

**HIGH COURT OF AUSTRALIA**  
**FILED**  
**06 APR 2018**  
**THE REGISTRY CANBERRA**

IN THE HIGH COURT OF AUSTRALIA DARWIN REGISTRY  No. D1 of 2018	IN THE HIGH COURT OF AUSTRALIA DARWIN REGISTRY  No. D2 of 2018	IN THE HIGH COURT OF AUSTRALIA DARWIN REGISTRY  No. D3 of 2018
APPEAL FROM THE FULL COURT OF THE FEDERAL COURT OF AUSTRALIA	APPEAL FROM THE FULL COURT OF THE FEDERAL COURT OF AUSTRALIA	APPEAL FROM THE FULL COURT OF THE FEDERAL COURT OF AUSTRALIA
BETWEEN	BETWEEN	BETWEEN
NORTHERN TERRITORY OF AUSTRALIA Appellant	COMMONWEALTH OF AUSTRALIA Appellant	ALAN GRIFFITHS AND LORRAINE JONES ON BEHALF OF THE NGALIWURRU AND NUNGALI PEOPLES Appellant
and	and	and
ALAN GRIFFITHS AND LORRAINE JONES ON BEHALF OF THE NGALIWURRU AND NUNGALI PEOPLES First Respondent	ALAN GRIFFITHS AND LORRAINE JONES ON BEHALF OF THE NGALIWURRU AND NUNGALI PEOPLES First Respondent	NORTHERN TERRITORY OF AUSTRALIA First Respondent
COMMONWEALTH OF AUSTRALIA Second Respondent	NORTHERN TERRITORY OF AUSTRALIA Second Respondent	COMMONWEALTH OF AUSTRALIA Second Respondent
ATTORNEY-GENERAL FOR THE STATE OF SOUTH AUSTRALIA First Intervenor	ATTORNEY-GENERAL FOR THE STATE OF SOUTH AUSTRALIA First Intervenor	ATTORNEY-GENERAL FOR THE STATE OF SOUTH AUSTRALIA First Intervenor
ATTORNEY-GENERAL FOR THE STATE OF QUEENSLAND Second Intervenor	ATTORNEY-GENERAL FOR THE STATE OF QUEENSLAND Second Intervenor	ATTORNEY-GENERAL FOR THE STATE OF QUEENSLAND Second Intervenor
ATTORNEY-GENERAL FOR THE STATE OF WESTERN AUSTRALIA Third Intervenor	ATTORNEY-GENERAL FOR THE STATE OF WESTERN AUSTRALIA Third Intervenor	ATTORNEY-GENERAL FOR THE STATE OF WESTERN AUSTRALIA Third Intervenor
CENTRAL DESERT NATIVE TITLE SERVICES LIMITED Fourth Intervenor	CENTRAL DESERT NATIVE TITLE SERVICES LIMITED Fourth Intervenor	CENTRAL DESERT NATIVE TITLE SERVICES LIMITED Fourth Intervenor
YAMATJI MARLPA ABORIGINAL CORPORATION Fifth Intervenor	YAMATJI MARLPA ABORIGINAL CORPORATION Fifth Intervenor	YAMATJI MARLPA ABORIGINAL CORPORATION Fifth Intervenor

### CHRONOLOGY OF THE COMMONWEALTH OF AUSTRALIA

Filed on behalf of the Appellant, the Commonwealth of Australia  
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**Part I:**

I certify that this chronology is in a form suitable for publication on the internet.

**Part II:**

Date	Event	Ref
Mid-19 <sup>th</sup> century	Gregory's expedition to the Victoria River district.	CAB.108 [23]
20 June 1882	Pastoral Lease 366 granted over the whole of the land that would later fall within the proclaimed boundary of the town of Timber Creek.	CAB.18 [41]
1974	Sealing of the Victoria Highway.	FFC Pt B CRI Tab 99.8 [CAB.426]
No later than 1975	Cessation of conduct of ritual within the township area at the site referred to in the reasons for judgment of Mansfield J at [361].	CAB.189 [361]
10 May 1975	Proclamation of the town of Timber Creek.	CAB.110 [28]
31 October 1975	Commencement of <i>Racial Discrimination Act 1975</i> (Cth).	
26 January 1977	Commencement of <i>Aboriginal Land Rights (Northern Territory) Act 1976</i> (Cth) ( <b>ALRA</b> ).	
1980	Act 56: Public works by NT – Lawler Road.	FFC Pt B CRI Tab 51.56 [CAB.463C-D]
1980	Act 59: Public works by NT – George and O'Keefe Streets.	FFC Pt B CRI Tab 51.59 [CAB.463E]
1980	Act 46 (part of Lot 70): Public works by NT – water tanks.	FFC Pt B CRI Tab 51.46 [CAB.457]

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<b>Date</b>	<b>Event</b>	<b>Ref</b>
1980	Act 43 (Lot 62): Public works by NT – dwelling.	FFC Pt B CRI Tab 51.43 [CAB.456]
1980	Act 44 (Lot 63): Public works by NT – dwelling.	FFC Pt B CRI Tab 51.44 [CAB.456]
29 July 1980	Act 1 (part of Lot 16): Grant SPL 494 to Conservation Land Corporation.	FFC Pt B CRI Tab 51.1 [CAB.430]
1982	Act 58: Public works by NT – Wilson Street.	FFC Pt B CRI Tab 51.58 [CAB.463D-E]
15 July 1982	Act 15 (part of Lot 34): Grant freehold to NT Electricity Commission.	FFC Pt B CRI Tab 51.15 [CAB.444]
13 July 1983	Act 2 (Lot 20): Grant CLT 210 to Huja Nominees Pty Ltd.	FFC Pt B CRI Tab 51.2 [CAB.430]
1984	Act 14 (Lot 33): Public works – school.	FFC Pt B CRI Tab 51.14 [CAB.444]
1984	Act 44 (part of Lot 72): Public works by NT – water bores and pipes.	FFC Pt B CRI Tab 51.44 [CAB.456]
1985	Act 57: Public works by NT – Fitzer Road.	FFC Pt B CRI Tab 51.57 [CAB.463D]

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<b>Date</b>	<b>Event</b>	<b>Ref</b>
1985	Act 16 (part of Lot 34): Public works by NT Electricity Commission.	FFC Pt B CRI Tab 51.16 [CAB.444]
1985	Act 18 (part of Lot 34): Public works by NT Electricity Commission.	FFC Pt B CRI Tab 51.18 [CAB.445]
28 June 1985	Act 17 (part of Lot 34): Grant freehold to NT Electricity Commission.	FFC Pt B CRI Tab 51.17 [CAB.445]
19 May 1986	Act 7 (Lot 26): Grant CLT 535 to IR McBean.	FFC Pt B CRI Tab 51.7 [CAB.435]
21 November 1986	Act 34 (Lot 47): Grant CLT 624 to LL Fogarty.	FFC Pt B CRI Tab 51.34 [CAB.452]
24 February 1987	Deed of Grant under ALRA to Mayat Aboriginal Land Trust.	FFC Pt B CRI Tab 97 [CAB.426]
24 March 1987	Act 19 (Lot 36): Grant freehold to NT Housing Commission.	FFC Pt B CRI Tab 51.19 [CAB.445]
24 March 1987	Act 21 (Lot 38): Grant freehold to NT Housing Commission.	FFC Pt B CRI Tab 51.21 [CAB.446]
24 March 1987	Act 23 (Lot 39): Grant freehold to NT Housing Commission.	FFC Pt B CRI Tab 51.23 [CAB.447]

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<b>Date</b>	<b>Event</b>	<b>Ref</b>
24 March 1987	Act 25 (Lot 40): Grant freehold to NT Housing Commission.	FFC Pt B CRI Tab 51.25 [CAB.447]
24 March 1987	Act 27 (Lot 41): Grant freehold to NT Housing Commission.	FFC Pt B CRI Tab 51.27 [CAB.447]
24 March 1987	Act 29 (Lot 42): Grant freehold to NT Housing Commission.	FFC Pt B CRI Tab 51.29 [CAB.448]
16 April 1987	Act 3 (Lot 21): Grant freehold to Conservation Land Corporation.	FFC Pt B CRI Tab 51.3 [CAB.431]
12 May 1987	Act 10 (Lot 29): Grant CLT 674 to DF Walsh.	FFC Pt B CRI Tab 51.10 [CAB.439]
12 May 1987	Act 13 (Lot 32): Grant CLT 656 to RD & GI Blakeney.	FFC Pt B CRI Tab 51.13 [CAB.443]
18 May 1987	Act 31 (Lot 43): Grant CLT 657 to JV King.	FFC Pt B CRI Tab 51.31 [CAB.449]
30 July 1987	Act 8 (Lot 27): Grant CLT 674 to Ngarangman Resource Centre Inc.	FFC Pt B CRI Tab 51.8 [CAB.436]
6 November 1987	Act 36 (Lot 52): Grant freehold to Commonwealth.	FFC Pt B CRI Tab 51.36 [CAB.453]

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Date	Event	Ref
1988	Act 20 (Lot 36): Public works by NT Housing Commission.	FFC Pt B CRI Tab 51.20 [CAB.445-6]
1988	Act 22 (Lot 38): Public works by NT Housing Commission.	FFC Pt B CRI Tab 51.22 [CAB.446]
1988	Act 24 (Lot 39): Public works by NT Housing Commission.	FFC Pt B CRI Tab 51.24 [CAB.447]
1988	Act 26 (Lot 40): Public works by NT Housing Commission.	FFC Pt B CRI Tab 51.26 [CAB.447]
1988	Act 30 (Lot 42): Public works by NT Housing Commission.	FFC Pt B CRI Tab 51.30 [CAB.448]
30 January 1989	Act 9 (Lot 28): Grant CLT 851 to J Shaw.	FFC Pt B CRI Tab 51.9 [CAB.437]
2 March 1989	Act 11 (Lot 30): Grant CLT 861 to BJ Draper.	FFC Pt B CRI Tab 51.11 [CAB.440]
22 May 1989	Act 12 (Lot 31): Grant CLT 852 to DJ & B Wegener.	FFC Pt B CRI Tab 51.12 [CAB.441]
13 December 1990	Act 6 (Lot 23): Grant CLT 1017 to LW Hudson.	FFC Pt B CRI Tab 51.6 [CAB.434]

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Date	Event	Ref
1991	Act 28 (Lot 41): Public works by NT Housing Commission.	FFC Pt B CRI Tab 51.28 [CAB.448]
8 May 1991	Act 41 (Lot 60): Cemetery Reserve.	FFC Pt B CRI Tab 51.41 [CAB.455]
20 February 1992	Act 32 (Lot 44): Grant CLT 1070 to Ngariningman Resource Centre Inc.	FFC Pt B CRI Tab 51.32 [CAB.451]
20 February 1992	Act 33 (Lot 46): Grant CLT 1071 to Ngariningman Resource Centre Inc.	FFC Pt B CRI Tab 51.33 [CAB.451]
8 April 1992	Act 48 (Lot 75): Grant CLT 1095 to MR Millwood Pty Ltd.	FFC Pt B CRI Tab 51.48 [CAB.458]
3 July 1992	Act 45 (Lot 64): Grant CLT 1083 to Stamen Investments Pty Ltd.	FFC Pt B CRI Tab 51.45 [CAB.457]
11 August 1992	Act 40 (Lot 59): Grant CLT 999 to Timber Creek Sports and Recreation Association.	FFC Pt B CRI Tab 51.40 [CAB.454-5]
1 September 1992	Act 5 (Lot 22): Grant CLT 1049 to K Fikert.	FFC Pt B CRI Tab 51.5 [CAB.432]
8 January 1993	Act 4 (Lot 21): Transfer of freehold to PR Rowe.	FFC Pt B CRI Tab 51.4 [CAB.432]

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Date	Event	Ref
30 September 1993	Act 49 (Lot 79): Grant CLT 1274 to Timber Creek Community Government Council.	FFC Pt B CRI Tab 51.49 [CAB.459]
1 January 1994	Commencement of <i>Native Title Act 1993</i> (Cth).	
10 March 1994	Commencement of <i>Validation (Native Title) Act 1994</i> (NT).	
20 October 1995	Deed of Grant under ALRA to Ngaliwurru/Nungali Aboriginal Land Trust.	FFC Pt B CRI Tab 98 [CAB.426]
23 November 1995	Act 51 (Lot 85): Grant CLT 1552 to Ngariningman Aboriginal Resource Centre Inc.	FFC Pt B CRI Tab 51.51 [CAB.462-3A]
23 November 1995	Act 52 (Lot 86): Grant CLT 1553 to Ngariningman Aboriginal Resource Centre Inc.	FFC Pt B CRI Tab 51.52 [CAB.463A-B]
26 March 1996	Act 50 (Lot 81): Grant CLT 1568 to Timber Creek Community Government.	FFC Pt B CRI Tab 51.50 [CAB.461]
11 September 1996	Act 53 (Lot 88): Grant CLP 1621 to Timber Creek Community Government Council.	FFC Pt B CRI Tab 51.53 [CAB.463B-C]
17 December 1996	Act 54 (Lot 89): Grant CLT 1673 to Telstra Corporation.	FFC Pt B CRI Tab 51.54 [CAB.463C]
30 September 1998	Commencement of amendments made by <i>Native Title Amendment Act 1998</i> (Cth).	
1 October 1998	Commencement of <i>Validation of Titles and Actions Amendment Act 1998</i> (NT).	

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Date	Event	Ref
10 December 1999	Application for determination of native title NTD6016/1999 filed.	
11 May 2000	Application for determination of native title NTD6008/2000 filed.	
18 July 2000	Application for determination of native title NTD6012/2000 filed.	
17 July 2006	Determination of native title over land within the external boundary of the proclaimed town of Timber Creek in proceeding NTD6016/1999, NTD6008/2000, and NTD6012/2000.	(2006) 165 FCR 300
22 November 2007	Judgment of the Full Federal Court in appeal from determination of native title.	(2007) 165 FCR 391
2 August 2011	Compensation application NTD18/2011 filed.	CAB.106 [7]
29-30 October 2012	Hearing of liability issues - Darwin.	
19 March 2014	Judgment delivered on liability issues (Mansfield J).	CAB.5
13 May 2015	Further judgment delivered on liability issues (Mansfield J).	CAB.71
8-9 February 2016	Hearing of quantum issues commences – Timber Creek.	FFC Pt B CRI Tabs 105-111 [CAB.426-7]
10-12 February 2016	Hearing of quantum issues continues – Darwin.	FFC Pt B CRI Tabs 112-113, 121 [CAB.427]
22-25 February 2016	Hearing of quantum issues continues – Darwin.	FFC Pt B CRI Tabs 114-120 [CAB.427-8]

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<b>Date</b>	<b>Event</b>	<b>Ref</b>
20-21 April 2016	Hearing of quantum issues continues – Darwin.	FFC Pt B CRI Tabs 121-123 [CAB.428]
26-28 April 2016	Hearing of quantum issues continues – Darwin.	FFC Pt B CRI Tabs 124-126 [CAB.429]
24 August 2016	Judgment delivered on quantum issues (Mansfield J).	CAB.93
25 August 2016	Final (Amended) Orders made (Mansfield J).	CAB.219
14 September 2016	Notice of Appeal filed by the Northern Territory (51/2016).	
14 September 2016	Notice of Appeal filed by the Commonwealth of Australia (52/2016).	
6 October 2016	Amended Notice of Appeal filed by the Northern Territory (51/2016).	CAB.226
12 October 2016	Supplementary Notice of Appeal filed by the Commonwealth of Australia (52/2016).	CAB.237
4 October 2016	Notice of Cross-Appeal and Notice of Contention filed by the Claim Group in 51/2016 and 52/2016.	CAB.247
20-24 February 2017	Hearing of appeal – Darwin.	
20 July 2017	Judgment delivered on appeal (North, Barker and Mortimer JJ).	CAB.257
9 August 2017	Final Orders made (North, Barker and Mortimer JJ).	CAB.406
6 September 2017	Application for Special Leave to Appeal filed by the Commonwealth of Australia (D4/2017).	


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<b>Date</b>	<b>Event</b>	<b>Ref</b>
6 September 2017	Application for Special Leave to Appeal filed by the Northern Territory (D5/2017).	
6 September 2017	Application for Special Leave to Appeal filed by the Claim Group (D6/2017).	
16 February 2018	The High Court (Nettle and Gordon JJ) grant special leave to appeal to all applicants.	CAB.487, 490, 493
1 March 2018	Notice of Appeal filed by the Northern Territory (D1/2018).	CAB.496
2 March 2018	Notice of Appeal filed by the Commonwealth of Australia (D2/2018).	CAB.502
2 March 2018	Notice of Appeal filed by the Claim Group (D3/2018).	CAB.509

Dated: 6 April 2018

  
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