



Extract from the National Native Title Register

Determination Information:

Determination Reference: Federal Court Number(s): WAD568/2019
NNTT Number: WCD2020/007

Determination Name: [Gordon on behalf of the Malarngowem Native Title Claim Group Part B v State of Western Australia](#)

Date(s) of Effect: 8/06/2021

Determination Outcome: Native title exists in the entire determination area

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

Determination Date: 11/08/2020

Determining Body: Federal Court of Australia

ADDITIONAL INFORMATION:

In accordance with orders made by the Federal Court on 11 August 2020, on 8 June 2021 the Malarngowem Native Title Claim Group nominated Malarngowem Aboriginal Corporation ICN 9510 to hold the native title on trust. The determination therefore came into effect on 8 June 2021.

REGISTERED NATIVE TITLE BODY CORPORATE:

Malarngowem Aboriginal Corporation
Trustee Body Corporate
PO Box 2145
Broome Western Australia 6725

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:

SCHEDULE 4

DESCRIPTION OF THE NATIVE TITLE HOLDERS

1. The native title holders are those Aboriginal people who:
 - (a) are related through filiation (including by adoption) to one of the Malarngowem Apical Ancestors who held rights and interest in one of the local estate countries comprising the Determination Area; or
 - (b) are affiliated to a Malarngowem Apical Ancestor and who have spirit conception and/or birth sites in one of the local estate countries in the Determination Area; or

(c) are recognised by the persons described above as:

(i) holding rights and responsibilities for certain songs and ceremonies which make reference to important sites in the Determination Area; or

(ii) holding rights and interests in one of the local estate countries in the Determination Area under traditional law and custom.

2. The Malarngowem Apical Ancestors are:

1. Bidy (Dirngorl)
2. Bilal
3. Bulkbarria
4. Chinabi Kargoyn / Mangirribany (Jangala skin)
5. Davy Madarning / Mardangin
6. Dinah Ngowaya
7. Gildjiringin
8. Gumany (Julama skin)
9. Jumulu (aka Jumurul, or Lydia)
10. Jimmy Springvale
11. Jungubany (Jungurra skin)
12. Jungurangan / Old McCarthy
13. Karawala (Nangala skin)
14. Larlkuwanguny
15. Lola Budbaria / Puttpariya (Nagara skin)
16. Lulurji / Lulurrji (Bob Daylight)
17. Mamigurl
18. Marmikul
19. Mininjal
20. Minmariya
21. Morlabany / Mulabany
22. Nyawalapan / Ngawalapany
23. Wolabain (Jangala skin) (Father of Rowaljil)
24. Minnie Barnjanjil
25. Tommy Rosewood (Julama skin)
26. Jimmy Turrukpany
27. Nyidanguiny (Father of Dickie Gudangnyi Gali Durrdany (Jungurra skin) / Tooltany, Paddy Pirtawuny / Bedowyng (Jungurra skin) & Ruby Nganngannil)
28. Unnamed Father of Harry Kilpawaran / Gilbawarany and Jack Pullangi (Jangala skin)
29. Unnamed Mother of Judy Bilayil and Judy Bilmaria
30. Unnamed Mother of Nybil / Kneevil, Djulmangurl, Werriyel, Djartintji & Kungkun
31. Wolameri (Jakarra skin)
32. Wulawulyan

MATTERS DETERMINED:

THE COURT NOTES THAT:

A. Pursuant to s 87(1) of the *Native Title Act 1993* (Cth) the parties have filed with the Court the attached Minute of Consent Determination of Native Title which reflects the terms of an agreement reached by the parties in relation to these proceedings.

B. The terms of the agreement involve the making of consent orders for a determination of native title in relation to the land and waters the subject of this proceeding pursuant to s 87(2) and s 94A of the *Native Title Act 1993* (Cth).

IN THESE CIRCUMSTANCES AND WITH THE CONSENT OF THE PARTIES, THE COURT DETERMINES, DECLARES AND ORDERS THAT:

1. It is satisfied that an order in the terms proposed in the attached Minute of Consent Determination of Native Title is within the power of the Court and is appropriate to be made pursuant to s 87 of the *Native Title Act 1993* (Cth).

2. There be a determination of native title in the terms of the Minute of Consent Determination of Native Title attached. The determination is to take effect immediately upon the making of a determination under s 56(1) or s 57(2) of the *Native Title Act 1993* (Cth), as the case may be.

3. On or before 31 May 2021 a representative of the common law holders of the native title rights and interests shall indicate whether they intend to have the native title rights and interests held in trust and, if so, by whom. They are to do so by:

(a) nominating in writing to the Federal Court a prescribed body corporate to be trustee of the native title rights and interests; and

(b) including within the nomination the written consent of the body corporate.

4. If a prescribed body corporate is nominated in accordance with order 3, it will hold the native title rights and interests described in order 1 in trust for the common law holders of the native title rights and interests.

5. In the event that there is no nomination within the time specified in order 3, or such later time as the Court may order, the matter is listed for further directions.

REGISTER ATTACHMENTS:

1. Schedule 1 - Determination area, 1 page - A4, 11/08/2020

2. Schedule 2 - Maps of the determination area, 1 page - A4, 11/08/2020

3. Schedule 3 - Exclusive native title areas, 1 page - A4, 11/08/2020

4. Schedule 5 - Areas to which Section 47B of the Native Title Act applies, 1 page - A4, 11/08/2020

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.