



National
Native Title
Tribunal



20 years of native title

Sunday 3 June 2012 marks the twentieth anniversary of the High Court of Australia's decision in *Mabo v Queensland (No 2)* which declared that:

the common law of this country recognises a form of native title which, in the cases where it has not been extinguished, reflects the entitlement of the indigenous inhabitants, in accordance with their laws or customs, to their traditional lands.

This was the first time that an Australian court had recognised the entitlements of Indigenous people to their traditional lands under their traditional laws.

Introduction

It is 20 years since the High Court of Australia's historic judgment in *Mabo v Queensland (No 2)* and over 18 years since the *Native Title Act 1993* commenced to operate. When native title became recognised by Australian law, it paved the way for many Indigenous people in various parts of the country to have their traditional rights to land and waters recognised and protected.

Twenty years after that historic judgement, native title is now clearly part of the legal and social landscape of Australia.

It is appropriate to reflect on whether it has become easier to travel that legal landscape and whether the 'process of reconciliation among all Australians' is further advanced as Parliament intended when passing the *Native Title Act*.

Whilst acknowledging the complexity and limitations of the native title system, we should celebrate the positive and substantial outcomes that have been delivered.

This brochure has been produced by the National Native Title Tribunal to note the key achievements during the past 20 years.

Many native title outcomes, amendments to the law and various other events have contributed to the native title processes we know today. Determinations of native title, Indigenous land use agreements (ILUAs) and other agreements have been made at the far points of Australia and many places in between. They cover islands of the Torres Strait in far north Queensland, parts of the south eastern coastline of Victoria, Burrup Peninsula in Western Australia and Byron Bay in New South Wales.

It is impossible to capture every significant event and outcome associated with 20 years of native title in a brochure such as this is.

The brochure begins by providing statistics (as of mid-May 2012) that demonstrate the changes in activity in the native title system, many of which have come about with changed attitudes from parties and stakeholders. There is also a timeline outlining the key developments in native title, and regional highlights and determinations since 1992.

As we reflect on the journey of the past 20 years, we should also concentrate on what else needs to be done and confirm that we will work together to make a shared future.

Graeme Neate
President
18 May 2012



National Snapshot

Cumulative number of registered determinations - comparison by year	At 18 May 2002	At 18 May 2007	At 18 May 2012
Native title exists	29	67	139
Native title does not exist*	11	32	44
Total number of determinations registered	40	99	183

* Note: of the 44 determinations that native title does not exist, 35 were made in response to non-claimant applications and 30 of the determinations were unopposed. Most of the determinations that native title does not exist have been made in New South Wales in non-claimant proceedings because of the requirements for dealing with Aboriginal land under the *Aboriginal Land Rights Act 1993* (NSW).

A total of 128 of these determinations have been made by consent of the parties (70%).

At the time of printing, there were two unregistered, consent determinations that native title exists. A further two consent determinations that native title exists were expected to be made on 22 and 25 May 2012.

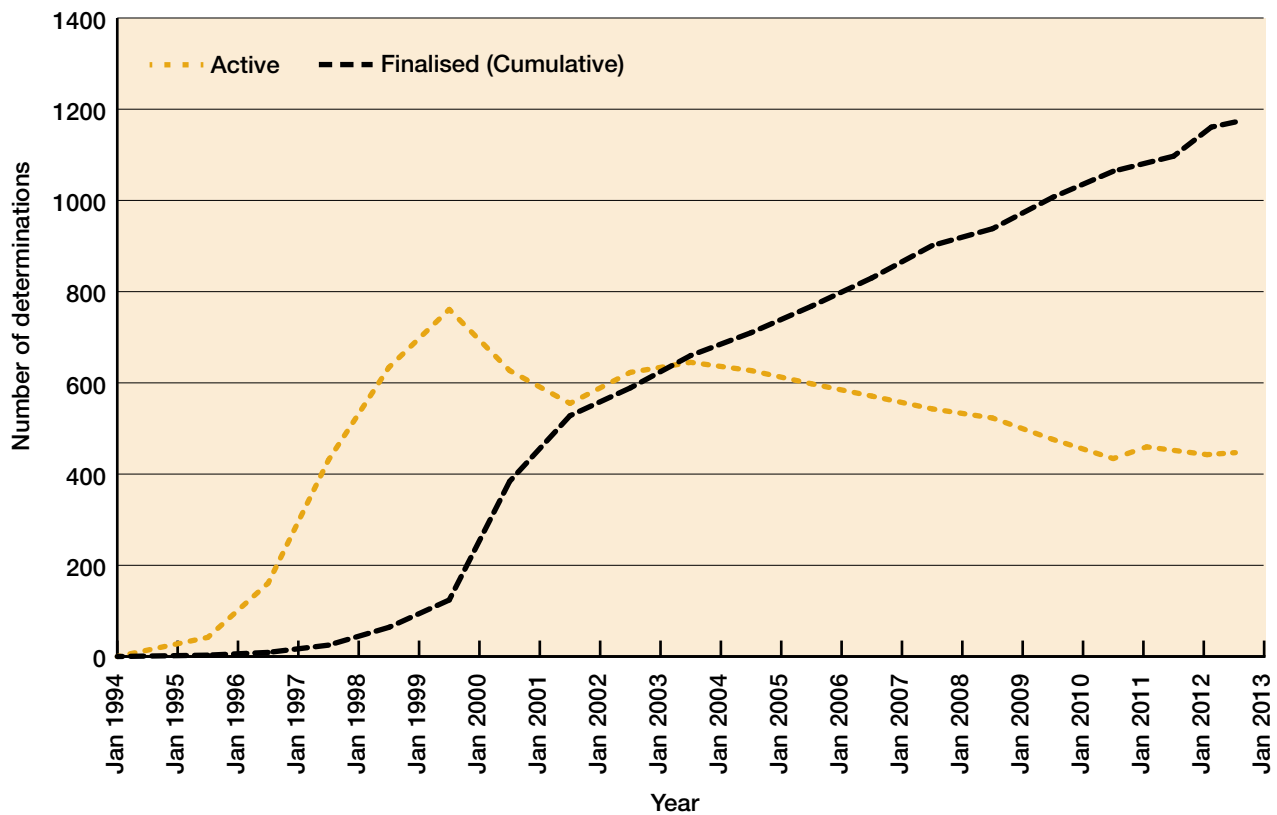
Total number of applications - comparison by year	At 18 May 2002	At 18 May 2007	At 18 May 2012
Native title claimant applications	604	537	444
Native title non-claimant applications	24	34	23
Native title compensation applications	22	11	8
Total number of applications	650	582	475

ILUAs	At 18 May 2002	At 18 May 2007	At 18 May 2012
Total number of registered ILUAs	46	271	628

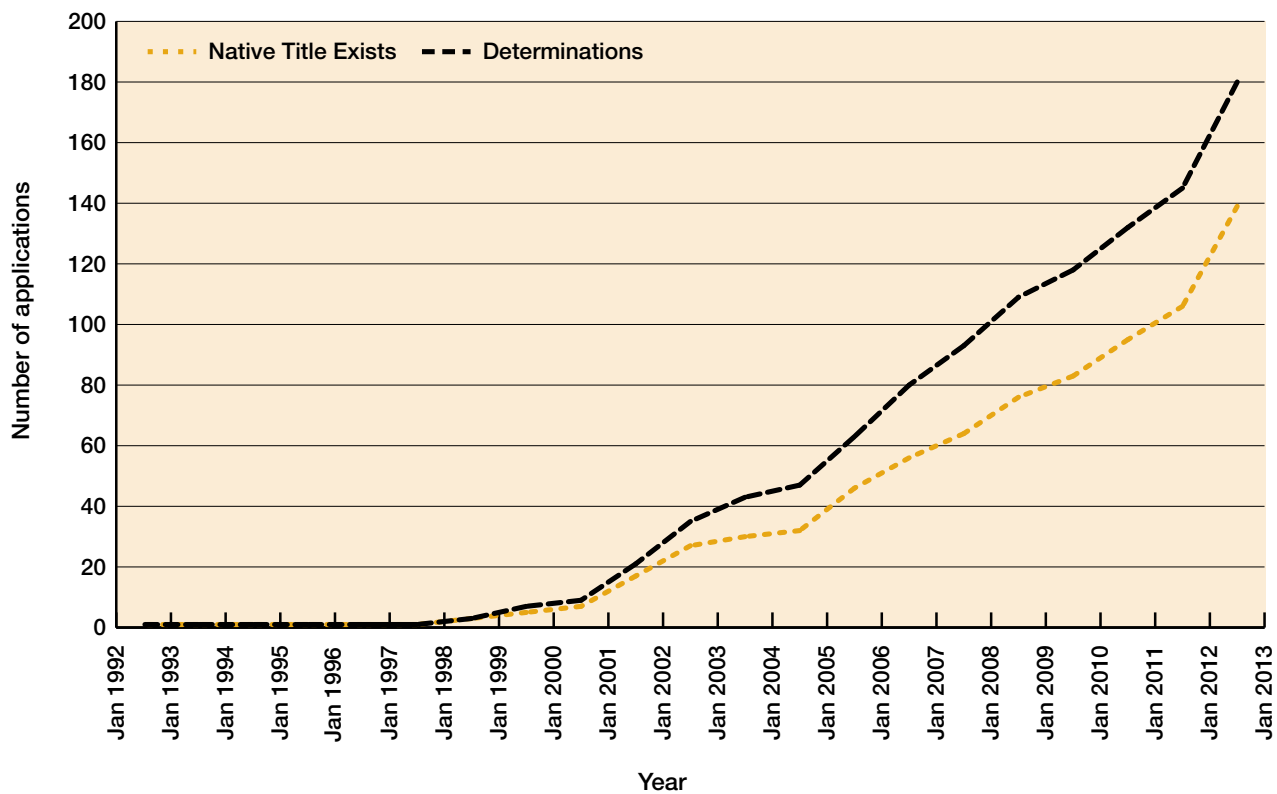
Note: since the Act was amended in 1998 to provide for this type of agreement, 641 ILUAs have been registered. Thirteen ILUAs were removed from the Register, in most cases due to the agreements expiring.

Future act outcomes	2001- 2002	2006- 2007	2010-2011
Finalised objections to the expedited procedure	911	1,025	1,780
Future act agreements (s.31 & s.38)	115	169	299

Claimant applications (active and finalised) to 18 May 2012



Cumulative determinations of native title to 18 May 2012



Key dates in the development of native title

27 February: Chief Justice of the High Court, Sir Harry Gibbs, remitted the Mabo case to the Supreme Court of the State of Queensland for a hearing of the evidence so that issues of fact raised in the case could be determined.

Eddie Mabo and two other Murray Islanders — David Passi and James Rice — instituted proceedings against the State of Queensland in the High Court of Australia.

8 December: The High Court decided, by a majority of 4:3, that the *Queensland Coast Islands Declaratory Act 1985* was inconsistent with the Commonwealth's *Racial Discrimination Act 1975* (*Mabo v Queensland (No 1)* (1988) 166 CLR 186, 83 ALR 14).

1981

1982

1985

1986

1988

1986-9

At a land rights conference in Townsville, Mr Eddie Koiki Mabo from Murray Island in the far east of the Torres Strait, met with lawyers to discuss the possibilities of legal action to establish that the Meriam People had legally recognised rights in the Murray Islands (Mer, Dauar and Waier).

The Queensland Parliament passed legislation (the *Queensland Coast Islands Declaratory Act 1985*) that purported to extinguish any rights and interests that the Meriam (or Murray Islanders) may have had before its enactment.

October 1986–September 1989: The hearing of evidence in the Mabo Case by the Supreme Court continued, partly in Brisbane and partly on Mer Island and Thursday Island in the Torres Strait.

21 January: Eddie Mabo died in Brisbane while being treated for cancer.

3 June: The High Court handed down its historic decision in *Mabo and Others v the State of Queensland (No 2)* (1992) 175 CLR 1, 107 ALR 1. It found by a majority of 6:1 that (subject to certain exceptions) 'the Meriam People are entitled as against the whole world to possession, occupation, use and enjoyment of the lands in the Murray Islands'.

The decision overturned the doctrine that Australia was *terra nullius* (no man's land) when the British Crown asserted its sovereignty.

23 December: The High Court handed down its decision in *Wik Peoples v Queensland* (1996) 187 CLR 1, 141 ALR 129, finding that native title is not necessarily extinguished by the grant of a pastoral lease and that native title can co-exist with other interests in land.

1 January: Most of the *Commonwealth Native Title Act 1993* commenced operation.

The National Native Title Tribunal was established.

1992

1993

1994

1995

1996

21 December: The Native Title Bill was passed by the Senate.

15 September: the High Court rejected Western Australia's constitutional challenge to the *Native Title Act* and invalidated the Western Australian Government's attempt to enact legislation that offered less protection of Indigenous rights (*Western Australia v. Commonwealth* (1995) 183 CLR 373, 128 ALR 1).

7 April - Dunghutti People consent determination: this was the first determination of native title on the Australian mainland under the *Native Title Act*.

1997

1998

6 July: Croker Island Seas determination (*Yarmirr v Northern Territory* (1998) 82 FCR 533, 156 ALR 370) – litigated determination (ultimately upheld on appeal by the High Court in *Commonwealth v Yarmirr* (2001) 208 CLR 1, 184 ALR 113) that was the first to recognise native title over offshore areas and the territorial sea.

30 September: Extensive amendments made to the *Native Title Act 1993*, including the introduction of a registration test for native title claimant applications, changes to the future act scheme, a new scheme for indigenous land use agreements, and a requirement for new native title applications to be filed in the Federal Court and every current application to become a proceeding in the Court.

7 October: In *Yanner v Eaton* (1999) 201 CLR 351, 191 ALR 1, the High Court held that the *Fauna Conservation Act 1974* (Qld) did not extinguish native title rights and interests and did not prohibit or restrict a native title holder from hunting or fishing for the purpose of satisfying personal, domestic or non-commercial communal needs.

1999

8 August: In *Wilson v Anderson* (2002) 213 CLR 401, 191 ALR 1, a 6:1 majority of the High Court held that the perpetual lease under the *Western Land Act 1901* (NSW) extinguished native title.

2002

8 August - Miriuwung Gajerrong # 1 (*Western Australia v Ward* (2002) 213 CLR 1, 191 ALR 1) – originally determined by the Federal Court in 1998 but appealed to the Full Court of the Federal Court and then the High Court on a number of grounds. The High Court dealt with important issues, of law finding that native title is a bundle of rights and such rights can be partially extinguished. Native title was recognised for the Northern Territory part of the claim in 2003, and a consent determination took effect for the Western Australian area part of the claim in 2005.

12 December - The High Court handed down its decision in *Members of the Yorta Yorta Aboriginal Community v Victoria* (2002) 214 CLR 422, 194 ALR 538. In that case, the Court explored what evidence is needed to prove that claimants have a continued traditional connection to the land. The High Court upheld a decision of the Full Federal Court that native title had ceased to exist because of a break in the observance of traditional laws and customs.

17 November - Registration of the 100th registered Indigenous Land Use Agreement – this marked an important milestone in native title agreement-making. The ILUA was between the Central Land Council representing traditional owners and two mining companies, Newmont Gold Exploration and Normandy NFM.

2003



31 March: Registration of the 500th Indigenous Land Use Agreement – another milestone in agreement making, with ILUAs covering more than 15.5 per cent of Australia. Four diverse agreements were registered in that week.

The *Native Title Act 1993* was amended to provide that both the Court and the Tribunal may mediate and, for the first time in the history of the Act, that the Court might refer an application to another ‘appropriate person or body’ to mediate.

2007

Further amendments made to the *Native Title Act 1993* following a comprehensive independent review of the claims resolution process. The Act was amended to expand the Tribunal’s powers and functions in relation to mediation and to make it clear that the Court could not mediate while an application was with the Tribunal for mediation.

2009

2010

16 December – commencement of the *Native Title Amendment Act (No 1) 2010*. This legislation inserted a new subdivision (JA in Division 3, Part 2) that provided a process to deal specifically with the construction of public housing and some other public facilities by or on behalf of the Crown, local government or statutory authority for Aboriginal people and Torres Strait Islanders in communities on Indigenous-held land.

2011

2012

8 May – Attorney General announces key native title institutional reforms focussed on improving the efficiency of the native title system. The National Native Title Tribunal will continue to exist as a statutory authority but native title claims mediation will move from the Tribunal to the Federal Court. All of the Tribunal’s other statutory functions will remain with the Tribunal.

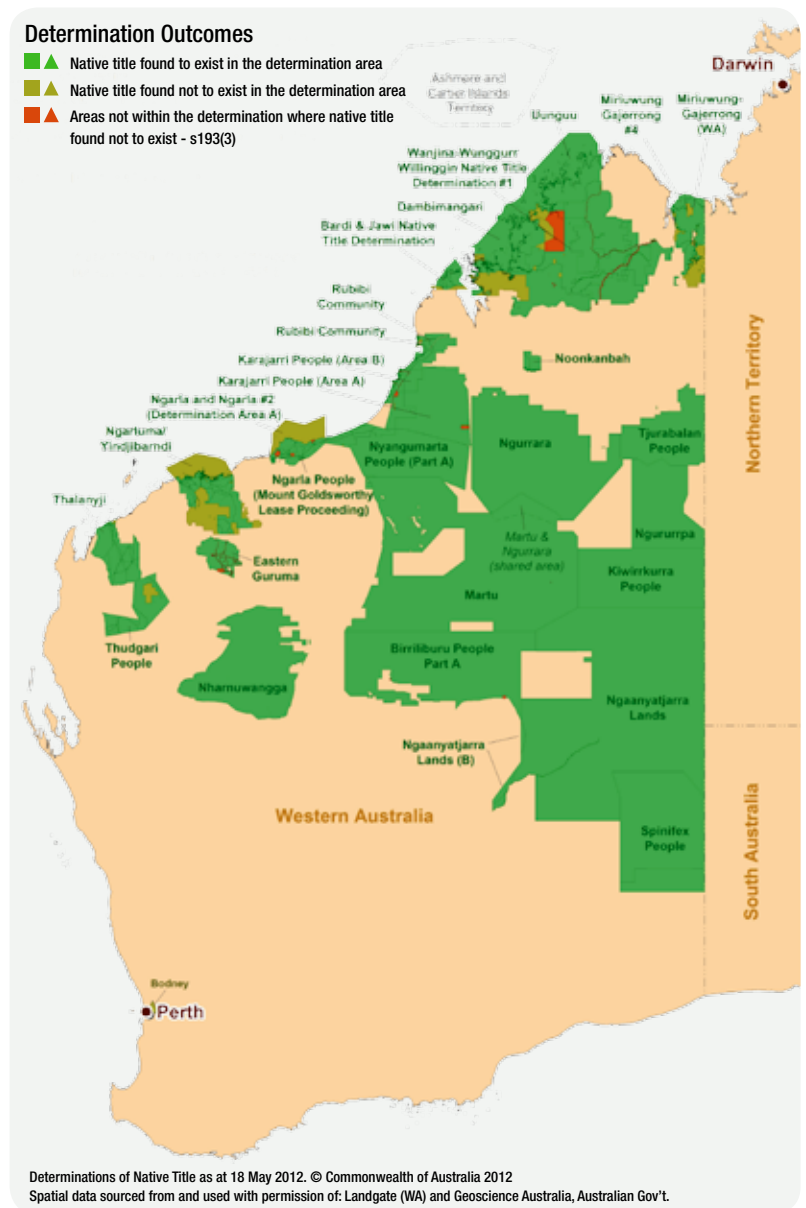
Key activities by region

Western Australia

Area covered by determinations of native title	904,832 sq km
--	---------------

Key Statistics	
Number of registered determinations	29
- native title exists – 28	
- native title doesn't exist – 1	
Number of registered ILUAs	53

Argyle Participation Agreement 2004



Determinations of native title

Year	Short name	Outcome	Legal process
2000	Nharnuwangga Wajarri and Ngarla People	Native title exists – part of area	Consent determination
	Bodney	Native title does not exist	Litigated determination
	Spinifex People	Native title exists – part of area	Consent determination
2001	Tjurabalan People	Native title exists – part of area	Consent determination
	Kiwirrkurra People	Native title exists – entire area	Consent determination
	Rubibi Community	Native title exists – entire area	Litigated determination
2002	Karajarri People (Area A)	Native title exists – entire area	Consent determination
	Martu and Ngurrara	Native title exists – entire area	Consent determination
2003	Miriuwung Gajerrong (WA)	Native title exists – part of area	Consent determination
2004	Wanjina-Wunggurr Wilinggin Native Title Determination No. 1	Native title exists – part of area	Litigated determination
	Karajarri People (Area B)	Native title exists – part of area	Consent determination

2005	Ngarluma / Yindjibarndi	Native title exists – part of area	Litigated determination
	Ngaanyatjarra Lands (Part A)	Native title exists – entire area	Consent determination
	Bardi and Jawi Native Title Determination	Native title exists – part of area	Litigated determination
2006	Rubibi Community	Native title exists – part of area	Litigated determination
	Miriuwung Gajerrong #4	Native title exists – part of area	Consent determination
2007	Eastern Guruma People	Native title exists – entire area	Consent determination
	Noonkanbah	Native title exists – entire area	Consent determination
	Ngarla and Ngarla #2 (Determination Area A)	Native title exists – part of area	Consent determination
	Ngururpa	Native title exists – entire area	Consent determination
2008	Ngaanyatjarra Lands (Part B)	Native title exists – entire area	Consent determination
	Birriliburu People (Part A)	Native title exists – entire area	Consent determination
	Thalanyji	Native title exists – part of area	Consent determination
2009	Nyangumarta People (Part A)	Native title exists – part of area	Consent determination
	Thudgari People	Native title exists – part of area	Consent determination
2010	Ngarla People (Mount Goldsworthy Lease Proceeding)	Native title exists – part of area	Litigated determination
	Ngurrara (Part A)	Native title exists – entire area	Consent determination
2011	Uunguu (Part A)	Native title exists – part of area	Consent determination
	Dambimangari	Native title exists – part of area	Consent determination
2012	Nyangumarta Karajarri (<i>nb – due 25 May 2012</i>)		

Other highlights

- **January 2003** – Burrup Peninsula Agreement between the State and the Ngarluma Yindjibarndi, Wong-Goo-Tt-Oo people and Yaburara Mardudhunera People
- **September 2004** – Argyle Participation Agreement between Argyle Diamonds and the Miriuwung, Gidja, Wularr and Malignin People
- **2006** – Ord Final Agreement finalised between the State and the Miriuwung, Gajerrong and Kija People
- **2009** – Murchison Radio-astronomy Observatory ILUA between the State, local government and other parties with the Wajarri Yamatji People
- **2010** – Yawaru ILUAs with WA Government signed between Yawuru People, the WA Government and the Broome Shire Council

Miriuwung and Gajerrong Determination 2003

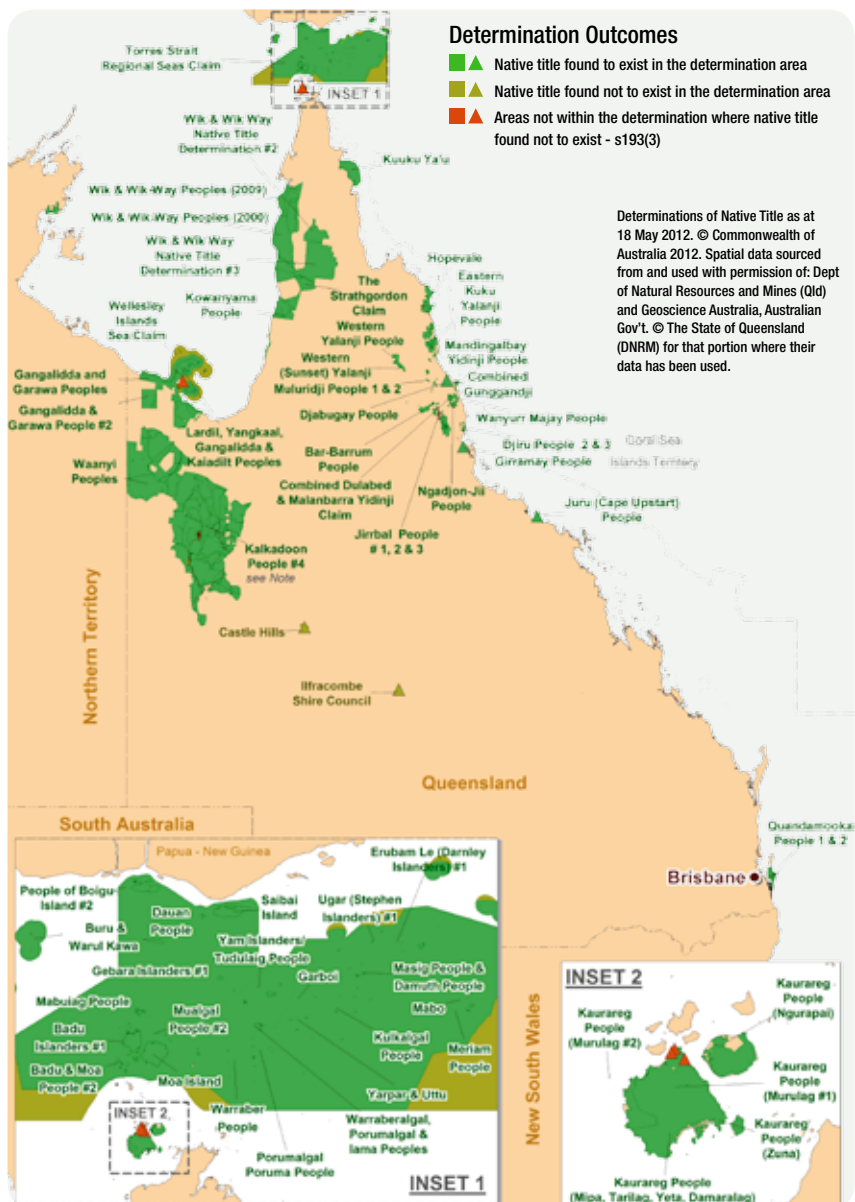


Queensland

Area covered by determinations of native title	114,165 sq km
--	---------------

Key Statistics	
Number of registered determinations	65
- native title exists – 62	
- native title doesn't exist – 3	
Number of registered ILUAs	355

Members of the Ngadjon-Jii People (left to right) Ernie Raymont, Cameron Gosam, Robert Canendo, Debbie Gertz and Yvonne Canendo at Ngadjon-Jii People native title determination 2007



Determinations of native title

Year	Short name	Outcome	Legal process
1992	Mabo	Native title exists – part of area	Litigated determination
1997	Hopevale	Native title exists – part of area	Consent determination
1998	Western (Sunset) Yalanji	Native title exists – part of area	Consent determination
1999	Saibai Island	Native title exists – entire area	Consent determination
	Moa Island	Native title exists – entire area	Consent determination
2000	Mabuiag People	Native title exists – entire area	Consent determination
	Dauan People	Native title exists – entire area	Consent determination
	Masig People and Damuth People	Native title exists – entire area	Consent determination
	Warraber People	Native title exists – entire area	Consent determination
	Porumalgal Poruma People	Native title exists – entire area	Consent determination
	Wik and Wik-Way Peoples	Native title exists – entire area	Consent determination

2001	Kaurareg People (Zuna)	Native title exists – part of area	Consent determination
	Kaurareg People (Murulag # 1)	Native title exists – part of area	Consent determination
	Kaurareg People (Murulag # 2)	Native title exists – part of area	Consent determination
	Kaurareg People (Mipa, Tarilag, Yeta, Damaralag)	Native title exists – part of area	Consent determination
	Kaurareg People (Ngurupai)	Native title exists – entire area	Consent determination
	Meriam People	Native title exists – entire area	Consent determination
	Bar-Barrum People	Native title exists – part of area	Consent determination
2002	Castle Hills	Native title does not exist	Unopposed determination
	Ilfracombe Shire Council	Native title does not exist	Consent determination
2004	Wellesley Islands Sea Claim	Native title exists – part of area	Litigated determination
	Wik and Wik Way Native Title Determination No. 3	Native title exists – entire area	Consent determination
	Kulkalgal People	Native title exists – entire area	Consent determination
	Erubam Le (Darnley Islanders #1	Native title exists – entire area	Consent determination
	Ugar (Stephens Islanders) #1	Native title exists – entire area	Consent determination
	People of Boigu Island #2	Native title exists – entire area	Consent determination
	Yam Islanders / Tudulaig People	Native title exists – entire area	Consent determination
	Wik and Wik Way Native Title Determination No. 2	Native title exists – entire area	Consent determination
	Gebara Islanders #1	Native title exists – entire area	Consent determination
	Badu Islanders #1	Native title exists – entire area	Consent determination
2005	Djabugay People	Native title exists – entire area	Consent determination
	Garboi	Native title exists – entire area	Consent determination
	Yarpar & Uttu	Native title exists – entire area	Consent determination
	Buru & Warul Kawa	Native title exists – entire area	Consent determination
2006	Warraberalgal, Porumalgal and Iama Peoples	Native title exists – entire area	Consent determination
	Western Yalanji People	Native title exists – entire area	Consent determination
	Mualgal People #2	Native title exists – entire area	Consent determination
	Badu & Moa People #2	Native title exists – entire area	Consent determination
	Mandingalbay Yidinji People	Native title exists – entire area	Consent determination
2007	The Strathgordon Claim	Native title exists – entire area	Consent determination
	Eastern Kuku Yalanji People	Native title exists – entire area	Consent determination
	Ngadjon-Jii People	Native title exists – entire area	Consent determination
2008	Lardil, Yangkaal, Gangalidda & Kaiadilt Peoples	Native title exists – entire area	Consent determination
2009	Kuuku Ya'u	Native title exists – entire area	Consent determination
	Wik and Wik Way People	Native title exists – entire area	Consent determination
	Kowanyama People	Native title exists – entire area	Consent determination
	Girramay People	Native title exists – entire area	Consent determination
2010	Gangalidda & Garawa People	Native title exists – entire area	Consent determination
	Gangalidda & Garawa Peoples#2	Native title exists – entire area	Consent determination
	Torres Strait Regional Sea Claim	Native title exists – part of area	Litigated determination
	Combined Dulabed and Malanbarra Yidinji Claim	Native title exists – entire area	Consent determination
	Jirrbal People #1	Native title exists – entire area	Consent determination
	Jirrbal People #2	Native title exists – entire area	Consent determination
	Jirrbal People #3	Native title exists – entire area	Consent determination
	Waanyi Peoples	Native title exists – entire area	Litigated determination

Year	Short name	Outcome	Legal process
2011	Blackwater Accommodation Village Pty Ltd	Native title does not exist	Unopposed determination
	Quandamooka People #1	Native title exists – part of area	Consent determination
	Quandamooka People #2	Native title exists – part of area	Consent determination
	Juru (Cape Upstart) People	Native title exists – entire area	Consent determination
	Wanyurr Majay People	Native title exists – entire area	Consent determination
	Djiru People #2	Native title exists – entire area	Consent determination
	Djiru People #3	Native title exists – entire area	Consent determination
	Kalkadoon People #4	Native title exists – part of area	Consent determination (conditional)
	Muluridji People	Native title exists – entire area	Consent determination
	Muluridji People#2	Native title exists – entire area	Consent determination
	Combined Gunggandji	Native title exists – entire area	Consent determination

Other highlights

- **August 1999** – Mackay ILUAs signed between four local Aboriginal groups, the Queensland Government, Mackay Surf Life Saving Club and Mackay City Council
- **August 2001** – Western Cape York ILUA signed between 11 Traditional Owners groups, four Indigenous Community Councils, Comalco Aluminium Limited, Cape York Land Council and the State
- **October 2004** – Headingly Pastoral Access Agreement signed between Australian Agricultural Company (AACo) and the Waluwarra/Georgina River people
- **December 2006** – Coolgaree Bay Sponge Farm ILUA signed between Manbarra People and the Coolgaree CDEP



Kowanyama ranger Darren Birchley in Kokobera Swamp 2009



Eastern Kuku Yalanji People native title determination 2007



Gangalidda and Garawa People native title determination 2010

Victoria

Area covered by determinations of native title	26,185 sq km
--	--------------

Key Statistics	
Number of registered determinations	7
- native title exists – 4	
- native title doesn't exist – 3	
Number of registered ILUAs	40



Determinations of native title

Year	Short name	Outcome	Legal process
1998	Yorta Yorta (New South Wales and Victoria)	Native title does not exist	Litigated determination
2005	Wotjobaluk, Jaadwa, Jadawadjali, Wergaia and Jupagulk Peoples No. 1	Native title does not exist	Consent determination
	Wotjobaluk, Jaadwa, Jadawadjali, Wergaia and Jupagulk Peoples No. 2	Native title does not exist	Consent determination
	Wotjobaluk, Jaadwa, Jadawadjali, Wergaia and Jupagulk Peoples No. 3	Native title exists – part of area	Consent determination
2007	Gunditjmara – Part A	Native title exists – part of area	Consent determination
2010	Gunai / Kurnai People	Native title exists – part of area	Consent determination
2011	Gunditjmara & Eastern Maar	Native title exists – part of area	Consent determination

Other highlights

- **April 2004** – Mining and Explorations ILUAs jointly developed by the State, Victorian Minerals and Energy Council and the Native Title Services Victoria
- **October 2007** – ILUA signed between the Gunditmara People and the Victorian Government
- **October 2010** – Gunai/Kurnai consent determination
- **March 2011** – Dja Dja Wurrung and Charlton Harness Racing Club ILUA constituted the 500th ILUA to be registered with the Tribunal



Justice North and Gunai Kurnai Elder Albert Mullett



Dancers at the Gunai Kurnai Consent Determination

New South Wales

Area covered by determinations of native title	1,987 sq km
--	-------------

Key Statistics	
Number of registered determinations	37
- native title exists – 2	
- native title doesn't exist – 35	
Number of registered ILUAs	9



Determinations of native title

Year	Short name	Outcome	Legal process
1997	Dunghutti People	Native title exists – entire area	Consent determination
1998	Metropolitan Local Aboriginal Land Council (Duffy's Forest)	Native title does not exist	Unopposed determination
	Yorta Yorta (New South Wales and Victoria)	Native title does not exist	Litigated determination
2000	Darkinjung Local Aboriginal Land Council (2000)	Native title does not exist	Unopposed determination
2001	Deniliquin Local Aboriginal Land Council	Native title does not exist	Unopposed determination
	Metropolitan Local Aboriginal Land Council (Forestville)	Native title does not exist	Unopposed determination
	Darkinjung Local Aboriginal Land Council (2001)	Native title does not exist	Unopposed determination
	Byron Bay	Native title does not exist	Consent determination
2002	Metropolitan Local Aboriginal Land Council (Municipality of Ku-Ring-Gai)	Native title does not exist	Unopposed determination
	Metropolitan Local Aboriginal Land Council (Shire of Hornsby)	Native title does not exist	Unopposed determination
	Darkinjung Local Aboriginal Land Council (2002)	Native title does not exist	Unopposed determination
2003	Bahtahbah Local Aboriginal Land Council	Native title does not exist	Unopposed determination
	Darkinjung Local Aboriginal Land Council (2003)	Native title does not exist	Unopposed determination
2004	Barkandji (Paakantyi) People #11	Native title does not exist	Litigated determination
	Darug People	Native title does not exist	Litigated determination
2005	Nowra Local Aboriginal Land Council	Native title does not exist	Unopposed determination
	Worimi Local Aboriginal Land Council #1	Native title does not exist	Unopposed determination
	Worimi Local Aboriginal Land Council #2	Native title does not exist	Unopposed determination
	Awabakal Local Aboriginal Land Council	Native title does not exist	Unopposed determination
	Darkinjung Local Aboriginal Land Council (2005)	Native title does not exist	Unopposed determination

2006	Eden Local Aboriginal Land Council	Native title does not exist	Unopposed determination
	Worimi Local Aboriginal Land Council #3	Native title does not exist	Unopposed determination
	Forster Local Aboriginal Land Council	Native title does not exist	Unopposed determination
	Ulladulla Local Aboriginal Land Council	Native title does not exist	Unopposed determination
2007	Illawarra Local Aboriginal Land Council	Native title does not exist	Unopposed determination
	Bahtahbah Local Aboriginal Land Council #1	Native title does not exist	Unopposed determination
	Bahtahbah Local Aboriginal Land Council #2	Native title does not exist	Unopposed determination
	Deniliquin Local Aboriginal Land Council	Native title does not exist	Unopposed determination
	The Githabul People	Native title exists – entire area	Consent determination
2008	Eden Local Aboriginal Land Council	Native title does not exist	Consent determination
	Worimi Local Aboriginal Land Council #4	Native title does not exist	Litigated determination
2009	Nambucca Heads Local Aboriginal Land Council	Native title does not exist	Unopposed determination
	Gandangara Local Aboriginal Land Council	Native title does not exist	Unopposed determination
2010	Eden Local Aboriginal Land Council #2	Native title does not exist	Consent determination
	Eden Local Aboriginal Land Council #3	Native title does not exist	Consent determination
2011	Gandangara Local Aboriginal Land Council	Native title does not exist	Unopposed determination
2012	Worimi Local Aboriginal Land Council #5	Native title does not exist	Unopposed determination
	Worimi Local Aboriginal Land Council #6	Native title does not exist	Unopposed determination

Other highlights

- **October 1996** – Dunghutti People Native Title Agreement – The Dunghutti People were the first native title holders recognised under the *Native Title Act 1993*
- **2007** – Githabul People ILUA was signed between the Githabul People, NSW Government and other parties
- **2008** – Githabul People Consent Determination recognised the native title rights and interests of the Githabul People over nine national parks and 13 state forests in northern NSW
- **2008** – Bundjalung People of Byron Bay ILUA was signed between the Bundjalung People, NSW National Parks and Wildlife Services and the NSW Government. This outcome was built on a previous ILUA in 2001 under which the Arakwal National Park was created

Members of the Githabul People (left to right) Issac Monsell, James Williams and Trevor Ord at Githabul People Consent Determination 2007



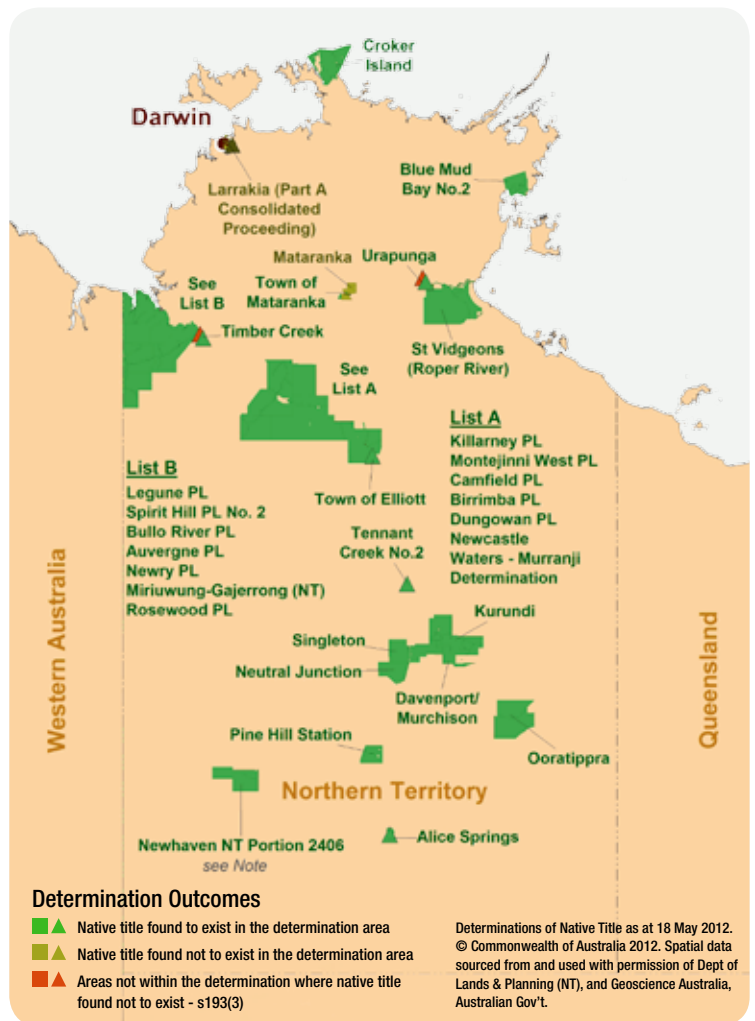
Northern Territory

Area covered by determinations of native title	70,904 sq km
--	--------------

Key Statistics	
Number of registered determinations	31
- native title exists – 29	
- native title doesn't exist – 2	
Number of registered ILUAs	99



Tennant Creek traditional owners Brian Crafter Jangali and Evelyn Crafter Nappangarti accept certificates recognising native title over the town from Justice John Mansfield in 2007



Determinations of native title

Year	Short name	Outcome	Legal process
1998	Croker Island	Native title exists – entire area	Litigated determination
2000	Alice Springs	Native title exists – entire area	Litigated determination
	St Vidgeon's (Roper River)	Native title exists – part of area	Litigated determination
2002	Urupunga	Native title exists – part of area	Litigated determination
2003	Miriung-Gajerrong (Northern Territory)	Native title exists – entire area	Consent determination
2004	Davenport / Murchison	Native title exists – entire area	Litigated determination
2005	Blue Mud Bay No. 2	Native title exists – entire area	Litigated determination
2006	Larrakia (Part A – consolidated proceeding)	Native title does not exist	Litigated determination
	Timber Creek	Native title exists – entire area	Litigated determination
2007	Tennant Creek No. 2	Native title exists – part of area	Consent determination
	Newcastle Waters – Murrarji Determination	Native title exists – part of area	Litigated determination
2009	Town of Elliott	Native title exists – part of area	Consent determination
	Pine Hill Station	Native title exists – part of area	Consent determination
2010	Singleton	Native title exists – part of area	Consent determination
	Newhaven, NT Portion 2406	Native title exists – part of area	Consent determination (unregistered and conditional)

2011	Ooratippra	Native title exists – part of area	Consent determination
	Legune Pastoral Lease	Native title exists – part of area	Consent determination
	Bullo River Pastoral Lease	Native title exists – part of area	Consent determination
	Newry Pastoral Lease	Native title exists – part of area	Consent determination
	Rosewood Pastoral Lease	Native title exists – part of area	Consent determination
	Auvergne Pastoral Lease	Native title exists – part of area	Consent determination
	Spirit Hills Pastoral Lease No. 2	Native title exists – part of area	Consent determination
	Killarney Pastoral Lease	Native title exists – part of area	Consent determination
	Birrimba Pastoral Lease	Native title exists – part of area	Consent determination
	Montejinni West Pastoral Lease	Native title exists – part of area	Consent determination
	Montejinni East Pastoral Lease	Native title exists – part of area	Consent determination
	Dungowan Pastoral Lease	Native title exists – part of area	Consent determination
	Camfield Pastoral Lease	Native title exists – part of area	Consent determination
	Neutral Junction	Native title exists – part of area	Consent determination
	Kurundi	Native title exists – part of area	Consent determination
2012	Mataranka	Native title does not exist	Consent determination
	Town of Mataranka	Native title exists – part of area	Consent determination

Other highlights

- **2005** – National Park ILUAs (31 ILUAs over 27 national parks) were entered into between the Northern Territory Government, the Central Land Council and Northern Land Council
- **March 2009** – Four ILUAs were registered with the Tribunal, relating to the construction of the Northern Territory Government's 286 km gas pipeline, from the Blacktip gas field in Joseph Bonaparte Gulf to the Channel Island power station near Darwin
- **2010** – Registration of the 100th ILUA in the Northern Territory

Tennant Creek ILUA was signed by Member for Barkly Elliot McAdam, Northern Territory Chief Minister Clare Martin, Central Land Council Chair Lindsay Bookie and CLC executive member Maxie Ray 2007



South Australia

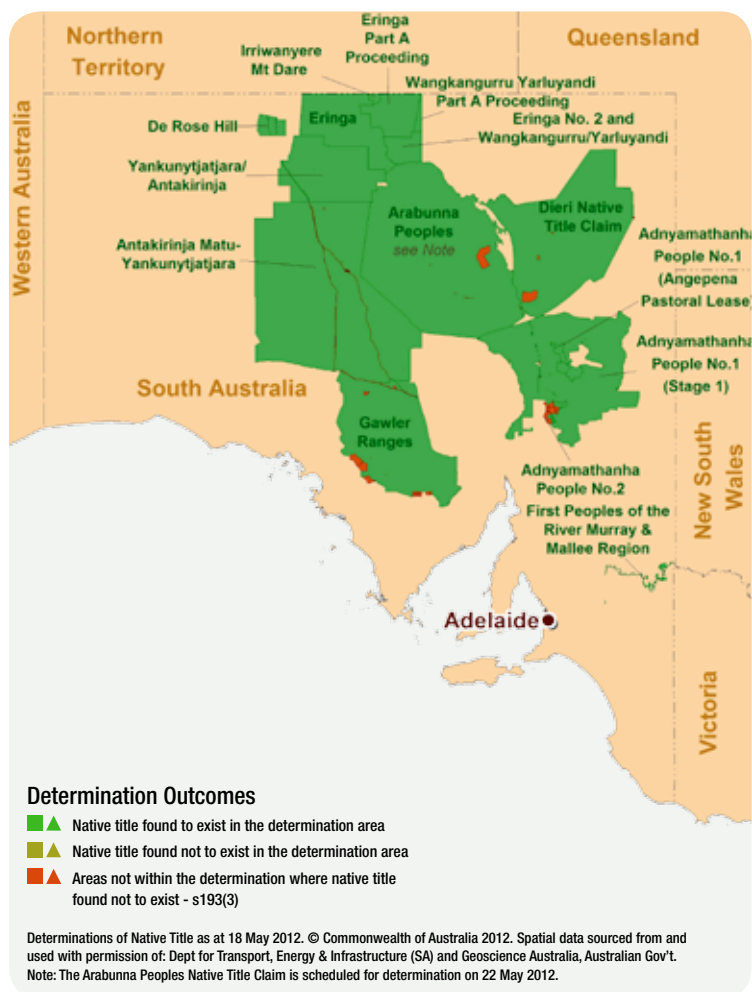
Area covered by determinations of native title	310,829 sq km
--	---------------

Key Statistics

Number of registered determinations	14
- native title exists – 14	
- native title doesn't exist – nil	
Number of registered ILUAs	72



Tribunal member Bardy McFarlane presents a copy of the Tribunal's Register extract to native title holder Hughie Cullinan at Yankunytjatjara Antakirinja consent determination 2007



Determinations of native title

Year	Short name	Outcome	Legal process
2005	De Rose Hill	Native title exists – part of area	Litigated determination
2006	Yankunytjatjara / Antakirinja	Native title exists – part of area	Consent determination
2008	Irrwanyere Mt Dare Native Title Determination	Native title exists – part of area	Consent determination
	Wangkangurru / Yarluyandi Part A Proceeding	Native title exists – part of area	Consent determination
	Eringa Part A Proceeding	Native title exists – part of area	Consent determination
2009	Adnyamathanha People No. 1 (Stage 1)	Native title exists – part of area	Consent determination
	Adnyamathanha People No. 1 (Angepena Pastoral Lease)	Native title exists – part of area	Consent determination
	Adnyamathanha People No. 2	Native title exists – part of area	Consent determination
2011	Antakirinja Matu-Yankunytjatjara	Native title exists – part of area	Consent determination
	First Peoples of the River Murray & Mallee Region	Native title exists – part of area	Consent determination
	Eringa	Native title exists – part of area	Consent determination
	Eringa No. 2 and Wangkangurru / Yarluyandi	Native title exists – part of area	Consent determination
	Gawler Rangers People	Native title exists – part of area	Consent determination
2012	Dieri	Native title exists – part of area	Consent determination
	Arabana (nb – due 22 May 2012)		

Other highlights

- **2004** - Four local councils, the Narungga people and the State Government finalised the first indigenous land use agreement (ILUA) in Yorke Peninsula that sets out a process for planning infrastructure development, including a protocol for the protection of Aboriginal heritage
- **2004** – Central West South Australia Mediation Strategy, Spear Creek – unique approach undertaken jointly by the Tribunal and the representative body involving nine participating claim groups



Sadie Singer and Lallie Lennon of Yankunytjatjara Antakirinja at South Australia's first consent determination, with pastoralists Douglas Lillecrapp and Alan Fennell in 2006



Native title holders Reggie Uluru and Molly Cullinan with Douglas Lillecrapp at the Yankunytjatjara Antakirinja ILUA in 2006



National Native Title Tribunal



For more information about native title and services of the Tribunal please contact the National Native Title Tribunal, GPO Box 9973 in your capital city or **freecall 1800 640 501**. Information is also available at **www.nntt.gov.au** .