



Extract from the National Native Title Register

Determination Information:

Determination Reference: Federal Court Number(s): SAD90/2009
NNTT Number: SCD2014/004

Determination Name: [Starkey on behalf of the Kokatha People v State of South Australia](#)

Date(s) of Effect: 1/09/2014

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: 01/09/2014

Determining Body: Federal Court of Australia

ADDITIONAL INFORMATION:

In Order 5 (see Matters Determined below) the Court notes that once the Kokatha Native Title Claim Settlement ILUA is registered on the Register of Indigenous Land Use Agreements, native title will be extinguished over the areas described in Schedule 4. The Kokatha Native Title Claim Settlement ILUA (SI2014/011) was registered on 2 December 2014.

On 4 December 2014 the native title determination was amended by Court Order as follows:

1. Replacing Schedule 1 of the Orders made on 1 September 2014 with the amended Schedule 1 which forms Annexure GMR2 to the affidavit of Georgina Megan Reid affirmed on 18 November 2014, and
2. Replacing Schedules 2 and 2A of the Orders made on 1 September 2014 with the amended Schedule 2 which forms Annexure GMR3 to the affidavit of Georgina Megan Reid affirmed on 18 November 2014.

REGISTERED NATIVE TITLE BODY CORPORATE:

Kokatha Aboriginal Corporation RNTBC
Agent Body Corporate
c/- Berg Lawyers
37 Hurtle Square
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:

7 Under the traditional laws and customs of the Kokatha People, the Native Title Holders are those living Aboriginal people who identify as, and are recognised by other Kokatha native title holders as, *nguraritja* for sites and places in the Determination Area by reason of one or more of the following:

(a) He or she is one of the following named individuals (where living) or is descended either through birth or adoption from them:

- i) Alma Allen;
- ii) Arthur Baker;
- iii) Hilda Captain;
- iv) Susie Captain;
- v) Andrew Davis;
- vi) Percy Davis;
- vii) Stanley Davis;
- viii) Ted Egan;
- ix) Micky Fatt;
- x) Gladys Kite;
- xi) Ted Larkins;
- xii) Mick Reid;
- xiii) George Reid;
- xiv) William Smith;
- xv) Dick Thomas;
- xvi) Edie Thomas;
- xvii) George Turner;
- xviii) Wild Mary;
- xix) Eileen Wingfield;

(b) He or she possesses an ancestral connection with the Determination Area, in that his or her parent or grandparent was born in that country, had a long term physical association with that country and/or possesses significant geographic and cultural knowledge relating to the Determination Area;

(c) He or she was born on the Determination Area (including, if the person is born in a hospital, the place where they would otherwise have been born);

(d) He or she has a long-term physical association with the Determination Area and consequent knowledge of the country;

(e) He or she possesses significant geographic and culturally-confidential religious knowledge relating to the Determination Area under Kokatha traditional law and custom.

**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 *Native Title Act*,
 - b) in the event of an inconsistency between a description of an area in a schedule and the depiction of that area on the map in *Schedule 2*, the written description shall prevail.

Determination Area

- 2 *Schedule 1* describes the external boundaries of the Determination Area (**the Determination Area**).

Areas within the Determination Area where native title exists (**Native Title Land**)

- 3 Subject to items 1, 2, 3 and 4 of *Schedule 5*, native title exists in the lands and waters described in Schedule 3.

Areas within Determination Area where native title is extinguished

- 4 Native title has been extinguished in those areas described in *Schedule 5*.
- 5 The Court notes that the State, BHP Billiton Olympic Dam Corporation Pty Ltd and the Applicant have agreed to execute an Indigenous Land Use Agreement (the Kokatha Native Title Claim Settlement ILUA) contemporaneously with this Determination the effect of which will be, upon it being registered on the Register of Indigenous Land Use Agreements, that native title is extinguished over those areas described in *Schedule 4*.

Native Title Holders

- 6 The Native Title Holders hold the Native Title Rights and Interests in the Native Title Land.
- 7 Under the traditional laws and customs of the Kokatha People, the Native Title Holders are those living Aboriginal people who identify as, and are recognised by other Kokatha native title holders as, *ngurariŋja* for sites and places in the Determination Area by reason of one or more of the following:
 - (a) He or she is one of the following named individuals (where living) or is descended either through birth or adoption from them:
 - i) Alma Allen;
 - ii) Arthur Baker;
 - iii) Hilda Captain;
 - iv) Susie Captain;
 - v) Andrew Davis;
 - vi) Percy Davis;
 - vii) Stanley Davis;
 - viii) Ted Egan;
 - ix) Micky Fatt;
 - x) Gladys Kite;
 - xi) Ted Larkins;
 - xii) Mick Reid;
 - xiii) George Reid;
 - xiv) William Smith;

- xv) Dick Thomas;
- xvi) Edie Thomas;
- xvii) George Turner;
- xviii) Wild Mary;
- xix) Eileen Wingfield;

- (b) He or she possesses an ancestral connection with the Determination Area, in that his or her parent or grandparent was born in that country, had a long term physical association with that country and/or possesses significant geographic and cultural knowledge relating to the Determination Area;
- (c) He or she was born on the Determination Area (including, if the person is born in a hospital, the place where they would otherwise have been born);
- (d) He or she has a long-term physical association with the Determination Area and consequent knowledge of the country;
- (e) He or she possesses significant geographic and culturally-confidential religious knowledge relating to the Determination Area under Kokatha traditional law and custom.

Native Title Rights And Interests

- 8 Subject to paragraphs 9, 10, and 11 the nature and extent of the Native Title Rights and Interests in relation to the Native Title Land are non-exclusive rights to use and enjoy, in accordance with the Native Title Holders' traditional laws and customs, the Native Title Land being:
- a) the right to access and move about;
 - b) the right to live, to camp and, for the purpose of exercising the Native Title Rights and Interests, to erect shelters and other structures;
 - c) the right to hunt;
 - d) the right to gather and use the natural resources of the Native Title Land such as food, medicinal plants, wild tobacco, timber, resin, and stone but excluding those resources referred to in item 2 of *Schedule 5*;
 - e) the right to share and exchange the subsistence and other traditional resources of the Native Title Land;
 - f) the right to use the natural water resources of the Native Title Land;
 - g) the right to cook and to light fires;
 - h) the right to engage and participate in cultural activities including those relating to births and deaths;
 - i) the right to conduct ceremonies and hold meetings;
 - j) the right to teach on the Native Title Land the physical and spiritual attributes of locations and sites;
 - k) the right to visit, maintain and protect sites and places of cultural significance to the Native Title Holders under their traditional laws and customs;
 - l) the right to be accompanied on to the Native Title Land 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 Native Title Land; or

- iii) people who have rights in relation to the Native Title Land according to the traditional laws and customs acknowledged by the Native Title Holders;
- m) in relation to Aboriginal people who recognise themselves to be governed by the traditional laws and customs acknowledged and observed by the Native Title Holders, the right to speak for country and make decisions about the use and enjoyment of the Native Title Land by those Aboriginal persons.

General Limitations

- 9 The Native Title Rights and Interests are for personal, domestic or non-commercial communal use.
- 10 The Native Title Rights and Interests described in paragraph 8 do not confer possession, occupation, use and enjoyment of the Native Title Land on the Native Title Holders to the exclusion of others.
- 11 The 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 laws of the State and Commonwealth, including the common law;

For the avoidance of doubt, the native title right expressed in paragraph 8(f) (the right to use the natural water resources of the Native Title Land) is subject to the *Natural Resources Management Act 2004 (SA)*.

Other Interests & Relationship with Native Title

- 12 The nature and extent of other interests in the Native Title Land are:
 - a) the interests created by the following pastoral leases:

Lease name	Pastoral Lease No	Crown Lease
Andamooka	PE2333	Volume 1629 Folio 20
Andamooka Island	PE2333A	Volume 1629 Folio 3
Arcoona	PE2347	Volume 1291 Folio 31
Beacon Hill	PE2170	Volume 1205 Folio 3
Billa Kalina	PE2415	Volume 1323 Folio 10
Bosworth	PE2211	Volume 1279 Folio 26
Coondambo	PE2349	Volume 1284 Folio 10
Hesso	PE2374	Volume 1296 Folio 33
Kootaberra	PE2373	Volume 1296 Folio 32
Lake Blythe	PE2381	Volume 1299 Folio 13
Mahanewo	PE2351	Volume 1292 Folio 43
Mahanewo South	PE2177	Volume 1213 Folio 44
Mulgaria	PE2431A	Volume 1379 Folio 26
Nonning	PE2328	Volume 1298 Folio 25
Oakden Hills	PE2377	Volume 1298 Folio 7
Parakylia	PE2197	Volume 1603 Folio 23
Parakylia South	PE2197A	Volume 1603 Folio 24
Pernatty	PE2353	Volume 1330 Folio 26

Purple Downs	PE2480	Volume 1410 Folio 12
Roxby Downs	PE2338	Volume 1287 Folio 30
South Gap	PE2523	Volume 1600 Folio 42
Stuart's Creek	PE2431	Volume 1378 Folio 16
Wirraminna	PE2348	Volume 1293 Folio 46
Wirraminna South	PE2155	Volume 1165 Folio 13
Yadlamalka	PE2277	Volume 1282 Folio 13
Yalymboo	PE2251	Volume 1280 Folio 23
Yudnapinna	PE2372	Volume 1296 Folio 31

- b) the interests of the Crown in right of the State of South Australia;
- c) 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), *Development Act 1993* (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;
- d) rights or interests held by reason of the force and operation of the laws of the State or of the Commonwealth;
- e) 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;
- f) the rights and interests of all parties to the Kokatha Native Title Claim Settlement Indigenous Land Use Agreement listed in *Schedule 6* arising by reason of that agreement, and the interests of all persons who have rights and interests that will be validated upon Registration of that agreement;
- g) the rights and interests of Telstra Corporation Limited (or its corporate successor):
- i) as the owner or operator of telecommunications facilities on the Native Title Land;
- ii) created pursuant to the *Post and Telegraph Act 1901* (Cth), the *Telecommunications Act 1975* (Cth), the *Australian Telecommunications Corporation Act 1989* (Cth), and the *Telecommunications Act 1991* (Cth), and the *Telecommunications Act 1997* (Cth) including rights:
- (1) to inspect land;
- (2) to install and operate existing and new telecommunications 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 on, and in the vicinity of, the Native Title Land in performance of their duties;
- iii) under any lease, licence, access agreement or easement relating to its telecommunications facilities on the Native Title Land;
- iv) in the Olympic Dam CMTS located on CR 5503/771, pursuant to the dedication of this land as a reserve for telecommunications purposes under section 5 of the *Crown Lands Act 1929* (SA) on 30 September 1997 as published in the South Australian Government Gazette on 2 October 1997.
- h) the rights and interests of the Commonwealth 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).
- i) the rights, interests and entitlements of SA Power Networks (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 PAI 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 on the Native Title Land including but not limited to the electricity infrastructure identified in *Schedule 7* (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 on the Native Title Land (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 on the Native Title Land (Easements);
 - vi) to provide its employees, agents or contractors with access to Existing Infrastructure, New Infrastructure and the Easements on the Native Title Land; 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 SA Power Networks 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.
 - j) The rights and interests of BHP Billiton Olympic Dam Corporation Pty Ltd:
 - i) in the Indenture (as amended) and ratified by the *Roxby Downs (Indenture Ratification) Act 1982* (SA), and rights, powers, privileges and interests comprised in, conferred under or in accordance with or pursuant to that Indenture and the *Roxby Downs (Indenture Ratification) Act 1982* (SA);
 - ii) in the Variation Deed amending the Indenture and ratified by the *Roxby Downs (Indenture Ratification) (Amendment of Indenture) Amendment Act 2011* (SA), and rights, powers, privileges and interests comprised in, conferred under or in accordance with or pursuant to that Variation Deed amending the Indenture and the *Roxby Downs (Indenture Ratification) (Amendment of Indenture) Amendment Act 2011* (SA);
 - iii) pursuant to the Kokatha Native Title Claim Settlement ILUA entered into between the State of South Australia, BHP Billiton Olympic Dam Corporation Pty Ltd and the Kokatha Aboriginal Corporation, as amended from time to time;
 - iv) as holder of extractive minerals leases EML5357 and EML5552, granted pursuant to the *Mining Act 1971* (SA) and as holder of any renewal granted pursuant to the *Mining Act 1971* (SA);
 - v) as holder of exploration licences EL4356, EL4762, EL4763, EL4805, EL4896, EL4897, EL4902, EL4904, EL4916 and EL4917, granted pursuant to the *Mining Act 1971* (SA) and as holder of any renewal or any subsequent exploration licences granted pursuant to the *Mining Act 1971* (SA);

- vi) as holder of retention lease RL76, granted pursuant to the *Mining Act 1971* (SA) and as holder of any renewal granted pursuant to the *Mining Act 1971* (SA);
- vii) as owner of the following easements:
 - (1) CT4401/485;
 - (2) CT4401/643; and
 - (3) CT5698/239;
- viii) as holder of licences to occupy 17944 and 18250, granted and continued or renewed or replaced pursuant to the *Crown Lands Act 1929* (SA) and the *Crown Land Management Act 2009* (SA) for town development purposes; and
- ix) for its employees, agents or contractors to enter the Determination Area to access BHP Billiton Olympic Dam Corporation Pty Ltd's rights and interests and to do all things necessary to exercise those rights and interests in the vicinity of the Determination Area in performance of their duties.
- k) The rights and interests of the Municipal Council of Roxby Downs and the Administrator of the Municipal Council of Roxby Downs (**Council**):
 - i) in the Indenture (as amended) and ratified by the *Roxby Downs (Indenture Ratification) Act 1982* (SA), and rights, powers, privileges and interests comprised in, conferred under or in accordance with or pursuant to that Indenture and the *Roxby Downs (Indenture Ratification) Act 1982* (SA);
 - ii) in the Variation Deed amending the Indenture and ratified by the *Roxby Downs (Indenture Ratification) (Amendment of Indenture) Amendment Act 2011* (SA), and rights, powers, privileges and interests comprised in, conferred under or in accordance with or pursuant to that Variation Deed amending the Indenture and the *Roxby Downs (Indenture Ratification) (Amendment of Indenture) Amendment Act 2011* (SA);
 - iii) pursuant to the *Local Government Act 1934* (SA) and the *Local Government Act 1999* (SA);
 - iv) as an entity exercising statutory powers in respect of land and waters within the Determination Area;
 - v) in relation to dedicated land placed under its care, control and management pursuant to the *Crown Lands Act 1929* (SA) and the *Crown Land Management Act 2009* (SA); and
 - vi) for the Council's employees, agents or contractors to enter the Determination Area to access the Council's rights and interests and to do all things necessary to exercise those rights and interests in the vicinity of the Determination Area in performance of their duties.
- l) The rights and interests of OZ Minerals Carrapateena Pty Ltd ACN 149 626 255 (OZC):
 - i) as a holder of Retention Lease 127; and
 - ii) for OZC, its employees, agents and contractors to enter the Determination Area to access OZC's rights and interests and to do all things necessary to exercise those rights and interests in the Determination Area in performance of their duties;
- m) The rights and interests of OZM Carrapateena Pty Ltd ACN 007 756 443 (OZM):
 - i) as a holder of Retention Lease 127; and
 - ii) for OZM, its employees, agents and contractors to enter the Determination Area to access OZM's rights and interests and to do all things necessary to exercise those rights and interests in the Determination Area in performance of their duties;
- n) The rights and interests of OZ Minerals Prominent Hill Operations Pty Ltd ACN 091 546 691 (OZPHO):
 - i) as the holder of:
 - (1) Miscellaneous Purposes Licence 121; and
 - (2) Miscellaneous Purposes Licence 122;

- ii) for OZPHO, its employees, agents and contractors to enter the Determination Area to access OZPHO's rights and interests and to do all things necessary to exercise those rights and interests in the Determination Area in performance of their duties;
 - o) The rights and interests of Andamooka Progress and Opal Miners Association in relation to dedicated land placed under its care, control and management pursuant to the *Crown Lands Act 1929* (SA) and the *Crown Lands Management Act 2009* (SA).
 - p) The rights and interests of the Outback Communities Authority:
 - i) under the *Outback Communities (Administration and Management) Act 2009* (SA);
 - ii) as an entity exercising statutory powers in respect of land and waters within the Determination Area; and
 - iii) in relation to dedicated land placed under its care, control and management pursuant to the *Crown Lands Act 1929* (SA) or the *Crown Land Management Act 2009* (SA).
- 13 The relationship between the Native Title Rights and Interests in the Native Title Land that are described in paragraph 8 and the other rights and interests described in paragraph 12 (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 the *Native Title Act 1993* (Cth) or the *Native Title (South Australia) Act 1994* (SA), do not extinguish them;
 - c) the Native Title Rights and Interests are not able to be extinguished contrary to the *Native Title Act 1993* (Cth)

AND THE COURT MAKES THE FOLLOWING FURTHER ORDERS:

- 14 The native title is not to be held in trust.
- 15 The Kokatha Aboriginal Corporation is to:
- a) be the prescribed body corporate for the purposes of s 57(2) of the *Native Title Act 1993* (Cth); and
 - b) perform the functions mentioned in s 57(3) of the *Native Title Act 1993* (Cth) after becoming a registered native title body corporate.
- 16 The Applicant (through the prescribed body corporate), the State or any other respondent 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 items 3 and 4 of *Schedule 5*; or
 - b) to determine the effect on native title rights and interests of any public works as referred to in item 4 of *Schedule 5*.

Schedules

SCHEDULE 1 - Location of and areas comprising the Determination Area

External boundary description

The Determination Area is located wholly within and comprises all land and waters bounded by the following line:

Commencing at a point, being the intersection of the eastern shoreline of Lake Torrens - Section 1532, OH (Andamooka, Torrens, Parachilna & Copley), with Latitude 31.941163 South; then generally south-westerly,

westerly and north-westerly in straight lines, connecting the following coordinate points

Longitude (East)	Latitude (South)
137.679131	32.002183
137.583916	32.075484
137.556617	32.090812
137.499022	32.111969
137.495486	32.112898
137.439429	32.127630
137.388492	32.135959
137.323811	32.145360
137.249660	32.151069
137.114193	32.159633
136.991407	32.163061
136.835243	32.168841
136.792632	32.170340
136.713918	32.169675
136.682152	32.163130
136.671405	32.158944
136.658560	32.158414
136.601602	32.146534
136.485980	32.110170
136.406697	32.070499
136.363752	32.017604
136.314199	31.858918
136.274559	31.687008
136.244827	31.561381
136.165543	31.353106
136.145722	31.280375
136.125901	31.220867
136.113651	31.168327
136.113422	31.167346
136.112725	31.164358
136.111792	31.160355
136.102776	31.121688

136.082954	31.019204
136.056526	30.943165
136.053075	30.910965
136.053067	30.910904

The latter coordinate being the on the southern boundary of Parakylia South Pastoral Lease - Block 1248, OH (Kingoonya); then westerly and northerly along the southern and western boundaries of the said Parakylia South Pastoral Lease; then generally northerly and easterly along the western and northern boundaries of Parakylia Pastoral Lease - Block 273, OH(Kingoonya) to its intersection with the western boundary of Billa Kalina Pastoral Lease - Allotment 501 in Deposited Plan 81503; then northerly along the western boundary of the said Billa Kalina Pastoral Lease to its intersection with Latitude 30.041105 South; then generally easterly, in straight lines, connecting the following coordinate points

Longitude (East)	Latitude (South)
136.201326	30.065208
136.791282	30.122295
136.869937	30.129906
137.234649	30.165197

Then north-easterly along a straight line from the latter coordinate toward the point defined as the intersection of Latitude 30.163922 South with the eastern boundary of the said Lake Torrens until it intersects the western boundary of the said Lake Torrens;

then generally south-easterly along the said western boundary of Lake Torrens to the point of commencement.

Data Reference and source

Cadastral data sourced from Department of Planning, Transport & Infrastructure SA (28 January 2014).

Waterbodies referenced to GEODATA TOPO 250K - Series 3 © Commonwealth of Australia (Geoscience Australia).

Reference datum

Geographical coordinates have been provided by the NNTT Geospatial services and geographical coordinates are referenced to the Geocentric Datum of Australia 1994 (GDA94), in decimal degrees.

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 of the custodians of cadastral and topographical 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 2 - Map of the Determination Area

[See NNTR attachment 1: "SCHEDULE 2 - Map of the Determination Area varied by Court Order 4 December 2014"]

SCHEDULE 3 - Land and waters within the Determination Area where native title exists (Native Title Land)

[See NNTR attachment 2: "SCHEDULE 3 - Land and waters within the Determination Area where native title exists (Native Title Land)"; and NNTR attachment 7: "Kokatha Consent Determination Maps"]

SCHEDULE 4 - Areas where native title is extinguished pursuant to the Settlement ILUA

[See NNTR attachment 3: "SCHEDULE 4 - Areas where native title is extinguished pursuant to the Settlement ILUA"; and NNTR attachment 7: "Kokatha Consent Determination Maps"]

SCHEDULE 5 - Land and waters within Determination Area where native title has been extinguished

[See NNTR attachment 4: "SCHEDULE 5 - Land and waters within Determination Area where native title has been extinguished"; and NNTR attachment 7: "Kokatha Consent Determination Maps"]

SCHEDULE 6 - Details of Indigenous Land Use Agreements in the Determination Area

1. **Kokatha Native Title Claim Settlement ILUA** as executed by the Attorney General and the Minister for Mineral Resources and Energy for the State of South Australia, the Kokatha Aboriginal Corporation (ICN 8093) and BHP Billiton Olympic Dam Corporation Pty Ltd.

SCHEDULE 7 - Existing Interests of SA Power Networks

[See NNTR attachment 5: "SCHEDULE 7 - Existing Interests of SA Power Networks"]

SCHEDULE 8 - Full list of Parties

[See NNTR attachment 6: "SCHEDULE 8 - Full list of Parties"]

REGISTER ATTACHMENTS:

1. SCHEDULE 2 - Map of the Determination Area varied by Court Order 4 December 2014, 2 pages - A4, 01/09/2014
2. SCHEDULE 3 - Land and waters within the Determination Area where native title exists (Native Title Land), 7 pages - A4, 01/09/2014
3. SCHEDULE 4 - Areas where native title is extinguished pursuant to the Settlement ILUA, 1 page - A4, 01/09/2014
4. SCHEDULE 5 - Land and waters within Determination Area where native title has been extinguished, 52 pages - A4, 01/09/2014
5. SCHEDULE 7 - Existing Interests of SA Power Networks, 1 page - A4, 01/09/2014
6. SCHEDULE 8 - Full list of Parties, 2 pages - A4, 01/09/2014
7. Kokatha Consent Determination Maps, 52 pages - A3, 01/09/2014

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.