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9 September 2014

Professor Lee Godden  
Australian Law Reform Commission

By email: [nativetitle@alrc.gov.au](mailto:nativetitle@alrc.gov.au)

Dear Professor Godden

**Federal Court of Australia submission to the Review of the Native Title Act 1993**

I refer to the Court's submission, previously provided to the ALRC by Justice Mansfield.

The Court's submission may be made available to the public on the basis that the Court takes no position in relation to the matters of policy raised in the ALRC Issues Paper. The submission is intended to provide information to the ALRC that may be relevant to its inquiry.

Yours sincerely

A handwritten signature in black ink, appearing to read 'w.soden', written over a horizontal line.

Warwick Soden  
Registrar & Chief Executive

**FEDERAL COURT OF AUSTRALIA SUBMISSION TO THE AUSTRALIAN LAW REFORM COMMISSION'S  
REVIEW OF THE NATIVE TITLE ACT 1993**

**12 August 2014**

The Federal Court of Australia (the Court) has exclusive jurisdiction to hear and determine applications filed in the Court that relate to native title: s 81 Native Title Act 1993 (Cth) (the NTA). The ongoing adjudicative function that the Court must exercise in native title matters means that it would be inappropriate for the Court to comment on a number of the policy issues raised in the ALRC's Issues Paper. To the extent, however, that the review's terms of reference require the ALRC to consider the operation of the Act in practice in order to suggest improvements, the Court is perhaps uniquely placed to provide input based on its experience nationally over a large number of years.

Any examination of the operation of the NTA must take account not only of regional differences due to differing State and Territory policies, but also differences over time. In this regard the Court has observed changes in approaches to connection assessment by both States and Territories and applicants over time. Causes of delay in the 1990s in establishing connection were different to those of the early 2000s. Indeed, delays experienced in resolving native title claims in the years to 2008, the time when the then Justice French put forward his 'modest proposals', are in many respects different from current causes of delay. That said, the impact of funding limitations on both applicants and States/Territories and the scarcity of experts have remained constant factors in the causes of delay.

Many factors have influenced differences in approaches to connection over time. The development of jurisprudence on what is required to be proven in order to establish native title is one obvious factor. Evolving jurisprudence has allowed applicants to refine the materials provided to better meet the requirements of connection either in mediation or in litigation.

Complementing the development of jurisprudence on connection has been the development of jurisprudence on the circumstances in which the Court may find it appropriate to give effect to the agreement of the parties that native title be recognised. Central to this question has been an examination of the appropriate role of the State or Territory in undertaking connection assessment. In examining this role the Court has drawn particular attention to the lead role States and Territories play among respondents and the appropriate standard that States and Territories should require in assessing connection: *Munn v Queensland* (2001) 115 FCR 109; [2001] FCA 1229; *Lovett on behalf of the Gunditjmarra People v State of Victoria* [2007] FCA 474; *Watson v State of Western Australia* (no 3) [2014] FCA 127.

Changes in the various processes of connection assessment have occurred as a result of both the experiences over time of the parties and the evolving case management initiatives instigated by the Court. Many case management strategies have been instigated by the Court to assist the parties to reach agreement on connection issues. These include:

- In South Australia and Queensland the Court has, in particular claims, facilitated case management conferences at which the experts for the Applicant and State confer to identify the issues likely to be most contentious prior to the commencement of anthropological field work.

The aim of these conferences is for the parties' experts to discuss their knowledge of the relevant anthropological literature and related or neighbouring claims so that scarce research resources may be appropriately focused on areas of particular interest to the State, minimising the need for follow up research and reports.

- In New South Wales and Queensland the Court has in various matters made orders timetabling the provision of connection material and the outcome of the analysis of that material. The imposition of a Court ordered timetable aims to ensure that the connection process occurs in a timely manner and allows the parties to allocate resources accordingly.
- In the Northern Territory, Western Australia, South Australia, Victoria and Queensland the Court has in various matters made orders that the experts confer under the supervision of a Registrar of the Court to identify those matters and issues about which their opinions are in agreement and those where they differ. These conferences have usually taken place in the absence of the parties' lawyers and have been remarkably successful in narrowing connection issues, often resulting in agreement between the experts on all matters.
- In particular matters in Western Australia, Victoria and Queensland the Court has utilised the provisions of the Federal Court Rules to appoint an expert. The matters in which court appointed experts have been used frequently involve disputation between indigenous people where one or more persons or groups are self-represented. In these instances the reports of these experts have been used in mediation processes and, if these have not been successful, in the associated litigation. In other instances the applicants and relevant State have agreed to bear the cost of the expert.
- Where connection issues have otherwise been significantly narrowed the Court has allowed the Applicant and State time to convene 'on country' in mediation at which the State's experts and lawyers are given an opportunity to ask questions of claimants about specific issues.
- In some matters where mediation of connection issues appears to have stalled, the Court has convened an early evidence hearing. These hearings allow the State and other respondents to test the evidence of a limited number of applicant witnesses, particularly on outstanding connection issues, often facilitating agreement on those outstanding issues and obviating the need for a full blown trial.

In addition to these case management strategies, in July 2010 the Court has instigated a process of regional prioritisation of claim for resolution. The priority list was created by the Court in recognition of the fact that it is not possible for all pending native title cases to be intensively managed by the Court and the parties at the same time. The list, compiled by the Court in consultation with the parties, identifies those priority native title cases within the pending native title caseload so that cases are properly resourced and efficiently progressed to trial or agreed outcome. The establishment of the priority list has had a significant effect on the rate of resolution of matters with the number of consent determinations jumping from 12 and 10 in 2009 and 2010 respectively to 35 in 2011.

In 2012 the government, following the recommendations of the *Strategic review of small and medium agencies in the Attorney-General's portfolio*, implemented native title institutional reforms, including the transfer of the mediation function from the National Native Title Tribunal (NNTT) to the Court. This reform effectively reversed the effect of the 2007 amendments to the NTA that had given the NNTT sole responsibility for the mediation of native title claims. The implementation of the

institutional reforms provided the impetus for the Court (and parties) to re-examine the way mediation is used in the resolution of native title claims. This re-examination has led to a shift away from referral of entire matters to mediation in favour of intensive case management to identify the issues in dispute between the parties and, where appropriate, referral of particular issues to mediation. This practice has contributed to the continued accelerated levels of claims resolution, including 41 and 44 consent determinations in 2012 and 2013 respectively.

The table below indicates the number of determinations of native title made by the Court between the years of 2006 and 2013. More detailed information in relation to these determinations can be found in Annexure a this submission.

|                                 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | TOTAL |
|---------------------------------|------|------|------|------|------|------|------|------|-------|
| <b>Consent Determinations</b>   | 6    | 10   | 8    | 12   | 10   | 35   | 41   | 44   | 166   |
| <b>Litigated Determinations</b> | 3    | 1    | 1    | 0    | 2    | 0    | 1    | 5    | 13    |
| <b>Unopposed Determinations</b> | 4    | 4    | 1    | 2    | 2    | 2    | 6    | 1    | 22    |
| <b>TOTAL</b>                    | 13   | 15   | 10   | 14   | 14   | 37   | 48   | 50   | 201   |

While considerable advances in addressing delay have been able to be achieved through innovative case management techniques, other causes of delay remain. As mentioned above, the limited number and availability of appropriately qualified expert anthropologists continues to be a significant source of delay as do the finite resources of all parties in the native title system. Late applications for joinder, in particular by indigenous parties who, once joined may not consent to a determination even where all other parties have agreed or who file overlapping claims late in consent determination negotiations or trial preparation, have the capacity to cause significantly delay. Such cases regularly require resolution through litigation and can significantly increase the costs required to be expended by applicants and states/territories to resolve matters. No doubt you have access to the recent decisions but the Court would be happy to provide you with the names and references if that would be helpful.

The Court will continue monitor the emerging challenges and implement innovative case management techniques aimed at assisting the parties to identify and narrow the issues in dispute so that matters may be resolved in a timely, effective and cost efficient way.

## Annexure A: Consent Determinations, Litigated Determinations and Unopposed Determinations 2006 – 2013

### 1. 2006

#### Consent Determinations

|    | Short name                         | File #       | Matter name further info   | Date      | State/Terr. | Judge       | Outcome  | Process               | Type     | Case name   |
|----|------------------------------------|--------------|--|-----------|-------------|-------------|--|-----------------------|----------|---|
| 1. | <b>Western Yalanji People</b>      | QUD6089/1998 | Riley ( <b>Western Yalanji #3</b> )  | 17-Feb-06 | QLD         | Allsop J    | Native title exists in the entire determination area   | Consent determination | Claimant | Riley v State of Queensland [2006] FCA 72   |
| 2. | <b>Badu &amp; Moa People #2</b>    | QUD6002/2002 | Victor Nona & John Manas on their own behalf & on behalf of the <b>Badualgal &amp; Mualgal People</b>                | 13-Apr-06 | QLD         | Dowsett J   | Native title exists in the entire determination area   | Consent determination | Claimant | Nona and Manas v State of Queensland [2006] FCA 412   |
| 3. | <b>Mualgal People #2</b>           | QUD6003/2002 | John Manas on his own behalf & on behalf of the <b>Mualgal People</b>  | 13-Apr-06 | QLD         | Dowsett J   | Native title exists in the entire determination area   | Consent determination | Claimant | Manas v State of Queensland [2006] FCA 413  |
| 4. | <b>Mandingalbay Yidinji People</b> | QUD6015/1998 | Alfred Switson Mundraby & Vincent Mundraby on their own behalf & on behalf of the <b>Mandingalbay Yidinji People</b> | 24-Apr-06 | QLD         | Dowsett J   | Native title exists in the entire determination area   | Consent determination | Claimant | Mundraby v State of Queensland [2006] FCA 436   |
| 5. | <b>Yankunytjatjara/Antakirinja</b> | SAD6022/1998 | <b>Yankunytjatjara/Antakirinja</b> Native Title Claim Group  | 28-Aug-06 | SA          | Mansfield J | Native title exists in parts of the determination area | Consent determination | Claimant | Yankunytjatjara/Antakirinja Native Title Claim Group v The State of South Australia [2006] FCA 1142 |
| 6. | <b>Miriuwung Gajerrong #4</b>      | WAD124/2004  | Ben Ward, Kim Aldus, Frank Chulung, Sheba Dignari & Ors ( <b>Miriuwung Gajerrong #4</b> )                            | 24-Nov-06 | WA          | North J     | Native title exists in parts of the determination area | Consent determination | Claimant | Ward v State of Western Australia [2006] FCA 1848   |

## Annexure A: Consent Determinations, Litigated Determinations and Unopposed Determinations 2006 – 2013

### Litigated Determinations

|    | Short name   | File #                                       | Matter name further info  | Date      | State/Terr. | Judge       | Outcome  | Process                 | Type     | Case name   |
|----|--|--|---|-----------|-------------|-------------|--|-------------------------|----------|---|
| 1. | <b>Larrakia (Part A - consolidated proceeding)</b> | NTD6033/2001                                 | William Risk & ors on behalf of the <b>Larrakia People</b> & Kevin Lance Quall on behalf of the <b>Danggalaba &amp; Kulumbiringin People (Larrakia Part A – Consolidated Proceeding)</b><br><br>Appeals:<br>NTD 6006/1998<br>Commonwealth of Australia v Yarmirr<br>French, Finn & Sundberg JJ<br>5/4/2007<br>[2007] FCAFC 46 | 13-Apr-06 | NT          | Mansfield J | Native title does not exist                          | Litigated determination | Claimant | Risk v Northern Territory of Australia [2006] FCA 404, Mansfield J) |
| 2. | <b>Rubibi Community</b>                            | WAD 6006/1998<br>WAD 223/2004                | <b>Rubibi #17</b> (Frank Sebastian & Ors )  | 28-Apr-06 | WA          | Merkel J    | Native title does not exist                          | Litigated determination | Claimant | Rubibi Community v State of Western Australia (No 7) [2006] FCA 459 |
| 3. | <b>Timber Creek</b>                                | NTD6016/1999<br>NTD6008/2000<br>NTD6012/2000 | <b>Timber Creek</b> (Griffiths v NT Of Australia No 2)  | 28-Aug-06 | NT          | Weinberg J  | Native title exists in the entire determination area | Litigated determination | Claimant | Griffiths v Northern Territory of Australia (No 2) [2006] FCA 1155  |

### Unopposed Determinations

|    | Short name                                     | File #       | Matter name further info  | Date      | State/Terr. | Judge      | Outcome                     | Process                 | Type         | Case name   |
|----|--|--------------|---|-----------|-------------|------------|-----------------------------|-------------------------|--------------|---|
| 1. | <b>Eden Local Aboriginal Land Council</b>      | NSD1766/2005 | <b>Eden</b> Local Aboriginal Land Council   | 23-Aug-06 | NSW         | Jacobson J | Native title does not exist | Unopposed determination | Non-claimant | Cruse v New South Wales Native Title Services Ltd [2006] FCA 1124   |
| 2. | <b>Worimi Local Aboriginal Land Council #3</b> | NSD34/2006   | Peter Hillig in his capacity as administrator of the <b>Worimi</b> Local Aboriginal Land Council #3 | 01-Sep-06 | NSW         | Bennett J  | Native title does not exist | Unopposed determination | Non-claimant | Hillig as Administrator of Worimi Local Aboriginal Land Council v NSW Native Title Services Ltd [2006] FCA 1184                         |
| 3. | <b>Forster Local Aboriginal Land Council</b>   | NSD1798/2005 | <b>Forster</b> Local Aboriginal Land Council  | 07-Nov-06 | NSW         | Graham J   | Native title does not exist | Unopposed determination | Non-claimant | Forster Local Aboriginal Land Council v New South Wales Native Title Services Limited [2006] FCA 1455                                   |
| 4. | <b>Ulladulla Local Aboriginal Land Council</b> | NSD1826/2005 | <b>Ulladulla</b> Local Aboriginal Land Council  | 13-Dec-06 | NSW         | Jacobson J | Native title does not exist | Unopposed determination | Non-claimant | Ulladulla Local Aboriginal Land Council v New South Wales Native Title Services Limited (unreported, FCA, 13 December 2006, Jacobson J) |

## Annexure A: Consent Determinations, Litigated Determinations and Unopposed Determinations 2006 – 2013

### 2. 2007

#### Consent Determinations

|    | Short name   | File #   | Matter name further info  | Date      | State/Terr. | Judge               | Outcome  | Process               | Type     | Case name  |
|----|--|--|---|-----------|-------------|---------------------|--|-----------------------|----------|--|
| 1. | <b>Eastern Guruma</b>                                | WAD6208/1998                                       | Muntulgura Guruma (Part A) (Eastern Guruma)                                     | 01-Mar-07 | WA          | Bennett J           | Native title exists in the entire determination area   | Consent determination | Claimant | Hughes (on behalf of the Eastern Guruma People) v State of Western Australia [2007] FCA 365                                      |
| 2. | <b>Gunditjmara</b>                                   | VID6004/1998 & VID655/2006                         | Lovett on behalf of the Gunditjmara People                                      | 30-Mar-07 | VIC         | North J             | Native title exists in parts of the determination area | Consent determination | Claimant | Lovett on behalf of The Gunditjmara People v State of Victoria [2007] FCA 474  |
| 3. | <b>Noonkanbah</b>                                    | WAD6229/1998                                       | Cox on behalf of the Yungngora People v State of Western Australia (Noonkanbah) | 27-Apr-07 | WA          | French J            | Native title exists in the entire determination area   | Consent determination | Claimant | Cox on behalf of the Yungngora People v State of Western Australia [2007] FCA 588  |
| 4. | <b>Ngarla &amp; Ngarla #2 (Determination Area A)</b> | WAD6185/1998<br>WAD77/2005<br>part<br>WAD6003/2000 | Ngarla & Ngarla #2 (Determination Area A)                                       | 30-May-07 | WA          | Bennett J           | Native title exists in parts of the determination area | Consent determination | Claimant | Ngarla and Ngarla #2 (Determination Area A) (unreported, FCA, 30 May 2007, Bennett J)  |
| 5. | <b>Strathgordon Claim</b>                            | QUD6005/2003                                       | Timothy James Malachi on behalf of the Strathgordon Mob                         | 26-Jul-07 | QLD         | Greenwood J         | Native title exists in the entire determination area   | Consent determination | Claimant | Timothy James Malachi on behalf of the Strathgordon Mob v State of Queensland [2007] FCA 1084 (26 July 2007)                     |
| 6. | <b>Tennant Creek No. 2</b>                           | NTD8/2006  | Patta Warumungu People  | 03-Sep-07 | NT          | Mansfield J         | Native title exists in parts of the determination area | Consent determination | Claimant | Patta Warumungu People v Northern Territory of Australia (Corrigendum dated 6 September 2007) [2007] FCA 1386 (3 September 2007) |
| 7. | <b>Ngururrpa</b>                                     | WAD357/2006  | Payi Payi & Ors on behalf of the Ngururrpa People                               | 18-Oct-07 | WA          | Chief Justice Black | Native title exists in the entire determination area   | Consent determination | Claimant | Payi Payi & Ors on behalf of the Ngururrpa People and State of Western Australia (unreported, FCA, 18 October 2007, Black CJ)    |
| 8. | <b>Ngurrara Part A</b>                               | WAD6077/1998                                       | Kogolo v State of Western Australia   | 09-Nov-07 | WA          | Gilmour J           | Native title exists in the entire determination area   | Consent determination | Claimant | Kogolo v State of Western Australia [2007] FCA 1703  |
| 9. | <b>Githabul People</b>                               | NSD6019/1998                                       | Trevor Close on behalf of the Githabul People                                   | 29-Nov-07 | NSW         | Branson J           | Native title exists in the entire determination area   | Consent determination | Claimant | Trevor Close on behalf of the Githabul People v Minister for Lands [2007] FCA 1847   |

## Annexure A: Consent Determinations, Litigated Determinations and Unopposed Determinations 2006 – 2013

|     | Short name                         | File #       | Matter name further info                            | Date      | State/Terr. | Judge    | Outcome  | Process               | Type     | Case name   |
|-----|------------------------------------|--------------|---|-----------|-------------|----------|--|-----------------------|----------|---|
| 10. | <b>Eastern Kuku Yalanji People</b> | QUD6008/1998 | Walker on behalf of the Eastern Kuku Yalanji People | 09-Dec-07 | QLD         | Allsop J | Native title exists in the entire determination area | Consent determination | Claimant | Walker on behalf of the Eastern Kuku Yalanji People v State of Queensland [2007] FCA 1907 |

### Litigated Determinations

|    | Short name                                       | File #  | Matter name further info  | Date      | State/Terr. | Judge   | Outcome  | Process                 | Type     | Case name  |
|----|--|---|---|-----------|-------------|---------|--|-------------------------|----------|--|
| 1. | <b>Newcastle Waters - Murrnaji Determination</b> | NTD6024/2000<br>NTD6008/2001<br>NTD6013/2002<br>NTD6017/2002<br>NTD6033/2002<br>NTD3/2004 | George King ( <b>Murrnaji</b> )<br>Philip Ulamari & Pompey Raymond<br>Raymond Dixon & Jeffrey Dixon (on behalf of the <b>Warninki-Kajalangujku &amp; Kurrawkurrawka/Kilikilika/Wajilan</b> Groups)<br>Raymond Dixon, Jeffrey Dixon & Jimmy Wavehill (on behalf of the <b>Turrutpa-Jalapirri, Pinkakujarra, Murranjayi &amp; Liyartu-Walamarnta</b> Groups)<br>Eric Kingston Jangala, William Kingston Jangala, Johnny Benson & Janet Sandy (on behalf of the <b>Wilyuku, Ijiparta, Ngirtinku, Kularja, Marlinja/Kidpawurru &amp; Walamarnta</b> Groups)<br>Regina Collins, Harold Dalywater, Rex Collins, Susan Raymond, & Renata Collins (on behalf of the <b>Jarrimanu</b> Group) | 26-Sep-07 | NT          | Moore J | Native title exists in parts of the determination area | Litigated determination | Claimant | King v Northern Territory of Australia [2007] FCA 1498 (26 September 2007) |

### Unopposed Determinations

|    | Short name                                       | File #       | Matter name further info                         | Date      | State/Terr. | Judge     | Outcome                     | Process                 | Type         | Case name  |
|----|--|--------------|--|-----------|-------------|-----------|-----------------------------|-------------------------|--------------|--|
| 1. | <b>Illawarra Local Aboriginal Land Council</b>   | NSD1272/2005 | <b>Illawarra</b> Local Aboriginal Land Council   | 06-Feb-07 | NSW         | Graham J  | Native title does not exist | Unopposed determination | Non-claimant | New South Wales Aboriginal Land Council v New South Wales Native Title Services (Unreported, FCA 112, 6 February 2007, Graham J) |
| 2. | <b>Bahtabah Local Aboriginal Land Council #1</b> | NSD987/2006  | <b>Bahtabah</b> Local Aboriginal Land Council #2 | 20-Mar-07 | NSW         | Cowdroy J | Native title does not exist | Unopposed determination | Non-claimant | Bahtabah Local Aboriginal Land Council v New South Wales Native Title Services Limited [2007] FCA 382                            |



## Annexure A: Consent Determinations, Litigated Determinations and Unopposed Determinations 2006 – 2013

|    | Short name                                       | File #       | Matter name further info                         | Date      | State/Terr. | Judge      | Outcome                     | Process                 | Type         | Case name   |
|----|--|--------------|--|-----------|-------------|------------|-----------------------------|-------------------------|--------------|---|
| 3. | <b>Bahtabah Local Aboriginal Land Council #2</b> | NSD986/2006  | <b>Bahtabah</b> Local Aboriginal Land Council #1 | 20-Mar-07 | NSW         | Cowdroy J  | Native title does not exist | Unopposed determination | Non-claimant | Bahtabah Local Aboriginal Land Council v New South Wales Native Title Services Limited [2007] FCA 383   |
| 4. | <b>Deniliquin Local Aboriginal Land Council</b>  | NSD1931/2006 | <b>Deniliquin</b> Local Aboriginal Land Council  | 14-Jun-07 | NSW         | Jacobson J | Native title does not exist | Unopposed determination | Non-claimant | Deniliquin Local Aboriginal Land Council v Minister for Lands & NSW Native Title Services Limited (unreported, FCA, 14 June 2007, Jacobson J) |

### 3. 2008

#### Consent Determinations

|    | Short name   | File #       | Matter name further info   | Date      | State/Terr. | Judge               | Outcome  | Process               | Type     | Case name  |
|----|--|--------------|--|-----------|-------------|---------------------|--|-----------------------|----------|--|
| 1. | <b>Ngadjon-Jii People</b>                            | QUD6027/1999 | Ngadjon-Jii People v State of Queensland   | 28-May-08 | QLD         | Spender J           | Native title exists in the entire determination area   | Consent determination | Claimant | Ngadjon-Jii People v State of Queensland [2007] FCA 1937   |
| 2. | <b>Ngaanyatjarra Lands (Part B)</b>                  | WAD6004/2004 | Stanley Mervyn, Adrian Young, and Livingston West and Ors, on behalf of the Peoples of the Ngaanyatjarra Lands v The State of Western Australia and Ors (unreported, FCA, 3 June 2008, French J) | 03-Jun-08 | WA          | French J            | Native title exists in the entire determination area   | Consent determination | Claimant | Stanley Mervyn, Adrian Young, and Livingston West and Ors, on behalf of the Peoples of the Ngaanyatjarra Lands v The State of Western Australia and Ors (unreported, FCA, 3 June 2008, French J) |
| 3. | <b>Birriliburu People (Part A)</b>                   | WAD6284/98   | Billy Patch & Others on behalf of the Birriliburu People v State of Western Australia and Others   | 20-Jun-08 | WA          | French J            | Native title exists in the entire determination area   | Consent determination | Claimant | Billy Patch & Others on behalf of the Birriliburu People v State of Western Australia and Others [2008] FCA 944  |
| 4. | <b>Eringa Part A Proceeding</b>                      | SAD6010/1998 | Eringa, Eringa No 2, Wangkangurru/Yarluyandi and Irrwanyere Mt Dare Native Title Claim Groups v The State of South Australia   | 11-Sep-08 | SA          | Chief Justice Keane | Native title exists in parts of the determination area | Consent determination | Claimant | Eringa, Eringa No 2, Wangkangurru/Yarluyandi and Irrwanyere Mt Dare Native Title Claim Groups v The State of South Australia [2008] FCA 1370   |
| 5. | <b>Irrwanyere Mt Dare Native Title Determination</b> | SAD66/2005   | Eringa, Eringa No 2, Wangkangurru/Yarluyandi and Irrwanyere Mt Dare Native Title Claim Groups v The State of South Australia   | 11-Sep-08 | SA          | Chief Justice Keane | Native title exists in parts of the determination area | Consent determination | Claimant | Eringa, Eringa No 2, Wangkangurru/Yarluyandi and Irrwanyere Mt Dare Native Title Claim Groups v The State of South Australia [2008] FCA 1370   |

## Annexure A: Consent Determinations, Litigated Determinations and Unopposed Determinations 2006 – 2013

|    | Short name   | File #       | Matter name further info   | Date      | State/Terr. | Judge               | Outcome  | Process               | Type     | Case name  |
|----|--|--------------|--|-----------|-------------|---------------------|--|-----------------------|----------|--|
| 6. | <b>Wangkangurru/Yarluyandi Parrr A Proceeding</b>          | SAD6016/1998 | Eringa, Eringa No 2, Wangkangurru/Yarluyandi and Irrwanyere Mt Dare Native Title Claim Groups v The State of South Australia | 11-Sep-08 | SA          | Chief Justice Keane | Native title exists in parts of the determination area | Consent determination | Claimant | Eringa, Eringa No 2, Wangkangurru/Yarluyandi and Irrwanyere Mt Dare Native Title Claim Groups v The State of South Australia [2008] FCA 1370 |
| 7. | <b>Thalanyji</b>   | WAD6113/1998 | Leslie Hayes & Ors on behalf of the Thalanyji People v The State of Western Australia and Others                             | 18-Sep-08 | WA          | North J             | Native title exists in parts of the determination area | Consent determination | Claimant | Leslie Hayes & Ors on behalf of the Thalanyji People v The State of Western Australia and Others [2008] FCA 1487                             |
| 8. | <b>Lardil, Yangkaal, Gangalidda &amp; Kaiadilt Peoples</b> | QUD7/2006    | Lardil, Yangkaal, Gangalidda & Kaiadilt Peoples v State of Queensland  | 09-Dec-08 | QLD         | Spender J           | Native title exists in the entire determination area   | Consent determination | Claimant | Lardil, Yangkaal, Gangalidda & Kaiadilt Peoples v State of Queensland [2008] FCA 1855  |

### Litigated Determinations

|    | Short name                                  | File #       | Matter name further info  | Date      | State/Terr. | Judge     | Outcome                     | Process                 | Type         | Case name   |
|----|---|--------------|---|-----------|-------------|-----------|-----------------------------|-------------------------|--------------|---|
| 1. | <b>Worimi Local Aboriginal Land Council</b> | NSD1989/2004 | Worimi Local Aboriginal Land Council v Minister for Lands for the State of New South Wales (No 2) | 18-Dec-08 | NSW         | Bennett J | Native title does not exist | Litigated determination | Non-claimant | Worimi Local Aboriginal Land Council v Minister for Lands for the State of New South Wales (No 2) [2008] FCA 1929 |

### Unopposed Determinations

|    | Short name                                | File #       | Matter name further info                                       | Date      | State/Terr. | Judge      | Outcome                     | Process                 | Type         | Case name   |
|----|---|--------------|--|-----------|-------------|------------|-----------------------------|-------------------------|--------------|---|
| 1. | <b>Eden Local Aboriginal Land Council</b> | NSD1246/2007 | <b>Eden Local Aboriginal Land Council</b> v Minister for Lands | 17-Dec-08 | NSW         | Jacobson J | Native title does not exist | Unopposed determination | Non-claimant | Eden Local Aboriginal Land Council v Minister for Lands [2008] FCA 1934 |

## 4. 2009

### Consent Determinations

|    | Short name  | File #       | Matter name further info   | Date      | State/Terr. | Judge       | Outcome  | Process               | Type     | Case name  |
|----|---|--------------|--|-----------|-------------|-------------|--|-----------------------|----------|--|
| 1. | <b>Adnyamathanha People No. 1 (Angepena Pastoral Lease)</b> | SAD6001/1998 | Mark McKenzie & ors on behalf of the <b>Adnyamathanha People</b> | 30-Mar-09 | SA          | Mansfield J | Native title exists in parts of the determination area | Consent determination | Claimant | Adnyamathanha No. 1 Native Title Claim Group v The State of South Australia (No. 2) [2009] FCA 359 |
| 2. | <b>Adnyamathanha People No. 1 (Stage 1)</b>                 | SAD6001/1998 | <b>Adnyamathanha</b> Peoples Proceeding                          | 30-Mar-09 | SA          | Mansfield J | Native title exists in parts of the determination area | Consent determination | Claimant | Adnyamathanha No. 1 Native Title Claim Group v The State of South Australia [2009] FCA 358         |

**Annexure A: Consent Determinations, Litigated Determinations and Unopposed Determinations 2006 – 2013**

|     | Short name                         | File #       | Matter name further info  | Date      | State/Terr. | Judge       | Outcome  | Process               | Type     | Case name  |
|-----|------------------------------------|--------------|---|-----------|-------------|-------------|--|-----------------------|----------|--|
|     |                                    |              |   |           |             |             | area   |                       |          |  |
| 3.  | <b>Adnyamathanha People No. 2</b>  | SAD6002/1998 | <b>Adnyamathanha</b> No. 1 Native Title Claim Group   | 30-Mar-09 | SA          | Mansfield J | Native title exists in parts of the determination area | Consent determination | Claimant | Adnyamathanha No. 1 Native Title Claim Group v The State of South Australia (No.2) [2009] FCA 359                                      |
| 4.  | <b>Nyangumarta People (Part A)</b> | WAD6281/1998 | Darcy Hunter & Ors v State of Western Australia ( <b>Nyangumarta</b> )                      | 11-Jun-09 | WA          | North J     | Native title exists in parts of the determination area | Consent determination | Claimant | Hunter v State of Western Australia [2009] FCA 654   |
| 5.  | <b>Kuuku Ya'u</b>                  | QUD6016/1998 | Deborah Hobson on behalf of the <b>Kuuku Ya'u People</b>                                    | 25-Jun-09 | QLD         | Greenwood J | Native title exists in the entire determination area   | Consent determination | Claimant | Kuuku Ya'u People v State of Queensland [2009] FCA 679   |
| 6.  | <b>Town of Elliott</b>             | NTD6046/2001 | Heather Wilson & Ors on behalf of the <b>Elliott (Gurungu/Kulumintini) Group</b> And Others | 31-Jul-09 | NT          | Reeves J    | Native title exists in parts of the determination area | Consent determination | Claimant | Wilson v Northern Territory of Australia [2009] FCA 800  |
| 7.  | <b>Pine Hill Station</b>           | NTD6004/1999 | Lindsay Bird Ampetyane & Ors on behalf of the <b>Ilkewartn And Ywel Anmatyerr People</b>    | 7-Aug-09  | NT          | Reeves J    | Native title exists in parts of the determination area | Consent determination | Claimant | Lindsay Bird Ampetyane & Ors On Behalf Of The Ilkewartn And Ywel Anmatyerr People V Northern Territory Of Australia And Nt Gas Pty Ltd |
| 8.  | <b>Wik and Wik Way People</b>      | QUD6029/2001 | <b>Wik and Wik Way Peoples</b>  | 5-Oct-09  | QLD         | Greenwood J | Native title exists in the entire determination area   | Consent determination | Claimant | Wik and Wik Way Native Title Claim Group v State of Queensland [2009] FCA 789  |
| 9.  | <b>Kowanyama People</b>            | QUD6119/1998 | Glenette Greenwool & Ors on behalf of the <b>Kowanyama People</b>                           | 22-Oct-09 | QLD         | Greenwood J | Native title exists in the entire determination area   | Consent determination | Claimant | Kowanyama People v State of Queensland [2009] FCA 1192   |
| 10. | <b>Thudgari People</b>             | WAD6212/1998 | Charlie Laphorne on behalf of the <b>Thudgari People</b>                                    | 18-Nov-09 | WA          | Barker J    | Native title exists in parts of the determination area | Consent determination | Claimant | Thudgari People v State of Western Australia (includes corrigendum dated 23 November) [2009] FCA 1334 (18 November 2009)               |
| 11. | <b>Girramay People</b>             | QUD6240/1998 | Abraham Muriata on behalf of the <b>Girramay People</b>                                     | 10-Dec-09 | QLD         | Dowsett J   | Native title exists in the entire determination area   | Consent determination | Claimant | Unreported, FCA, 10 December 2009  |

## Annexure A: Consent Determinations, Litigated Determinations and Unopposed Determinations 2006 – 2013

|     | Short name   | File #       | Matter name further info   | Date      | State/Terr. | Judge     | Outcome  | Process               | Type     | Case name  |
|-----|--|--------------|--|-----------|-------------|-----------|--|-----------------------|----------|--|
| 12. | <b>Combined Dulabed and Malanbarra Yidinji Claim</b> | QUD6012/2001 | Lorraine Muckan & Len Royee on behalf of the <b>Combined Dulabed Malanbarra Yidinji People</b> | 17-Dec-09 | QLD         | Spender J | Native title exists in the entire determination area | Consent determination | Claimant | Combined Dulabed Malanbarra Yidinji People v State of Queensland [2009] FCA 1498 |

### Unopposed Determinations

|    | Short name  | File #       | Matter name further info                            | Date      | State/Terr. | Judge   | Outcome                     | Process                 | Type         | Case name   |
|----|---|--------------|---|-----------|-------------|---------|-----------------------------|-------------------------|--------------|---|
| 1. | <b>Nambucca Heads Local Aboriginal Land Council</b> | NSD1241/2008 | <b>Nambucca Heads Local Aboriginal Land Council</b> | 10-Jun-09 | NSW         | Peram J | Native title does not exist | Unopposed determination | Non-claimant | Nambucca Heads Local Aboriginal Land Council v Minister for Lands [2009] FCA 624        |
| 2. | <b>Gandangarra Local Aboriginal Land Council</b>    | NSD1839/2008 | <b>Gandangarra Local Aboriginal Land Council</b>    | 30-Sep-09 | NSW         | Jagot J | Native title does not exist | Unopposed determination | Non-claimant | Gandangarra Local Aboriginal Land Council (unreported, FCA, 30 September 2009, Jagot J) |

## 5. 2010

### Consent Determinations

|    | Short name                             | File #       | Matter name further info   | Date      | State/Terr. | Judge     | Outcome  | Process               | Type     | Case name  |
|----|--|--------------|--|-----------|-------------|-----------|--|-----------------------|----------|--|
| 1. | <b>Gangalidda &amp; Garawa Peoples</b> | QUD84/2004   | Murray Walden Jnr & Ors on behalf of the Gangalidda & Garawa People                          | 23-Jun-10 | QLD         | Spender J | Native title exists in parts of the determination area | Consent determination | Claimant | Gangalidda and Garawa People v State of Queensland [2010] FCA 646  |
| 2. | <b>Gangalidda &amp; Garawa Peoples</b> | QUD66/2005   | Murray Walden Jnr & Ors on behalf of the Gangalidda & Garawa People                          | 23-Jun-10 | QLD         | Spender J | Native title exists in parts of the determination area | Consent determination | Claimant | Gangalidda and Garawa People v State of Queensland [2010] FCA 646  |
| 3. | <b>Singleton</b>                       | NTD6011/2000 | Rex on behalf of the Akwerlpe-Waake, Iliyarne, Lyentyawel Ilepparranem and Arrawatyen People | 7-Sep-10  | NT          | Collier J | Native title exists in parts of the determination area | Consent determination | Claimant | Rex on behalf of the Akwerlpe-Waake, Iliyarne, Lyentyawel Ilepparranem and Arrawatyen People v Northern Territory of Australia [2010] FCA 911 (7 September 2010) |
| 4. | <b>Jirrbal People #1</b>               | QUD6001/2003 | Gerald McKenzie & Anor on behalf of the Jirrbal People #1                                    | 8-Oct-10  | QLD         | Dowsett J | Native title exists in the entire determination area   | Consent determination | Claimant | (unreported, FCA, 8 October 2010, Dowsett J)   |

**Annexure A: Consent Determinations, Litigated Determinations and Unopposed Determinations 2006 – 2013**

|     | Short name                       | File #       | Matter name further info   | Date      | State/Terr. | Judge     | Outcome  | Process               | Type     | Case name   |
|-----|----------------------------------|--------------|--|-----------|-------------|-----------|--|-----------------------|----------|---|
| 5.  | <b>Jirrbal People #2</b>         | QUD41/2004   | Gerald McKenzie & Anor on behalf of the Jirrbal People #2                        | 8-Oct-10  | QLD         | Dowsett J | Native title exists in the entire determination area   | Consent determination | Claimant | (unreported, FCA, 8 October 2010, Dowsett J)  |
| 6.  | <b>Jirrbal People #3</b>         | QUD42/2004   | Gerald McKenzie & Anor on behalf of the Jirrbal People #3                        | 8-Oct-10  | QLD         | Dowsett J | Native title exists in the entire determination area   | Consent determination | Claimant | (unreported, FCA, 8 October 2010, Dowsett J)  |
| 7.  | <b>Gunai/Kurnai People</b>       | VID6007/1998 | Mullett on behalf of the Gunai/Kurnai People                                     | 22-Oct-10 | VIC         | North J   | Native title exists in parts of the determination area | Consent determination | Claimant | Mullett on behalf of the Gunai/Kurnai People v State of Victoria [2010] FCA 1144 (22 October 2010)  |
| 8.  | <b>Gunai/Kurnai People</b>       | VID482/2009  | Mullett on behalf of the Gunai/Kurnai People                                     | 22-Oct-10 | VIC         | North J   | Native title exists in parts of the determination area | Consent determination | Claimant | Mullett on behalf of the Gunai/Kurnai People v State of Victoria [2010] FCA 1144 (22 October 2010)  |
| 9.  | <b>Newhaven, NT Portion 2406</b> | NTD6028/2000 | Harry Jakamarra Nelson & Ors on behalf of the Ngaliya (Southern Warlpiri) People | 8-Dec-10  | NT          | Reeves J  | Native title exists in parts of the determination area | Consent determination | Claimant | Harry Jakamarra Nelson & Ors on behalf of the Ngaliya (Southern Warlpiri) People v Northern Territory of Australia (unreported, FCA, 8 December 2010, Reeves J) |
| 10. | <b>Waanyi Peoples</b>            | QUD6022/1999 | Walden & Ors on behalf of the Waanyi Peoples                                     | 9-Dec-10  | QLD         | Dowsett J | Native title exists in the entire determination area   | Consent determination | Claimant | Aplin on behalf of the Waanyi Peoples v State of Queensland (No 3) [2010] FCA 1515  |

**Litigated Determinations**

|    | Short name  | File #       | Matter name further info   | Date      | State/Terr. | Judge     | Outcome  | Process                 | Type     | Case name   |
|----|---|--------------|--|-----------|-------------|-----------|--|-------------------------|----------|---|
| 1. | <b>Torres Strait Islanders Regional Seas Claim</b>        | QUD6040/2001 | Akiba on behalf of the <b>Torres Strait Islanders of the Regional Seas Claim Group</b> | 30-Jul-10 | QLD         | Finn J    | Native title exists in parts of the determination area | Litigated determination | Claimant | Akiba on behalf of the Torres Strait Islanders of the Regional Seas Claim Group v State of Queensland (No 2) [2010] FCA 643 |
| 2. | <b>Ngarla People (Mount Goldsworthy Lease Proceeding)</b> | WAD6185/1998 | Alexander Brown & Ors on behalf of the <b>Ngarla People</b>                            | 6-Aug-10  | WA          | Bennett J | Native title exists in parts of the determination area | Litigated determination | Claimant | Brown (on behalf of the Ngarla People) v State of Western Australia (No 3) [2010] FCA 859                                   |

## Annexure A: Consent Determinations, Litigated Determinations and Unopposed Determinations 2006 – 2013

### Unopposed Determinations

|    | Short name                                   | File #       | Matter name further info                                       | Date      | State/Terr. | Judge      | Outcome                     | Process                 | Type         | Case name                                 |
|----|--|--------------|--|-----------|-------------|------------|-----------------------------|-------------------------|--------------|---|
| 1. | <b>Eden Local Aboriginal Land Council #2</b> | NSD1199/2009 | <b>Eden Local Aboriginal Land Council v Minister for Lands</b> | 15-Jul-10 | NSW         | Jacobson J | Native title does not exist | Unopposed determination | Non-claimant | Unreported, FCA, 15 July 2010, Jacobson J |
| 2. | <b>Eden Local Aboriginal Land Council #3</b> | NSD1200/2009 | <b>Eden Local Aboriginal Land Council v Minister for Lands</b> | 15-Jul-10 | NSW         | Jacobson J | Native title does not exist | Unopposed determination | Non-claimant | Unreported, FCA, 15 July 2010, Jacobson J |

## 6. 2011

### Consent Determinations

|    | Short name                              | File #       | Matter name further info   | Date      | State/Terr. | Judge       | Outcome  | Process               | Type     | Case name   |
|----|---|--------------|--|-----------|-------------|-------------|--|-----------------------|----------|---|
| 1. | <b>Ooratippra</b>                       | NTD6043/2001 | Johnny Barber Kngwarrey & Anor obo the Alyawarr People (Ooratippra)  | 5-May-11  | NT          | Mansfield J | Native title exists in parts of the determination area | Consent determination | Claimant | Kngwarrey on behalf of the members of the Irrkwal, Irrmarn, Ntewerrek, Aharreng, Arrty/Amatyerr and Areyn Landholding Groups v Northern Territory of Australia [2011] FCA 428 |
| 2. | <b>Antakirinja Matu-Yankunytjatjara</b> | SAD6007/1998 | Lennon on behalf of the Antakirinja Matu-Yankunytjatjara Native Title Claim Group v The State of South Australia                                       | 11-May-11 | SA          | Mansfield J | Native title exists in parts of the determination area | Consent determination | Claimant | Lennon on behalf of the Antakirinja Matu-Yankunytjatjara Native Title Claim Group v The State of South Australia [2011] FCA 474   |
| 3. | <b>Wanjina-Wunggurr (Uunguu)</b>        | WAD6033/1999 | Wilfred Goornack & Ors v The State of Western Australia & Ors (Part A)   | 23-May-11 | WA          | Gilmour J   | Native title exists in parts of the determination area | Consent determination | Claimant | Goonack v State of Western Australia [2011] FCA 516   |
| 4. | <b>Wanjina-Wunggurr (Dambimangari)</b>  | WAD6061/1998 | Victor Barunga & Ors v The State of Western Australia & Ors  | 26-May-11 | WA          | Gilmour J   | Native title exists in parts of the determination area | Consent determination | Claimant | Barunga v State of Western Australia [2011] FCA 518   |
| 5. | <b>Auvergne Pastoral Lease</b>          | NTD5/2010    | The Gajerrong-Ngalinjar group; the Ngarinyman-Wulayi group; the Ngarinyman-Nyiwawam group (Auvergne Pastoral Lease)                                    | 31-May-11 | NT          | Mansfield J | Native title exists in parts of the determination area | Consent determination | Claimant | Long v Northern Territory of Australia [2011] FCA 571   |
| 6. | <b>Rosewood Pastoral Lease</b>          | NTD6/2010    | The Miriuwung – Larru group; the Miriuwung – Mambitji group; the Miriuwung – Gudim group; the Malngin – Yunur-Jurrakal group (Rosewood Pastoral Lease) | 31-May-11 | NT          | Mansfield J | Native title exists in parts of the determination area | Consent determination | Claimant | Rosewood v Northern Territory of Australia [2011] FCA 572   |

**Annexure A: Consent Determinations, Litigated Determinations and Unopposed Determinations 2006 – 2013**

|            |   |            |   |           |    |             |  |                       |          |   |
|------------|---|------------|---|-----------|----|-------------|--|-----------------------|----------|---|
| <b>7.</b>  | <b>Newry Pastoral Lease</b>             | NTD7/2010  | The Miriuwung-Damberal group; the Miriuwung-Nyawam Nyawam group; the Miriuwung-Gudim group; the Ngarinyman-Nyiwanawam group (Newry Pastoral Lease)  | 31-May-11 | NT | Mansfield J | Native title exists in parts of the determination area | Consent determination | Claimant | Button Jones v Northern Territory of Australia [2011] FCA 573 |
| <b>8.</b>  | <b>Bullo River Pastoral Lease</b>       | NTD8/2010  | The Gajerrong-Pulthuru group; the Gajerrong-Ngalinjar group; the Gajerrong-Gurrbijim group; the Gajerrong-Djarradjarrany group (Bullo River Pastoral Lease)   | 31-May-11 | NT | Mansfield J | Native title exists in parts of the determination area | Consent determination | Claimant | Paddy v Northern Territory of Australia [2010] FCA 574        |
| <b>9.</b>  | <b>Legune Pastoral Lease</b>            | NTD9/2010  | The Gajerrong-Wadanybang group; the Gajerrong-Gurrbijim group; the Gajerrong-Djarradjarrany group (Legune Pastoral Lease)   | 31-May-11 | NT | Mansfield J | Native title exists in parts of the determination area | Consent determination | Claimant | Simon v Northern Territory of Australia [2011] FCA 575        |
| <b>10.</b> | <b>Spirit Hills Pastoral Lease No.2</b> | NTD38/2010 | The Miriuwung-Nyawam Nyawam group; the Miriuwung-Bindjen group; the Gajerrong-Gurrbijim group; the Gajerrong-Djarradjarrany group; the Gajerrong-Djandumi group; the Gajerrong-Wadanybang group (Spirit Hills Pastoral Lease No.2)      | 31-May-11 | NT | Mansfield J | Native title exists in parts of the determination area | Consent determination | Claimant | Carlton v Northern Territory of Australia [2011] FCA 576      |
| <b>11.</b> | <b>Camfield Pastoral Lease</b>          | NTD10/2010 | The Ngapurrpinkakujarra group; the Narrwan group; the Walanypirri group; the Yingawunarri group; the Pururruka group; the Yilyiyimarri group; the Japuwuny-Wijina group; the Bilnara group; the Wampana group (Camfield Pastoral Lease) | 2-Jun-11  | NT | Mansfield J | Native title exists in parts of the determination area | Consent determination | Claimant | Campbell v Northern Territory of Australia [2011] FCA 580     |
| <b>12.</b> | <b>Dungowan Pastoral Lease</b>          | NTD12/2010 | The Ngapurrpinkakujarra group; the Narrwan group; the Walanypirri group; the Yingawunarri group; the Narlwan group (Dungowan Pastoral Lease)  | 2-Jun-11  | NT | Mansfield J | Native title exists in parts of the determination area | Consent determination | Claimant | Wavehill v Northern Territory of Australia [2011] FCA 581     |
| <b>13.</b> | <b>Montejinni East Pastoral Lease</b>   | NTD13/2010 | The Ngapurr group; the Yingawunarri group; the Pururruka group (Montejinni East Pastoral Lease)   | 2-Jun-11  | NT | Mansfield J | Native title exists in parts of the determination area | Consent determination | Claimant | King v Northern Territory of Australia [2011] FCA 582         |

**Annexure A: Consent Determinations, Litigated Determinations and Unopposed Determinations 2006 – 2013**

|            |                                       |              |   |           |     |             |  |                       |          |  |
|------------|---------------------------------------|--------------|---|-----------|-----|-------------|--|-----------------------|----------|--|
| <b>14.</b> | <b>Montejinni West Pastoral Lease</b> | NTD14/2010   | The Nirrina group; the Yingawunarri group; the Pururruka group; the Yilyimarri group; the Billinara group (Montejinni West Pastoral Lease)                                      | 2-Jun-11  | NT  | Mansfield J | Native title exists in parts of the determination area | Consent determination | Claimant | Young v Northern Territory of Australia [2011] FCA 583   |
| <b>15.</b> | <b>Birrimba Pastoral Lease</b>        | NTD15/2010   | The Ngapurpinkakujarra group; the Yingawunarri group; the Narlwan group; the Luwaja group; the Tururrutpa group; the Beregumayin-Ngarrajananggu group (Birrimba Pastoral Lease) | 2-Jun-11  | NT  | Mansfield J | Native title exists in parts of the determination area | Consent determination | Claimant | Wavehill v Northern Territory of Australia [2011] FCA 584  |
| <b>16.</b> | <b>Killarney Pastoral Lease</b>       | NTD16/2010   | The Ngapurpinkakujarra group; the Yingawunarri group; the Liwi group; the Luwaja group; the Nirrina group; the Beregumayin-Ngarrajananggu group (Killarney Pastoral Lease)      | 2-Jun-11  | NT  | Mansfield J | Native title exists in parts of the determination area | Consent determination | Claimant | Young v Northern Territory of Australia [2011] FCA 585   |
| <b>17.</b> | <b>Quandamooka People #1</b>          | QUD6010/1998 | Ian Delaney on behalf of the Quandamooka People #1  | 4-Jul-11  | QLD | Dowsett J   | Native title exists in parts of the determination area | Consent determination | Claimant | Delaney on behalf of the Quandamooka People v State of Queensland [2011] FCA 741   |
| <b>18.</b> | <b>Quandamooka People #2</b>          | QUD6024/1999 | Ian Delaney on behalf of the Quandamooka People #2  | 4-Jul-11  | QLD | Dowsett J   | Native title exists in parts of the determination area | Consent determination | Claimant | Delaney on behalf of the Quandamooka People v State of Queensland [2011] FCA 741   |
| <b>19.</b> | <b>Juru People (Cape Upstart)</b>     | QUD6249/1998 | Renarta Prior & Ors (Juru People (Cape Upstart))  | 4-Jul-11  | QLD | Rares J     | Native title exists in the entire determination area   | Consent determination | Claimant | Prior on behalf of the Juru (Cape Upstart) People v State of Queensland (No 2) [2011] FCA 819  |
| <b>20.</b> | <b>Neutral Junction</b>               | NTD13/2008   | Kngwarraye on behalf of the members of the Arnerre, Wake-Akwerlpe, Errene and Ileyarne Landholding Groups (Neutral Junction)  | 13-Jul-11 | NT  | Reeves J    | Native title exists in parts of the determination area | Consent determination | Claimant | Kngwarraye on behalf of the members of the Arnerre, Wake-Akwerlpe, Errene and Ileyarne Landholding Groups v Northern Territory of Australia [2011] FCA 765 |
| <b>21.</b> | <b>Kurundi</b>                        | NTD6017/2001 | Jungarrayi on behalf of the Mirtartu, Warupunju, Arrawajin and Tijampara Landholding Groups (Kurundi)   | 14-Jul-11 | NT  | Reeves J    | Native title exists in parts of the determination area | Consent determination | Claimant | Jungarrayi on behalf of the Mirtartu, Warupunju, Arrawajin and Tijampara Landholding Groups v Northern Territory of Australia [2011] FCA 766               |



**Annexure A: Consent Determinations, Litigated Determinations and Unopposed Determinations 2006 – 2013**

|     |  |              |  |           |     |                     |  |                       |          |   |
|-----|--|--------------|--|-----------|-----|---------------------|--|-----------------------|----------|---|
| 22. | <b>Gunditjmara &amp; Eastern Maar</b>                      | VID6004/1998 | Lovett & Ors on behalf of the Gunditjmara and Eastern Maar peoples | 27-Jul-11 | VIC | North J             | Native title exists in parts of the determination area | Consent determination | Claimant | Lovett & Ors on behalf of the Gunditjmara and Eastern Maar peoples v State of Victoria & Ors (unreported, FCA, 27 July 2011, North J)         |
| 23. | <b>Gunditjmara &amp; Eastern Maar</b>                      | VID655/2006  | Lovett & Ors on behalf of the Gunditjmara and Eastern Maar peoples | 27-Jul-11 | VIC | North J             | Native title exists in parts of the determination area | Consent determination | Claimant | Lovett & Ors on behalf of the Gunditjmara and Eastern Maar peoples v State of Victoria & Ors (unreported, FCA, 27 July 2011, North J)         |
| 24. | <b>Wanyurr Majay People</b>                                | QUD296/2008  | Annie Wonga & Ors on behalf of the Wanyurr Majay People            | 31-Aug-11 | QLD | Dowsett J           | Native title exists in the entire determination area   | Consent determination | Claimant | Wonga on behalf of the Wanyurr Majay People v State of Queensland [2011] FCA 1055   |
| 25. | <b>Djiru People #2</b>                                     | QUD6003/2003 | Dawn Hart & Ors on behalf of the Djiru People #2                   | 1-Sep-11  | QLD | Dowsett J           | Native title exists in the entire determination area   | Consent determination | Claimant | Hart on behalf of the Djiru People #2 v State of Queensland [2011] FCA 1056   |
| 26. | <b>Djiru People #3</b>                                     | QUD6006/2003 | Dawn Hart & Ors on behalf of the Djiru People #3                   | 1-Sep-11  | QLD | Dowsett J           | Native title exists in the entire determination area   | Consent determination | Claimant | Hart on behalf of the Djiru People #2 v State of Queensland [2011] FCA 1056   |
| 27. | <b>First Peoples of the River Murray and Mallee Region</b> | SAD6026/1998 | First Peoples of the River Murray and Mallee Region                | 18-Nov-11 | SA  | Mansfield J         | Native title exists in parts of the determination area | Consent determination | Claimant | Turner v State of South Australia [2011] FCA 1312   |
| 28. | <b>Kalkadoon People #4</b>                                 | QUD579/2005  | Kalkadoon People #4  | 12-Dec-11 | QLD | Dowsett J           | Native title exists in parts of the determination area | Consent determination | Claimant | Doyle on behalf of the Kalkadoon People #4 v State of Queensland (No 3) [2011] FCA 1466   |
| 29. | <b>Eringa Native Title Claim</b>                           | SAD6010/1998 | Eringa No 1 Native Title Claim                                     | 13-Dec-11 | SA  | Chief Justice Keane | Native title exists in parts of the determination area | Consent determination | Claimant | King on behalf of the Eringa Native Title Claim Group v State of South Australia [2011] FCA 1386  |
| 30. | <b>Eringa #2 Native Title Claim</b>                        | SAD6002/1999 | Eringa No 2 Native Title Claim                                     | 13-Dec-11 | SA  | Chief Justice Keane | Native title exists in parts of the determination area | Consent determination | Claimant | King on behalf of the Eringa Native Title Claim Group and the Eringa No 2 Native Title Claim Group v State of South Australia [2011] FCA 1387 |
| 31. | <b>Eringa #3 Native Title Claim</b>                        | SAD189/2010  | Eringa No 3 Native Title Claim                                     | 13-Dec-11 | SA  | Chief Justice Keane | Native title exists in parts of the determination area | Consent determination | Claimant | King on behalf of the Eringa Native Title Claim Group v State of South Australia [2011] FCA 1386  |

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|     |   |               |   |           |     |             |  |                       |          |  |
|-----|---|---------------|---|-----------|-----|-------------|--|-----------------------|----------|--|
| 32. | <b>Muluridji People</b>                     | QUD6208/1998  | Keith Mathieson Snr & Ors on behalf of the Muluridji People                       | 14-Dec-11 | QLD | Logan J     | Native title exists in the entire determination area   | Consent determination | Claimant | Baker on behalf of the Muluridji People v State of Queensland [2011] FCA 1432 (14 December 2011)             |
| 33. | <b>Muluridji People #2</b>                  | QUD6035/1998  | Clem Riley & Anor behalf of the Muluridji People # 2                              | 14-Dec-11 | QLD | Logan J     | Native title exists in the entire determination area   | Consent determination | Claimant | Baker on behalf of the Muluridji People v State of Queensland [2011] FCA 1432 (14 December 2011)             |
| 34. | <b>Combined Gunggandji Claim (Yarrabah)</b> | QUD6013/2001/ | Leslie Vivian Murgha & Anor on behalf of the Combined Gunggandji Claim (Yarrabah) | 19-Dec-11 | QLD | Dowsett J   | Native title exists in the entire determination area   | Consent determination | Claimant | Murgha on behalf of the Combined Gunggandji Claim v State of Queensland [2011] FCA 1511                      |
| 35. | <b>Gawler Ranges</b>                        | SAD6020/1998  | Gawler Ranges Native Title Claim  | 19-Dec-11 | SA  | Mansfield J | Native title exists in parts of the determination area | Consent determination | Claimant | McNamara on behalf of the Gawler Ranges People v State of South Australia [2011] FCA 1471 (19 December 2011) |

### Unopposed Determinations

|    | Short name                                      | File #      | Matter name further info  | Date      | State/Terr. | Judge     | Outcome                     | Process                 | Type         | Case name   |
|----|---|-------------|---|-----------|-------------|-----------|-----------------------------|-------------------------|--------------|---|
| 1. | <b>Blackwater Accommodation Village Pty Ltd</b> | QUD250/2010 | <b>Blackwater Accommodation Village Pty Ltd v State of Queensland</b>                     | 12-Apr-11 | QLD         | Collier J | Native title does not exist | Unopposed determination | Non-claimant | Blackwater Accommodation Village Pty Ltd v State of Queensland [2011] FCA 355                     |
| 2. | <b>Gandangara Local Aboriginal Land Council</b> | NSD19/2010  | <b>Gandangara Local Aboriginal Land Council v Minister for Lands for the State of NSW</b> | 15-Apr-11 | NSW         | Perram J  | Native title does not exist | Unopposed determination | Non-claimant | Gandangara Local Aboriginal Land Council v Minister for Lands for the State of NSW [2011] FCA 383 |

## 7. 2012

### Consent Determinations

|    | Short name               | File #       | Matter name further info   | Date      | State/Terr. | Judge  | Outcome  | Process               | Type     | Case name   |
|----|--------------------------|--------------|--|-----------|-------------|--------|--|-----------------------|----------|---|
| 1. | <b>Mataranka</b>         | NTD6001/2001 | Roberts on behalf of the Najig and the Guyanggan Nganawirdbird Groups v Northern Territory of Australia (No 3) | 20-Mar-12 | NT          | Finn J | Native title does not exist                            | Consent determination | Claimant | Roberts on behalf of the Najig and the Guyanggan Nganawirdbird Groups v Northern Territory of Australia (No 3) [2012] FCA 255 |
| 2. | <b>Town of Mataranka</b> | NTD6026/2002 | Roberts on behalf of the Najig and the Guyanggan Nganawirdbird Groups v Northern Territory of Australia        | 21-Mar-12 | NT          | Finn J | Native title exists in parts of the determination area | Consent determination | Claimant | Roberts on behalf of the Najig and the Guyanggan Nganawirdbird Groups v Northern Territory of Australia [2012] FCA 223        |

**Annexure A: Consent Determinations, Litigated Determinations and Unopposed Determinations 2006 – 2013**

|     |   |              |   |           |     |             |  |                       |          |  |
|-----|---|--------------|---|-----------|-----|-------------|--|-----------------------|----------|--|
| 3.  | <b>Dieri</b>  | SAD6017/1998 | Lander (Dieri People) v State of South Australia  | 1-May-12  | SA  | Mansfield J | Native title exists in parts of the determination area | Consent determination | Claimant | Lander v State of South Australia [2012] FCA 427   |
| 4.  | <b>The Arabana People's Native Title Claim</b>                                | SAD6025/1998 | Dodd (Arabana People) v State of South Australia  | 22-May-12 | SA  | Finn J      | Native title exists in parts of the determination area | Consent determination | Claimant | Dodd v State of South Australia [2012] FCA 519   |
| 5.  | <b>Yawinya</b>  | WAD280/2008  | Yawinya   | 25-May-12 | WA  | North J     | Native title exists in parts of the determination area | Consent determination | Claimant | Hunter v State of Western Australia [2012] FCA 690   |
| 6.  | <b>Nyangumarta People (Part B)</b>  | WAD6281/1998 | Nyangumarta-Karajarri Overlap Proceeding (Yawinya)  | 25-May-12 | WA  | North J     | Native title exists in parts of the determination area | Consent determination | Claimant | Hunter v State of Western Australia [2012] FCA 690   |
| 7.  | <b>Gunggari People #2</b>   | QUD6027/2001 | Kathleen Kearns & Ors on behalf of the Gunggari People #2 and State of Queensland & Others        | 22-Jun-12 | QLD | Reeves J    | Native title exists in the entire determination area   | Consent determination | Claimant | Kearns on behalf of the Gunggari People #2 v State of Queensland [2012] FCA 651 (22 June 2012) |
| 8.  | <b>Amungee Mungee Pastoral Lease (Lead case in Beetaloo Hayfield matters)</b> | NTD17/2010   | Terry Jackson (on behalf of the Karranjini Group and the Bamarrnganja Group)                      | 27-Jun-12 | NT  | Lander J    | Native title exists in parts of the determination area | Consent determination | Claimant | Jackson v Northern Territory of Australia [2012] FCA 664                                       |
| 9.  | <b>Maryfield Pastoral Lease (Linked case in Beetaloo Hayfield matters)</b>    | NTD18/2010   | Barney Ellaga (on behalf of the Murrunggun Kunakingka Group and the Guyal Bardi Bardi Group)      | 27-Jun-12 | NT  | Lander J    | Native title exists in parts of the determination area | Consent determination | Claimant | Ellaga v Northern Territory of Australia [2012] FCA 665  |
| 10. | <b>Forrest Hill Pastoral Lease (Linked case in Beetaloo Hayfield matters)</b> | NTD19/2010   | Jimmy Wavehill (on behalf of the Longreach Birdum Group)  | 27-Jun-12 | NT  | Lander J    | Native title exists in parts of the determination area | Consent determination | Claimant | Wavehill v Northern Territory of Australia [2012] FCA 666                                      |
| 11. | <b>Mungabroom Pastoral Lease (Linked case in Beetaloo Hayfield matters)</b>   | NTD20/2010   | Pompey Raymond (on behalf of the Warranangku Group, the Karranjini Group and Lija/Muwartpi Group) | 27-Jun-12 | NT  | Lander J    | Native title exists in parts of the determination area | Consent determination | Claimant | Raymond v Northern Territory of Australia [2012] FCA 667                                       |
| 12. | <b>Shenandoah Pastoral Lease (Linked case in Beetaloo Hayfield matters)</b>   | NTD21/2010   | Terry Jackson ((on behalf of the Kinbininggu Group And The Bamarrnganja Group)                    | 27-Jun-12 | NT  | Lander J    | Native title exists in parts of the determination area | Consent determination | Claimant | Jackson v Northern Territory of Australia [2012] FCA 668                                       |

**Annexure A: Consent Determinations, Litigated Determinations and Unopposed Determinations 2006 – 2013**

|     |  |              |   |           |     |          |  |                       |          |  |
|-----|--|--------------|---|-----------|-----|----------|--|-----------------------|----------|--|
| 13. | <b>Ucharonidge Pastoral Lease (Linked case in Beetaloo Hayfield matters)</b> | NTD22/2010   | Pompey Raymond (on behalf of the Warranangku Group)   | 27-Jun-12 | NT  | Lander J | Native title exists in parts of the determination area | Consent determination | Claimant | Raymond v Northern Territory of Australia [2012] FCA 669                             |
| 14. | <b>Kalala Pastoral Lease (Linked case in Beetaloo Hayfield matters)</b>      | NTD24/2010   | Barney Ellaga (on behalf of the Badpa Group, the Murrumggum Kunakingka Group and the Guyal Bardi Bardi Group)   | 27-Jun-12 | NT  | Lander J | Native title exists in parts of the determination area | Consent determination | Claimant | Ellaga v Northern Territory of Australia [2012] FCA 670                              |
| 15. | <b>Vermelha Pastoral Lease (Linked case in Beetaloo Hayfield matters)</b>    | NTD25/2010   | Jimmy Wavehill (on behalf of the Longreach Birdum Group, the Burdal Yarrkala Group, the Guyal Wurrungguy Group and the Murrumggum Kunakingka Group)       | 27-Jun-12 | NT  | Lander J | Native title exists in parts of the determination area | Consent determination | Claimant | Wavehill v Northern Territory of Australia [2012] FCA 671                            |
| 16. | <b>Hayfield Pastoral Lease (Linked case in Beetaloo Hayfield matters)</b>    | NTD26/2010   | Pompey Raymond (on behalf of the Kinbininggu Group, the Warranangku Group and the Marlinja Group)   | 27-Jun-12 | NT  | Lander J | Native title exists in parts of the determination area | Consent determination | Claimant | Raymond v Northern Territory of Australia [2012] FCA 672                             |
| 17. | <b>Beetaloo Pastoral Lease (Linked case in Beetaloo Hayfield matters)</b>    | NTD27/2010   | Pompey Raymond (on behalf of the Karranjini Group, the Bamarrnganja Group, the Warranangku Group, the Pinda (Ot Downs) Group and the Lija/Muwartpi Group) | 27-Jun-12 | NT  | Lander J | Native title exists in parts of the determination area | Consent determination | Claimant | Raymond v Northern Territory of Australia [2012] FCA 683                             |
| 18. | <b>Town of Daly Waters No. 3 (Linked case in Beetaloo Hayfield matters)</b>  | NTD39/2010   | Rowena Albert (on behalf of the Badpa Group)  | 27-Jun-12 | NT  | Lander J | Native title exists in parts of the determination area | Consent determination | Claimant | Albert v Northern Territory of Australia [2012] FCA 673                              |
| 19. | <b>Gugu Badhun People #2</b>   | QUD85/2005   | Ernie Hoolihan & Ors on behalf of the Gugu Badhun People #2   | 01-Aug-12 | QLD | Logan J  | Native title exists in the entire determination area   | Consent determination | Claimant | Hoolihan on behalf of the Gugu Badhun People #2 v State of Queensland [2012] FCA 800 |
| 20. | <b>Djungan People #1</b>   | QUD208/1997  | James Archer & Ors on behalf of the Djungan People #1   | 02-Aug-12 | QLD | Logan J  | Native title exists in parts of the determination area | Consent determination | Claimant | Archer on behalf of the Djungan People #1 v State of Queensland [2012] FCA 801       |
| 21. | <b>Djungan People #2</b>   | QUD6022/1998 | James Archer & Ors on behalf of the Djungan People #2   | 02-Aug-12 | QLD | Logan J  | Native title exists in parts of the determination area | Consent determination | Claimant | Archer on behalf of the Djungan People #1 v State of Queensland [2012] FCA 801       |

**Annexure A: Consent Determinations, Litigated Determinations and Unopposed Determinations 2006 – 2013**

|     |   |              |  |           |     |             |  |                       |          |  |
|-----|---|--------------|--|-----------|-----|-------------|--|-----------------------|----------|--|
| 22. | <b>Djungan People #3</b>                                | QUD6116/1998 | James Archer & Ors on behalf of the Djungan People #3  | 02-Aug-12 | QLD | Logan J     | Native title exists in parts of the determination area | Consent determination | Claimant | Archer on behalf of the Djungan People #1 v State of Queensland [2012] FCA 801   |
| 23. | <b>Djungan People #4</b>                                | QUD6036/2001 | Desmond Grainer & Ors on behalf of the Djungan People #4   | 02-Aug-12 | QLD | Logan J     | Native title exists in parts of the determination area | Consent determination | Claimant | Archer on behalf of the Djungan People #1 v State of Queensland [2012] FCA 801   |
| 24. | <b>Lake Nash</b>  | NTD6061/2001 | Samardin on behalf of the Ilperrelhelam, Malarrarr, Nwerrarr, Meyt, Itnwerregayt and Ampwertety Landholding Groups | 15-Aug-12 | NT  | Besanko J   | Native title exists in parts of the determination area | Consent determination | Claimant | Samardin on behalf of the Ilperrelhelam, Malarrarr, Nwerrarr, Meyt, Itnwerregayt and Ampwertety Landholding Groups v Northern Territory of Australia [2012] FCA 845 (15 August 2012) |
| 25. | <b>Pitta Pitta People</b>                               | QUD6025/1999 | Neville Aplin & Ors on behalf of the Pitta Pitta People  | 28-Aug-12 | QLD | Dowsett J   | Native title exists in parts of the determination area | Consent determination | Claimant | Alpin & Ors on behalf of the Pitta Pitta People v State of Queensland (unreported, FCA, 28 August 2012, Dowsett J)   |
| 26. | <b>Combined Mandingalbay Yidinji - Gunggandji Claim</b> | QUD6016/2001 | Vincent Mundraby & Ors on behalf of the Combined Mandingalbay Yidinji - Gunggandji Claim                           | 21-Sep-12 | QLD | Dowsett J   | Native title exists in the entire determination area   | Consent determination | Claimant |  |
| 27. | <b>Glen Helen Pastoral Lease</b>                        | NTD34/2010   | Inkamala Ngala C & Ors - Glen Helen Pastoral Lease   | 25-Sep-12 | NT  | Lander J    | Native title exists in parts of the determination area | Consent determination | Claimant | Inkamala v Northern Territory of Australia [2012] FCA 1044   |
| 28. | <b>Jangga People</b>                                    | QUD6230/1998 | Colin McLennan & Ors on behalf of the Jangga People  | 09-Oct-12 | QLD | Rares J     | Native title exists in the entire determination area   | Consent determination | Claimant | McLennan on behalf of the Jangga People v State of Queensland [2012] FCA 1082  |
| 29. | <b>Wik and Wik Way Native Title Determination No. 4</b> | QUD6001/1998 | Wik and Wik Way Native Title Claim Group   | 11-Oct-12 | QLD | Greenwood J | Native title exists in the entire determination area   | Consent determination | Claimant | Wik and Wik Way Native Title Claim Group v State of Queensland [2012] FCA 1096   |
| 30. | <b>Eastern Guruma - Area B</b>                          | WAD6208/1998 | Hughes and Ors on behalf of the Eastern Guruma People  | 20-Nov-12 | WA  | Bennett J   | Native title exists in parts of the determination area | Consent determination | Claimant | Hughes and Ors on behalf of the Eastern Guruma People v State of Western Australia (unreported, FCA, 20 November 2012, Bennet J)   |

**Annexure A: Consent Determinations, Litigated Determinations and Unopposed Determinations 2006 – 2013**

|     |                                    |              |  |           |     |           |  |                       |          |  |
|-----|------------------------------------|--------------|--|-----------|-----|-----------|--|-----------------------|----------|--|
| 31. | <b>Jinibara People</b>             | QUD6128/1998 | Murphy on behalf of the Jinibara People                                | 20-Nov-12 | QLD | Reeves J  | Native title exists in the entire determination area   | Consent determination | Claimant | Murphy on behalf of the Jinibara People v State of Queensland [2012] FCA 1285  |
| 32. | <b>Ngurrara - Area B</b>           | WAD6077/1998 | Annette Kogolo & Ors on behalf of the Ngurrara People                  | 27-Nov-12 | WA  | Gilmour J | Native title exists in the entire determination area   | Consent determination | Claimant | Kogolo v State of Western Australia (No 3) [2012] FCA 1332   |
| 33. | <b>Ngurrara 2 - Area C</b>         | WAD281/2008  | Tommy May & Ors on behalf of the Ngurrara People                       | 27-Nov-12 | WA  | Gilmour J | Native title exists in the entire determination area   | Consent determination | Claimant | May v State of Western Australia [2012] FCA 1333   |
| 34. | <b>Uunguu - Area B</b>             | WAD119/2011  | Albert Puenmora & Ors on behalf of the Wanjina Wunggurr People         | 27-Nov-12 | WA  | Gilmour J | Native title exists in parts of the determination area | Consent determination | Claimant | Puenmora v State of Western Australia [2012] FCA 1334  |
| 35. | <b>Kowanyama People Part B</b>     | QUD6119/1998 | Glenette Greenwool & Ors on behalf of the Kowanyama People             | 05-Dec-12 | QLD | Dowsett J | Native title exists in parts of the determination area | Consent determination | Claimant | Greenwool & Ors on behalf of the Kowanyama People v State of Queensland (unreported, FCA, 5 December 2012, Dowsett J)  |
| 36. | <b>Kowanyama People Part C</b>     | QUD6119/1998 | Glenette Greenwool & Ors on behalf of the Kowanyama People             | 05-Dec-12 | QLD | Dowsett J | Native title exists in the entire determination area   | Consent determination | Claimant | Greenwool & Ors on behalf of the Kowanyama People v State of Queensland (unreported, FCA, 5 December 2012, Dowsett J)  |
| 37. | <b>Tagalaka People #1</b>          | QUD6109/1998 | Janette Owens & Ors on behalf of the Tagalaka People                   | 10-Dec-12 | QLD | Logan J   | Native title exists in parts of the determination area | Consent determination | Claimant | Owens on behalf of the Tagalaka People v State of Queensland [2012] FCA 1396   |
| 38. | <b>Tagalaka People #2</b>          | QUD6020/2001 | Janet Busch & Ors on behalf of the Tagalaka People #2                  | 10-Dec-12 | QLD | Logan J   | Native title exists in parts of the determination area | Consent determination | Claimant | Owens on behalf of the Tagalaka People v State of Queensland [2012] FCA 1396   |
| 39. | <b>Bunuba (Part A)</b>             | WAD6133/1998 | Banjo Wurrumurra & Ors (Bunuba)  | 12-Dec-12 | WA  | Gilmour J | Native title exists in parts of the determination area | Consent determination | Claimant | Wurrumurra v State of Western Australia [2012] FCA 1399  |
| 40. | <b>Tableland Yidinji People #1</b> | QUD6030/1999 | Evelyn (Dawn) Johnson & Anor on behalf of the Tableland Yidinji People | 14-Dec-12 | QLD | Dowsett J | Native title exists in the entire determination area   | Consent determination | Claimant | Johnson on behalf of the Tableland Yidinji People v State of Queensland (unreported, FCA, 14 December 2012, Dowsett J) |

## Annexure A: Consent Determinations, Litigated Determinations and Unopposed Determinations 2006 – 2013

|     |                                    |             |  |           |     |           |  |                       |          |  |
|-----|------------------------------------|-------------|--|-----------|-----|-----------|--|-----------------------|----------|--|
| 41. | <b>Indjalandji-Dhidhanu People</b> | QUD243/2012 | Hazel Windsor and another on behalf of the Indjalandji-Dhidhanu People | 18-Dec-12 | QLD | Dowsett J | Native title exists in parts of the determination area | Consent determination | Claimant | Saltmere on behalf of the Indjalandji-Dhidhanu People v State of Queensland (unreported, FCA, 18 December 2012, Dowsett J) |
|-----|------------------------------------|-------------|--|-----------|-----|-----------|--|-----------------------|----------|--|

### *Litigated Determinations*

|    | Short name                 | File #      | Matter name further info                                | Date       | State/Terr. | Judge   | Outcome                     | Process                 | Type     | Case name   |
|----|----------------------------|-------------|---|------------|-------------|---------|-----------------------------|-------------------------|----------|---|
| 1. | <b>Karingbal People #3</b> | QUD310/2012 | Kevin Albury & Ors on behalf of the Karingbal People #3 | 27/06/2012 | QLD         | Jagot J | Native title does not exist | Litigated determination | Claimant | Kevin Albury & Ors on behalf of the Karingbal People #2 v State of Queensland & Ors [2014] FCA 93 |

### *Unopposed Determinations*

|    | Short name   | File #       | Matter name further info   | Date      | State/Terr. | Judge     | Outcome                     | Process                 | Type         | Case name  |
|----|--|--------------|--|-----------|-------------|-----------|-----------------------------|-------------------------|--------------|--|
| 1. | <b>Worimi Local Aboriginal Land Council #5</b>       | NSD1732/2010 | <b>Worimi Local Aboriginal Land Council</b>  | 29-Feb-12 | NSW         | Cowdroy J | Native title does not exist | Unopposed determination | Non-claimant | Worimi Local Aboriginal Land Council v Attorney-General of New South Wales [2012] FCA 146  |
| 2. | <b>Worimi Local Aboriginal Land Council #6</b>       | NSD1731/2010 | <b>Worimi Local Aboriginal Land Council</b>  | 29-Feb-12 | NSW         | Cowdroy J | Native title does not exist | Unopposed determination | Non-claimant | Worimi Local Aboriginal Land Council v Attorney-General of New South Wales [2012] FCA 147  |
| 3. | <b>Lightning Ridge Local Aboriginal Land Council</b> | NSD1186/2011 | <b>Lightning Ridge Local Aboriginal Land Council</b>                               | 31-Jul-12 | NSW         | Perram J  | Native title does not exist | Unopposed determination | Non-claimant | Lightning Ridge Local Aboriginal Land Council v Premier of New South Wales in his capacity as the State Minister pursuant to the Native Title Act 1993 (Cth) [2012] FCA 792 (31 July 2012) |
| 4. | <b>Ngambri Local Aboriginal Land Council #1</b>      | NSD649/2012  | <b>Ngambri Local Aboriginal Land Council v Attorney General of New South Wales</b> | 19-Dec-12 | NSW         | Jagot J   | Native title does not exist | Unopposed determination | Non-claimant | Ngambri Local Aboriginal Land Council v Attorney General of New South Wales (unreported, FCA, 19 December 2012, Jagot J)   |
| 5. | <b>Ngambri Local Aboriginal Land Council #2</b>      | NSD650/2012  | <b>Ngambri Local Aboriginal Land Council v Attorney General of New South Wales</b> | 19-Dec-12 | NSW         | Jagot J   | Native title does not exist | Unopposed determination | Non-claimant | Ngambri Local Aboriginal Land Council v Attorney General of New South Wales (unreported, FCA, 19 December 2012, Jagot J)   |
| 6. | <b>Ngambri Local Aboriginal Land Council #3</b>      | NSD651/2012  | <b>Ngambri Local Aboriginal Land Council v Attorney General of New South Wales</b> | 19-Dec-12 | NSW         | Jagot J   | Native title does not exist | Unopposed determination | Non-claimant | Ngambri Local Aboriginal Land Council v Attorney General of New South Wales (unreported, FCA, 19 December 2012, Jagot J)   |

**Annexure A: Consent Determinations, Litigated Determinations and Unopposed Determinations 2006 – 2013**

**8. 2013**

*Consent Determinations*

|    | Short name                                | File #       | Matter name further info  | Date       | State/Terr. | Judge         | Outcome  | Process               | Type     | Case name  |
|----|---|--------------|---|------------|-------------|---------------|--|-----------------------|----------|--|
| 1. | <b>Tableland Yidinji People #3</b>        | QUD208/2004  | Johnson on behalf of the Tableland Yidinji People #3  | 26/03/2013 | QLD         | Dowsett J     | Native title exists in the entire determination area   | Consent determination | Claimant | Johnson on behalf of the Tableland Yidinji People #3 v State of Queensland (unreported, FCA, 26 March 2013, Dowsett J)   |
| 2. | <b>Martu</b>                              | WAD6110/1998 | Jeffrey James & Ors   | 16/05/2013 | WA          | McKerracher J | Native title exists in the entire determination area   | Consent determination | Claimant | Peterson v State of Western Australia [2013] FCA 518   |
| 3. | <b>Martu #2</b>                           | WAD141/2010  | Colin Peterson & Ors  | 16/05/2013 | WA          | McKerracher J | Native title exists in the entire determination area   | Consent determination | Claimant | Peterson v State of Western Australia [2013] FCA 518   |
| 4. | <b>Karnapyrri</b>                         | WAD77/2006   | Nabaru (Billy) Landy & Anor   | 16/05/2013 | WA          | McKerracher J | Native title exists in the entire determination area   | Consent determination | Claimant | Peterson v State of Western Australia [2013] FCA 518   |
| 5. | <b>Gooniyandi</b>                         | WAD6008/2000 | Dora Sharpe & Ors (Gooniyandi)  | 19/06/2013 | WA          | Gilmour J     | Native title exists in parts of the determination area | Consent determination | Claimant | Sharpe v State of Western Australia [2013] FCA 599   |
| 6. | <b>Napperby No 2</b>                      | NTD4/2011    | Huckitta Lynch & Ors on behalf of the Alherramp/Rrweltyapet, Llewerr, Mamp/Arrwek, Tyweri, Arrangkey, Anentyerr/Anenkerr and Ntyerlkem/Urapentye Estate Groups (Napperby No 2)  | 2/07/2013  | NT          | Reeves J      | Native title exists in parts of the determination area | Consent determination | Claimant |  |
| 7. | <b>Mt Doreen Perpetual Pastoral Lease</b> | NTD39/2011   | Napangardi on behalf of the members of the Jiri/Kuyukurlangu, Kumpu, Kunajarrayi, Mikanji, Pikilyi, Pirrpapakarnu, Wantungurru, Wapatali/Mawunji, Warlukurlangu, Yamaparnta, Yarripiri and Yarungkanyi/Murrku Estate Groups | 3/07/2013  | NT          | Reeves J      | Native title exists in parts of the determination area | Consent determination | Claimant | Napangardi on behalf of the members of the Jiri/Kuyukurlangu, Kumpu, Kunajarrayi, Mikanji, Pikilyi, Pirrpapakarnu, Wantungurru, Wapatali/Mawunji, Warlukurlangu, Yamaparnta, Yarripiri and Yarungkanyi/Murrku Estate Groups v Northern Territory of Australia [2013] FCA 637 |



**Annexure A: Consent Determinations, Litigated Determinations and Unopposed Determinations 2006 – 2013**

|     |                                  |              |  |            |     |               |  |                       |              |   |
|-----|----------------------------------|--------------|--|------------|-----|---------------|--|-----------------------|--------------|---|
| 8.  | <b>Tjayiwara</b>                 | SAD208/10    | De Rose v State of South Australia                                   | 16/07/2013 | SA  | Mansfield J   | Native title exists in parts of the determination area | Consent determination | Claimant     | De Rose v State of South Australia [2013] FCA 687   |
| 9.  | <b>Wiluna #3</b>                 | WAD181/2012  | WF (Deceased) on behalf of the Wiluna People                         | 29/07/2013 | WA  | McKerracher J | Native title exists in parts of the determination area | Consent determination | Claimant     | WF (Deceased) on behalf of the Wiluna People v State of Western Australia [2013] FCA 755      |
| 10. | <b>Taripa</b>                    | WAD248/2007  | LT (DECEASED), CB (DECEASED), FJ (DECEASED) and ELIZABETH WONGYABONG | 29/07/2013 | WA  | McKerracher J | Native title exists in parts of the determination area | Consent determination | Claimant     | WF (Deceased) on behalf of the Wiluna People v State of Western Australia [2013] FCA 755      |
| 11. | <b>Wiluna</b>                    | WAD6164/1998 | WF (Deceased) on behalf of the Wiluna People                         | 29/07/2013 | WA  | McKerracher J | Native title exists in parts of the determination area | Consent determination | Claimant     | WF (Deceased) on behalf of the Wiluna People v State of Western Australia [2013] FCA 755      |
| 12. | <b>Balanggarra (Combined)</b>    | WAD6027/1998 | Cheinmora & Ors  | 7/08/2013  | WA  | Gilmour J     | Native title exists in parts of the determination area | Consent determination | Claimant     | Cheinmora v State of Western Australia (No 2) [2013] FCA 768                                  |
| 13. | <b>Balanggarra #3</b>            | WAD6004/2000 | Cheinmora & Ors  | 7/08/2013  | WA  | Gilmour J     | Native title exists in parts of the determination area | Consent determination | Claimant     | Cheinmora v State of Western Australia (No 3) [2013] FCA 769                                  |
| 14. | <b>Wiluna #2</b>                 | WAD241/2004  | BP (DECEASED) & Ors and State of Western Australia & Ors (Wiluna #2) | 3/09/2013  | WA  | Jagot J       | Native title exists in the entire determination area   | Consent determination | Claimant     | unreported, FCA, 3 September 2013, Jagot J  |
| 15. | <b>Qantac Pty Ltd</b>            | QUD188/2012  | Qantac Pty Ltd   | 9/09/2013  | QLD | Dowsett J     | Native title does not exist                            | Consent determination | Non-claimant | Qantac Pty Ltd v State of Queensland (unreported, FCA, 9 September 2013, Dowsett J)           |
| 16. | <b>Warrungu People #2</b>        | QUD111/2004  | Reginald Joseph Morganson & Ors on behalf of the Warrungu People #2  | 23/09/2013 | QLD | Logan J       | Native title exists in the entire determination area   | Consent determination | Claimant     | Morganson on behalf of the Warrungu [Warrungu] People #2 v State of Queensland [2013] FCA 957 |
| 17. | <b>Western Yalanji People #4</b> | QUD6008/1999 | Graham Brady & Ors on behalf of the Western Yalanji People #4        | 24/09/2013 | QLD | Logan J       | Native title exists in the entire determination area   | Consent determination | Claimant     | Brady on behalf of the Western Yalanji People #4 v State of Queensland [2013] FCA 958         |

**Annexure A: Consent Determinations, Litigated Determinations and Unopposed Determinations 2006 – 2013**

|     |   |              |  |            |     |             |  |                       |              |   |
|-----|---|--------------|--|------------|-----|-------------|--|-----------------------|--------------|---|
| 18. | <b>Western Yalanji People #5 &amp; #7</b>                                   | QUD6003/2001 | William Steven Brady & Ors on behalf of the Western Yalanji People Combined #5 and #7 Claim    | 24/09/2013 | QLD | Logan J     | Native title exists in the entire determination area   | Consent determination | Claimant     | Brady on behalf of the Western Yalanji People #4 v State of Queensland [2013] FCA 958 |
| 19. | <b>De Rose Hill Ilpalka Aboriginal Corporation Native Title Application</b> | SAD140/2011  | Peter De Rose & Ors  | 1/10/2013  | SA  | Mansfield J | Native title does not exist                            | Consent determination | Compensation | De Rose v State of South Australia [2013] FCA 988                                     |
| 20. | <b>De Rose Hill Compensation Application</b>                                | SAD55/2013   | Peter De Rose & Ors  | 1/10/2013  | SA  | Mansfield J | Native title does not exist                            | Consent determination | Compensation | De Rose v State of South Australia [2013] FCA 988                                     |
| 21. | <b>Tarlee Pastoral Lease</b>  | NTD19/2011   | Smiler Largut (on behalf of the Liwaja Group)  | 29/10/2013 | NT  | Mansfield J | Native title exists in parts of the determination area | Consent determination | Claimant     | Largut v Northern Territory of Australia [2013] FCA 1069                              |
| 22. | <b>Avago Pastoral Lease</b>   | NTD20/2011   | Smiler Largut (on behalf of the Liwaja Group and the Badpa (Daly Waters) Group)                | 29/10/2013 | NT  | Mansfield J | Native title exists in parts of the determination area | Consent determination | Claimant     | Largut v Northern Territory of Australia [2013] FCA 1070                              |
| 23. | <b>Western Creek Pastoral Lease</b>   | NTD22/2011   | Smiler Largut (on behalf of the Liwaja Group)  | 29/10/2013 | NT  | Mansfield J | Native title exists in parts of the determination area | Consent determination | Claimant     | Largut v Northern Territory of Australia [2013] FCA 1072                              |
| 24. | <b>Lakefield Pastoral Lease</b>   | NTD23/2011   | Robin Johns (on behalf of the Jalalabayn Group, the Beregumayin Group and the Bobobinga Group) | 29/10/2013 | NT  | Mansfield J | Native title exists in parts of the determination area | Consent determination | Claimant     | Johns v Northern Territory of Australia [2013] FCA 1073                               |
| 25. | <b>Cow Creek Pastoral Lease</b>   | NTD24/2011   | Robin Johns (on behalf of the Jalalabayn Group)  | 29/10/2013 | NT  | Mansfield J | Native title exists in parts of the determination area | Consent determination | Claimant     | Johns v Northern Territory of Australia [2013] FCA 1074                               |
| 26. | <b>Gorrie Pastoral Lease</b>  | NTD25/2011   | Robin Johns (on behalf of the Jalalabayn Group and the Liwaja Group)                           | 29/10/2013 | NT  | Mansfield J | Native title exists in parts of the determination area | Consent determination | Claimant     | Johns v Northern Territory of Australia [2013] FCA 1075                               |
| 27. | <b>Larrizona Pastoral Lease</b>   | NTD26/2011   | Robin Johns (on behalf of the Jalalabayn Group and the Beregumayin Group)                      | 29/10/2013 | NT  | Mansfield J | Native title exists in parts of the determination area | Consent determination | Claimant     | Johns v Northern Territory of Australia [2013] FCA 1076                               |

**Annexure A: Consent Determinations, Litigated Determinations and Unopposed Determinations 2006 – 2013**

|     |                                       |            |   |            |    |             |  |                       |          |  |
|-----|---------------------------------------|------------|---|------------|----|-------------|--|-----------------------|----------|--|
| 28. | <b>Wyworrie Pastoral Lease</b>        | NTD27/2011 | Robin Johns (on behalf of the Jalalabayn Group)   | 29/10/2013 | NT | Mansfield J | Native title exists in parts of the determination area | Consent determination | Claimant | Johns v Northern Territory of Australia [2013] FCA 1077    |
| 29. | <b>Sunday Creek Pastoral Lease</b>    | NTD28/2011 | Timmy Morgan (on behalf of the Badpa (Daly Waters) Group)   | 29/10/2013 | NT | Mansfield J | Native title exists in parts of the determination area | Consent determination | Claimant | Morgan v Northern Territory of Australia [2013] FCA 1078   |
| 30. | <b>Bloodwood Downs Pastoral Lease</b> | NTD29/2011 | Robin Johns (on behalf of the Jalalabayn Group and the Beregumayin Group)   | 29/10/2013 | NT | Mansfield J | Native title exists in parts of the determination area | Consent determination | Claimant | Johns v Northern Territory of Australia [2013] FCA 1079    |
| 31. | <b>Dry River Pastoral Lease</b>       | NTD40/2011 | Jessie Brown (on behalf of the Beregumayin Group)   | 29/10/2013 | NT | Mansfield J | Native title exists in parts of the determination area | Consent determination | Claimant | Brown v Northern Territory of Australia [2013] FCA 1080    |
| 32. | <b>Birdum Creek Pastoral Lease</b>    | NTD41/2011 | Jimmy Wavehill (on behalf of the Wubalawun Group and the Badpa (Daly Waters) Group)   | 29/10/2013 | NT | Mansfield J | Native title exists in parts of the determination area | Consent determination | Claimant | Wavehill v Northern Territory of Australia [2013] FCA 1081 |
| 33. | <b>Providence Pastoral Lease</b>      | NTD42/2011 | Jessie Brown (on behalf of the Beregumayin and the Liwaja Group)  | 29/10/2013 | NT | Mansfield J | Native title exists in parts of the determination area | Consent determination | Claimant | Brown v Northern Territory of Australia [2013] FCA 1082    |
| 34. | <b>Nenen Pastoral Lease</b>           | NTD43/2011 | Jessie Brown (on behalf of the Beregumayin and the Jalalabayn Group)  | 29/10/2013 | NT | Mansfield J | Native title exists in parts of the determination area | Consent determination | Claimant | Brown v Northern Territory of Australia [2013] FCA 1083    |
| 35. | <b>Margaret Downs Pastoral Lease</b>  | NTD44/2011 | Jessie Brown (on behalf of the Beregumayin Group)   | 29/10/2013 | NT | Mansfield J | Native title exists in parts of the determination area | Consent determination | Claimant | Brown v Northern Territory of Australia [2013] FCA 1084    |
| 36. | <b>Middle Creek Pastoral Lease</b>    | NTD46/2011 | Jimmy Wavehill (on behalf of the Wubalawun Group, The Jalalabayn Group, The Badpa (Daly Waters) Group and The Liwaja Group)                     | 29/10/2013 | NT | Mansfield J | Native title exists in parts of the determination area | Consent determination | Claimant | Wavehill v Northern Territory of Australia [2013] FCA 1086 |
| 37. | <b>Broadmere Pastoral lease</b>       | NTD30/2011 | Georgie Tonson and Vincent Fulton on behalf of the Burdal Jilajaja, Burdal Kamanja, Burdal Mingkanyi, Burdal Marrgarani, Guyal Manaburru, Guyal | 31/10/2013 | NT | Mansfield J | Native title exists in parts of the determination area | Consent determination | Claimant | Tonson v Northern Territory of Australia [2013] FCA 1087   |

**Annexure A: Consent Determinations, Litigated Determinations and Unopposed Determinations 2006 – 2013**

|     |                                   |              |  |            |     |             |  |                       |          |   |
|-----|-----------------------------------|--------------|--|------------|-----|-------------|--|-----------------------|----------|---|
|     |                                   |              | Dumnyungatanyana, Guyal Wandanya, Murrungun Baluganda, Mambaliya Ngubayin/Binda, Mambaliya Nangkuya Estate Groups                                      |            |     |             |  |                       |          |   |
| 38. | <b>Tanumbirini Pastoral Lease</b> | NTD33/2012   | Vince Fulton on behalf of the Guyal Ambulya, Guyal Muynmin, Budal Labanga, Murrungun Balaganda, Mambaliya Ngubayin and Mambaliya Wungurrindjirr Groups | 31/10/2013 | NT  | Mansfield J | Native title exists in parts of the determination area | Consent determination | Claimant | Fulton v Northern Territory of Australia [2013] FCA 1088  |
| 39. | <b>Mamu People</b>                | QUD6014/2001 | Stephen Brooks & Ors on behalf of the Mamu People  | 1/11/2013  | QLD | Dowsett J   | Native title exists in parts of the determination area | Consent determination | Claimant | Stephen Brooks & Ors on behalf of the Mamu People v State of Queensland & Ors (unreported, FCA, 1 November 2013, Dowsett J) |
| 40. | <b>Ewamian People #2</b>          | QUD6009/1999 | Barry Fisher & Ors on behalf of the Ewamian People #2  | 26/11/2013 | QLD | Logan J     | Native title exists in the entire determination area   | Consent determination | Claimant | Fisher on behalf of the Ewamian People #2 v State of Queensland [2013] FCA 1249   |
| 41. | <b>Ewamian People #3</b>          | QUD6018/2001 | Barry Fisher & Ors on behalf of the Ewamian People #3 v State of Queensland & Ors  | 26/11/2013 | QLD | Logan J     | Native title exists in the entire determination area   | Consent determination | Claimant | Fisher on behalf of the Ewamian People #2 v State of Queensland [2013] FCA 1249   |
| 42. | <b>Bandjalang People #1</b>       | NSD6034/1998 | Bandjalang People #1   | 2/12/2013  | NSW | Jagot J     | Native title exists in parts of the determination area | Consent determination | Claimant | Bandjalang People No 1 and No 2 v Attorney General of New South Wales [2013] FCA 1278                                       |
| 43. | <b>Bandjalang People #2</b>       | NSD6107/1998 | Bandjalang People #2   | 2/12/2013  | NSW | Jagot J     | Native title exists in parts of the determination area | Consent determination | Claimant | Bandjalang People No 1 and No 2 v Attorney General of New South Wales [2013] FCA 1278                                       |
| 44. | <b>Far West Coast</b>             | SAD6008/1998 | Far West Coast Native Title Claim and The State of South Australia & Ors (Far West Coast)  | 5/12/2013  | SA  | Mansfield J | Native title exists in parts of the determination area | Consent determination | Claimant | Far West Coast Native Title Claim v State of South Australia (No 8) [2014] FCA 635  |

## Annexure A: Consent Determinations, Litigated Determinations and Unopposed Determinations 2006 – 2013

### Litigated Determinations

|    | Short name                                    | File #       | Matter name further info   | Date       | State/Terr. | Judge     | Outcome  | Process                 | Type         | Case name   |
|----|---|--------------|--|------------|-------------|-----------|--|-------------------------|--------------|---|
| 1. | <b>Ngarla overlap proceeding (Ngarla #1)</b>  | WAD6185/1998 | AB (deceased) & Ors ( <b>Ngarla #1</b> )   | 19/02/2013 | WA          | Bennett J | Native title exists in the entire determination area | Litigated determination | Claimant     | AB (deceased) & Ors on behalf of the Ngarla People v State of Western Australia & Ors (unreported, FCA, 19 February 2013, Bennett J)  |
| 2. | <b>Ngarla overlap proceeding (Ngarla #2)</b>  | WAD77/2005   | AB (deceased) & Ors ( <b>Ngarla #2</b> )   | 19/02/2013 | WA          | Bennett J | Native title exists in the entire determination area | Litigated determination | Claimant     | AB (deceased) & Ors on behalf of the Ngarla People v State of Western Australia & Ors (unreported, FCA, 19 February 2013, Bennett J)  |
| 3. | <b>Jerrinja Local Aboriginal Land Council</b> | NSD240/2010  | <b>Jerrinja Local Aboriginal Land Council</b> v Attorney General of the State of NSW         | 31/05/2013 | NSW         | Jagot J   | Native title does not exist                          | Litigated determination | Non-claimant | Jerrinja Local Aboriginal Land Council v Attorney General of the State of NSW [2013] FCA 562  |
| 4. | <b>Mudgee Local Aboriginal Land Council</b>   | NSD818/2011  | <b>Mudgee Local Aboriginal Land Council</b>  | 27/06/2013 | NSW         | Jagot J   | Native title does not exist                          | Litigated determination | Non-claimant | Mudgee Local Aboriginal Land Council v Attorney General of NSW [2013] FCA 668   |
| 5. | <b>Gold Coast Native Title Group</b>          | QUD346/2006  | Ian Levinge & Ors on behalf of the Gold Coast Native Title Group v State of Queensland & Ors | 13/12/2013 | QLD         | Rares J   | Native title does not exist                          | Litigated determination | Claimant     | Dismissed - partially determined<br>Ian Levinge & Ors on behalf of the Gold Coast Native Title Group v State of Queensland & Ors (unreported, FCA, 13 December 2013, Rares J) |

### Unopposed Determinations

|    | Short name                                      | File #      | Matter name further info                        | Date      | State/Terr. | Judge       | Outcome                     | Process                 | Type         | Case name   |
|----|---|-------------|---|-----------|-------------|-------------|-----------------------------|-------------------------|--------------|---|
| 1. | <b>Gandangara Local Aboriginal Land Council</b> | NSD164/2012 | <b>Gandangara Local Aboriginal Land Council</b> | 3/07/2013 | NSW         | Griffiths J | Native title does not exist | Unopposed determination | Non-claimant | Gandangara Local Aboriginal Land Council v Attorney General of New South Wales [2013] FCA 646 |