



Extract from Schedule of Native Title Applications

Application Reference: Federal Court number: SAD147/2010
NNTT number: SC2010/002

Application Name: Ngadjuri Nation Native Title Claim

Application Type: Claimant

Application filed with: Federal Court of Australia

Date application filed: 12/10/2010

Current status: Full Approved Determination - 14/12/2018

Registration information: Please refer to the Register of Native Title Claims/National Native Title Register (as appropriate) for registered details of this application.

Registration decision status: Not Accepted for registration

Registration history: -

Date claim / part of claim determined: 14/12/2018

Applicants: Ella Harradine, Vincent Branson

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Additional Information

Not applicable

Persons claiming to hold native title:

The Native Title Claimants are those Aboriginal people who:

(a) are the biological descendants of the following people:

- (1) Fanny, who was born at Winnininnie and her spouse Gudjari.
- (2) Richard (Dick) Warrior
- (3) The un-named mother of Ned Edwards, who was born at Booyoolee, near Gladstone.
- (4) The un-named mother of the Armstrong siblings who was born at Canowie.
- (5) The un-named mother of Alice Morris, who was born at Canowie.
- (6) The un-named mother of William John Miller and Amelia Miller
- (7) Eliza McGrath, antecedent of the McGrath family

Native title rights and interests claimed:

1) Over areas where a claim exclusive possession can be recognised (such as areas where there has been no prior extinguishment of native title or where s.238 and/or ss.47, 47A and 47B apply), members of the native title claim group claim the right to possess, occupy, use and enjoy the lands and waters of the application area as against the whole world, pursuant to their traditional laws and customs.

2) Over areas where a claim to exclusive possession cannot be recognised, the nature and extent of the native title rights and interests claimed in relation to the application area are the non-exclusive rights to use and enjoy the land and waters in accordance with traditional laws and customs being:

- a) the right to access and move about the Determination Area;
- b) the right to hunt and fish on the land and waters of the Determination Area;
- c) the right to share and exchange the subsistence and other traditional resources of the Determination Area;
- d) the right to share and exchange the subsistence and other traditional resources of the Determination Area;
- e) the right to use and trade the natural resources of the Determination Area;
- f) the right to live, to camp and, for the purposes of exercising the native title rights and interests, to erect shelters on the Determination Area;
- g) the right to cook on the Determination Area and to light fires for domestic purposes but not for the clearance of vegetation;
- h) the right to engage and participate in cultural activities on the Determination Area;
- i) the right to conduct ceremonies and hold meetings on the Determination Area;
- j) the right to teach on the Determination Area the physical and spiritual attributes of locations and sites within the Determination Area;
- k) the right to visit, maintain and protect sites and places of cultural and religious significance of Native Title Holders under their traditional laws and customs on the Determination Area; and,
- l) the right to be accompanied on the Determination Area by those people who, though not native title holders, are:
 - i) spouses of native title holders; or
 - ii) people required by traditional law and custom for the performance of ceremonies or cultural activities on the Determination Area; or
 - iii) people who have rights in relation to the Determination Area according to the traditional laws and customs acknowledged by the native title holders; or
 - iv) people required by native title holders to assist in, observe, or record traditional activities on the Determination Area.

3) The rights described in paragraphs 2(b), (c), (d), and (e) are traditional rights exercised in order to satisfy personal, domestic, or communal needs.

4) The native rights and interests are subject to:

a) the valid laws of the State of South Australia and the Commonwealth of Australia; and

b) the rights (past or present) conferred upon persons pursuant to the laws of the Commonwealth and the laws of the State of South Australia

Relevant Data Obtained from Schedule P:

The native title claim group does not claim exclusive possession over all or part of waters in an offshore place within the application area.

Relevant Data Obtained from Schedule Q:

The native title claim group does not claim ownership of minerals, petroleum or gas wholly owned by the Crown.

Application Area:

State/Territory: South Australia

Brief Location: Mid North/Southern Flinders Ranges

Primary RATSIB Area: Greater South Australia

Approximate size: 11720.3744 sq km

(Note: There may be areas within the external boundary of the application that are not claimed.)

Does Area Include Sea: No

Area covered by the claim (as detailed in the application):

External boundary description

The area subject to the Ngadjuri Native Title Claim covers all the lands and waters within the external boundary described as:

Commencing at a point, in the vicinity of the Township of Olary, on the southern

boundary of the Barrier Highway, also being a point on boundary of the native title

determination application SAD6001/98 Adnyamathanha People No. 1 (SC99/1) as accepted for registration on 31 March 1999, at Longitude 140.383516 degrees East; and extending generally south westerly along the southern boundary of the Barrier Highway and native title determination application boundary SAD6001/98 Adnyamathanha People No. 1 (SC99/1) to Longitude 139.568233 degrees East, being in the vicinity of the Township of Yunta; then generally westerly along that native title determination application boundary to the eastern boundary of then generally easterly passing through the following coordinate points:

Longitude (East) Latitude (South)

139.476249 32.618871

139.377774 32.658711

139.245777 32.692260

139.115874 32.717423

138.992257 32.732101

138.868639 32.736296

138.734545 32.736297

138.636070 32.738395

138.618260 32.736300

Then again westerly again along that native title determination application boundary to a point at Longitude 138.602767 degrees East, Latitude 32.736300 degrees South, being a point on the eastern boundary of native title determination application SAD6012/98 Nukunu Native Title Claim (SC96/5); then generally northerly along the boundaries of those native title determination applications to Latitude 32.070776 degrees South passing through the following coordinate points:

Longitude (East) Latitude (South)

138.606084 32.722854

138.617221 32.692713

138.618012 32.676753

138.615067 32.661502

138.607519 32.632771

138.605832 32.622485

138.597909 32.609359

138.590416 32.602262

138.585818 32.590201

138.587458 32.581690

138.585760 32.566794

138.582393 32.549414

138.575646 32.508270

138.563515 32.472799

138.557664 32.458255

138.548834 32.414627

138.549620 32.396540

138.557852 32.367108

138.566088 32.339449

138.575596 32.321721

138.608716 32.280596

138.623991 32.244429

138.621437 32.219600

138.617665 32.205767

138.613052 32.187677

138.609718 32.183065

138.587661 32.164257

138.547271 32.121679

138.527273 32.095779

138.525168 32.084429

138.516462 32.070776

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138.617221 32.692713

Then easterly to the north westernmost corner of Pastoral Lease CL1629/99 (Florina); then generally easterly and generally south easterly along northern and eastern boundaries of that pastoral lease to the northern boundary of Pastoral Lease CL1276/43 (Minburra); then generally north easterly, northerly, south easterly along the northern boundaries of that pastoral lease and Pastoral Lease CL1402/37 (Witchitie) to the western boundary of Pastoral Lease CL1289/16 (Koonamore); then generally northerly along the western boundary of that pastoral lease and Pastoral Lease CL1283/36 (Baratta) to the south eastern corner of Pastoral Lease CL1437/26 (Holowilena); also being the southernmost corner of the determination of native title for

SAD6001/98 Adnyamathanha People No. 1 (Stage 1) as determined on 30 March 2009; then generally northerly and generally north easterly along boundaries of Pastoral Lease CL1283/36 (Baratta) and that native title determination to the western boundary of Pastoral Lease CL1410/11 (Glen Warwick); then generally north easterly and southerly along boundaries of again Pastoral Lease CL1283/36 (Baratta) to the northern of Pastoral Lease CL1289/16 (Koonamore); then generally easterly along

the northern boundaries of that pastoral lease and Pastoral Lease CL1306/14 (Mt Victor) to western boundary of Pastoral Lease CL1281/25 (Plumbago); then generally northerly, generally south easterly and generally southerly along the northern and eastern boundaries of that pastoral lease, Pastoral Lease CL1281/24 (Bimbowrie) and Pastoral Lease CL1285/20 (Abminga) to the northern boundary of the Barrier Highway; then southerly back to the commencement point.

Notes

Data Reference and source

- Application/determination boundary data compiled by the National Native Title Tribunal.
- Non-Freehold data sourced from Dept of Environment and Heritage, SA (February 2009).

Reference datum

Geographical coordinates have been provided by the NNTT Geospatial Services and are referenced to the Geocentric Datum of Australia 1994 (GDA94), in decimal degrees and are based on the spatial reference data acquired from the various custodians at the time

Use of Coordinates

Where coordinates are used within the description to represent cadastral or topographical boundaries or the intersection with such, they are intended as a guide only. As an outcome to the custodians of cadastral and topographic data continuously recalculating the geographic position of their data based on improved survey and data maintenance procedures, it is not possible to accurately define such a position other than by detailed ground survey.

Prepared by Geospatial Services, National Native Title Tribunal (30 April 2010).

Attachments: 1. Map of application area boundaries, Attachment C of the Application, 1 page - A4, 12/10/2010

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