



Extract from the National Native Title Register

Determination Information:

Determination Reference: Federal Court Number(s): SAD55/2013
NNTT Number: SPD2013/001

Determination Name: [De Rose v State of South Australia](#)

Date(s) of Effect: 1/10/2013

Determination Outcome: Native title does not exist

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

Determination Date: 01/10/2013

Determining Body: Federal Court of Australia

ADDITIONAL INFORMATION:

Not Applicable

MATTERS DETERMINED:

Extinguishment of Native Title

2. Pursuant to s 13(2) of the NTA, native title has been extinguished in the areas the subject of the acts identified in Schedule 2.

3. The acts attributed to the First Respondent and identified in Schedule 2 extinguish native title and compensation is payable by the First Respondent to the De Rose Hill Native Title Holders pursuant to Divisions 2 (Subdivision B, s 20) and 2B (s 23J) of Part 2 of the NTA on the basis that the acts occurred after the commencement of the *Racial Discrimination Act 1975* (Cth).

4. But for the extinguishing acts, the De Rose Hill Native Title Holders (represented by the Applicant and the Second Respondent) would have held native title rights and interests in the areas subject to the acts identified in Schedule 2.

SCHEDULE 2 - Confirmation of extinguishment of native title within the Determination Area

The following acts extinguished all native title existing at the time of each act, meaning no native title exists over the areas of the following acts:

1. The freehold grant made on 20 January 1992 to Noel Coulthard, being Certificate of Title Volume 5422 Folio 657, that was surrendered from the Pastoral Lease No. 2133 pursuant to Partial Surrender No 4583674 on

8 May 1980, and was previously subject to Miscellaneous Lease No 17628 on 29 January 1981.

2. The creation of the Stuart Highway Corridor that is the surrendered land from Pastoral Lease No. 2133 pursuant to Partial Surrender No 4860713 on 15 October 1981.

3. The establishment of the Agnes Creek car park, Lot 31 in Deposited Plan 23552, resumed on 1 November 1996, by way of endorsement on Pastoral Lease No. 2133 pursuant to Certificate of Alteration No. 8250597 dated 20 February 1997.

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.