



# Extract from Schedule of Native Title Applications

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**Application Reference:** Federal Court number: SAD188/2016  
NNTT number: SC2016/003

**Application Name:** Brenton Weetra and Ors on behalf of the Nauo #2 Native Title Claim and the State of South Australia and Ors (Nauo #2)

**Application Type:** Claimant

**Application filed with:** Federal Court of Australia

**Date application filed:** 21/06/2016

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**Current status:** Full Approved Determination - 31/07/2025

**Registration information:** Please refer to the Register of Native Title Claims/National Native Title Register (as appropriate) for registered details of this application.

**Date claim entered on Register of Native Title Claims:** 06/07/2017

**Registration decision status:** Accepted for registration

**Registration history:** Registered from 6/07/2017 to 1/08/2025,

**Date claim / part of claim determined:** 31/07/2025

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**Applicants:** Brenton Weetra, Pauline Branson, Cynthia Weetra-Buzza, Jody Miller

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## Additional Information

On 23 September 2024, the Federal Court made a determination that native title exists in parts of the application area – see *Weetra on behalf of the Nauo People v State of South Australia (No 2)* [2024] FCA 1077. That determination is attached to this Extract. Order 2 of the determination provides that '[t]he Determination will take effect upon the Nauo #2 Settlement ILUA being registered on the Register of Indigenous Land Use Agreements.' The agreement referred to in Order 2 was registered on 31 July 2025, and therefore this determination is in effect from 31 July 2025.

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### **Persons claiming to hold native title:**

The names (including Aboriginal names) of the persons (the native title claim group) on whose behalf the application is made or a sufficiently clear description of the persons so that it can be ascertained whether any particular person is 1 of those persons.

Under the traditional laws and customs of the Nauo People the Native Title Holders are those living Aboriginal people who are the descendants whether by birth or traditional adoption from any of the following Nauo antecedents:

- i. Topsy Ahang;
- ii. Mother of Elizabeth Anderson;
- iii. Mary, mother of Henry Weetra;
- iv. Frederick Milera,

and who identify as Nauo and are recognised by the other Native Title Holders under those traditional laws and customs as having rights and interests in the Determination Area (together the Native Title Holders).

### **Native title rights and interests claimed:**

The nature and extent of the native title rights and interests of the Native Title Holders in the Native Title Land are the non-exclusive rights to use and enjoy those lands and waters, being:

- (a) the right of access, to be present on, move about on and travel over the Native Title Land;
- (b) the right to take, enjoy, share and exchange the Natural Resources of the Native Title Land for traditional purposes;
- (c) the right to use the natural water resources of the Native Title Land for traditional purposes;
- (d) the right to conduct ceremonies on the Native Title Land;
- (e) the right to maintain and protect sites and places of cultural significance under the traditional laws and customs of the Native Title Holders on the Native Title Land;
- (f) the right to teach on the Native Title Land the physical and spiritual attributes of the Native Title Land;
- (g) the right to hold meetings on the Native Title Land;
- (h) the right to light fires on the Native Title Land for domestic purposes including cooking, but not for the purpose of hunting or clearing vegetation; and
- (i) the right to be accompanied onto the Native Title Land by those people who, although not Native Title Holders, recognise and are bound by the traditional laws and customs of the Native Title Holders and who are:
  - i) spouses of Native Title Holders; or
  - ii) people required by traditional law and custom for the performance of cultural activities on the Native Title Land.

### **Application Area:**

**State/Territory:** South Australia  
**Brief Location:** Jussieu Peninsula at the south east end of Eyre Peninsula  
**Primary RATSIB Area:** Greater South Australia  
**Approximate size:** 535.3000 sq km  
(Note: There may be areas within the external boundary of the application that are not claimed.)  
**Does Area Include Sea:** Yes

**Area covered by the claim (as detailed in the application):**

**SAD188/2016 - Nauo No. 2 (SC2016/003) – Amendment**

**External boundary description**

The application area covers all the land and waters within the external boundary described as:

Commencing at the intersection of a 10 metre buffer seaward of the Lowest Astronomical Tide (LAT) and a line joining Longitude 135.400967° East, Latitude 34.817477° South with Longitude 135.627920° East, Latitude 34.812759° South and extending easterly and northerly through the following coordinate points:

Longitude ° East	Latitude ° South
135.627920	34.812759
135.642908	34.802285
135.643121	34.770049
135.643266	34.748119

Then north-easterly to a corner of native title determination SAD6011/1998 Bargarla Native Title Claim (SCD2016/001) on the south-western boundary of the north-eastern portion of Parcel ID H511200 S39 at approximately Longitude 135.644865° East, Latitude 34.747856° South; then generally south-easterly and generally easterly along that determination boundary to a point 10 metres seaward of Lowest Astronomical Tide where it intersects with the production south-easterly of a north-eastern boundary of Section 669, Hundred of Lincoln (near the southern corner of Allotment 21 of Filed Plan 10165); then south-easterly continuing along that production to a point 50 metres seaward of the Lowest Astronomical Tide (LAT) being the commencement point of this applications (Nauo No. 2) coastal boundary; then generally south-westerly, generally north-easterly, generally southerly, generally north-westerly, generally southerly, generally westerly and generally north-westerly along a coastal boundary that includes areas:

- Seaward 10 metres from the Lowest Astronomical Tide (LAT);
- All internal waters of Fishery Bay (enclosed by a line that extends from Longitude 135.690097° East, Latitude 34.913571° South to Longitude 135.685118° East, Latitude 34.918346° South); and
- Seaward 50 metres from the Lowest Astronomical Tide (LAT) of all easily accessible beaches as defined in the table below.

Back to the commencement point.

**Table of Accessible Beaches:**

As identified by the State and applicants, coordinates are approximate and subject to survey:

Longitude ° (East)	Latitude ° (South)	Longitude ° (East)	Latitude ° (South)
1 Nauo No. 2 coastal boundary commencement point.		135.792986	34.810260
2 135.854839	34.811947	135.927626	34.769443
3 135.936826	34.768454	135.987607	34.765016
4 135.987125	34.762694	135.984889	34.758314
5 135.985788	34.755856	135.989743	34.747192
6 135.987525	34.743329	135.983010	34.735667
7 135.987359	34.727694	135.990793	34.727776
8 135.996065	34.729587	135.998944	34.734038

9	136.010418	34.749017	136.011314	34.752316
10	136.011860	34.762881	136.003099	34.776959
11	136.002526	34.780420	136.005899	34.791398
12	136.009021	34.794553	136.004237	34.801645
13	136.004478	34.806402	136.002778	34.808027
14	135.988927	34.827114	135.964067	34.877004
15	135.989841	34.961208	135.991928	34.962091
16	135.973840	34.991929	135.959609	34.992288
17	135.887710	34.930086	135.872866	34.922284
18	135.854604	34.889546	135.853091	34.886647
19	135.850800	34.886850	135.798838	34.862601
20	135.792384	34.861385	135.789098	34.860641
21	135.774529	34.858457	135.749496	34.856955
22	135.742922	34.857709	135.721265	34.862434
23	135.718600	34.864102	135.717401	35.864329
24	135.715953	34.864912	135.712773	34.866002
25	135.701353	34.906125	135.698591	34.905943

## Exclusions

The application area excludes all land and waters within:

- Native title determination SAD6011/1998 Barngarla Native Title Claim (SCD2016/001).
- Native title determination application SAD6021/1998 – Nao Native Title Claim (SC1997/008) - as accepted for registration on 29 May 2012.

## Note

Data Reference and source

- Application boundary compiled by National Native Title Tribunal based on information or instructions provided by the State and applicants.
- Native title determination SAD6011/1998 Barngarla Native Title Claim (SCD2016/001) as determined by the Federal Court of Australia on 23 June 2016.
- Cadastral data sourced from Department for Infrastructure and Transport, SA (May 2021).
- Coastal areas identified as easily accessible beaches are as agreed by the State and Applicants and are subject to survey.

## Reference datum

Geographical coordinates have been provided by the NNTT Geospatial Services and are referenced to the Geocentric Datum of Australia 2020 (GDA2020), in decimal degrees and are based on the spatial reference data

acquired from the various custodians at the time.

### **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 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 Geospatial Services, National Native Title Tribunal (26 October 2021)

**Attachments:**

1. Attachment C - Map of Claim Area, 2 pages - A4, 08/12/2021
2. Nauo #2 Determination, 126 pages - A4, 23/09/2024

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End of Extract