

ORDERS

WAD 297 of 2008

BETWEEN: **HARVEY MURRAY ON BEHALF OF THE YILKA NATIVE
TITLE CLAIMANTS**

Applicant

AND: **STATE OF WESTERN AUSTRALIA**

First Respondent

SHIRE OF LAVERTON

Second Respondent

**CORINA BENNELL, LISA BENNELL, MATTHEW
BENNELL, CENTRAL DESERT NATIVE TITLE SERVICES
LTD, COSMO NEWBERRY (ABORIGINAL
CORPORATION), BRETT DIMER, HILDA DIMER, JARED
DIMER, SHAUN DIMER, SHONDELLE DIMER/GARLETT,
GS & ORS ON BEHALF OF THE SULLIVAN FAMILY, RON
HARRINGTON-SMITH, ALISON TUCKER (NEE BARNES),
DANIEL TUCKER, FABIAN TUCKER, KATHY TUCKER,
MICHAEL TUCKER AND QUINTON TUCKER (and others
named in the Schedule)**

Third Respondents

JUDGE: **MCKERRACHER J**

DATE OF ORDER: **27 SEPTEMBER 2017**

THE COURT ORDERS THAT:

1. WAD 297 of 2008, WAD 303 of 2013 and WAD 498 of 2011 be determined together.
2. In relation to the Determination Area, there be a determination of native title in WAD 297 of 2008, WAD 303 of 2013 and WAD 498 of 2011 in terms of the attached Minute of Determination of Native Title.
3. Within six months of the date upon which these orders are made, a representative of the common law holders of the native title rights and interests shall indicate whether they intend to have the native title rights and interests held in trust and, if so, by whom. They are invited to do so by:
 - (a) nominating in writing to the Federal Court a prescribed body corporate to be trustee of the native title rights and interests; and

- (b) including within the nomination the written consent of the body corporate.
4. If a prescribed body corporate is nominated in accordance with order 3, it will hold the native title rights and interests described in order 1 of the Determination in trust for the common law holders of the native title rights and interests.
 5. In the event that there is no nomination within the time specified in order 3, or such later time as the Court may order, the matter is to be listed for further directions.
 6. The State's interlocutory application in WAD 297 of 2008 dated 15 October 2012 is dismissed.
 7. There be no orders as to costs.

Note: Entry of orders is dealt with in Rule 39.32 of the *Federal Court Rules 2011*.

ORDERS

WAD 498 of 2011

BETWEEN: **GS (DECEASED), PATRICK EDWARDS AND MERVYN SULLIVAN**
Applicants

AND: **STATE OF WESTERN AUSTRALIA**
First Respondent

SHIRE OF LAVERTON
Second Respondent

CORINA BENNELL, LISA BENNELL, MATTHEW BENNELL, CENTRAL DESERT NATIVE TITLE SERVICES LTD, COSMO NEWBERRY (ABORIGINAL CORPORATION), BRETT DIMER, HILDA DIMER, JARED DIMER, SHAUN DIMER, SHONDELLE DIMER/GARLETT, RON HARRINGTON-SMITH, HARVEY MURRAY ON BEHALF OF THE YILKA NATIVE TITLE CLAIMANTS, ALISON TUCKER (NEE BARNES), DANIEL TUCKER, FABIAN TUCKER, KATHY TUCKER, MICHAEL TUCKER AND QUINTON TUCKER (and others named in the Schedule)
Third Respondents

JUDGE: **MCKERRACHER J**

DATE OF ORDER: **27 SEPTEMBER 2017**

THE COURT ORDERS THAT:

1. WAD 297 of 2008, WAD 303 of 2013 and WAD 498 of 2011 be determined together.
2. In relation to the Determination Area, there be a determination of native title in WAD 297 of 2008, WAD 303 of 2013 and WAD 498 of 2011 in terms of the attached Minute of Determination of Native Title.
3. Within six months of the date upon which these orders are made, a representative of the common law holders of the native title rights and interests shall indicate whether they intend to have the native title rights and interests held in trust and, if so, by whom. They are invited to do so by:
 - (a) nominating in writing to the Federal Court a prescribed body corporate to be trustee of the native title rights and interests; and
 - (b) including within the nomination the written consent of the body corporate.

4. If a prescribed body corporate is nominated in accordance with order 3, it will hold the native title rights and interests described in order 1 of the Determination in trust for the common law holders of the native title rights and interests.
5. In the event that there is no nomination within the time specified in order 3, or such later time as the Court may order, the matter is to be listed for further directions.
6. The State's interlocutory application in WAD 297 of 2008 dated 15 October 2012 is dismissed.
7. There be no orders as to costs.

Note: Entry of orders is dealt with in Rule 39.32 of the *Federal Court Rules 2011*.

ORDERS

WAD 303 of 2013

BETWEEN: **HARVEY MURRAY ON BEHALF OF THE YILKA NATIVE
TITLE CLAIMANTS**
Applicant

AND: **STATE OF WESTERN AUSTRALIA**
First Respondent

PATRICK EDWARDS AND MERVYN SULLIVAN
Second Respondents

JUDGE: **MCKERRACHER J**

DATE OF ORDER: **27 SEPTEMBER 2017**

THE COURT ORDERS THAT:

1. WAD 297 of 2008, WAD 303 of 2013 and WAD 498 of 2011 be determined together.
2. In relation to the Determination Area, there be a determination of native title in WAD 297 of 2008, WAD 303 of 2013 and WAD 498 of 2011 in terms of the attached Minute of Determination of Native Title.
3. Within six months of the date upon which these orders are made, a representative of the common law holders of the native title rights and interests shall indicate whether they intend to have the native title rights and interests held in trust and, if so, by whom. They are invited to do so by:
 - (a) nominating in writing to the Federal Court a prescribed body corporate to be trustee of the native title rights and interests; and
 - (b) including within the nomination the written consent of the body corporate.
4. If a prescribed body corporate is nominated in accordance with order 3, it will hold the native title rights and interests described in order 1 of the Determination in trust for the common law holders of the native title rights and interests.
5. In the event that there is no nomination within the time specified in order 3, or such later time as the Court may order, the matter is to be listed for further directions.
6. The State's interlocutory application in WAD 297 of 2008 dated 15 October 2012 is dismissed.

7. There be no orders as to costs.

Note: Entry of orders is dealt with in Rule 39.32 of the *Federal Court Rules 2011*.

MINUTE OF DETERMINATION OF NATIVE TITLE

THE COURT ORDERS AND DETERMINES THAT:

- (1) Native title rights and interests exist in relation to the whole of the Determination Area.
- (2) The native title is held by the persons described in Schedule 3 (**native title holders**).
- (3) Subject to Orders 6 and 7, the nature and extent of the native title rights and interests in relation to each part of the Determination Area referred to in Schedule 4 [being land and waters where there has been no extinguishment of native title or areas where any extinguishment must be disregarded] is the right of possession, occupation, use and enjoyment of that part as against the whole world.
- (4) Subject to Orders 5, 6 and 7, the nature and extent of the native title rights and interests in relation to each part of the Determination Area referred to in Schedule 5 [being land and waters where there has been partial extinguishment other than where such extinguishment must be disregarded] are the following rights or interests:
 - (a) the right to access, to remain in and to use that part for any purpose;
 - (b) the right to access and take for any purpose resources of that part; and
 - (c) the right to maintain and protect places and objects of significance in or on that part.
- (5) The native title rights and interests referred to in Order 4 do not confer possession, occupation, use and enjoyment of the native title areas or any parts thereof on the native title holders to the exclusion of all others.
- (6) The native title rights and interests are exercisable in accordance with and subject to the:
 - (a) traditional laws and customs of the native title holders; and
 - (b) laws of the State and the Commonwealth, including the common law.
- (7) Notwithstanding anything in this determination, there are no native title rights and interests in the native title areas in or in relation to:
 - (a) minerals as defined in the *Mining Act 1904 (WA)* (repealed) and in the *Mining Act 1978 (WA)* as in force at 31 October 1975; or
 - (b) petroleum as defined in the *Petroleum Act 1936 (WA)* (repealed) and in the *Petroleum and Geothermal Energy Resources Act 1967 (WA)*.

- (8) The nature and extent of other rights and/or interests in relation to the Determination Area are those set out in Schedule 6 (**other interests**).
- (9) The relationship between the native title rights and interests and the other interests is as follows:
- (a) the other interests co-exist with the native title rights and interests;
 - (b) the determination does not affect the validity of those other interests; and
 - (c) to the extent of any inconsistency, the native title rights and interests yield to the other interests.
- (10) For the avoidance of doubt, sections 47A and 47B of the *Native Title Act 1993* (Cth) respectively apply to the areas described in Schedule 9.
- (11) In this determination, unless the contrary intention appears:
- Determination Area** means the land and waters described in Schedule 1 Part 1;
- land** and **waters** respectively have the same meanings as in the *Native Title Act*;
- Native Title Act** means the *Native Title Act 1993* (Cth);
- State** means the State of Western Australia; and
- Yilka and Sullivan Area** means the land and waters described in Schedule 2.
- (12) In the event of an inconsistency between the written description of area in the Schedules and the areas depicted on the Maps in Schedules 7 and 8, the written descriptions shall prevail.

Schedule 1 – Determination Area

[See Order 1]

The determination area comprises - excepting the areas described in Part 2 - all of the land and waters within the external boundaries described in Part 1 and shown generally on the map in Schedule 7.

Part 1 - External Boundaries

All those lands and waters commencing at the westernmost northwestern corner of the northwestern severance of Reserve 25051 and extending easterly and southerly along boundaries of that severance to a northern boundary of Reserve 24980; Then southerly to the westernmost northwestern corner of Reserve 36271; Then southerly, easterly again southerly and again easterly along boundaries of that reserve to the easternmost northeastern corner of Reserve 20396; Then southerly and westerly along boundaries of that reserve to the southeastern corner of Reserve 25050. Then westerly, northerly, northwesterly, again westerly and again northerly along boundaries of that reserve to a southern boundary of Reserve 22032; Then westerly, northerly, easterly, again northerly and generally easterly along boundaries of that reserve to the westernmost southwestern corner of the northwestern severance of Reserve 25051 and then northerly along the western boundary of that severance back to the commencement point

Note: Geographic Coordinates provided in Decimal Degrees.
Cadastral boundaries sourced from Landgate's Spatial Cadastral Database dated 6th July 2016.
All referenced Deposited Plans and Diagrams are held by the Western Australian Land Information Authority, trading as Landgate

Datum Geocentric Datum of Australia 1994 (GDA94)

Prepared By: Graphic Services (Landgate) 17th August 2016

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.

Part 2 – Excluded Areas

[Areas not included because they are not covered by the native title determination application]

The areas within the external boundaries described in Part 1 that are not included in the Determination Area are:

Area	Title	Location
Area 1	Water Reserve 18594	Within Reserve 22032 as shown on the map
Area 2	Water Reserve 18595	Within Reserve 22032 as shown on the map
Area 3	Water Reserve 18596	Within Reserve 22032 as shown on the map
Area 4	Water Reserve 18597	Within Reserve 22032 as shown on the map
Area 5	Water Reserve 18714	Within Yamarna Pastoral Lease as shown on the map
Road 2 (Part)	Road 9463 (Part)	The length of the road (also known as the White Cliffs-Yamarna Road) that traverses the Yamarna Pastoral Lease N049674 (Area 11)

Schedule 2 – Yilka and Sullivan Area

The Yilka and Sullivan Area comprises all the land and waters of the Determination Area within the external boundaries described below and shown generally on the map in Schedule 8.

External Boundaries

All those lands and waters commencing at the westernmost northwestern corner of the northwestern severance of Reserve 25051 and extending southeasterly to the easternmost northeastern corner of the southeastern severance of Pastoral Lease N49674 (Yamarna), being a point on the present boundary of Reserve 36271; Then southerly, easterly, again southerly and again easterly along boundaries of that reserve to the easternmost northeastern corner of Reserve 20396; Then southerly along the eastern boundary of that reserve to Latitude 28.401234° South; Then west along that latitude to a western boundary of Reserve 25050; Then northwesterly, westerly and northerly along boundaries of that reserve to a southern boundary of Reserve 22032; Then westerly, northerly, easterly, again northerly and generally easterly along boundaries of that reserve to the westernmost southwestern corner of the northwestern severance of Reserve 25051 and then northerly along the western boundary of that severance back to the commencement point.

Note: Geographic Coordinates provided in Decimal Degrees.
Cadastral boundaries sourced from Landgate's Spatial Cadastral Database dated 6th July 2016.
All referenced Deposited Plans and Diagrams are held by the Western Australian Land Information Authority, trading as Landgate

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Prepared By: Graphic Services (Landgate) 17th August 2016

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.

Schedule 3 – Native Title Holders

[The Native Title Holders referred to in Order 2]

- (1) The Native Title Holders are those persons who are recognised under traditional law and custom as having rights in part or all of the Determination Area through one or more of:
 - (a) their own or an ancestor's birth on the Determination Area;
 - (b) their own or an ancestor's long association with the Determination Area; or
 - (c) their own holding of senior ritual authority with respect to places on the Determination Area.

- (2) At the date of this determination, the following persons are recognised under traditional law and custom as having rights in the entirety of the Determination Area:
 - (a) the descendants of:
 - (i) Marnupa;
 - (ii) Waltila and Nanuma;
 - (iii) Billy Kurlu;
 - (iv) Sandy Grey;
 - (v) Skipper Elliot;
 - (vi) Charlie Winter;
 - (vii) Danny Harris;
 - (viii) Lincoln Smith;
 - (ix) Paul Simms; and
 - (x) Andrew Watson
 - (b) Victor Fraser and his descendants.

- (3) At the date of this determination, in addition to the persons in Clause 2 above, the descendants of the following persons are recognised under traditional law and custom as having rights in the entirety of the Yilka and Sullivan Area:
 - (a) Dimple Sullivan; and
 - (b) Pauline Wingrove.

Schedule 4 – Where Native Title is Exclusive Possession

[See Order 3]

The parts of the Determination Area where native title comprises the rights and interests set out in Order 3 are the parts of the Determination Area other than those described in Schedule 5, as generally shown on the Map in Schedule 7.

Schedule 5 – Where Native Title is not Exclusive Possession

[See Order 4]

The parts of the Determination Area where native title comprises the rights and interests set out in Order 4 are the following, as generally shown on the Map in Schedule 7:

Area	Description	Name
Area 8	Reserve 24980	Warburton Range Stock Route
Area 11	Pastoral Lease N049674 (formerly PL 3114/854)	Yamarna Pastoral Lease
Area 12 (Part)	Lot 18 on DP 194858 (part)	That portion of UCL 1 covered by Mining Leases when the relevant native title application was made on 15 December 2008, namely M 3800435, M 3800436, M 3800437, M 3800438 and M 3800439

Schedule 6 – Other Interests

[Other interests referred to in Order 8]

The nature and extent of other interests in relation to the Determination Area are the following as they exist as at the date of this determination:

Reserves

- (1) The following reserves, the interests of persons who have the care, control and management of them, and the interests of persons entitled to access and use these reserves for the respective purposes for which they are reserved, subject to any statutory limitations upon those rights:

Area	Description	Name
Area 6	Reserve 20396	Cosmo Newberry (East) Aboriginal Reserve
Area 7	Reserve 22032	Cosmo Newberry (West) Aboriginal Reserve
Area 8	Reserve 24980	Warburton Range Stock Route
Area 9	Reserve 25050	Cosmo Newberry (South) Aboriginal Reserve
Area 10	Reserve 25051	Cosmo Newberry Aboriginal Reserve

Pastoral Lease

- (2) The rights and interests of the holders of the following current Pastoral Lease:

Area	Description	Name
Area 11	Pastoral Lease N049674 (formerly PL 3114/854)	Yamarna Pastoral Lease

Mining Interests

- (3) The rights and interests of the holders of the following current Mining Interests under the *Mining Act 1978* (WA):

Tenure ID	Tenure Type
E3801083	EXPLORATION LICENCE
E3801386	EXPLORATION LICENCE
E3801388	EXPLORATION LICENCE
E3801732	EXPLORATION LICENCE
E3801858	EXPLORATION LICENCE
E3801931	EXPLORATION LICENCE
E3801932	EXPLORATION LICENCE
E3801964	EXPLORATION LICENCE
E3802178	EXPLORATION LICENCE
E3802235	EXPLORATION LICENCE
E3802236	EXPLORATION LICENCE
E3802249	EXPLORATION LICENCE
E3802250	EXPLORATION LICENCE
E3802274	EXPLORATION LICENCE
E3802291	EXPLORATION LICENCE
E3802292	EXPLORATION LICENCE
E3802293	EXPLORATION LICENCE
E3802319	EXPLORATION LICENCE
E3802320	EXPLORATION LICENCE
E3802325	EXPLORATION LICENCE
E3802326	EXPLORATION LICENCE
E3802355	EXPLORATION LICENCE
E3802356	EXPLORATION LICENCE
E3802362	EXPLORATION LICENCE
E3802415	EXPLORATION LICENCE
E3802446	EXPLORATION LICENCE
E3802447	EXPLORATION LICENCE
E3802513	EXPLORATION LICENCE
E3802529	EXPLORATION LICENCE
E3802531	EXPLORATION LICENCE

Tenure ID	Tenure Type
E3802627	EXPLORATION LICENCE
E3802685	EXPLORATION LICENCE
E3802735	EXPLORATION LICENCE
E3802766	EXPLORATION LICENCE
E3802774	EXPLORATION LICENCE
E3802794	EXPLORATION LICENCE
E3802797	EXPLORATION LICENCE
E3802798	EXPLORATION LICENCE
E3802836	EXPLORATION LICENCE
E3802850	EXPLORATION LICENCE
E3802851	EXPLORATION LICENCE
E3802860	EXPLORATION LICENCE
E3802863	EXPLORATION LICENCE
E3802889	EXPLORATION LICENCE
E3802913	EXPLORATION LICENCE
E3802917	EXPLORATION LICENCE
E3802918	EXPLORATION LICENCE
E3802931	EXPLORATION LICENCE
E3802944	EXPLORATION LICENCE
E3802952	EXPLORATION LICENCE
E3802961	EXPLORATION LICENCE
E3802964	EXPLORATION LICENCE
E3802966	EXPLORATION LICENCE
E3802967	EXPLORATION LICENCE
E3802968	EXPLORATION LICENCE
E3802987	EXPLORATION LICENCE
E3803041	EXPLORATION LICENCE
E3803047	EXPLORATION LICENCE
E3803048	EXPLORATION LICENCE
E3803092	EXPLORATION LICENCE
E3803096	EXPLORATION LICENCE

Tenure ID	Tenure Type
E3803111	EXPLORATION LICENCE
E3803150	EXPLORATION LICENCE
M3800435	MINING LEASE
M3800436	MINING LEASE
M3800437	MINING LEASE
M3800438	MINING LEASE
M3800439	MINING LEASE
M3800555	MINING LEASE
M3800556	MINING LEASE
M3800788	MINING LEASE
M3800814	MINING LEASE
M3800841	MINING LEASE
M3801178	MINING LEASE
M3801179	MINING LEASE
M3801255	MINING LEASE
M3801267	MINING LEASE
L3800180	MISCELLANEOUS LICENCE
L3800186	MISCELLANEOUS LICENCE
L3800210	MISCELLANEOUS LICENCE
L3800211	MISCELLANEOUS LICENCE
L3800233	MISCELLANEOUS LICENCE
L3800235	MISCELLANEOUS LICENCE
L3800236	MISCELLANEOUS LICENCE
L3800237	MISCELLANEOUS LICENCE
L3800250	MISCELLANEOUS LICENCE
L3800251	MISCELLANEOUS LICENCE
L3800252	MISCELLANEOUS LICENCE
L3800253	MISCELLANEOUS LICENCE
L3800254	MISCELLANEOUS LICENCE
L3800255	MISCELLANEOUS LICENCE
L3800256	MISCELLANEOUS LICENCE

Tenure ID	Tenure Type
L3800266	MISCELLANEOUS LICENCE
L3800267	MISCELLANEOUS LICENCE
L3800268	MISCELLANEOUS LICENCE
L3800269	MISCELLANEOUS LICENCE
L3800270	MISCELLANEOUS LICENCE
L3800271	MISCELLANEOUS LICENCE
L3800272	MISCELLANEOUS LICENCE
L3800273	MISCELLANEOUS LICENCE
L3800274	MISCELLANEOUS LICENCE
L3800275	MISCELLANEOUS LICENCE
L3800276	MISCELLANEOUS LICENCE
L3800278	MISCELLANEOUS LICENCE
L3800279	MISCELLANEOUS LICENCE
L3800280	MISCELLANEOUS LICENCE
L3800281	MISCELLANEOUS LICENCE
L3800282	MISCELLANEOUS LICENCE
L3800283	MISCELLANEOUS LICENCE
P3803298	PROSPECTING LICENCE
P3803813	PROSPECTING LICENCE
P3803824	PROSPECTING LICENCE
P3803869	PROSPECTING LICENCE
P3803870	PROSPECTING LICENCE
P3803887	PROSPECTING LICENCE
P3803895	PROSPECTING LICENCE
P3803896	PROSPECTING LICENCE
P3804149	PROSPECTING LICENCE
P3804150	PROSPECTING LICENCE
P3804151	PROSPECTING LICENCE
P3804178	PROSPECTING LICENCE
P3804193	PROSPECTING LICENCE
P3804194	PROSPECTING LICENCE

Tenure ID	Tenure Type
P3804195	PROSPECTING LICENCE
P3804196	PROSPECTING LICENCE
P3804197	PROSPECTING LICENCE
P3804198	PROSPECTING LICENCE

Water Interests

- (4) The rights and interests of the holders of the following current Water Interests under the *Rights in Water and Irrigation Act 1914* (WA):

Tenure ID	Tenure Type
GWL 169756	GROUND WATER LICENCE
GWL 176189	GROUND WATER LICENCE
GWL 177087	GROUND WATER LICENCE
CAW 183797	LICENCE TO CONSTRUCT OR ALTER WELL
CAW 183315	LICENCE TO CONSTRUCT OR ALTER WELL

Telstra

- (5) The rights and interests of Telstra Corporation Limited (ACN 051 775 556):
- (a) as the owner and operator of telecommunications facilities installed within the Determination Area;
 - (b) created pursuant to the *Post and Telegraph Act 1901* (Cth), the *Telecommunications Act 1975* (Cth), the *Australian Telecommunications Corporation Act 1989* (Cth), the *Telecommunications Act 1991* (Cth) and the *Telecommunications Act 1997* (Cth), including rights:
 - (A) to inspect land;
 - (B) to install and operate telecommunications facilities; and
 - (C) to alter, remove, replace, maintain, repair and ensure the proper functioning of its telecommunications facilities;

- (c) for its employees, agents or contractors to access its telecommunications facilities in and in the vicinity of the Determination Area in performance of their duties; and
- (d) under any lease, licence, access agreement or easement relating to its telecommunications facilities in the Determination Area.

Other

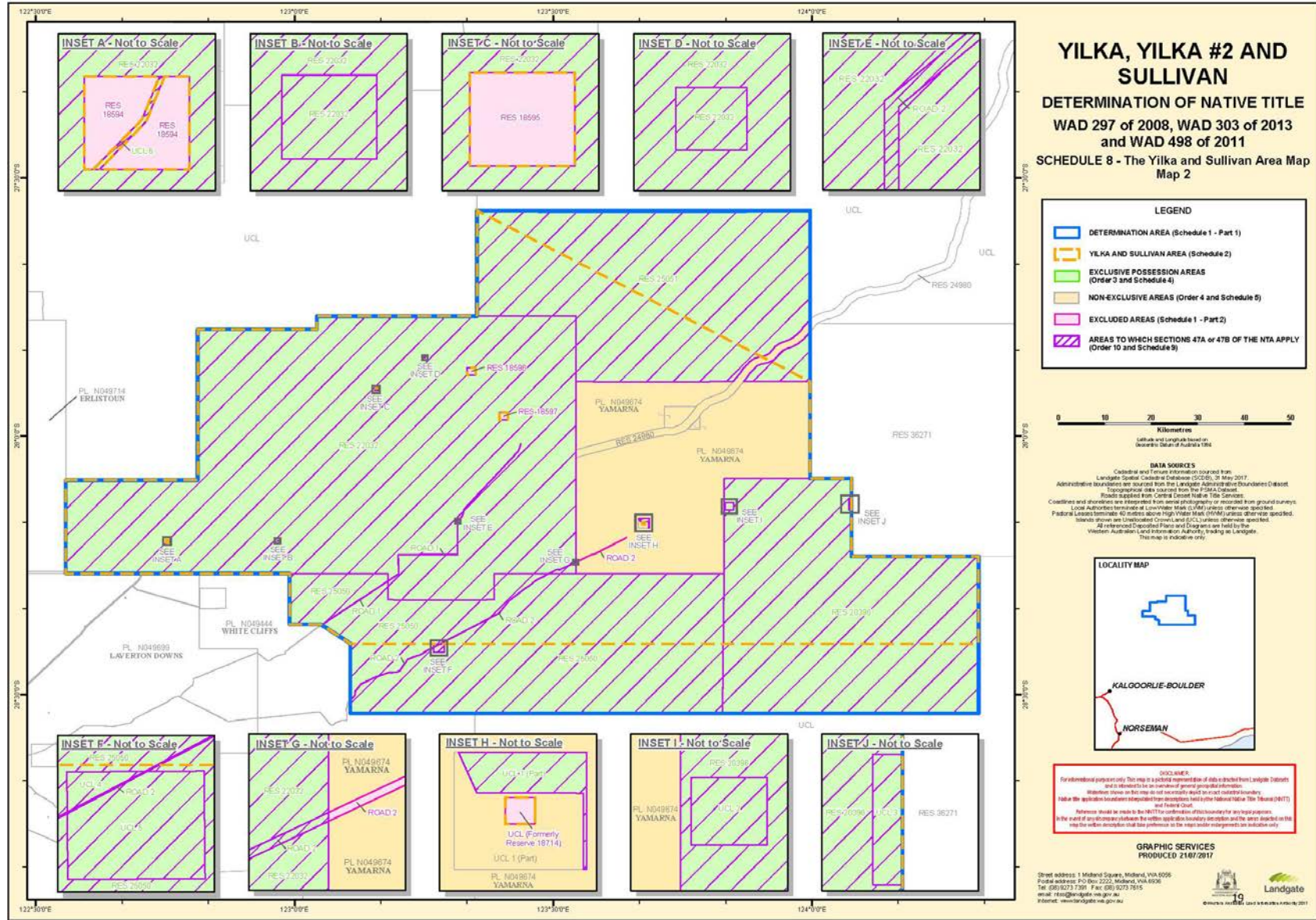
- (6) The following rights and interests:
 - (a) rights and interests held under valid and validated grants from the Crown pursuant to statute or in the exercise of its executive power or otherwise conferred by statute;
 - (b) rights or interests held by reason of the force and operation of the laws of the State or of the Commonwealth including the force and operation of the *Rights in Water and Irrigation Act 1914* (WA) and the *Aboriginal Communities Act 1979* (WA); and
 - (c) the right to access the Determination Area by:
 - (i) an employee or agent or instrumentality of the State;
 - (ii) an employee or agent or instrumentality of the Commonwealth;
 - (iii) an employee or agent or instrumentality of any local government authority,as required in the performance of his or her statutory or common law duty where such access would be permitted to private land;
 - (d) so far as confirmed pursuant to section 14 of the *Titles (Validation) and Native Title (Effect of Past Acts) Act 1995* (WA) as at the date of this determination, any existing public access to and enjoyment of:
 - (i) waterways;
 - (ii) beds and banks or foreshores of waterways;
 - (iii) coastal waters; and
 - (iv) beaches.

Other Areas of Land

- (7) The ongoing use by persons (subject to the *Aboriginal Affairs Planning Authority Act 1972 (WA)* and *Aboriginal Affairs Planning Authority Act Regulations 1972 (WA)*) and maintenance, by the State and relevant local government, of the following areas, shown generally on the map in Schedule 10:
- (a) The Great Central Road;
 - (b) The White Cliffs – Yamarna Road;
 - (c) The Anne Beadell Highway;
 - (d) The Cosmo Newberry Bypass Road; and
 - (e) The portion of the Lake Wells Road that continues northerly from the end of the Cosmo Newberry Bypass Road.

Schedule 7 – The Determination Area Map

Schedule 8 – The Yilka and Sullivan Area Map



Schedule 9 – Areas to which s 47A or s 47B applies

[Areas referred to in Order 10]

The parts of the Determination Area to which sections 47A and 47B of the *Native Title Act* respectively apply are the following:

Area	Description	Purpose	S 47A or 47B
Area 6	Aboriginal Reserve 20396	Use and Benefit of Aborigines	S 47A
Area 7	Aboriginal Reserve 22032	Use and Benefit of Aborigines	S 47A
Area 9	Aboriginal Reserve 25050	Use and Benefit of Aborigines	S 47A
Area 10	Aboriginal Reserve 25051	Use and Benefit of Aborigines	S 47A
Road 1 (Part)	That portion of the Road No.9462 as traverses Areas 7 and 9		S 47A
Road 2 (Part)	That portion of Road No.9463 as traverses Areas 7 and 9 and former Temporary Reserve 2		S 47A
Area 12 (Part)	Unallocated Crown Land		S 47B
Area 13	Unallocated Crown Land		S 47B
Area 14	Unallocated Crown Land		S 47B
Area 15	Unallocated Crown Land		S 47B
Area 16	Unallocated Crown Land		S 47B
Area 17	Unallocated Crown Land	[Alternatively part of Area 7)	S 47B/47A

Schedule 10 – Other Areas of Land Map

SCHEDULE OF PARTIES

WAD 297 of 2008

Respondents

Fourth Respondent: ELECKRA MINES LTD AND URANEX NL

Fifth Respondent: TELSTRA CORPORATION LIMITED

WAD 498 of 2011

Respondents

Fourth Respondent: ELECKRA MINES LTD AND SASAK RESOURCES
AUSTRALIA PTY LTD AND URANEX NL

Fifth Respondent: TELSTRA CORPORATION LIMITED

Sixth Respondent: GOLD ROAD RESOURCES LIMITED