



Extract from the National Native Title Register

Determination Information:

Determination Reference: Federal Court Number(s): SAD6020/1998
NNTT Number: SCD2011/005

Determination Name: [McNamara on behalf of the Gawler Ranges People v State of South Australia](#)

Date(s) of Effect: 19/12/2011

Determination Outcome: Native title exists in parts of the determination area

Register Extract (pursuant to s. 193 of the *Native Title Act 1993*)

Determination Date: 19/12/2011

Determining Body: Federal Court of Australia

ADDITIONAL INFORMATION:

Not Applicable

REGISTERED NATIVE TITLE BODY CORPORATE:

Gawler Ranges Aboriginal Corporation RNTBC
Agent Body Corporate
C/- Norman Waterhouse Lawyers
Level 15
45 Pirie Street
Adelaide South Australia 5000

Note: current contact details for the Registered Native Title Body Corporate are available from the Office of the Registrar of Indigenous Corporations www.oric.gov.au

COMMON LAW HOLDER(S) OF NATIVE TITLE:

3. Under the relevant traditional laws and customs of the Gawler Ranges People, the native title holders comprise those living Aboriginal people who have recognised filial links either through birth or adoption to:

(a) one or more of the following Gawler Ranges antecedents:

- * Harry Croft
- * Phyllis Hart
- * Victor McNamara

- * Jean Glennie
- * Mary Glennie
- * Bill Wingfield
- * Archie Yalatu
- * Eva Reagan
- * Harry Dare
- * Archie Eyles
- * Bert Eyles
- * Percy Davis
- * Dolly Eyles
- * Dick Thomas
- * Winnie Watson
- * Ada Eyles
- * George Reid
- * Mick Reid
- * Susie Captain
- * Hilda Captain
- * William Smith
- * Molly Clawton
- * Harry Peel
- * Rose O'Loughlin
- * Frank Dunnett
- * Elizabeth Eyles
- * Fred Richards
- * Emma McNamara
- * Hilda Richards
- * Roy Ernest Wilson
- * Elizabeth Miller
- * George Turner; or

(b) any other person acknowledged by the Native Title Holders as a Gawler Ranges antecedent where it can be demonstrated that the antecedent:

(i) gained his or her knowledge of Gawler Ranges law and custom in accordance with traditional law and custom from a recognised and authoritative Gawler Ranges person; or

(ii) was a long term resident of the Gawler Ranges; and

(iii) maintained relations with other members of the Gawler Ranges society in accordance with the traditional laws and customs of the Gawler Ranges people;

AND

who are recognised by other Native Title Holders under the relevant traditional laws and customs of the Gawler Ranges people as having activated their membership rights and therefore as holding Native Title rights and interests in the Determination Area.

MATTERS DETERMINED:

THE COURT ORDERS, DECLARES AND DETERMINES BY CONSENT THAT:

INTERPRETATION & DECLARATION

1. In this Determination, including its schedules:

(a) unless the contrary intention appears, the words and expressions used have the same meaning as they are given in Part 15 of the NT Act;

(b) 'the Vesting' means the vesting of a Park or Reserve in the Crown pursuant to the NPWA as listed in Schedule 4; and

(c) in the event of an inconsistency between a description of an area and the depiction of that area on a map, the written description shall prevail.

2. Native title exists in the areas described in Schedule 1 but does not exist in those areas described in paragraphs 9, 11, 12, and 14 (the Determination Area).

NATIVE TITLE HOLDERS

3. Under the relevant traditional laws and customs of the Gawler Ranges People, the native title holders comprise those living Aboriginal people who have recognised filial links either through birth or adoption to:

(a) one or more of the following Gawler Ranges antecedents:

- * Harry Croft
- * Phyllis Hart
- * Victor McNamara
- * Jean Glennie
- * Mary Glennie
- * Bill Wingfield
- * Archie Yalatu
- * Eva Reagan
- * Harry Dare
- * Archie Eyles
- * Bert Eyles
- * Percy Davis
- * Dolly Eyles
- * Dick Thomas
- * Winnie Watson
- * Ada Eyles
- * George Reid
- * Mick Reid

- * Susie Captain
- * Hilda Captain
- * William Smith
- * Molly Clawton
- * Harry Peel
- * Rose O'Loughlin
- * Frank Dunnett
- * Elizabeth Eyles
- * Fred Richards
- * Emma McNamara
- * Hilda Richards
- * Roy Ernest Wilson
- * Elizabeth Miller
- * George Turner; or

(b) any other person acknowledged by the Native Title Holders as a Gawler Ranges antecedent where it can be demonstrated that the antecedent:

(i) gained his or her knowledge of Gawler Ranges law and custom in accordance with traditional law and custom from a recognised and authoritative Gawler Ranges person; or

(ii) was a long term resident of the Gawler Ranges; and

(iii) maintained relations with other members of the Gawler Ranges society in accordance with the traditional laws and customs of the Gawler Ranges people;

AND

who are recognised by other Native Title Holders under the relevant traditional laws and customs of the Gawler Ranges people as having activated their membership rights and therefore as holding Native Title rights and interests in the Determination Area.

RIGHTS AND INTERESTS

4. Subject to paragraphs 5, 6 & 7, the nature and extent of the native title rights and interests of the Gawler Ranges People in relation to the Determination Area are non-exclusive rights to use and enjoy in accordance with their traditional laws and customs the land and waters of the Determination Area, being:

(a) the right to access and move about the Determination Area;

(b) the right to live, to camp and, for the purpose of exercising their native title rights and interests, to erect shelters and other structures on the Determination Area;

(c) the right to hunt in the Determination Area;

(d) the right to gather and use the natural resources of the Determination Area such as food, medicinal plants, wild tobacco, timber, resin, ochre and feathers;

(e) the right to share and exchange the subsistence and other traditional resources of the Determination Area;

(f) the right to use the natural water resources of 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 including those relating to births and deaths;

- (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 to Native Title Holders under their traditional laws and customs on the Determination Area;
- (l) the right to be accompanied on to 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;

GENERAL LIMITATIONS

5. The native title rights and interests are for personal, domestic and communal use but do not include commercial use of the Determination Area or the resources from it.

6. The native title rights and interests described in paragraph 4 do not confer possession, occupation, use and enjoyment of the Determination Area on the Native Title Holders to the exclusion of others.

7. Native title rights and interests are subject to and exercisable in accordance with:

- (a) the traditional laws and customs of the native title holders;
- (b) the valid laws of the State and Commonwealth, including the common law.

For the avoidance of doubt, the native title interest expressed in paragraph 4(f) (the right to use the natural water resources of the Determination Area) is subject to the Natural Resources Management Act 2004 (SA).

8. Native title does not exist in the areas and resources described in paragraphs 9, 11, 12 and 14 herein.

9. Native title rights and interests do not exist in respect of those parts of the Determination Area being any house, shed or other building or airstrip or any dam or other stock watering point constructed pursuant to the pastoral leases referred to in paragraph 15(a) below constructed prior to the date of this determination. These areas include any adjacent land or waters the exclusive use of which is necessary for the enjoyment of the improvements referred to.

10. To be clear, paragraph 9 does not preclude the possibility of further extinguishment, according to law, of native title over other limited parts of the Determination Area by reason of the construction of new pastoral improvements of the kind referred to in paragraph 9 after the date of this determination.

11. Native title rights and interests do not exist in:

- (a) Minerals, as defined in s 6 of the Mining Act 1971 (SA); or
- (b) Petroleum, as defined in s 4 of the Petroleum and Geothermal Energy Act 2000 (SA); or
- (c) a naturally occurring underground accumulation of a regulated substance as defined in s 4 of the Petroleum and Geothermal Energy Act 2000 (SA), below a depth of 100 metres from the surface of the earth; or
- (d) a natural reservoir, as defined in s 4 of the Petroleum and Geothermal Energy Act 2000 (SA), below a depth of 100 metres from the surface of the earth; or
- (e) geothermal energy, as defined in s 4 of the Petroleum and Geothermal Energy Act 2000 (SA) the source of which is below a depth of 100 metres from the surface of the earth.

For the purposes of this paragraph 11 and the avoidance of doubt:

- (i) a geological structure (in whole or in part) on or at the earth's surface or a natural cavity which can be accessed or entered by a person through a natural opening in the earth's surface, is not a natural reservoir;
- (ii) thermal energy contained in a hot or natural spring is not geothermal energy as defined in s 4 of the Petroleum

and Geothermal Energy Act 2000 (SA);

(iii) the absence from this order of any reference to a natural reservoir or a naturally occurring accumulation of a regulated substance, as those terms are defined in s 4 of the Petroleum and Geothermal Energy Act 2000 (SA), above a depth of 100 metres below the surface of the earth or geothermal energy the source of which is above a depth of 100 metres below the surface of the earth is not, of itself, to be taken as an indication of the existence or otherwise of native title rights or interests in such natural reservoir, naturally occurring accumulation of a regulated substance or geothermal energy.

12. Native title rights do not exist in the areas covered by Public Works (including the land defined in s 251D of the NT Act) which were constructed, established or situated prior to 23 December 1996 or commenced to be constructed or established on or before that date.

13. Public Works constructed, established or situated after 23 December 1996 have had such effect as has resulted from Part 2, Division 3, of the Native Title Act or as agreed pursuant to the terms of the Gawler Ranges Native Title Claim Settlement ILUA as described in Schedule 7.

14. Those areas described in Schedule 3 have been excluded from the Determination Area because native title has been extinguished over them.

OTHER INTERESTS & RELATIONSHIP WITH NATIVE TITLE

15. The nature and extent of other interests in the Determination Area are:

(a) the interests within the Determination Area created by the following pastoral leases:

LEASE NAME	PASTORAL LEASE NO	CROWN LEASE
Beacon Hill	PE 2170	Volume 1205 Folio 3
Buckleboo	PE 2286	Volume 1290 Folio 42
Bungeroo	PE 2168	Volume 1196 Folio 14
Coondambo	PE 2349	Volume 1284 Folio 10
Hiltaba	PE 2301	Volume 1289 Folio 14
Kokatha	PE 2355	Volume 1292 Folio 32
Kolendo	PE 2323	Volume 1290 Folio 23
Kondoolka	PE 2313	Volume 1290 Folio 33
Koweridda	PE 2330B	Volume 1311 Folio 34
Lake Everard	PE 2393	Volume 1310 Folio 48
Lockes Claypan	PE 2530	Volume 1610 Folio 47
Mahanewo	PE 2351	Volume 1292 Folio 43
Mahanewo South	PE 2177	Volume 1213 Folio 44
Moonaree	PE 2329	Volume 1298 Folio 26
Mount Ive	PE 2289	Volume 1286 Folio 9
Nonning	PE 2328	Volume 1298 Folio 25
Part Hiltaba	PE 2294	Volume 1287 Folio 12
Part Thurlga	PE 2305	Volume 1609 Folio 55
Pinjarra	PE 2196	Volume 1266 Folio 14
Siam	PE 2254	Volume 1287 Folio 8
Siam North	PE 2423A	Volume 1433 Folio 2

Thurlga	PE 2305B	Volume 1609 Folio 56
Unalla	PE 2330	Volume 1311 Folio 32
Uno	PE 2314	Volume 1290 Folio 4
Wilgena	PE 2364	Volume 1298 Folio 30
Wirraminna	PE 2348	Volume 1293 Folio 46
Wirraminna South	PE 2155	Volume 1165 Folio 13
Yardea	PE 2330A	Volume 1311 Folio 33
Yarna	PE 2253	Volume 1287 Folio 25
Yeltana	PE 2529	Volume 1608 Folio 35

(b) the interests of the Crown in right of the State of South Australia;

(c) In relation to those Reserves set out in Schedule 5:

(i) The rights and interests of the Crown of South Australia pursuant to the National Parks and Wildlife Act 1972 (SA); and

(ii) The rights and interests of the public to use and enjoy those Reserves consistent with the National Parks and Wildlife Act 1972 (SA).

(d) the interests of persons to whom valid or validated rights and interests have been granted or recognised by the Crown in right of the State of South Australia or by the Commonwealth of Australia pursuant to statute or otherwise in the exercise of executive power including, but not limited to, rights and interests granted or recognised pursuant to the Crown Land Management Act 2009 (SA), Crown Lands Act 1929 (SA), Mining Act 1971 (SA), Petroleum and Geothermal Energy Act 2000 (SA) and Opal Mining Act 1995 (SA), all as amended from time to time;

(e) rights or interests held by reason of the force and operation of the laws of the State or of the Commonwealth;

(f) the rights to access land by an employee or agent or instrumentality of the State, Commonwealth or other statutory authority as required in the performance of his or her statutory or common law duties where such access would be permitted to private land;

(g) the rights and interests of all parties to the Indigenous Land Use Agreements listed in Schedule 7 arising by reason of those agreements;

(h) the rights and interests of Telstra Corporation Limited (or its corporate successor):

(i) as the owner or operator of telecommunications facilities within the Determination Area;

(ii) 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:

(1) to inspect land;

(2) to install and operate telecommunication facilities;

(3) to alter, remove, replace, maintain, repair and ensure the proper functioning of its telecommunications facilities; and

(4) 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:

(iii) under or arising from s 18 of the Crown Land Management Act 2009 (SA) or under s 5 of the Crown Lands Act 1929 (SA) in respect of the following areas under Telstra's care, control and management:

(1) Section 1568, Out of Hundreds (Childara) (Waverley DRCS)

(iv) under any lease, licence, access agreement or easement relating to its telecommunications facilities in the Determination Area;

(i) the Commonwealth rights and interests in the Woomera Prohibited Area, being:

(i) the rights and interests authorised under regulation 34 of the Defence Force Regulations 1952 on 22 May 2007, by the Minister for Defence, to enter upon, and the use on behalf of the Commonwealth of, the area of land situated in the State of South Australia and delineated on the plan numbered GP 249/1989 deposited in the General Registry Office at Adelaide, South Australia, for the purpose of carrying out operations for the testing of war material; and

(ii) the rights and interests of the Commonwealth in the area, being all that piece of land situate in the State of South Australia and delineated on the plan deposited in the General Registry Office at Adelaide and numbered GP 249/1989, declared as a prohibited area under regulation 35 of the Defence Force Regulations 1952 on 29 June 1989 by the Minister for Defence Science and Personnel (Commonwealth of Australia Gazette No GN 26, 12 July 1989, 1564).

(j) the rights, interests and entitlements of ETSA Utilities (a partnership of Spark Infrastructure SA (No.1) Pty Ltd, Spark Infrastructure SA (No.2) Pty Ltd, Spark Infrastructure SA (No.3) Pty Ltd, CKI Utilities Development Limited and HEI Utilities Development Limited) and its related and successor entities, including its rights, interests and entitlements:

(i) to exercise its entitlements and discharge its obligations as the owner and/or operator of electricity infrastructure (as defined in the Electricity Act 1996 (SA) (Electricity Act) and telecommunications facilities and infrastructure within the Determination Area (Existing Infrastructure);

(ii) to exercise its entitlements and discharge its obligations as the holder of a licence under the Electricity Act and/or as an electricity entity under the Electricity Act;

(iii) to exercise its entitlements and discharge its obligations as the holder of a carrier licence under the Telecommunications Act 1997 (Cth);

(iv) to install new electricity and telecommunications infrastructure within the Determination Area (New Infrastructure) and modify, maintain and repair Existing Infrastructure;

(v) under easements, leases or licences (whether registered, unregistered, statutory or otherwise) relating to Existing Infrastructure or New Infrastructure within the Determination Area (Easements);

(vi) to provide its employees, agents or contractors with access to Existing Infrastructure, New Infrastructure and the Easements within the Determination Area; and

(vii) to the extent permitted by law, to restrain any person from performing any act, or compel any person to perform any act, for the purposes of ensuring that ETSA Utilities complies with its obligations under any law, including, but not limited to, excluding any person from entering an area containing Existing Infrastructure or New Infrastructure for the purposes of maintaining the safety of any person and the security and protection of such infrastructure;

(k) the rights and interests created by Crown Lease Miscellaneous No. 20983 for tourism purposes Volume 1640 Folio 67.

16. The relationship between the native title rights and interests in the Determination Area that are described in paragraph 4 and the other rights and interests described in paragraph 15 (the Other Interests) is that:

(a) to the extent that any of the Other Interests are inconsistent with the continued existence, enjoyment or exercise of the native title rights and interests, the native title rights and interests continue to exist in their entirety, but the native title rights and interests have no effect in relation to the Other Interests to the extent of the inconsistency during the currency of the Other Interests; and otherwise,

(b) the existence and exercise of the native title rights and interests do not prevent the doing of any activity required or permitted to be done by or under the Other Interests, and the Other Interests, and the doing of any activity required or permitted to be done by or under the Other Interests, prevail over the native title rights and interests and any exercise of the native title rights and interests, but, subject to any application of s 24 IB or s 24JA of the NT Act, do not extinguish them;

(c) in the Schedule 4 Areas, the native title rights and interests continue to exist but have no effect in relation to the Vesting.

(d) the native title is subject to extinguishment by:

(i) the lawful powers of the Commonwealth and of the State of South Australia; and/or

(ii) the lawful grant or creation of interests pursuant to the Laws of the Commonwealth and the State of South Australia.

AND THE COURT MAKES THE FOLLOWING FURTHER ORDERS:

17. The native title is not to be held in trust.

18. The Gawler Ranges (Aboriginal Corporation), is to:

(a) be the prescribed body corporate for the purposes of s 57(2) of the NT Act; and

(b) perform the functions mentioned in s 57(3) of the NT Act after becoming a registered native title body corporate.

19. The parties have liberty to apply on 14 days notice to a single judge of the Court for the following purposes:

(a) to establish the precise location and boundaries of any public works and adjacent land and waters referred to in paragraphs 12 and 13 of this Order;

(b) to determine the effect on native title rights and interests of any public works as referred to in paragraph 13 of this Order; or

(c) to determine whether a particular area is included in the description in paragraph 9 of this Order.

SCHEDULE 1 ' LOCATION OF AND AREAS COMPRISING THE DETERMINATION AREA

The Determination Area is located wholly within and comprises all land and waters bounded by the following line with the exception of those areas described in paragraphs 9, 11, 12 and Schedule 3.

EXTERNAL BOUNDARY DESCRIPTION:

Commencing at a point on the northern boundary of Allotment 100 DP 67929 [Yellabinna Regional Reserve], being its intersection with south-easternmost corner of Block 1117 OH(Tarcoola) [Malbooma Pastoral Lease]. Generally north easterly along the said eastern boundary of the Block 1117 OH(Tarcoola) and eastern boundaries of Section 1218 OH(Tarcoola) to its intersection with the southern boundary of Section 173 OH(Tarcoola) [Trans Australian Railway].

Generally north-easterly, south-easterly, north-easterly and south-easterly along the said southern boundary of Section 173 OH(Tarcoola), Section 172 OH(Tarcoola), Allotment 54 FP217137, Section 170 OH(Kingoonya) and Section 169 OH(Kingoonya) [being also the southern boundary of the Trans Australian Railway] to the south eastern corner of the said Section 169, thence northerly along the eastern boundary of Section 169 and western boundary of Block 864 OH(Kingoonya) to its intersection with the southern boundary of Block 850 OH(Kingoonya).

Thence easterly and northerly along the southern boundaries of said Block 850 OH(Kingoonya) [Bon Bon Pastoral Lease] and Block 300 OH(Kingoonya), [Mt Vivian Pastoral Lease], to the intersection with an eastern boundary of Block 864 OH(Kingoonya) [Coondambo Pastoral Lease]. Thence southerly and easterly along an eastern and northern boundaries of the said Block 864 to a point on said boundary 5 kilometres west of the northwestern corner of the Block 857 OH(Kingoonya).

General south easterly through the points defined by the following latitude and longitude values ' 136.0055186 East, 30.944618 South; 136.081614 East, 31.020656 South; 136.101435 East, 31.12314 South; 136.124559 East, 31.222319 South; 136.14438 East, 31.281826 South; 136.1642 East, 31.354557 South; 136.243483 East, 31.562832 South; 136.273216 East, 31.688459 South; 136.312856 East, -31.860368 South; 136.362408; East, 32.019054 South; 136.405353 East, 32.071949 South; 136.484636 East, 32.111621 South; 136.600258 East, 32.147986 South; thence south-easterly to its intersection with the northern boundary of Block 1223 OH(Port Augusta) [Siam North Pastoral Lease] approximately 2.5 kilometres from the northwesternmost corner of the said Block 1223.

Generally easterly, south-easterly and southerly along the northern and eastern boundaries of the said Block 1223, Block 820 OH(Port Augusta) [Siam Pastoral Lease], and Block 814 OH(Port Augusta) [Uno Pastoral Lease] to its intersection with the northern shoreline of Lake Gilles. Generally north-easterly, south easterly and south-westerly along the northern and eastern shorelines of Lakes Gilles to its intersection with the southern boundary of the aforesaid Block 814. Generally westerly, northerly and north-westerly along the southern and western boundaries of the said Block 814 to its intersection with the production north-easterly of the southern boundary of Section 18 Hundred of Cunyarie. Generally westerly along the southern boundaries of Sections 18, 17, 16, 13, 12, 11, 10 and 9, Hundred of Cunyarie, northerly along the western boundaries of Section 9, 8 and 1 Hundred of Cunyarie to the north western corner of said Section 1.

Thence north-westerly across the road to the south eastern corner of Block 955A OH(Yardea) [Bungeroo Pastoral Lease]. Thence westerly along the southern boundary of the said Block 955A and Block 265 OH(Yardea) [Buckleboo Pastoral Lease] to its intersection with the production northerly of the eastern boundary of Section 112, Hundred of Buckleboo. Southerly along the eastern boundaries of Sections 112 and 113 Hundred of Buckleboo, thence generally westerly along the southern boundaries of Sections 113, 114, 115, 116, 117 and 148 Hundred of Buckleboo, Section 241 Hundred of Corrabinnie and Block 1256 OH(Yardea) and Allotment 501 DP59476 [Gawler Ranges Nation Park] to its intersection with the north-eastern corner of the Hundred of Pinbong.

Northerly and north-westerly through the points defined by the following latitude and longitude values ' 135.481328 East 32.703562 South; 135.455594 East 32.688612 South; 135.454992 East 32.6820672 South; 135.451719 East 32.681720 South; 135.402714 East 32.654851 South; 135.400475 East 32.654249 South and 135.392035 East 32.648909 South, then to its intersection with the north-eastern corner of Section 82 OH(Yardea). North'westerly along the north-eastern boundary of the said Section 82 to its intersection with the south eastern corner of Piece 7 DP56946, thence northerly, north westerly, south-westerly and westerly along the eastern, northern, western and southern boundaries of pieces 7, 6, 8, 9 and 1 DP56946. Northerly along the western boundary of the said Piece 1 DP56946 for a distance of approximately 3.4 kilometres, thence north westerly to its intersection with the north-eastern corner of Section 1, Hundred of Bockelberg. Westerly along the northern boundary of the said Section 1 to its intersection with the western boundary of Block 638A OH(Yardea) thence northerly to the north western corner of the said Block 638A.

North-westerly though Section 2 & 56 OH(Streaky Bay) and across road to the north-easternmost corner of northern portion of Section 741 OH(Streaky Bay), thence westerly along the northern boundary of the said Section 741 to its intersection with the north-eastern boundary of Section 125 OH(Streaky Bay). Thence north-westerly, south westerly and southerly along the north-eastern, north-western and western boundaries of the said Section 125 to its intersection with the north-eastern corner of Allotment 11 DP35936 [Pureba Conservation Park]. Generally north-westerly northerly and north easterly along the eastern and north eastern boundaries of Allotments 11 & 10 DP35936 and allotment 400 DP25122 [Pureba Conservation Park], and Allotment 100 DP67929 [Yellabinna Regional Reserve] to the point of commencement.

SCHEDULE 2 ' MAPS OF THE DETERMINATION AREA

(See NNTR Attachment 1: 'Schedule 2 ' Maps of the Determination Area')

SCHEDULE 3 ' AREAS WITHIN THE EXTERNAL BOUNDARIES OF THE DETERMINATION AREA WHICH ARE EXCLUDED FROM THE DETERMINATION AREA BECAUSE NATIVE TITLE HAS BEEN EXTINGUISHED

(See NNTR Attachment 2: 'Schedule 3 ' Areas within the external boundaries of the Determination Area which are excluded from the Determination Area because native title has been extinguished')

SCHEDULE 4 - AREAS WHERE THE NON-EXTINGUISHMENT PRINCIPLE APPLIES BY REASON OF A VESTING

PARK NAME	LEGISLATION PROCLAIMED	REFERENCE
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UNDER

Lake Gairdner	National Parks and Wildlife Act	S1531 Out of Hundreds
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National Park	1972 (SA)	(Gairdner and Yardea)
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Section 1533 Out of

Hundreds Gairdner

Section 1534 Out of

Hundreds

(Childara and Gairdner)

proclaimed on

19 December1991

SCHEDULE 5 - RESERVES UNDER NATIONAL PARKS AND WILDLIFE ACT 1972

PARK NAME	REFERENCE
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Gawler Ranges National Park	Block 1231 Out of Hundreds (Yardea), Allotment 3 in Deposited Plan 56946
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and Allotment 501 in Deposited Plan

59476

Lake Gairdner	National Park	Section 1531
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Out of Hundreds (Gairdner and Yardea),
Section 1533 Out of Hundreds
Gairdner, Section 1534 Out of Hundreds
(Childara and Gairdner) Pieces 102
and 103 DP 67746 Out of Hundreds
(Yardea)

Lake Gilles Conservation Park Section 66 Hundred of Moseley,
Section 1576 Out of Hundreds
(Port Augusta and Whyalla)

SCHEDULE 7 - DETAILS OF INDIGENOUS LAND USE AGREEMENTS IN THE DETERMINATION AREA

PASTORAL

NAME	NNTT REFERENCE NUMBER	DATE REGISTERED
Moonaree Pastoral ILUA	S12009/003	13/06/2010
Coondambo Pastoral ILUA	S12009/004	13/06/2010
ILUA		
Kokatha Pastoral ILUA	S12009/005	13/06/2010
Siam North Pastoral ILUA	S12008/007	27/05/2009
Hiltaba Pastoral ILUA	S12008/017	26/05/2009
Wilgena Pastoral ILUA	S12008/016	26/05/2009
(AJ & PA McBride Pty Ltd)		
Lockes Claypan Pastoral ILUA	S12008/015	26/05/2009
Yardea Pastoral ILUA	S12008/014	26/05/2009
Thurlga Pastoral ILUA	S12007/003	26/05/2009
Yeltana Pastoral ILUA	S12008/010	26/05/2009
Part Hiltaba Pastoral ILUA	S12008/009	26/05/2009
Siam Pastoral ILUA	S12008/011	26/05/2009
Yarna Pastoral ILUA	S12008/008	26/05/2009
Koweridda Pastoral ILUA	S12008/012	26/05/2009
Lake Everard Pastoral ILUA	S12008/013	26/05/2009

MINERALS

NAME	NNTT REFERENCE NUMBER	DATE REGISTERED
Gawler Ranges Mineral	S12004/004	30/06/2006
Exploration ILUA		

PARKS

1. Gawler Ranges National Park ILUA:

Agreement to be executed by Elliott McNamara, Kenneth Smith, Howard Richards and Andrew Dingaman on behalf of the Gawler Ranges Native Title Claim Group, Elliott McNamara, Barry Croft, Lorraine Dare, Howard Richards, Jody Miller, Marlene Weetra-Height and Lavinia Heron on behalf of the Barngarla Native Title Claim Group, the Gawler Ranges (Aboriginal Corporation) and the State of South Australia.

2. Lake Gilles (Gawler Ranges Native Title Claim) Conservation Park ILUA:

Agreement to be executed by Elliott McNamara, Kenneth Smith, Howard Richards and Andrew Dingaman on behalf of the Gawler Ranges Native Title Claim Group, the Gawler Ranges (Aboriginal Corporation) and the State of South Australia.

3. Lake Gairdner National Park ILUA:

Indigenous Land Use Agreement between Elliott McNamara, Kenneth Smith, Howard Richards and Andrew Dingaman on behalf of the Gawler Ranges Native Title Claim Group, the Gawler Ranges (Aboriginal Corporation) and the State of South Australia.

OTHER

Gawler Ranges Native Title Claim Settlement ILUA:

Agreement to be executed by Elliott McNamara, Kenneth Smith, Howard Richards and Andrew Dingaman on behalf of the Gawler Ranges Native Title Claim Group, the Gawler Ranges (Aboriginal Corporation) and the State of South Australia.

SCHEDULE 8

APPLICANTS

Applicant: Elliott McNamara

Applicant: Kenneth Smith

Applicant: Howard Richards

Applicant: Andrew Dingaman

RESPONDENTS

Respondent: Commonwealth of Australia

Respondent: South Australian Native Title Services Ltd

Respondent: AJ & PA McBride Pty Ltd

Respondent: David William Henderson

Respondent: Megan Joy Henderson

Respondent: Lake Everard Pty Ltd

Respondent: Colleen Mary Manning

Respondent: Paul Stephen Manning

Respondent: D.H. Morris

Respondent: R.R. Morris

Respondent: Nonning Pastoral Company Pty Ltd

Respondent: Pinevale Pastoral Company Pty Ltd

Respondent: Unalla Pastoral Company Pty Ltd

Respondent: Yarrah Nominees Pty Ltd

Respondent: Mount Ive Station Pty Ltd

Respondent: Adelaide Resources Ltd

Respondent: Gravity Capital Ltd

Respondent: Telstra Corporation Limited

Respondent: Electranet Pty Ltd

Respondent: South Australian Apiarists Association Inc

Respondent: Ironclad Mining Ltd

Respondent: Tarcila Resources Pty Ltd

REGISTER ATTACHMENTS:

1. Attachment 1 Schedule 2 - Maps of the Determination Area, 14 pages - A4, 19/12/2011

2. Attachment 2 Schedule 3 - Areas excluded from the Determination Area because native title has been, 9 pages - A4, 19/12/2011

Note: The National Native Title Register may, in accordance with s. 195 of the Native Title Act 1993, contain confidential information that will not appear on the Extract.