



WHAT'S NEW IN NATIVE TITLE

January 2017

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1. Case Summaries

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

2. Legislation

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

3. Native Title Determinations

In January 2017, the NNTT website listed no native title determinations.

4. Registered Native Title Bodies Corporate & Prescribed Bodies Corporate

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

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

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

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

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

Source: <http://www.nntt.gov.au/searchRegApps/NativeTitleClaims/Pages/default.aspx> and Registered Determinations of Native Title and RNTBCs as at 31 January 2017.

5. Indigenous Land Use Agreements

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

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

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

6. Future Acts Determinations

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

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

7. Publications

AIATSIS

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

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

To download the paper, [please visit the AIATSIS website](#).

Yamatji Marlpa Aboriginal Corporation (YMAC)

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

To view the booklet, [please visit the YMAC website](#).

YMAC has published edition 18 of their Bundiyarra Gardantha newsletter.

To view the newsletter, [please visit the YMAC website](#).

8. Training and Professional Development Opportunities

AIATSIS

Australian Aboriginal Studies

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

For more information, [visit the journal page of the AIATSIS website](#).

ORIC

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

For further information on training courses, [visit the ORIC website](#).

9. Events

AIATSIS

National Indigenous Research Conference

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

Date: 21-23 March 2017

Location: Hotel Realm, Canberra

For further information, [visit the website](#).

National Native Title Conference 2017

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

Date: 5-7 June 2017

Location: Townsville Entertainment and Convention Centre, Entertainment Drive, Townsville City.

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

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

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

