

Notice of a compensation application in relation to an area in Northern Territory

Notification day: 22 October 2025



National
Native Title
Tribunal

An application has been made to the Federal Court of Australia (Federal Court) seeking a determination of compensation for the loss, impairment, diminution or extinguishment of native title rights and interests in the area described below.

The compensable acts for which compensation is claimed include:

- a) past acts attributable to the Commonwealth validated by the NTA including:
 - i. *Mining Ordinance 1939* (NT) (s 107), which vested all minerals including bauxite on the Gove Peninsula as property of the Commonwealth;
 - ii. *Minerals (Acquisition) Ordinance 1953* (NT) (s 3), which - to the extent that the *Mining Ordinance 1939* (NT) may not have been effective - vested all minerals including bauxite on the Gove Peninsula as property of the Commonwealth;
 - iii. special mineral lease no 1 which was granted to the Commonwealth Aluminium Corporation Pty Ltd on 17 November 1958;
 - iv. special mineral leases nos 2, 3 and 4 which were granted to Gove Bauxite Corporation Ltd on 11 March 1963;
 - v. the special mineral lease and special purposes leases granted or renewed pursuant to the Gove Agreement and under the 1968 Gove Ordinance (the Nabalco leases) - Special Mineral Lease 11, Special Purposes Lease No 213, Special Purposes Lease No 214, Special Purposes Lease No 215, Special Purpose Lease No 216, Special Purpose Lease No 217, Special Purposes Lease No 249, Special Purposes Lease No 250, Special Purposes Lease No 251, Special Purpose Lease No 252, Special Purposes Lease No 253, Special Purposes Lease No 270, Special Purposes Lease No 277, Special Purposes Lease No 390, Special Purposes Lease No 403;
- b) past acts attributable to the Northern Territory validated by Pt 2 of the *Validation (Native Title) Act 1994* (NT);
- c) intermediate period acts attributable to the Northern Territory validated under Pt 2 of the *Validation (Native Title) Act 1994* (NT);
- d) previous exclusive possession acts and non-exclusive possession acts attributable to the Commonwealth in respect of which extinguishment is confirmed by the NTA.

Once a compensation application has been made under the *Native Title Act 1993* (Cth), and if there is no determination of native title in the area covered by the application, the Federal Court must make a concurrent determination about whether or not native title exists in that particular area. If the Federal Court decides that native title has not been extinguished, it must decide who holds the native title. If native title rights and interests are found to have been affected, the Federal Court must determine whether any compensation is payable.

If you want to become a party to this application, you must file a Form 5 (Notice of Intention to become a Party) with the Federal Court, **on or before 21 January 2026**. Further information regarding how to file a Form 5 is available from www.fedcourt.gov.au. After **21 January 2026**, you will need to seek leave from the Federal Court to become a party.



Application name: Bakamumu Marika & Ors v Northern Territory of Australia & Anor

Federal Court File No: NTD24/2025

Date filed: 8 July 2025

Description of area: The application area covers about 216.7 sq km and is located over the Gove Peninsula in the vicinity of Nhulunbuy and Yirrkala

Relevant LGAs: East Arnhem Region and Un-Incorporated (Nhulunbuy) Area

For assistance and any further information about this application, including the description of the area, call Huia McGrath on 07 3052 4040 or visit www.nntt.gov.au.