



Extract from the National Native Title Register

Determination Information:

Determination Reference:	Federal Court Number(s): WAD139/2024 NNTT Number: WCD2025/005
Determination Name:	Morgan on behalf of the Wiluna #4 Native Title Claim Group v State of Western Australia
Date(s) of Effect:	30/07/2025
Determination Outcome:	Native title exists in the entire determination area

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

Determination Date:	30/07/2025
Determining Body:	Federal Court of Australia

ADDITIONAL INFORMATION:

Not Applicable

REGISTERED NATIVE TITLE BODY CORPORATE:

Tarlka Matuwa Piarku Aboriginal Corporation RNTBC
Trustee Body Corporate
Suite 28
Level 3
82 Beaufort Street
PERTH Western Australia 6000

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: Native title holders (s 225(a) *Native Title Act*)

2. The native tile in the Determination Area is held by the persons described in Schedule 2 (**native title holders**).

SCHEDULE 2

DESCRIPTION OF THE NATIVE TITLE HOLDERS

1. The persons referred to in order 2 of the Determination are those persons from time to time who:

(a) in accordance with Western Desert traditional laws and customs, have a connection to all or part of the Determination Area through descent (whether from a parent or grandparent from the Determination Area or who died and is buried in the Determination Area), conception and/or birth within the Determination Area, long-term residence within the Determination Area, high ritual knowledge within the Determination Area or responsibility for sites within the Determination Area; and

(b) are recognised under the traditional laws and customs by the other native title holders as having rights in the Determination Area.

2. At the date of this Determination, this includes the following persons who are recognised under the relevant traditional laws and customs by the other native title holders as having rights in the Determination Area:

(a) the descendants of the union of the following people:

- (i) Milpuntu/Jack Abbot and Puku/Amy Abbott;
- (ii) Warilki Anderson and Tjungtawu/Skinny Fannie/Bunnie Stevens;
- (iii) Maitungkata/Paddy Anderson and Kiliya/Amy Anderson;
- (iv) Yingkali Manara/Mickey Ingle and Kurutjuli/Miriam;
- (v) Kunamalaya/Jacky Jackman and Wilunya/Wilana Brown/Jackman;
- (vi) Peter Gogo and Lady Gogo;
- (vii) Ngalama/Old Paul Morgan and Wangu;
- (viii) Lenny Morrison and Fannie Jones/Stevens;
- (ix) Anthony Jones and May Jones;
- (x) Charlie Riley and Bidy Riley;
- (xi) Muddy Patch and Marlala Nanji;
- (xii) Kurril/Scotty/Ted/Packhorse Rennie Tullock and Daisy Garland;
- (xiii) Pipartjukurr and Kiri/Kiri Muru;
- (xiv) Wuli/Jimmy Wongawol and Lily Munda;
- (xv) Nyarraur/Cutline/Ben Brown and Amy Jackman/Brown;
- (xvi) Nanyi-Nanyi/Mr P/Billy Patch and Rosalie Anderson/Patterson; and
- (xvii) Wakukutjara and Yayangarta;

(b) the descendants of the following people:

- (i) Cyril Bingham;
- (ii) Munga/Margaret Long;
- (iii) Tauwi/Miriam Stewart;
- (iv) Mimpu/Willy Williams;
- (v) Ningara Martin;
- (vi) Mirta-Mirta/Andy Campbell;
- (vii) Kutulan/Hitler Richards;
- (viii) Lorna Redman/Stewart;
- (ix) Nyunyi/Maudie Jackman;
- (x) Ngalyakarnpal/Barbara Anderson;
- (xi) Rosy Grant;
- (xii) Alfie Ashwin;
- (xiii) Gladys Bingham;
- (xiv) Adam Bingham;
- (xv) Christine Bingham;
- (xvi) James Harris;
- (xvii) Winya/Minnie;
- (xviii) Yungkutjuru/Kitty Hill;
- (xix) Tulkiwa/Jeanie Elliot;
- (xx) Molly Long;
- (xxi) Mitjipung/Sandy/Santa Clause;
- (xxii) Kanturangu/Frank Narrier;
- (xxiii) Yarlta/Joe Finch;
- (xxiv) Pangka Wongawol/Riley;
- (xxv) Saxon/Jackson Stevens;
- (xxvi) Yupun;
- (xxvii) Tjiriltjukul;
- (xxviii) Yutunga/Udunga Kianga;
- (xxix) Yinyiyapa/Ruby Jackson/Parker;
- (xxx) Wungkajtu/George Wongajoe;
- (xxxi) Molly Anderson;
- (xxxii) Eddieman/Edmund/Eddie Redman; and
- (xxxiii) Minnie Wongawol;

(c) the following people and the descendants of their unions with the listed deceased partner:

- (i) Jimmy Patch (deceased) and Maxine Warren;
- (ii) Yalyalyi/Jack Stevens (deceased) and Tilly Gogo/Stevens;
- (iii) Tjupi-Tjupi/Peter Stewart (deceased) and Tjilpi/Great Long; and
- (iv) Yatjuwunga/Peter (deceased) and Katjipil/Daisy Kaddabil;

(d) the following people and their descendants:

- (i) Firestick/Barry Abbott;
- (ii) Nyapala Morgan;
- (iii) Wendy Redman/Abbott;
- (iv) Nyulkul-Nyulkul/Dusty Stevens;
- (v) Creamy Allison;
- (vi) Monty Allison;
- (vii) Elizabeth Wongyabong; and
- (viii) Shirley Wongyabong.

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

1. There be a determination of native title in terms of the attached Minute of Determination of Native Title.
2. Tarlka Matuwa Piarku Aboriginal Corporation RNTBC (ICN: 8156) shall hold the determined native title in trust for the native title holders pursuant to s 56(2)(b) of the *Native Title Act 1993* (Cth).

MINUTE OF DETERMINATION OF NATIVE TITLE

THE COURT ORDERS, DECLARES AND DETERMINES THAT:

Existence of native title (s 225 *Native Title Act*)

1. Native title exists in relation to the whole of the Determination Area.

Native title holders (s 225(a) *Native Title Act*)

2. The native title in the Determination Area is held by the persons described in Schedule 2 (**native title holders**).

The nature and extent of native title rights and interests (s 225(b); s 225(e) *Native Title Act*)

3. Subject to orders 6 and 7, the nature and extent of the native title rights and interests in relation to the parts of the Determination Area referred to in Schedule 3 is the right to possession, occupation, use and enjoyment of those parts to the exclusion of all others.

4. Subject to orders 5, 6 and 7 the nature and extent of the native title rights and interests in relation to the Determination Area, other than those parts of the Determination Area referred to in Schedule 3, are the following rights and interests:

- (a) the right to access, remain in and use the Determination Area;
- (b) the right to access, take and use the resources of the Determination Area for any purpose;
- (c) the right to engage in spiritual and cultural activities in the Determination Area; and
- (d) the right to maintain and protect areas, sites and places of significance in the Determination Area.

Qualifications on native title rights and interests (s 225(b); s 225(e) *Native Title Act*)

5. The native title rights and interests in order 4 do not confer possession, occupation, use and enjoyment of those parts of the Determination Area on the native title holder to the exclusion of all others.

6. 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; and
- (b) the laws of the State and Commonwealth, including the common law.

7. Notwithstanding anything in this Determination:

(a) there are no native title rights and interests in the Determination Area in or in relation to:

(i) minerals as defined in the *Mining Act 1904* (WA) (repealed) and the *Mining Act 1978* (WA);

(ii) petroleum as defined in the *Petroleum Act 1936* (WA) (repealed) and in the *Petroleum and Geothermal Energy Resources Act 1967* (WA);

or

(iii) geothermal energy resources and geothermal energy as defined in the *Petroleum and Geothermal Energy Resources Act 1967* (WA); and

(b) the nature and extent of native title rights and interests in relation to water in any watercourse, wetland or underground water source as defined in the *Rights in Water and Irrigation Act 1914* (WA) at the date of this Determination is the non-exclusive right to take, use and enjoy that water.

The nature and extent of any other interests (s 225(c) Native Title Act)

8. The nature and extent of other rights and interests in relation to the Determination Area are those set out in Schedule 4 (other interests).

Relationship between native title rights and other interests (s 225(d) Native Title Act)

9. Except as otherwise provided for by law, the relationship between the native title rights and interests described in orders 3 and 4 and the other interests is as follows:

(a) the Determination does not affect the validity of those other interests; and

(b) to the extent of any inconsistency between the other interests described in Schedule 4 and the continued existence, enjoyment or exercise of the native title rights and interests:

(i) 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 interest to the extent of the inconsistency during the currency of the other interests; and

(ii) otherwise the other interests co-exist with the native title rights and interests, and for the avoidance of doubt, the doing of an activity required or permitted under those interests prevails over the native title right and interests and their exercise, but does not extinguish them.

Areas to which s 47B of the Native Title Act apply

10. For the avoidance of doubt, section 47B of the *Native Title Act* applies to the parts of the Determination Area set out in Schedule 5.

Definitions and interpretation

11. In this Determination, unless the contrary intention appears:

Determination Area means the land and waters within the external boundary described in Part 1 of Schedule 1 and depicted on the maps at Schedule 6, but not including the Excluded Areas.

Excluded Areas means the land and waters described in Part 2 of Schedule 1.

land and **waters** respectively have the same meanings as in the *Native Title Act*.

Native Title Act means the *Native Title Act 1993* (Cth).

State means the State of Western Australia.

12. In the event of an inconsistency between the written description of areas in the Schedules and the areas depicted on the map in Schedule 6, the written descriptions shall prevail.

REGISTER ATTACHMENTS:

1. WCD2025/005 Schedule 1 – Determination Area, 2 pages - A4, 30/07/2025

2. WCD2025/005 Schedule 3 – Where Native Title Is Exclusive Possession, 1 page - A4, 30/07/2025

3. WCD2025/005 Schedule 4 – Other Interests, 2 pages - A4, 30/07/2025
4. WCD2025/005 Schedule 5 – Area To Which Section 47B Applies, 1 page - A4, 30/07/2025
5. WCD2025/005 Schedule 6 – Maps Of The Determination Area, 1 page - A4, 30/07/2025

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.