



Extract from the National Native Title Register

Determination Information:

Determination Reference: Federal Court Number(s): QUD80/2009
NNTT Number: QCD2014/013

Determination Name: [Smith on behalf of the Kullilli People v State of Queensland](#)

Date(s) of Effect: 5/12/2014

Determination Outcome: Native title exists in the entire determination area

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

Determination Date: 02/07/2014

Determining Body: Federal Court of Australia

ADDITIONAL INFORMATION:

The determination by Justice Logan was handed down on 2 July 2014 and was conditional on the registration of 23 agreements on the Indigenous Land Use Agreements Register. The final ILUA was registered on 5 December 2014, therefore the condition has been met and the determination is now registered.

REGISTERED NATIVE TITLE BODY CORPORATE:

Kullilli Bulloo River Aboriginal Corporation RNTBC
Trustee Body Corporate
Po Box 12543
Brisbane Queensland 4001

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:

The native title is held by the Kullilli People described in Schedule 3 ("the native title holders").

The native title holders are the Kullilli People. The Kullilli People are the biological descendants of one or more of the following people:

- (i) Joe Barney;
- (ii) Neba Brighton;

- (iii) Daisy (spouse Harry Pilot);
- (iv) 'Gnadollie' Hekel;
- (v) Ida (spouse Peter Williams, Buckley);
- (vi) 'MaryAnn' Jinnie (spouse William Conlan);
- (vii) Mary (spouse Harry Barney);
- (viii) Mary (spouses Chinese, Dick Richards and Alexander Brierty);
- (ix) 'Ippi' Mary (Bob Gray);
- (x) Mary-Ann (Billy Phillips);
- (xi) 'Miria' Maryann (Alick, Charlie Turner, Jack Williams);
- (xii) 'Munga' Maryann;
- (xiii) Jeannie' Jinnie' Mossman and Charlie Fitzroy;
- (xiv) Dick 'Gunta' Richards;
- (xv) 'Kullilli' Rosie and her husband;
- (xvi) 'Curra' Jack Thompson;
- (xvii) 'Bunda' Tiger;
- (xviii) Tilby and 'Djogo' Hugo;
- (xix) Tinda and Lollipop;
- (xx) Toby and Topsy;
- (xxi) Jack 'Norley' Wallace;
- (xxii) Monitor Wallace;
- (xxiii) Willico;
- (xxiv) Harry Willis;
- (xxv) Harry Willy-Boy;
- (xxvi) Monday Willoughby;
- (xxvii) Harry Barney;
- (xxviii) Annie Bulloo;
- (xxix) Jack Bulloo;
- (xxx) Charlie Copra;
- (xxxi) Maggie; and
- (xxxii) Trella/Tarella (and her son Albert Hagan).

**MATTERS DETERMINED:
BY CONSENT THE COURT ORDERS THAT:**

1. There be a determination of native title in the terms set out below (“the determination”).
2. The determination will take effect upon the agreements referred to in paragraph 1 of Schedule 4 being registered on the Register of Indigenous Land Use Agreements.

BY CONSENT THE COURT DETERMINES THAT:

5. The Determination Area is the land and waters described in Schedule 1A, and depicted in the map attached to Schedule 1B.
6. Native title exists in relation to the Determination Area described in Part 1, 2 and 3 of Schedule 1A.
7. The native title is held by the Kullilli People described in Schedule 3 (“the native title holders”).
8. Subject to paragraphs 10, 11 and 12 below the nature and extent of the native title rights and interests in relation to the land and waters described in Part 1 of Schedule 1 are the non-exclusive rights to:
 - (a) access, be present on, move about on and travel over the area;
 - (b) camp and for that purpose build temporary shelters;
 - (c) hunt, fish and gather on the land and waters of the area for personal, domestic and non-commercial communal purposes;
 - (d) take, use, share and exchange Natural Resources from the land and waters of the area for personal, domestic and non-commercial communal purposes;
 - (e) take and use the Water of the area for personal, domestic and non-commercial communal purposes;
 - (f) conduct ceremonies on the area;
 - (g) be buried and bury native title holders within the area;
 - (h) maintain places of importance and areas of significance to the native title holders under their traditional laws and customs and protect those places and areas from physical harm; and
 - (i) teach on the area the physical and spiritual attributes of the area.
9. Subject to paragraphs 10, 11 and 12 below the nature and extent of the native title rights and interests in relation to the land and waters described in Part 2 of Schedule 1A are the non-exclusive rights to:
 - (a) access, be present on, move about on and travel over the area.
10. The native title rights and interests are subject to and exercisable in accordance with:
 - (a) the Laws of the State and the Commonwealth;
 - (b) the traditional laws acknowledged and traditional customs observed by the native title holders; and
 - (c) the terms and conditions of the agreements referred to in paragraph 1 of Schedule 4.
11. The native title rights and interests referred to in paragraphs 8 and 9 do not confer possession, occupation, use or enjoyment to the exclusion of all others.
12. There are no native title rights in or in relation to minerals as defined by the *Mineral Resources Act 1989* (Qld) and petroleum as defined by the *Petroleum Act 1923* (Qld) and the *Petroleum and Gas (Production and Safety) Act 2004* (Qld).
13. The nature and extent of any other interests in relation to the Determination Area (or respective parts thereof) are set out in Schedule 4.
14. The relationship between the native title rights and interests described in paragraphs 8 and 9 and the other interests described in Schedule 4 (the “other interests”) is that:

- (a) the other interests continue to have effect, and the rights conferred by or held under the other interests may be exercised notwithstanding the existence of the native title rights and interests;
- (b) to the extent the other interests are inconsistent with the continued existence, enjoyment or exercise of the native title rights and interests in relation to the land and waters of the Determination Area, the native title continues to exist in its entirety but the native title rights and interests have no effect in relation to the other interests to the extent of the inconsistency for so long as the other interests exist; and
- (c) the other interests and any activity that is required or permitted by or under, and done in accordance with, the other interests, or any activity that is associated with or incidental to such an activity, prevail over the native title rights and interests and any exercise of the native title rights and interests.

THE COURT DETERMINES THAT:

15. Upon the determination taking effect:

- (a) The native title is held in trust;
- (b) The Kullilli Bulloo River Aboriginal Corporation (ICN: 7224), incorporated under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (Cth), is to:
- (i) be the prescribed body corporate for the purpose of ss 56(2)(b) and 56(3) of the *Native Title Act 1993* (Cth); and
- (ii) perform the functions mentioned in s 57(1) of the *Native Title Act 1993* (Cth) after becoming a registered native title body corporate.

DEFINITIONS AND INTERPRETATION

16. In this determination, unless the contrary intention appears:

“Determination Area” is the land and waters described in Schedule 1A and depicted on the map in Schedule 1B and does not include areas described in Schedule 2. To the extent of any inconsistency between Schedule 1A and 1B, Schedule 1A prevails;

“External Boundary” means the boundary described in Schedule 1A Part 3;

“land” and “waters”, respectively, have the same meanings as in the *Native Title Act 1993* (Cth);

“Laws of the State and the Commonwealth” means the common law and the laws of the State of Queensland and the Commonwealth of Australia, and includes legislation, regulations, statutory instruments, local planning instruments and local laws;

“Local Government Act” has the same meaning as in the *Local Government Act 2009* (Qld);

“Local Government Area” has the same meaning as in the *Local Government Act 2009* (Qld);

“Natural Resources” means:

any animal, plant, fish and bird life found on or in the lands and waters of the Determination Area; and

any clays, soil, sand, gravel or rock found on or below the surface of the Determination Area

that have traditionally been taken and used by the native title holders, but does not include:

animals that are the private personal property of another;

crops that are the private personal property of another; and

minerals as defined in the *Mineral Resources Act 1989* (Qld) or petroleum as defined in the *Petroleum Act 1923* (Qld) and the *Petroleum and Gas (Production and Safety) Act 2004* (Qld);

“Reserves” means reserves that are dedicated and taken to be reserves under the *Land Act 1994* (Qld);

“Water” means:

water which flows, whether permanently or intermittently, within a river, creek or stream; and

any natural collection of water, whether permanent or intermittent.

Other words and expressions used in this Determination have the same meanings as they have in Part 15 of the *Native Title Act 1993* (Cth).

Schedule 1 – DETERMINATION AREA

A. Description of Determination Area

The Determination Area comprises all of the land and waters described in Parts 1 and 2 of Schedule 1A to the extent that they fall within the External Boundary description at Schedule 1A Part 3, and depicted in the determination map in Schedule 1B, excluding the areas described in Schedule 2.

Part 1 – Non-Exclusive Areas.

(a) The land and waters comprised of the lots and part lots listed below.

Area Description

Lot 1 on KY20

Lot 1 on NY10

Lot 1 on NY7

Lot 1 on WY10

Lot 1 on WY14

Lot 1 on WY9

Lot 2 on KY3

Lot 2 on KY9

Lot 3 on KY7

Lot 3 on NY6

Lot 4 on B536

Lot 4 on WELL538

Lot 7 on WN68

That part of Lot 10 on BLO13 that falls within the External Boundary description

That part of Lot 11 on BLO13 that falls within the External Boundary description

Lot 14 on WN121

Lot 30 on WN8

Lot 31 on T19113

Lot 32 on T1918

Lot 33 on T19112

Lot 500 on CP900062

Lot 501 on CP900053

Lot 503 on SP134021

Lot 1 on BLO31

That part of Lot 1 on SP209773 that falls within the External Boundary description

Lot 1 on WN148

Lot 1 on WN186

Lot 1 on WN233

That part of Lot 2 on BLO31 that falls within the External Boundary description

That part of Lot 3 on BI22 that falls within the External Boundary description

That part of Lot 4 on CP880081 that falls within the External Boundary description

That part of Lot 4 on GO51 that falls within the External Boundary description

That part of Lot 4 on WN234 that falls within the External Boundary description

That part of Lot 5 on SP126466 that falls within the External Boundary description

Lot 6 on SP238338

That part of Lot 8 on CP892351 that falls within the External Boundary description

That part of Lot 10 on CP855300 that falls within the External Boundary description

That part of Lot 11 on CP855300 that falls within the External Boundary description

Lot 58 on SP210397

That part of Lot 447 on SP196201 that falls within the External Boundary description

That part of Lot 468 on PH1653 that falls within the External Boundary description

That part of Lot 1309 on PH1613 that falls within the External Boundary description

Lot 1319 on PH1996

Lot 1322 on PH1737

Lot 1344 on CP908606

That part of Lot 1673 on PH2276 that falls within the External Boundary description

Lot 1795 on PH2123

That part of Lot 2143 on PH2019 that falls within the External Boundary description

Lot 2554 on PH458

Lot 2599 on PH20

That part of Lot 2669 on PH2064 that falls within the External Boundary description

That part of Lot 2828 on PH276 that falls within the External Boundary description

That part of Lot 2829 on PH307 that falls within the External Boundary description

Lot 2914 on SP219056

Lot 3119 on PH1104

Lot 4141 on PH1400

Lot 4245 on PH2267

Lot 4312 on PH887

Lot 4313 on PH1916

Lot 4371 on PH817

Lot 5004 on TI842932

Lot 5006 on PH1593

That part of Lot 5159 on PH1835 that falls within the External Boundary description

Lot 4 on K537

Lot 6 on AP15851

Lot 6 on K5310

Lot 3 on TI842931

Lot 1 on AP21561

(b) The waters within the External Boundaries including but not limited to:

(i) Bulloo River;

(ii) Kulki Creek;

(iii) Tungera Creek;

(iv) Titheroo (Wangamurra) Creek;

(v) Tooverra Creek;

(vi) Mirintu Creek;

(vii) Moble Creek

(viii) Pitteroo Creek;

(ix) Wilson River;

(x) Lignum Branch;

(xi) Parragoona Creek.

Part 2 - Non-Exclusive Town Areas.

The land and waters comprised of the lots and part lots listed below.

Area Description

Lot 34 on CP900059

Lot 35 on C8128

Lot 1 on T1917

Lot 2 on T1917

Lot 3 on T1917

Lot 4 on T1917

Lot 5 on T1917

Lot 6 on T1917

Lot 7 on T1917

Lot 8 on T1917

Lot 31 on T1916

Lot 32 on T1916

Lot 33 on T1916

Lot 34 on T1916

Lot 35 on T1916

Lot 36 on T1916

Lot 37 on T1916

Lot 38 on T1916

Lot 39 on T1916

Lot 40 on T1916

Lot 511 on CP900058

Lot 513 on CP900058

Part 3 – External Boundary Description

The External Boundary means the land and waters bounded by the following line:

External Boundary

Commencing at a point on the Queensland - New South Wales state border, approximately 12.5km east of Warri Warri Gate at Longitude 142.058001° East and extending generally northerly and generally north-easterly passing through the following coordinate points:

Longitude East	Latitude South
142.057699	28.998318
142.052618	28.984621
142.051022	28.967840
142.052472	28.945953
142.058298	28.920321
142.057868	28.895466
142.052839	28.876431
142.053864	28.845110
142.058223	28.825482
142.064374	28.803987
142.071786	28.780172
142.082417	28.761605
142.092487	28.740973
142.108257	28.718645
142.111636	28.704886
142.113363	28.697852
142.121299	28.675176
142.133251	28.658657
142.146170	28.638208
142.160391	28.617969
142.175392	28.597947
142.189321	28.576558
142.205453	28.547996
142.220307	28.521062
142.229985	28.496049
142.242048	28.473530

142.254961	28.454911
142.271289	28.438309
142.287692	28.416336
142.291821	28.410818
142.296528	28.385416
142.289208	28.369874
142.277269	28.357167
142.271526	28.342290
142.274598	28.326355
142.287699	28.305195
142.293441	28.297961
142.304688	28.283973
142.318459	28.271089
142.341584	28.245618
142.357811	28.226243
142.375484	28.201546
142.392700	28.180308
142.406542	28.159353
142.421832	28.133307
142.434852	28.110751
142.447560	28.085897
142.456751	28.066627
142.468840	28.049840
142.484973	28.028377
142.497787	28.009503
142.503763	27.998115
142.514559	27.982831
142.524730	27.968915
142.536210	27.956133
142.551441	27.934105
142.562898	27.920171
142.573075	27.907402
142.583232	27.893481
142.586739	27.889416

142.591279

27.879727

Then northerly to the centreline of the Wilson River at Longitude 142.595276° East, about 560 metres north-easterly of Noccundra Waterhole; then generally north-easterly along the centreline of that river to Longitude 142.921272° East; then generally south-easterly and generally north-easterly passing through the following coordinate points:

Longitude East	Latitude South
142.924660	27.433120
142.941935	27.443086
142.949243	27.442422
142.965853	27.435778
142.985785	27.429133
143.002395	27.423154
143.014354	27.417174
143.039602	27.405215
143.061527	27.393256
143.087439	27.379303
143.114015	27.368008
143.137269	27.356049
143.163845	27.343426
143.181784	27.334124
143.214339	27.318178
143.245566	27.300239
143.276129	27.283629
143.292739	27.274992
143.318651	27.261704
143.341240	27.249745
143.359844	27.241108
143.376454	27.230477
143.397714	27.216525
143.418311	27.201244
143.448873	27.181311
143.480100	27.156729
143.504683	27.134139

Then north easterly to a point on the Grey Range at Latitude 27.120427° South, being the watershed between Cooper Creek and Bulloo River; then generally north-easterly along that watershed and ridgeline of that range to Longitude 143.871053 East; then generally south-easterly across the Bulloo River, Gorrie Gorrie Creek and Baalooroo Creek passing through the following coordinate points:

Longitude East	Latitude South
143.912575	26.849876
143.920221	26.874419
143.960001	26.917576
144.032684	26.996430
144.074061	27.027198
144.102708	27.048418
144.121805	27.090856
144.151512	27.116320
144.234268	27.150270
144.270340	27.158758
144.332938	27.209685
144.396596	27.268038
144.443278	27.359281

Then southerly and generally south-westerly passing through the following coordinate points:

Longitude East	Latitude South
144.452827	27.413391
144.424181	27.529036
144.396596	27.586328
144.386509	27.599205

Then generally south westerly passing to the west of Lake Hutchinson, Lake Toomaroo and Lake Bidegolly to the Bulloo Developmental Road passing through the following coordinate points:

Longitude East	Latitude South
144.317073	27.686700
144.317077	27.687880
144.316390	27.694982

144.316286	27.702425
144.315859	27.709926
144.315170	27.715940
144.313327	27.724019
144.311410	27.729063
144.308913	27.733823
144.306285	27.738469
144.303463	27.742314
144.299097	27.747366
144.294986	27.751674
144.291070	27.756839
144.285154	27.761209
144.279494	27.764834
144.270677	27.768927
144.265721	27.771176
144.259740	27.774745
144.253889	27.779001
144.247588	27.784002
144.242965	27.789455
144.238280	27.795481
144.234367	27.801219
144.230261	27.807244
144.226225	27.814814
144.222699	27.820552
144.219429	27.825601
144.215706	27.829907
144.210497	27.834046
144.202390	27.838366
144.196085	27.841650
144.189590	27.846308
144.185025	27.849643
144.180849	27.853951
144.177318	27.858084
144.173466	27.862791

144.169547	27.867098
144.166148	27.872033
144.162102	27.876511
144.157604	27.880591
144.152462	27.884729
144.146163	27.890131
144.140634	27.894672
144.132656	27.898820
144.123066	27.903487
144.111542	27.907648
144.104917	27.911391
144.097974	27.916909
144.091226	27.922828
144.086476	27.928798
144.083270	27.933666
144.078584	27.940159
144.075898	27.946637
144.073595	27.952926
144.072960	27.954662
144.070464	27.960166
144.067013	27.969109
144.065166	27.976100
144.063577	27.982574
144.063042	27.987213
144.062341	27.992080
144.061186	27.996242
144.059132	28.000576
144.055824	28.004647
144.051737	28.007976
144.046432	28.011916
144.041968	28.015169
144.037635	28.017619
144.033107	28.020010

Then generally southerly to a point on a low ridgeline at Longitude 144.067132° East, Latitude 28.175252° South about 32km south-easterly of Thargomindah and about 3 km easterly of Dynevor Downs No. 9 Bore passing through the following coordinate points:

Longitude East	Latitude South
144.030390	28.022180
144.027156	28.024752
144.024049	28.027898
144.022109	28.031279
144.020422	28.035581
144.018868	28.040344
144.018283	28.045514
144.017051	28.049991
144.016206	28.055791
144.015878	28.062285
144.015355	28.069869
144.015607	28.078262
144.016120	28.084127
144.017927	28.089424
144.019345	28.095523
144.021021	28.101682
144.022763	28.106461
144.024829	28.111529
144.026959	28.116311
144.029928	28.123050
144.033222	28.127493
144.036970	28.131075
144.042010	28.134721
144.047439	28.137853
144.052287	28.140349
144.056746	28.143243
144.060558	28.146423
144.063660	28.149140
144.067536	28.153241

144.069022	28.155490
144.070377	28.158600
144.071344	28.162744
144.070758	28.168316
144.069204	28.171584

Then generally south-westerly and generally southerly along a ridgeline to a point on the Queensland - New South Wales State Border at Longitude 143.684697° East passing through the following coordinate points:

Longitude East	Latitude South
144.064480	28.178227
144.060467	28.180679
144.056718	28.182846
144.053612	28.185704
144.050247	28.189365
144.047076	28.193143
144.044164	28.196289
144.041963	28.199842
144.038534	28.203388
144.035556	28.208316
144.032385	28.212553
144.030572	28.215992
144.028630	28.218684
144.025653	28.221945
144.022418	28.224745
144.018990	28.227889
144.015049	28.230539
144.010200	28.232462
144.005348	28.232676
144.001953	28.232605
143.998284	28.233252
143.995632	28.235050
143.994219	28.237012
143.992419	28.239435

143.989898	28.241289
143.987238	28.242398
143.983926	28.243340
143.979959	28.244055
143.975982	28.243681
143.972218	28.245199
143.969369	28.246883
143.966530	28.249543
143.964877	28.253516
143.963140	28.261912
143.963704	28.266269
143.964654	28.269879
143.966845	28.273883
143.969035	28.277830
143.971024	28.281262
143.974317	28.284797
143.976170	28.287655
143.977765	28.290801
143.979226	28.293547
143.979836	28.295897
143.980123	28.298478
143.980287	28.301807
143.980179	28.303989
143.980069	28.305942
143.979246	28.308301
143.977189	28.310956
143.973632	28.313508
143.970071	28.315657
143.966185	28.317865
143.963401	28.319663
143.960489	28.321520
143.956728	28.323268
143.952121	28.324964
143.947441	28.326030

143.942183	28.327616
143.936729	28.329318
143.931859	28.330843
143.927380	28.332424
143.921970	28.332116
143.916752	28.331406
143.911524	28.329834
143.905270	28.329704
143.898632	28.330439
143.891924	28.330656
143.884966	28.331794
143.878076	28.333104
143.871844	28.335155
143.865286	28.337325
143.858596	28.339209
143.852358	28.340687
143.846842	28.342791
143.842106	28.344775
143.837056	28.347795
143.831996	28.349839
143.827399	28.352683
143.823189	28.355008
143.817821	28.358662
143.813637	28.363513
143.810357	28.367726
143.807336	28.371650
143.804643	28.375917
143.803252	28.380060
143.803286	28.383447
143.803064	28.387295
143.801748	28.392356
143.800035	28.396845
143.798128	28.401508
143.796342	28.405252

143.793009	28.410556
143.790699	28.414017
143.788581	28.417131
143.785997	28.419043
143.783213	28.420727
143.780037	28.422299
143.777120	28.423754
143.774341	28.425899
143.771764	28.428672
143.769330	28.432821
143.767800	28.436104
143.766526	28.438983
143.764999	28.442553
143.763724	28.445260
143.761610	28.448776
143.759882	28.451773
143.757638	28.455348
143.755325	28.458521
143.753337	28.461577
143.750827	28.464522
143.746820	28.467535
143.744032	28.468989
143.740598	28.470620
143.737292	28.472193
143.734897	28.473759
143.732763	28.475324
143.730376	28.477579
143.725483	28.483296
143.723622	28.486007
143.721571	28.489293
143.720100	28.491944
143.719473	28.494359
143.719566	28.497172
143.720049	28.499752

143.719367	28.503201
143.719328	28.505785
143.719619	28.508711
143.721406	28.511511
143.724758	28.514474
143.728439	28.517664
143.731928	28.521314
143.735025	28.524795
143.738717	28.529133
143.740461	28.534001
143.741227	28.538933
143.742306	28.542370
143.743455	28.546610
143.744210	28.550279
143.744054	28.554299
143.743833	28.557917
143.743931	28.561189
143.743980	28.565953
143.746229	28.569383
143.748540	28.572410
143.751568	28.575546
143.754200	28.578054
143.757490	28.581304
143.759476	28.584448
143.760552	28.587828
143.760917	28.591729
143.760443	28.596325
143.760357	28.600746
143.759942	28.604768
143.759075	28.609194
143.757688	28.613682
143.756172	28.618342
143.753222	28.622955
143.750591	28.626877

143.748414	28.630508
143.745393	28.634490
143.742317	28.639506
143.740714	28.641813
143.738474	28.645847
143.736942	28.648900
143.735741	28.652525
143.735972	28.656083
143.737578	28.660263
143.740426	28.664893
143.743392	28.668260
143.746812	28.671452
143.749057	28.674422
143.753005	28.678356
143.756356	28.681146
143.758664	28.683944
143.759996	28.686748
143.761014	28.690817
143.760929	28.695295
143.759926	28.699148
143.759305	28.702138
143.758355	28.704785
143.756108	28.708015
143.753734	28.711534
143.751690	28.715566
143.750031	28.718965
143.748055	28.723169
143.746671	28.728058
143.746384	28.731849
143.746894	28.737127
143.747397	28.741659
143.748446	28.748599
143.749542	28.754045
143.752077	28.759826

143.754799	28.764859
143.757978	28.770062
143.760045	28.774698
143.762374	28.779562
143.764231	28.782764
143.765968	28.787000
143.767186	28.791470
143.767629	28.796634
143.767622	28.802375
143.767145	28.806741
143.766487	28.812429
143.764444	28.822949
143.763446	28.827261
143.761405	28.831581
143.759038	28.835789
143.757112	28.838501
143.753442	28.842832
143.749368	28.845615
143.745550	28.848110
143.739245	28.849473
143.732736	28.849977
143.726019	28.849219
143.719763	28.848975
143.714753	28.849583
143.708772	28.850715
143.704422	28.852180
143.698459	28.855148
143.694719	28.858790
143.691114	28.862948
143.689203	28.867210
143.686198	28.872799
143.685335	28.877627
143.684282	28.882973
143.684660	28.888080

143.685427	28.893012
143.688352	28.898848
143.690095	28.903658
143.691318	28.908587
143.692286	28.914149
143.692798	28.919600
143.692847	28.924422
143.692976	28.930678
143.692972	28.936591
143.693144	28.940896
143.692811	28.946524
143.692932	28.951920
143.692596	28.957433
143.691476	28.962493
143.691130	28.966916
143.690183	28.969850
143.689501	28.973185
143.687782	28.977100
143.686906	28.980666
143.685773	28.984522
143.685031	28.988488
143.684424	28.992798
143.684328	28.996186
143.684528	28.997830

Then westerly along that state border back to the commencement point.

Note:

Reference Datum

Geographical coordinates are referenced to the Geocentric Datum of Australia (GDA94), in decimal degrees and are based on the spatial reference data acquired from the various custodians at the time.

Data Reference and Source

External boundary based on data sourced from National Native Title Tribunal April 2014.

Cadastre data sourced from Department of Natural Resources and Mines (Qld) April 2014.

Watercourses and low ridgeline are interpreted from 1:250k Topographic vector data © Commonwealth of Australia (Geoscience Australia) 2003.

Ridgeline of the Grey Range based on Drainage Basin Sub-Area Queensland Data as at (20/01/2009) sourced from Department of Environment and Resource Management (Qld) September 2011.

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 Queensland South Native Title Services (23/04/2014).

B. Map of Determination Area

[See NNTR attachment 1: "Map of Determination Area"]

Schedule 2 – AREAS NOT FORMING PART OF THE DETERMINATION AREA

The following areas of land and waters are excluded from the Determination Area:

1. Those land and waters within the External Boundary, which at the time the native title determination application was made:

- (i) were the subject of one or more Previous Exclusive Possession Acts, within the meaning of s 23B of the *Native Title Act 1993* (Cth); and
- (ii) to which none of ss 47, 47A or 47B of the *Native Title Act 1993* (Cth) applied at the time of the native title determination application;

are excluded from the Determination Area as they could not be claimed in accordance with s 61A of the *Native Title Act 1993* (Cth).

2. Specifically, and to avoid any doubt, the land and waters described in (1) above includes, the tenure based exclusions under ss 23B(2) and 23B(3) of the *Native Title Act 1993* (Cth) to which s 20 of the *Native Title (Queensland) Act 1993* (Qld) applies, and includes but is not limited to, the whole of the land and waters described as:

- (a) Lot 16, Crown Plan WN193, Title Reference: 17564202;
- (b) Lot 28, Crown Plan WN153, Title Reference: 17564190;
- (c) Lot 4, Crown Plan KY10, Title Reference: 17564199; and
- (d) Lot 5, Crown Plan KY19, Title Reference: 17564200.

3. Specifically, and to avoid any doubt, the land and waters described in (1) above includes the land or

waters on which any public work, as defined in s 253 of the *Native Title Act 1993* (Cth), is or was constructed, established or situated, and to which ss 23B(7) and 23C(2) of the *Native Title Act 1993* (Cth) and to which s 21 of the *Native Title (Queensland) Act 1993* (Qld), applies, together with any adjacent land or waters in accordance with s 251D of the *Native Title Act 1993* (Cth).

Schedule 3 – NATIVE TITLE HOLDERS

1. The native title holders are the Kullilli People. The Kullilli People are the biological descendants of one or more of the following people:

- (i) Joe Barney;
- (ii) Neba Brighton;
- (iii) Daisy (spouse Harry Pilot);
- (iv) 'Gnadollie' Hekel;
- (v) Ida (spouse Peter Williams, Buckley);
- (vi) 'Mary Ann' Jinnie (spouse William Conlan);
- (vii) Mary (spouse Harry Barney);
- (viii) Mary (spouses Chinese, Dick Richards and Alexander Brierty);
- (ix) 'Ippi' Mary (Bob Gray);
- (x) Mary-Ann (Billy Phillips);
- (xi) 'Miria' Maryann (Alick, Charlie Turner, Jack Williams);
- (xii) 'Munga' Maryann;
- (xiii) Jeannie 'Jinnie' Mossman and Charlie Fitzroy;
- (xiv) Dick 'Gunta' Richards;
- (xv) 'Kullilli' Rosie and her husband;
- (xvi) 'Curra' Jack Thompson;
- (xvii) 'Bunda' Tiger;
- (xviii) Tilby and 'Djogo' Hugo;
- (xix) Tinda and Lollipop;
- (xx) Toby and Topsy;
- (xxi) Jack 'Norley' Wallace;
- (xxii) Monitor Wallace;
- (xxiii) Willico;
- (xxiv) Harry Willis;
- (xxv) Harry Willy-Boy;
- (xxvi) Monday Willoughby;
- (xxvii) Harry Barney;

- (xxviii) Annie Bulloo;
- (xxix) Jack Bulloo;
- (xxx) Charlie Copra;
- (xxxi) Maggie; and
- (xxxii) Trella/Tarella (and her son Albert Hagan).

Schedule 4 – OTHER INTERESTS IN THE DETERMINATION AREA

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

1. The rights and interests of the parties under the following agreements:
 - (a) the agreement between Paola Smith, Maxine Gooda, Eric Hood, Ronny Watson and Peter White on their own behalf and on behalf of the Kullilli People (QUD80/2009) and the Bullo Shire Council and Quilpie Shire Council as parties to the Local Government ILUA QI2014/030;
 - (b) the agreement between Paola Smith, Maxine Gooda, Peter White, Ronny Watson (also known as Ronald Watson) and Eric Hood, on their own behalf and on behalf of the Kullilli People (QUD80/2009) and the Ergon Energy Corporation Limited ACN 087 646 062 as parties to the ILUA QI2014/029, authorised on 10 November 2013;
 - (c) the Kullilli People and Bellera, Bulloo Downs and Molesworth ILUA authorised on 10 November 2013;
 - (d) the Kullilli People and Ardoch ILUA authorised on 10 November 2013;
 - (e) the Kullilli People and Autumnvale and The Pioneers ILUA authorised on 10 November 2013;
 - (f) the Kullilli People and Clyde (aka Picarilli Downs) and Wongetta ILUA authorised on 10 November 2013;
 - (g) the Kullilli People and Congie ILUA authorised on 10 November 2013;
 - (h) the Kullilli People and Dynevor Downs ILUA authorised on 10 November 2013;
 - (i) the Kullilli People and Kuging and Orinya ILUA authorised on 10 November 2013;
 - (j) the Kullilli People and Kulki ILUA authorised on 10 November 2013;
 - (k) the Kullilli People and Kyeenee ILUA authorised on 10 November 2013;
 - (l) the Kullilli People and Moombidary ILUA authorised on 10 November 2013;
 - (m) the Kullilli People and Mulianna ILUA authorised on 10 November 2013;
 - (n) the Kullilli People and Narylico ILUA authorised on 10 November 2013;
 - (o) the Kullilli People and Nockatunga ILUA authorised on 10 November 2013;
 - (p) the Kullilli People and Norley, Orient and Pinidary ILUA authorised on 10 November 2013;
 - (q) the Kullilli People and Pyampah (aka Wompa) ILUA authorised on 10 November 2013;
 - (r) the Kullilli People and Talgeberry ILUA authorised on 10 November 2013;
 - (s) the Kullilli People and Thargo ILUA authorised on 10 November 2013;
 - (t) the Kullilli People and Tickalara ILUA authorised on 10 November 2013;

- (u) the Kullilli People and Wiralla ILUA authorised on 10 November 2013;
- (v) the Kullilli People and Zenoni ILUA authorised on 10 November 2013; and
- (w) the Kullilli People and Mirintu ILUA authorised on 10 November 2013.

2. The rights and interests of Circumpacific Energy Corporation under the following agreements in so far as they relate to a part of the Determination Area:

- (a) Right to Negotiate Deed of Agreement for ATP940 between the State of Queensland, Circumpacific Energy Corporation ARBN 147 283 832, the Kullilli People and Wongkumara People, dated 11 August 2011; and
- (b) Conjunctive Ancillary Agreement between Circumpacific Energy Corporation ARBN 147 283 832 and the Kullilli People, dated 17 December 2010.

3. The rights and interests of Telstra Corporation Limited:

- (a) as the owner or 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:
 - (i) to inspect land;
 - (ii) to install and operate existing and new telecommunication facilities, including cabling, customer terminal sites, customer radio sites and ancillary facilities;
 - (iii) to alter, remove, replace, maintain, repair and ensure the proper functioning of its existing and any new telecommunications facilities including cabling, customer terminal sites, customer radio sites, and ancillary facilities;
- (c) for its employees, agents or contractors to access the Determination Area for the purposes of exercising the rights in (i), (ii) and (iii) above in respect of telecommunication facilities in and in the vicinity of the Determination Area;
- (d) under any licences, leases, access agreements or easements relating to its telecommunications facilities in the Determination Area, including under:
 - (i) Term Lease 0/209261 over Lot 3 on T1842931.

4. The rights and interests of Ergon Energy Corporation ACN 087 646 062:

- (a) as the owner and operator of any "Works" as that term is defined in the *Electricity Act 1994* (Qld) within the Determination Area;
- (b) as a distribution entity and the holder of a distribution authority under the *Electricity Act 1994* (Qld);
- (c) created under the *Electricity Act 1994* (Qld) and the *Government Owned Corporations Act 1993* (Qld) including:
 - (i) rights in relation to any agreement relating to the Determination Area existing or entered into before the date on which these orders are made;
 - (ii) rights to enter the Determination Area by its employees, agents or contractors to exercise any of the rights and interests referred to in this paragraph; and
 - (iii) to inspect, maintain and manage any Works in the Determination Area.

5. The rights and interests of the State of Queensland, the Bulloo Shire Council, the Paroo Shire Council and the Quilpie Shire Council to access, use, operate, maintain and control the dedicated roads in the Determination Area and the rights and interests of the public to use and access the roads.

6. The rights and interests of the Bulloo Shire Council, the Paroo Shire Council and the Quilpie Shire Council as the local governments for that part of the Determination Area within their Local Government Area,

including:

- (a) their powers, functions, responsibilities and jurisdiction under a Local Government Act;
- (b) their rights and interests under any interest in land or waters within the Determination Area including under any lease, licence, access agreement, easement or reserve in the Determination Area;
- (c) the right to use, operate, maintain, replace, restore, remediate, repair and otherwise exercise all other rights as the owners and operators of infrastructure, structures, earthworks, access works, facilities and other improvements within the Determination Area;
- (d) the rights under any agreements between the Councils and any third party which relate to land or waters in the Determination Area; and
- (e) the rights of their employees, agents and contractors to enter upon the Determination Area for the purpose of performing their powers and responsibilities under sub-paragraphs (a) to (d).

7. The rights and interests held by the State of Queensland or Commonwealth of Australia or any other person existing by reason of the force and operation of the Laws of the State of Queensland and the Commonwealth, including, but not limited to, those existing by reason of the following legislation or any regulation, statutory instrument, declaration, plan, authority, permit, reservation, easement, claim, lease or licence made, granted, issued or entered into under that legislation:

- (a) the *Land Act 1994* (Qld);
- (b) the *Petroleum Act 1923* (Qld);
- (c) the *Petroleum and Gas (Production and Safety) Act 2004* (Qld); and
- (d) the *Mineral Resources Act 1989* (Qld).

8. Specifically, and to avoid any doubt:

(a) the rights and interests of Origin Energy Resources Limited, Santos Limited, Delhi Petroleum Pty Ltd, Bridgefield Pty Ltd, Vamgas Pty Ltd and Moonie Pipeline Company Pty Ltd:

- (i) as the holders of Pipeline Licence 6 granted under the *Petroleum Act 1923* (Qld) and administered under the *Petroleum and Gas (Production and Safety) Act 2004* (Qld);
- (b) the rights and interests of Oilwells Inc of Kentucky, ARBN 062 619 774 and Bounty Oil and Gas NL as the holders of Petroleum Lease 214 granted under the *Petroleum Act 1923* (Qld) and administered under the *Petroleum Act 1923* (Qld);
- (c) the rights and interests of Santos QNT Pty Ltd as the holder of:
 - (i) Authority to Prospect 820 granted under the *Petroleum Act 1923* (Qld);
 - (ii) Authority to Prospect 636 granted under the *Petroleum Act 1923* (Qld); and
 - (iii) Authority to Prospect 765 granted under the *Petroleum and Gas (Production and Safety) Act 2004* (Qld).
- (d) the rights and interests of Santos QNT Pty Ltd and Vamgas Pty Ltd:
 - (i) as the holders of Petroleum Lease 244 granted under the *Petroleum Act 1923* (Qld) and administered under the *Petroleum Act 1923* (Qld);
 - (ii) as the holders of Petroleum Lease 245 granted under the *Petroleum Act 1923* (Qld) and administered under the *Petroleum Act 1923* (Qld); and
 - (iii) as the holders of Petroleum Lease 50 granted under the *Petroleum Act 1923* (Qld) and administered under the *Petroleum Act 1923* (Qld).
- (e) the rights and interests of Santos QNT Pty Ltd, Drillsearch Energy Pty Ltd and Santos(299) Pty Ltd:
 - (i) as the holders of Petroleum Lease 293 granted under the *Petroleum Act 1923* (Qld) and administered

under the *Petroleum Act 1923* (Qld); and

(ii) as the holders of Petroleum Lease 298 granted under the *Petroleum Act 1923* (Qld) and administered under the *Petroleum Act 1923* (Qld).

9. So far as confirmed pursuant to s 212(2) of the *Native Title Act 1993* (Cth) and s 18 of the *Native Title Act (Queensland) Act 1993* (Qld) as at the date of this Determination, any existing public access to, and enjoyment of, the following places in the Determination Area:

- (a) waterways;
- (b) beds and banks or foreshores of waterways;
- (c) stock routes; and
- (d) areas that were public places at the end of 31 December 1993.

REGISTER ATTACHMENTS:

1. Schedule 1 - Map of Determination Area, 8 pages - A4, 02/07/2014

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.