



Extract from the National Native Title Register

Determination Information:

Determination Reference: Federal Court Number(s): NTD50/2014
NNTT Number: DCD2017/005

Determination Name: [Freddie v Northern Territory](#)

Date(s) of Effect: 20/04/2018

Determination Outcome: Native title exists in parts of the determination area

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

Determination Date: 03/08/2017

Determining Body: Federal Court of Australia

ADDITIONAL INFORMATION:

On 3 August 2017 the Federal Court of Australia made a determination in respect of the application area that native title exists in parts of the determination area - see [Freddie v Northern Territory \[2017\] FCA 867](#).

Order 1 of the determination provides that '... The Determination is to take effect immediately upon the making of a determination under s 56(1) or s 57(2) of the Act as the case may be.' Once in effect, the determination will be entered on the National Native Title Register.

On 20 April 2018 Justice Mortimer ordered that the Warlmanpa Warumungu Aboriginal Corporation be the prescribed body corporate for this determination, and therefore this determination is in effect as from 20 April 2018.

REGISTERED NATIVE TITLE BODY CORPORATE:

Warlmanpa Warumungu Aboriginal Corporation
Agent Body Corporate
C/- Legal Section
Central Land Council
PO Box 3321
ALICE SPRINGS Northern Territory 0871

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:

4. The Determination Area comprises nine estate areas associated with the Kankawarla, Kanturra, Jajinyarra, Linga, Patta, Pirtangu, Purrurtu, Wapurru and Yurtuminyi landholding groups.

5. The persons who hold the common or group rights comprising the native title are the Aboriginal persons who are:

(a) members of one or more of the landholding groups referred to in paragraph 4 by virtue of descent (including adoption) through father's father, father's mother, mother's father or mother's mother;

(b) accepted as members of one or more of the landholding groups referred to in paragraph 4 by senior members of a landholding group, referred to in subparagraph (a), by virtue of the following non-descent connections to an estate:

(i) conception and/or birthplace affiliation;

(ii) long-term residence in and/or historical connection with an estate;

(iii) shared subsection and/or moiety affiliation;

(iv) close kinship ties, including intermarriage;

(v) authority and responsibility for shared Dreaming tracks and/or places of significance connected with an estate;

(vi) seniority in traditional matters concerning a landholding group and/or estate; and

(vii) ceremonial knowledge.

MATTERS DETERMINED:

THE COURT ORDERS THAT:

1. There be a determination of native title in terms of the determination set out below. The Determination is to take effect immediately upon the making of a determination under s 56(1) or s 57(2) of the Act as the case may be.

2. Within 12 months of the date upon which these orders are made, 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 invited to do so by:

(a) nominating in writing to the 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.

3. If a prescribed body corporate is nominated in accordance with order 2, 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.

4. In the event that there is no nomination within the time specified in order 2, or such later time as the Court may order, the matter is to be listed for further directions.

5. The parties have liberty to apply to establish the precise location and boundaries of any public works and adjacent land and waters identified or otherwise referred to in Schedule C of the determination.

THE COURT DETERMINES THAT:

The Determination Area

1. The Determination Area comprises NT Portions 408, 5005, 5006, 5476 and 7025 being the land and waters more particularly described in Schedule A and depicted on the map comprising Schedule B.

2. Native title exists in the Determination Area.

3. Native title does not exist in those parts of the Determination Area described in Schedule C.

The native title holders

4. The Determination Area comprises nine estate areas associated with the Kankawarla, Kanturrpa, Jajinyarra, Linga, Patta, Pirrtangu, Purrurtu, Wapurru and Yurtuminyi landholding groups.

5. The persons who hold the common or group rights comprising the native title are the Aboriginal persons who are:

(a) members of one or more of the landholding groups referred to in paragraph 4 by virtue of descent (including adoption) through father's father, father's mother, mother's father or mother's mother;

(b) accepted as members of one or more of the landholding groups referred to in paragraph 4 by senior members of a landholding group, referred to in subparagraph (a), by virtue of the following non-descent connections to an estate:

(i) conception and/or birthplace affiliation;

(ii) long-term residence in and/or historical connection with an estate;

(iii) shared subsection and/or moiety affiliation;

(iv) close kinship ties, including intermarriage;

(v) authority and responsibility for shared Dreaming tracks and/or places of significance connected with an estate;

(vi) seniority in traditional matters concerning a landholding group and/or estate; and

(vii) ceremonial knowledge.

Native title rights and interests

6. The native title rights and interests of the native title holders are the non-exclusive native title rights and interests possessed under and exercisable in accordance with the traditional laws acknowledged and traditional customs observed, being:

(a) the right to access and travel over any part of the land and waters;

(b) the right to live on the land, and for that purpose, to camp, erect shelters and other structures;

(c) the right to hunt, gather and fish on the land and waters;

(d) the right to take and use the natural resources of the land and waters;

(e) the right to access, take and use natural water on or in the land, except water captured by the holders of Perpetual Pastoral Lease No. 946;

(f) the right to light fires for domestic purposes, but not for the clearance of vegetation;

(g) the right to share or exchange natural resources obtained on or from the land and waters, including traditional items made from the natural resources;

(h) the right to access and to maintain and protect sites and places on or in the land and waters that are important under traditional laws and customs;

(i) the right to conduct and participate in the following activities on the land and waters:

(i) cultural activities;

(ii) ceremonies;

(iii) meetings;

(iv) cultural practices relating to birth and death including burial rites; and

- (v) teaching the physical and spiritual attributes of sites and places on the land and waters that are important under traditional laws and customs;
- (j) the right to make decisions about the use and enjoyment of the land and waters by Aboriginal people who recognise themselves to be governed by the traditional laws and customs acknowledged by the native title holders provided that the right does not extend to making any decision that purports to control the access of such persons to the Determination Area;
- (k) the right to be accompanied on the land and waters by persons who, though not native title holders, are:
 - (i) people required by traditional law and custom for the performance of ceremonies or cultural activities on the land and waters;
 - (ii) people who have rights in relation to the land and waters according to the traditional laws and customs acknowledged by the native title holders;
 - (iii) people required by the native title holders to assist in, observe, or record traditional activities on the areas.
- (l) the right to conduct activities necessary to give effect to the rights referred to in (a) to (k) hereof.

7. The native title rights and interests referred to in paragraph 6 do not confer possession, occupation, use and enjoyment of the land and waters on the native title holders to the exclusion of all others.

8. The native title rights and interests are subject to and exercisable in accordance with:

- (a) the valid laws of the Northern Territory of Australia and the Commonwealth of Australia;
- (b) the traditional laws and customs of the native title holders for personal or communal needs which are of a domestic or subsistence nature and not for any commercial or business purpose.

Other rights and interests

9. The nature and extent of the other interests in the Determination Area are:

- (a) NT Portion 408:
 - (i) the interest of Alexander John Warby and Katherine Louise Warby under Perpetual Pastoral Lease 946;
 - (ii) the rights and interests of APT Pipelines (NT) Pty Ltd as the beneficiary of the rights and interests under Energy Supply Easement Dealing No. 193093 granted to the Northern Territory of Australia and as the holder of Pipeline Licence No. 4 granted under the *Energy Pipelines Act* (NT);
 - (iii) the rights and interests of the proprietor of NT Portion 1286 as the beneficiary of the rights and interests under Right of Way Easement Dealing No. 349910;
 - (iv) the rights and interests of APT Pipelines (NT) Pty Ltd as the beneficiary of the rights and interests under Access Easement Dealing Nos. 598482, 598483, 598484, 598485 and 598486 granted to the Northern Territory;
 - (v) the rights and interests of APT Pipelines (NT) Pty Ltd as the beneficiary of the rights and interests under Access Easement Dealing Nos. 600360 and 600361 granted to the Northern Territory of Australia;
 - (vi) the rights and interests of Jemena Northern Gas Pipeline Pty Ltd as the holder of Pipeline Licence No. 34 granted under the *Energy Pipelines Act* (NT).
- (b) NT Portion 5005 - the interest of the Yurtuminyi Aboriginal Corporation as the holder of a fee simple estate (subject to Yurtuminyi ILUA DI2004/016 entered on the Register of Indigenous Land Use Agreements on 11 July 2005).
- (c) NT Portion 5006 - the interest of the Jurntu Jungu Aboriginal Corporation as the holder of a fee simple estate (subject to Pingala ILUA DI2004/015 entered on the Register of Indigenous Land Use Agreements on 11 July 2005).
- (d) NT Portion 5476:

- (i) the interest of AustralAsia Railway Corporation under Crown Lease Term 1880;
- (ii) the interest of GWA (North) Pty Ltd under Sublease Dealing No. 465439;
- (iii) the rights and interests of APT Pipelines (NT) Pty Ltd as the beneficiary of the rights and interests under Access Easement Dealing Nos. 598482, 598483, 598484, 598485, 598486 and 598629 granted to the Northern Territory;
- (iv) the rights and interests of APT Pipelines (NT) Pty Ltd as the beneficiary of the rights and interests under Access Easement Dealing Nos. 600359, 600360 and 600361 granted to the Northern Territory of Australia;
- (v) the rights and interests of APT Pipelines (NT) Pty Ltd as the holder of Pipeline Licence No. 4 granted under the *Energy Pipelines Act* (NT).
- (e) the interests of the holders of the following mining and petroleum tenements granted pursuant to the *Mineral Titles Act 2010* (NT) (or its predecessor):

Number	Expiry Date	Holder
Exploration Licence (EL)		
EL 23764	25/11/2015	Meteoric Resources NL
EL 26594	Renewal pending	Giants Reef Exploration Pty Ltd
EL 26595	Renewal pending	Giants Reef Exploration Pty Ltd
EL 27136	21/05/2015	Giants Reef Exploration Pty Ltd
EL 28602	7/07/2015	Giants Reef Exploration Pty Ltd
EL 28603	7/07/2015	Giants Reef Exploration Pty Ltd
EL 28775	13/09/2015	Giants Reef Exploration Pty Ltd
EL 28776	15/11/2017	Giants Reef Exploration Pty Ltd
EL 28777	13/09/2015	Giants Reef Exploration Pty Ltd
EL 28904	26/03/2018	Manto Mining Pty Ltd
EL 28907	26/03/2018	Manto Mining Pty Ltd
EL 28913	22/12/2017	Giants Reef Exploration Pty Ltd
EL 29012	Renewal pending	Giants Reef Exploration Pty Ltd
EL 29488	30/04/2019	Giants Reef Exploration Pty Ltd
EL 30168	18/09/2020	Giants Reef Exploration Pty Ltd
EL 30301	9/09/2020	Giants Reef Exploration Pty Ltd
EL 30488	18/09/2020	Giants Reef Exploration Pty Ltd
EL 30614	5/10/2021	Giants Reef Exploration Pty Ltd
EL 31249	31/05/2022	Giants Reef Exploration Pty Ltd

Extractive Mineral Lease (EML)

EML 22925	23/07/2021	Asia Pacific Transport Pty Ltd (now Genesee & Wyoming Australia Pty Ltd)
EML 22929	23/07/2021	Asia Pacific Transport Pty Ltd (now Genesee & Wyoming Australia Pty Ltd)

Extractive Mineral Permit (EMP)

EMP 24719	16/03/2019	Stephen Kenneth Martin
EMP 31008	5/10/2020	Santexco Pty Ltd
EMP31010	5/10/2020	Santexco Pty Ltd

Extractive Mineral Permit (Central) (EMPC)

EMPC73	15/08/2017	Swoocabe Pty Ltd
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Authorised Holdings (Central) (HLDC)

HLDC 37		Santexco Pty Ltd
HLDC 39		Santexco Pty Ltd
HLDC 40		Emmerson Resources Limited
HLDC 41		Santexco Pty Ltd
HLDC 42		Santexco Pty Ltd
HLDC 43		Santexco Pty Ltd
HLDC 44		Santexco Pty Ltd
HLDC 45		Santexco Pty Ltd
HLDC 46		Santexco Pty Ltd
HLDC 55		Santexco Pty Ltd
HLDC 56		Santexco Pty Ltd
HLDC 58		Santexco Pty Ltd
HLDC 59		Santexco Pty Ltd
HLDC 94		Santexco Pty Ltd
HLDC 95		Santexco Pty Ltd
HLDC 96		Santexco Pty Ltd
HLDC 97		Santexco Pty Ltd
HLDC 98		Santexco Pty Ltd
HLDC 99		Santexco Pty Ltd
HLDC 101		Santexco Pty Ltd

Mineral Lease (Central) (MLC)

MLC 21	31/12/2020	Santexco Pty Ltd
MLC 69	31/12/2023	Santexco Pty Ltd
MLC 70	31/12/2023	Santexco Pty Ltd
MLC 78	31/12/2023	Santexco Pty Ltd
MLC 81	31/12/2030	AARD Metals Limited
MLC 82	31/12/2030	AARD Metals Limited
MLC 85	31/12/2020	Santexco Pty Ltd

MLC 86	31/12/2020	Santexco Pty Ltd
MLC 87	31/12/2020	Santexco Pty Ltd
MLC 88	31/12/2022	Santexco Pty Ltd
MLC 89	31/12/2022	Santexco Pty Ltd
MLC 90	31/12/2022	Santexco Pty Ltd
MLC 96	31/12/2022	Santexco Pty Ltd
MLC 97	31/12/2022	Santexco Pty Ltd
MLC 103	31/12/2022	AARD Metals Limited
MLC 104	31/12/2022	AARD Metals Limited
MLC 105	31/12/2022	AARD Metals Limited
MLC 106	31/12/2022	AARD Metals Limited
MLC 120	31/12/2014	Santexco Pty Ltd
MLC 121	31/12/2021	Santexco Pty Ltd
MLC 122	31/12/2021	Santexco Pty Ltd
MLC 123	31/12/2021	Santexco Pty Ltd
MLC 323	31/12/2022	Santexco Pty Ltd
MLC 324	31/12/2022	Santexco Pty Ltd
MLC 325	31/12/2022	Santexco Pty Ltd
MLC 326	31/12/2022	Santexco Pty Ltd
MLC 327	31/12/2022	Santexco Pty Ltd
MLC 506	31/12/2017	Santexco Pty Ltd
MLC 554	31/12/2023	Santexco Pty Ltd
MLC 555	31/12/2022	Gowan Russell Carter, Jennifer Erica Cook & ors
MLC 557	31/12/2018	Santexco Pty Ltd
MLC 559	31/12/2014	Santexco Pty Ltd
MLC 560	31/12/2024	Santexco Pty Ltd
MLC 626	31/12/2022	Giants Reef Exploration Pty Ltd
MLC 675	Renewal pending	Santexco Pty Ltd
MLC 676	Renewal pending	Santexco Pty Ltd
MLC 682	14/10/2015	AARD Metals Limited
MLC 692	31/12/2015	Giants Reef Exploration Pty Ltd
MLC 700	31/12/2015	Santexco Pty Ltd
MLC 705	31/12/2023	Giants Reef Exploration Pty Ltd

Mineral Lease (ML)

ML 23969	16/03/2034	Santexco Pty Ltd
ML 29917	30/09/2023	Santexco Pty Ltd
ML 29919	30/09/2024	Santexco Pty Ltd
ML 30176	14/04/2024	Santexco Pty Ltd
ML 30177	14/04/2024	Santexco Pty Ltd
ML 30636	6/11/2024	Santexco Pty Ltd
ML 30714	17/03/2025	Santexco Pty Ltd
ML 30715	4/02/2025	Santexco Pty Ltd
ML 30744	16/02/2025	Santexco Pty Ltd
ML 30745	16/02/2025	Santexco Pty Ltd
ML 30781	9/04/2025	Santexco Pty Ltd
ML 30782	9/04/2025	Santexco Pty Ltd
ML 30783	9/04/2025	Santexco Pty Ltd
ML 30784	9/04/2025	Santexco Pty Ltd
ML 30864	18/06/2025	Santexco Pty Ltd
ML 30865	18/06/2025	Santexco Pty Ltd
ML 30867	18/06/2025	Santexco Pty Ltd
ML 30870	9/07/2025	TC8 Pty Ltd
ML 30871	9/07/2025	TC8 Pty Ltd
ML 30873	17/08/2020	Santexco Pty Ltd
ML 30875	9/07/2020	Santexco Pty Ltd
ML 30885	9/07/2025	Santexco Pty Ltd
ML 30886	9/07/2025	Santexco Pty Ltd
ML 30888	9/07/2025	Giants Reef Exploration Pty Ltd
ML 30893	9/07/2020	Giants Reef Exploration Pty Ltd
ML 30909	2/08/2020	Giants Reef Exploration Pty Ltd
ML 30910	13/08/2025	Santexco Pty Ltd
ML 30911	2/08/2025	Santexco Pty Ltd
ML 30912	2/08/2025	Santexco Pty Ltd
ML 30937	17/08/2025	Santexco Pty Ltd
ML 30946	22/09/2020	Santexco Pty Ltd
ML 30947	22/09/2020	Giants Reef Exploration Pty Ltd
ML 31021	18/10/2025	Santexco Pty Ltd
ML 31023	26/11/2020	Santexco Pty Ltd

ML 31055	10/11/2025	Santexco Pty Ltd
ML 31057	10/11/2020	Santexco Pty Ltd
ML 31075	7/12/2020	Santexco Pty Ltd

- (f) the rights and interests of Telstra Corporation Limited (ACN 051 775 556):
 - (i) as the owner or operator of telecommunications facilities within the Determination Area;
 - (ii) created pursuant to the *Post and Telegraph Act 1901* (Cth), the *Telecommunications Act 1975* (Cth), the *Australian Telecommunications Corporation Acts 1989* (Cth), the *Telecommunications Act 1991* (Cth) and under Schedule 3 to the *Telecommunications Act 1997* (Cth), including rights:
 - A. to inspect land;
 - B. to install and operate telecommunication facilities; and
 - C. to alter, remove, replace, maintain, repair and ensure the proper functioning of its telecommunication facilities; and
 - (iii) for its employees, agents or contractors to access its telecommunication facilities in and in the vicinity of the Determination Area in the performance of their duties; and
 - (iv) under any lease, licence, access agreement or easement relating to its telecommunications facilities within the Determination Area.
- (g) NT Portion 408 - the rights of Aboriginal persons (whether or not native title holders) pursuant to the reservation in favour of Aboriginal people contained in pastoral leases identified in section 38(2) to (6) of the *Pastoral Land Act 1992* (NT);
- (h) the rights of Aboriginal persons (whether or not native title holders) by virtue of the *Northern Territory Aboriginal Sacred Sites Act 1989* (NT);
- (i) rights of access by an employee, servant, agent or instrumentality of the Northern Territory, Commonwealth or other statutory authority as required in the performance of his or her statutory duties ;
- (j) the interests of persons to whom valid or validated rights and interests have been:
 - (i) granted by the Crown pursuant to statute or otherwise in the exercise of its executive power; or
 - (ii) conferred by statute.

Relationship between rights and interests

10. To the extent that the continued existence, enjoyment or exercise of the native title rights and interests referred to in paragraph 6 in relation to NT Portions 408 and 7025 is inconsistent with the existence, enjoyment or exercise of the other rights and interests referred to in paragraph 9, the other rights and interests and the doing of any activity required or permitted to be done by or under the other interests, prevail over, but do not extinguish, the native title rights and interests.

11. In relation to NT Portion 5005 the relationship between the native title rights and interests referred to in paragraph 6 and the interest of the Yurtuminyi Aboriginal Corporation as the holder of a fee simple estate in the land is set out in the Yurtuminyi ILUA which was entered on the Register of Indigenous Land Use Agreements on 11 July 2005. The non-extinguishment principle applies:

- (a) the grant of the estate in fee simple is wholly inconsistent with the continued existence, enjoyment or exercise of the native title rights and interests;
- (b) the native title continues to exist, but has no effect in relation to the grant;
- (c) if the grant or its effects are wholly removed or otherwise wholly cease to operate the native title rights and interests again have full effect;
- (d) if the grants or its effect are removed to an extent or otherwise cease to operate only to an extent the native title rights and interests again have effect to that extent.

12. In relation to NT Portion 5006 the relationship between the native title rights and interests referred to in paragraph 6 and the interest of the Jurntu Jungu Aboriginal Corporation as the holder of a fee simple estate in the land is set out in the Pingala ILUA which was entered on the Register of Indigenous Land Use Agreements on 11 July 2005. The non-extinguishment principle applies:

- (a) the grant of the estate in fee simple is wholly inconsistent with the continued existence, enjoyment or exercise of the native title rights and interests;
- (b) the native title continues to exist, but has no effect in relation to the grant;
- (c) if the grant or its effects are wholly removed or otherwise wholly cease to operate the native title rights and interests again have full effect;
- (d) if the grants or its effect are removed to an extent or otherwise cease to operate only to an extent the native title rights and interests again have effect to that extent.

13. In relation to NT Portion 5476 the relationship between the native title rights and interests referred to in paragraph 6 and the interest of the AustralAsia Railway Corporation as the holder of Crown Lease Term 1880 is that the non-extinguishment principle applies. The lease granted to the Corporation:

- (a) is wholly inconsistent with the continued existence, enjoyment or exercise of the native title rights and interests;
- (b) the native title continues to exist, but has no effect in relation to the grant;
- (c) if the grant or its effect is wholly removed or otherwise wholly cease to operate the native title rights and interests again have full effect;
- (d) if the grant or its effect is removed to an extent or otherwise cease to operate only to an extent the native title rights and interests again have effect to that extent.

Other matters

14. There are no native title rights and interests in:

- (a) minerals (as defined in s 2 of the *Minerals Acquisition Act 1953* (NT));
- (b) petroleum (as defined in s 5 of the *Petroleum Act 1984* (NT));
- (c) prescribed substances (as defined in s 5 of the *Atomic Energy Act 1953* (Cth) and s 3 of the *Atomic Energy (Control of Materials) Act 1946* (Cth)).

15. In this determination the term:

- (a) “natural resources” means:
 - (i) animals *ferae naturae*, birds, fish and plants, including timber, wax, resin and gum; and
 - (ii) surface soils, clays, stone, rocks and ochre,

but does not include minerals, petroleum and prescribed substances;

- (b) “natural waters” includes springs and rockholes.

16. Unless the contrary intention appears, a word or expression used in the Act has the same meaning in this determination as it has in the Act.

Schedule A

1. The Determination Area comprises the following areas of land and waters:

- (a) NT Portion 408 comprising an area of 3,624 square kilometres 51 hectares held under Perpetual Pastoral Lease 946.
- (b) NT Portion 5005 comprising an area of 10 square kilometres 80 hectares held for an estate in fee simple by the Yurtuminyi Aboriginal Corporation.

(c) NT Portion 5006 comprising an area of 23 square kilometres 69 hectares held for an estate in fee simple by the Jurntu Jungu Aboriginal Corporation.

(d) NT Portion 5476 comprising an area of 7 square kilometres 26 hectares 9,000 square metres held under Crown Lease Term 1880.

(e) NT Portion 7025 comprising an area of 14 square kilometres 44 hectares is Crown land.

2. The following areas within the external boundaries of the Determination Area are not included in the Determination Area:

(a) NT Portion 1421 comprising an area of 8,460 square metres held for an estate in fee simple by the Australian Telecommunications Commission.

(b) NT Portion 1754 comprising an area of 25 square kilometres 28 hectares held for an estate in fee simple by the Warumungu Aboriginal Land Trust.

(c) NT Portion 4848 comprising an area of 3 square kilometres 29 hectares 5,000 square metres held for an estate in fee simple by the Pawuwa Aboriginal Corporation.

(d) A road 100 and 150 metres wide (Stuart Highway).

(e) A road 100 metres wide which traverses NT Portion 408 from the Stuart Highway to NT Portion 1754.

(f) A road 100 metres wide (Warrego Road) which traverses NT Portion 408 from the boundary with NT Portion 494 (Tennant Creek) north and east to the boundary with NT Portion 3555 (Karlantijpa North ALT).

(g) A road 100 metres wide which traverses NT Portion 408 from the Warrego Road south to the boundary with NT Portion 3556 (Karlantijpa South ALT).

(h) A road 100 metres wide (Kalumpurlpa Road) which traverses NT Portion 408 from the Warrego Road north to the vicinity of the Alice Springs-Darwin Railway.

Schedule B

Determination Area

[See NNTR attachment 1: "Schedule B - Map of Determination Area"]

Schedule C

Areas where native title does not exist

Native title rights and interests have been wholly extinguished in the following areas of land and waters.

Public works

1. Those parts of the Determination Area covered by public works as defined in section 253 of *Native Title Act 1993* (Cth) (NTA) that were constructed or established before 23 December 1996 or commenced to be constructed or established on or before that date (including land and waters within the meaning of section 251D of the NTA), including:

(a) public roads, namely, rural public roads (50m either side of the centre line), rural arterial roads and national highways and associated road infrastructure;

(b) community, pastoral access and other roads (including access roads and tracks to public works referred to in this clause) which are not otherwise public roads;

(c) gravel and fill pits established to maintain the roads referred to in (a) and (b) above;

(d) government bores and associated works;

(e) river and rain gauges;

(f) transmission water pipes (adjacent area 5 metres either side of the centreline);

- (g) distribution water pipes measuring 150mm diameter or less (adjacent area of 1.5 metres either side of the centreline) and greater than 150mm diameter (adjacent area 5 metres either side of the centreline);
- (h) sewer pipes measuring 150mm diameter or less (adjacent area 1.5 metres either side of the centreline) and greater than 150mm diameter (adjacent area 5 metres either side of the centreline);
- (i) bores, sewer pump stations and overhead power lines.

2. In addition to the areas referred to in paragraph 1 above native title has been wholly extinguished over those parts of NT Portion 408 covered by the Overland Telegraph Line and the Warrego Primary School respectively (including land and waters within the meaning of section 251D of the NTA).

REGISTER ATTACHMENTS:

1. Schedule B - Map of Determination Area, 1 page - A4, 03/08/2017

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.