



# Extract from Schedule of Native Title Applications

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**Application Reference:** Federal Court number: SAD228/2019  
NNTT number: SC2019/002

**Application Name:** Caroline Wilson and Ors on Behalf of the Wirangu No 3 Native Title Claim and the State of South Australia (Wirangu #3)

**Application Type:** Claimant

**Application filed with:** Federal Court of Australia

**Date application filed:** 28/10/2019

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**Current status:** Full Approved Determination - 23/02/2024

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

**Date claim entered on Register of Native Title Claims:** 20/03/2020

**Registration decision status:** Accepted for registration

**Registration history:** Registered from 20/03/2020 to 28/02/2024,

**Date claim / part of claim determined:** 23/02/2024

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**Applicants:** Caroline Wilson, Elizabeth Pool, Kenneth Wilson, Cindy Morrison, Neville Miller, Vernon (Penong) Miller, Barry Dean (Jack) Johncock

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## Additional Information

On 26 November 2019, the Federal Court ordered that the application area be administratively separated into Part A and Part B. On 8 December 2022, the Federal Court made a determination in relation to Part A, that native title exists in parts of the determination area - see *Wilson, on behalf of the Wirangu People v State of South Australia* (No 2) [2022] FCA 1460. That determination is attached to this Extract. Order 2 of the determination provides that '[t]he Determination will take effect upon the Wirangu Part A Settlement ILUA being registered on the Register of Indigenous Land Use Agreements'. On 10 February 2023, the Federal Court made a determination that native title exists in parts of the application area - see *Wilson on behalf of the Wirangu People and Weetra on behalf of the Nauo People v State of South Australia* [2023] FCA 60. That determination is attached to this Extract. Order 2 of the determination provides that '[t]he Determination will take effect upon the Wirangu Part B / Nauo No 3 Settlement ILUA being registered on the Register of Indigenous Land Use Agreements.' The Agreements referred to in Order 2 of each determination was registered on 23 February 2024, and therefore both determinations are in effect from 23 February 2024.

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## Persons claiming to hold native title:

The members of the native title claim group on whose behalf the application is made are the descendants of any of the following apical ancestors including those who have been adopted by them and their descendants in accordance with Wirangu traditional law and custom:

- a. Binilya and Kaltyna;
- b. Bobby Wandrooka;
- c. Eliza Ellen;
- d. Eva or Eva Mary;
- e. Imbanga and her spouse Tjeltjinya;
- f. Jack and Annie Wombat;
- g. Kulbula;
- h. Lucy Minjia and her spouse Bob Ware
- i. Siblings Nellie Louise Gray, Dhulbalgurda Frank Gray and Kwana Ted Gray;
- j. The Wirangu mother of Ada Beagle;
- k. The Wirangu mother of siblings Jimmy and Authur Richards;
- l. Tjeira and her spouse Yari Wagon Billy;
- m. Wilubi; and
- n. Yaldildi Johnny Gibera.

## Native title rights and interests claimed:

a. Over areas where a claim to 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), Wirangu People claim the right to possess, occupy, use and enjoy the lands and waters of the application area as against the whole world, pursuant to the traditional laws and customs of the claim group.

b. Over areas where a claim to exclusive possession cannot be recognised, the following non-exclusive rights and interests are claimed:

- a. to possess, occupy, use and enjoy the area;
- b. the right to make decisions about the traditional use and enjoyment of the area;
- c. right of access to the area;
- d. the right to control the access of others to the area for traditional purposes;
- e. the right to enjoy the resources of the area;
- f. the right to trade in resources of the area for traditional purposes;
- g. the right to maintain and protect places of importance under the traditional laws, customs and practices in the area; and
- h. the right to maintain, protect and prevent the misuse of cultural knowledge associated with the area.

c. The native title rights are subject to:

- a. the valid laws of the State of South Australia and the Commonwealth of Australia;
- b. the rights conferred upon persons pursuant to the laws of the Commonwealth and the laws of the State of South Australia.

**Application Area:****State/Territory:** South Australia**Brief Location:** Eyre Peninsula & West Coast, South Australia**Primary RATSIB Area:** Greater South Australia**Approximate size:** 34.1705 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):**

Please see Attachment B Identification of Boundaries and Attachment C Maps of Claim Area

**Attachments:**

1. Area Description, 5 pages - A4, 25/08/2020
2. Attachment C Maps, 19 pages - A4, 25/08/2020
3. Wirangu #3 determination, 226 pages - A4, 08/12/2022
4. Wirangu People and Nauo People Determination - Part A, 71 pages - A4, 10/02/2023
5. Wirangu People and Nauo People Determination - Part B, 70 pages - A4, 10/02/2023
6. Wirangu People and Nauo People Determination - Part C, 66 pages - A4, 10/02/2023

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End of Extract