects, including undertaking social assessments and advising on their cultural and social impacts. In 2006 the program is being expanded to provide for two specialisations: Gender and Development, and Indigenous Policy

University of NSW, Faculty of Law. [Native Title Law, Policy and Practice](#). This 4 day Summer postgraduate course is available to those who simply wish to enrol in a course of interest to them as well as law and non-law students. Visit www.law.unsw.edu.au for more information.

Call for Papers: [The International Conference on the Arts in Society](#)

The University of Edinburgh, Scotland, 15-18 August 2006

To be held in conjunction with the Edinburgh International Arts Festivals, the conference will include leading artists, arts practitioners and theorists through paper presentations, workshops and colloquia. The conference venue, the University of Edinburgh, is located near the heart of the various Edinburgh Festival activities.

Call for papers: [Africa's Indigenous Science and Knowledge Systems Location: Nigeria](#)

October 24th -27th, 2006. Deadline for

abstract is April 28, 2006. Full paper should be submitted by September

29th. Venue of the conference is Nasarawa State University, Keffi,

Nigeria. Keffi is about 45 minutes drive from Abuja, the national

capital of Nigeria. Registration for foreign participants is \$100 and participants from

Africa is N5000. All correspondence should be directed to Adoyi Onoja, Secretary

Local Organizing Committee. E-mail conferenceoctober@yahoo.com

Call for papers: [Empowering Individuals and Families in the Human Services](#)

National Policy Conference

Melbourne 16/17 May 2006

Abstracts of 200 words are invited for papers and other presentations for the SEP National Policy

Conference on Empowering Individuals and Families in the Human Services, Darebin Arts and

Entertainment Centre, Melbourne, on 16/17 May 2006.

Call for submissions: [The Indigenous Law Journal](#). The Indigenous Law Journal at the University of Toronto is now accepting submissions for Volume V (Fall 2006).

The submissions deadline is: January 14, 2006, 4pm (EST).

For full details on the submissions process, please go to:

www.indigenoulawjournal.org/submit.htm

Call for submissions: [Anthropology Matters Journal](#) Themed Issue: 'Fielding Emotions'. Emotions are inextricably tied up in our anthropological research and writing. Yet they are often hidden away. In this journal issue we wish to draw out some of the importance and implications of the emotion work that anthropologists live with, build on, think about, cover over, attempt to express, negotiate, and manoeuvre within and around in various ways. 300-word abstracts should be sent to the editor, Ingie Hovland ingiehovland@yahoo.co.uk by Monday 9 Jan 2006.

Call for Proposals: The Centro Incontri Umani, in Ascona, Switzerland, seeks to encourage understanding, respect and peace internationally through cross-cultural and collaborative thought on significant aspects of human experience. A new residency fellowship is being offered for 2006-2007 at the Centro's 19th century villa in Ascona, on Lake Maggiore, on the border between Switzerland and Italy. Scholars from the humanities, arts and social sciences are primarily welcomed. A travel stipend, October to May lodging in a comfortable apartment in the villa, and a fellowship of \$20,000 will be offered. Full details are available from Laura Simona Email: giovanni.simona@aspti.ch

Murdoch University. [Pre-law course for Indigenous students](#)
(Steve Shaw - Murdoch University) The Murdoch University Law School's Koora Kudidj (pre law) course is running a four week course over January for Indigenous people to give them an opportunity for direct entry into either Legal Studies (BLS) or Law (LLB).

JAMES COOK UNIVERSITY Native Title Studies Centre
[Indigenous Post-Graduate Study Grants](#)

The Native Title Studies Centre at James Cook University is offering four Indigenous Postgraduate study grants, each worth \$15 000, to be awarded on a competitive basis to any Indigenous research student who successfully applies to undertake postgraduate research with the Native Title Studies Centre, supported by an appropriate supervisor in an appropriate School of the University (Law, Geography, Anthropology, Education, Business, Visual Arts, Sociology, Health or other relevant disciplines). To be eligible to apply for these one-off study grants, Indigenous research students (Masters or PhD) must have their candidature accepted and enrolment confirmed for study beginning in 2006.

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Employment

Gurang Land Council is looking for a [senior Anthropologist for a native title consultancy](#) of 90+ days. For further details, please contact Bernard Beston (Principal Legal Officer, Gurang Land Council):
Tel: (07) 4153 3990
Mobile: 0419 781 199
Email: bernard.beston@glcac.com.au

South West Aboriginal Land and Sea Council [Native title anthropologist](#), Perth Closing date 23 December.

PhD Scholarship (ARC Australian Postgraduate Award – Industry) *“Let’s Start Evaluation Project: social, emotional and educational outcomes of early intervention* Closing date: 3 January 2006
For information about the project contact Dr Gary Robinson, 08 8946 6893, or email: gary.robinson@cdu.edu.au For general information and application forms contact: Ms Rachel Mayhead, Ph 08-8946 6548, email: rachel.mayhead@cdu.edu.au You must submit a PhD Application for Admission Form together with a detailed CV, including the names of two referees.

Postdoctoral Positions

The ARC Centre of Excellence for Coral Reef Studies is an international research centre, administered by James Cook University, with strong linkages to the Australian Institute of Marine Science, the Australian National University, CSIRO, the University of Queensland and 23 other institutions and Industry Partners in 9 countries. Applicants must have been awarded or are about to receive a relevant PhD, and have an exceptional publication record for their stage of career. There is considerable scope for the applicant to shape their role as programs develop and mature. Five positions are available immediately or by negotiation in the following Programs:

1. Environmental History of coastal Queensland: Additional information contact: Professor Terry Hughes Terry.Hughes@jcu.edu.au phone 61 (0)7 47816665
2. Mental Models in Linked Social-Ecological Systems: Additional information contact: Professor Terry Hughes Terry.Hughes@jcu.edu.au phone 61 (0)7 47816665.
3. Institutional analysis and adaptive governance. Additional information contact: Professor Terry Hughes Terry.Hughes@jcu.edu.au phone 61 (0)7 47816665

4. Understanding and Managing Coral Reef Biodiversity: Additional information contact: Professor David Bellwood David.Bellwood@jcu.edu.au phone 61 (0)7 47814447.
5. Landscape ecology of reserves: regional resilience: interlinked systems of people and nature at multiple scales. Additional information contact: Professor Terry Hughes Terry.Hughes@jcu.edu.au phone 61 (0)7 47816665

Salary range is from \$52317 to \$63260 depending on experience. A full statement of the selection criteria is available <http://www.jcu.edu.au/app/jobs/...> Please forward a CV, statement of research interests, pdfs of recent publications, email addresses of three potential referees, and a cover letter which addresses the selection criteria to the Recruitment Officer,..... Further general information regarding the positions can be obtained by contacting the Centre's Chief Operations Officer: Jennifer.lappin@jcu.edu.au

National Native Title Tribunal

[State Manager](#) Executive Level 2. Sydney based. Closing date 8 December 2005

[Senior Geospatial Specialist](#) Executive Level. Perth based. Closing date.15 December 2005.

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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.
6/12/2005	Illawarra Local Aboriginal Land Council	Non-claimant application	28/07/2005	New South Wales	NN05/11	NSD1272/05
20/12/2005	Warrungu People #2	Claimant application	30/06/2004	Queensland	QC04/8 QC04/8	QUD111/04
20/12/2005	William Garry Allen, Martin De Launey and Lynette Syme	Claimant application	1/07/2005	New South Wales	NC05/1	NSD1089/05
20/12/2005	Dennis and Susan Hunt	Non-claimant application	14/03/2005	New South Wales	NN05/8 NN05/8	NSD407/05
1/02/2006	Walman Yawuru	Claimant application	16/12/2004	Western Australia	WC04/9	WAD285/04
1/02/2006	Budina People	Claimant application	18/06/2004	Western Australia	WC04/5 WC04/5	WAD131/04
1/02/2006	Wakaman People #2	Claimant application	9/08/2004	Queensland	QC04/9	QUD158/04

15/02/2006	Mr Benjamin John Cruse	Non-claimant application	22/09/2005	New South Wales	NN05/13 NN05/13	NSD1766/05
15/02/2006	Warren Berry	Non-claimant application	20/09/2005	New South Wales	NN05/12	NSD1685/05
15/02/2006	Mrs Mirinda Avery-Slater & Ors	Claimant application	7/12/2004	New South Wales	NC04/1 NC04/1	NSD1819/04
15/02/2006	Ulladulla Local Aboriginal Land Council	Non-claimant application	28/09/2005	New South Wales	NN05/15	NSD1826/05
13/03/2006	Minister for Lands	Non-claimant application	19/10/2005	New South Wales	NN05/16 NN05/16	NSD1983/05
13/03/2006	John Wilfrid Graham & Jill Patricia Young	Non-claimant application	28/10/2005	New South Wales	NN05/17	NSD2111/05

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

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Determinations

Native title determinations by determination date

Short name	Case name	Date	State/Terr.	Outcome	Legal process
Worimi Local Aboriginal Land Council #1	Peter Hillig in his capacity as administrator of Worimi Local Aboriginal Land Council v Minister for Lands for the State of New South Wales [2005] FCA 1712	28 November 2005	New South Wales	Native title does not exist	Unopposed determination
Worimi Local Aboriginal Land Council #2	Peter Hillig in his capacity as administrator of Worimi Local Aboriginal Land Council v Minister for Lands for the State of New South Wales [2005] FCA 1713	28 November 2005	New South Wales	Native title does not exist	Unopposed determination

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(This information has been extracted from the [National Native Title Tribunal website](http://www.nntt.gov.au/ntdetermination/bydate_index.html) http://www.nntt.gov.au/ntdetermination/bydate_index.html)

Indigenous Land Use Agreements: Registered ILUAs by date

Tribunal file no.	Name	Type	State/Terr.	Reg. date	Subject matter
QI2005/002	Metallica Minerals ILUA	Area agreement	Queensland	25 November 2005	Mining
DI2004/044	Gregory National Park NLC ILUA	Area agreement	Northern Territory	15 November 2005	Development
DI2004/045	Gregory's Tree Historical Reserve ILUA	Area agreement	Northern Territory	15 November 2005	Development
DI2004/052	Black Jungle / Lambells Lagoon Conservation Reserve ILUA	Area agreement	Northern Territory	15 November 2005	Development
DI2004/050	Fogg Dam Conservation Reserve ILUA	Area agreement	Northern Territory	15 November 2005	Development
DI2004/048	Harrison Dam Conservation Area ILUA	Area agreement	Northern Territory	15 November 2005	Development
DI2004/049	Melacca Swamp Conservation Area ILUA	Area agreement	Northern Territory	15 November 2005	Development
DI2004/043	Flora River Nature Park ILUA	Area agreement	Northern Territory	15 November 2005	Development
VI2004/008	Wotjobaluk, Jaadwa, Jadawadjali, Wergaia and Jupagulk	Area agreement	Victoria	11 November 2005	Co-management Consultation protocol Extinguishment

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

Future Act Determinations

Future Act consent determinations by Determination date

Determination date	Tribunal File No.	Decision/ Determination	Parties	Catchwords
18/11/2005	WF05/12	Consent determination: future act can be done	Albert Little and Others on behalf of Badimia People – (WC96/98) (Applicant/native title party) - and - Michael Terrence Leyland David Albert Chadwick Terrence Harold Little (grantee party) - and - The State of Western Australia (Government party)	Native title future act application for determination for the grant of mining lease named applicants not signed agreement native title party as a whole consent to the determination determination that the act may be done
31/10/2005	WO04/361	Consent determination: expedited procedure does not apply	Andrew Watson representing the Tjirrkarli-Kanpa Native Title Claimants (WC96/71) (native title party) - and - The State of Western Australia (Government party) - and - Ausmet Resources 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

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

Other Future Act determinations by Determination date

Determination date	Tribunal File No.	Decision/ Determination	Parties	Catchwords
30/11/2005	WF05/1	Future Act - NIGF Satisfied - Tribunal has jurisdiction	Gulliver Productions Pty Ltd Maneroo Oil Company Limited Indigo Oil Pty Ltd Kjirt Exploration Services Pty Ltd (grantee party/Applicant) - and - Western Desert Lands Aboriginal Corporation (Jamukurnu-Yapalikunu)	Native title future act application for a determination in relation to petroleum exploration permit jurisdiction

			<p>(WC96/78) (Martu native title party) and Darcy Hunter & Ors on behalf of Nyangumarta People (WC98/65) (Nyangumarta native title party) and Karajarri Traditional Lands Association (Aboriginal Corporation) (WC00/2) (Karajarri native title party) - and - The State of Western Australia (Government party)</p>	<p>whether Government and grantee parties have negotiated in good faith</p> <p>whether obligation to negotiate in good faith different where the native title party is a prescribed body corporate (PBC)</p> <p>whether giving of s 29 notice obliges Government party to fund good faith negotiations</p> <p>no obligation on Government and grantee parties to fund the native title party's participation</p> <p>Commonwealth Government's policy on funding PBCs</p> <p>no requirement to make reasonable substantive offers</p> <p>no obligation on Government party to negotiate about compensation</p> <p>failure to compromise on one issue does not mean a lack of good faith negotiations</p> <p>conduct to be judged from the negotiations overall</p> <p>Government and grantee parties have negotiated in good faith</p>
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25/11/2005

[WO05/190](#)

Objection -
Dismissed

Leonne Velickovic on
behalf
Widji People – WC98/27
(Widji native title party)
-and-
The State of Western
Australia
(Government party)
-and-
Katherine Ann Madigan
and Michael Francis
Madigan (grantee party)

Native title

future act

proposed grant of
prospecting licence

expedited procedure
objection application

failure within a reasonable
time to proceed with
objection application

failure to comply with
directions

16/11/2005	QF05/3	Future Act - NIGF Satisfied - Tribunal has jurisdiction	Robert Bond Cameron (grantee party) - and - Ernest Hoolihan Hazel Illin Elsie Thompson on behalf of the Gugu Badhun People (native title party) - and - State of Queensland (government party)	objection applications dismissed. Native title future act determination application proposed mining lease jurisdiction whether parties have negotiated in good faith evidentiary onus relevance of dealings prior to issuance of s 29 notice s 31 State deed and ancillary agreement/ILUA signed by native title party and grantee party s 31 State deed not executed by the State - s 31 State deed and ancillary agreement/ILUA withdrawn by native title party no challenge to good faith negotiations of government party grantee fulfilled his obligations to negotiate in good faith
15/11/2005	WO05/327 and WO05/329	Objection - Expedited Procedure Applies	June Harrington-Smith and Raymond Ashwin on behalf of the Wutha People (WC99/10) (native title party) - and - The State of Western Australia (Government party) - and - Trevor John Dixon (grantee party)	Native title future act proposed grant of prospecting licences – expedited procedure objection applications contentions but no evidence provided by native title party direct interference with carrying on of community or social activities unlikely interference with sites of particular significance unlikely major disturbance to land unlikely

				acts attract the expedited procedure
15/11/2005	WO05/323 and WO05/325	Objection - Expedited Procedure Applies	June Harrington-Smith and Raymond Ashwin on behalf of the Wutha People (WC99/10) (native title party) - and - The State of Western Australia (Government party) - and - Trevor John Dixon (grantee party)	Native title future act proposed grant of prospecting licences expedited procedure objection applications misdescription of localities in s 29 notice contentions but no evidence provided by native title party– direct interference with carrying on of community or social activities unlikely interference with sites of particular significance unlikely major disturbance to land unlikely acts attract the expedited procedure

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