

IN THE HIGH COURT OF AUSTRALIA PERTH REGISTRY	IN THE HIGH COURT OF AUSTRALIA PERTH REGISTRY	IN THE HIGH COURT OF AUSTRALIA PERTH REGISTRY	IN THE HIGH COURT OF AUSTRALIA PERTH REGISTRY
<i>No. P34 of 2019</i>	<i>No. P35 of 2019</i>	<i>No. P36 of 2019</i>	<i>No. P37 of 2019</i>
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	APPEAL FROM THE FULL COURT OF THE FEDERAL COURT OF AUSTRALIA
BETWEEN	BETWEEN	BETWEEN	BETWEEN
STATE OF WESTERN AUSTRALIA Appellant	STATE OF WESTERN AUSTRALIA Appellant	COMMONWEALTH OF AUSTRALIA Appellant	COMMONWEALTH OF AUSTRALIA Appellant
and	and	and	and
ERNEST DAMIEN MANADO, CECILIA CHURNSIDE, ALEC DANN, BETTY DIXON, WALTER KOSTER AND PHILIP MCCARTHY ON BEHALF OF THE BINDUNBUR NATIVE TITLE GROUP First Respondent	RITA AUGUSTINE, ELIZABETH DIXON, CECILIA DJIAGWEEN, IGNATIUS PADDY AND ANTHONY WATSON ON BEHALF OF THE JABIRR JABIRR / NGUMBARL NATIVE TITLE CLAIM GROUP First Respondent	RITA AUGUSTINE, ELIZABETH DIXON, CECILIA DJIAGWEEN, IGNATIUS PADDY AND ANTHONY WATSON ON BEHALF OF THE JABIRR JABIRR / NGUMBARL NATIVE TITLE CLAIM GROUP First Respondent	ERNEST DAMIEN MANADO, CECILIA CHURNSIDE, ALEC DANN, BETTY DIXON, WALTER KOSTER AND PHILIP MCCARTHY ON BEHALF OF THE BINDUNBUR NATIVE TITLE GROUP First Respondent
COMMONWEALTH OF AUSTRALIA Second Respondent and Ors	COMMONWEALTH OF AUSTRALIA Second Respondent and Ors	STATE OF WESTERN AUSTRALIA Second Respondent and Ors	STATE OF WESTERN AUSTRALIA Second Respondent and Ors

HIGH COURT OF AUSTRALIA  
FILED  
21 AUG 2019  
THE REGISTRY PERTH

**CHRONOLOGY OF THE STATE OF WESTERN AUSTRALIA  
(APPELLANT IN P34/35 OF 2019; SECOND RESPONDENT IN P36/37 OF 2019)**

Dated: 21 August 2019  
 Filed on behalf of: the State of Western Australia  
 (Appellant in P34 and P35/2019; Second Respondent in P36 and P37 of 2019)  
 Prepared by:  
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**Part I: Certification of Suitability for Publication**

1. This chronology in a form suitable for publication on the internet.

**Part II: Chronology**

Item	Date	Event	Ref
1.	18 June 1829	Proclamation of British sovereignty over Western Australia.	1 JCAP p 56 [188]
2.	6 March 1934	Commencement of the <i>Land Act 1933</i> (WA)	
3.	24 December 1993	Commencement of the <i>Native Title Act 1933</i> (Cth) ( <b>NTA</b> )	
4.	1 January 1994	Commencement of section 212 NTA	
5.	4 July 1995	Commencement of the <i>Titles (Validation) and Native Title (Effect of Past Acts) Act 1995</i> (WA) ( <b>TVA</b> ).	
6.	30 March 1998	Commencement of the <i>Land Administration Act 1997</i> (WA)	
7.	27 July 1998	Commencement of the <i>Native Title Amendment Act 1998</i> (Cth) ( <b>NTA Amendment Act</b> ).	
8.	30 September 1998	Section 212 of the NTA amended by Schedule 1, items 36 and 38 of <i>NTA Amendment Act</i> .	
9.	5 May 1999	Commencement of the <i>Titles Validation Amendment Act 1999</i> (WA) and the amendment of section 14 of the TVA.	
10.	20 September 2013	Native title determination application WAD 359/2013 ( <b>Bindunbur</b> ) is made.	1 JCAP p 20 [2]
11.	23 September 2013	Native title determination application WAD 357/2013 ( <b>Jabirr Jabirr</b> ) is made.	1 JCAP p 20 [3]
12.	4 October 2013	Native title determination application WAD 374/2013 ( <b>Goolarabooloo</b> ) is made. The application is entirely within the area of the Jabirr Jabirr application but does not cover it entirely.	1 JCAP pp 20 [4] & 25 [15]
13.	21 September – 9 October 2015	Hearing of the Binunbur, Jabirr Jabirr and Goolarabooloo applications commences ( <b>the proceeding</b> )	1 JCAP p 26 [21] – [23]

Item	Date	Event	Ref
14.	13 October 2015	Jabirr Jabirr application is amended	FFC Pt A CRI Tab 1
15.	18 December 2015	Bindunbur application is amended	FFC Pt A CRI Tab 31
16.	29 March – 14 April 2015	Hearing of the proceeding continues.	1 JCAP p 26 [24]
17.	21 – 28 September 2016	Hearing of the proceeding continues.	1 JCAP p 27 [26]
18.	28 November – 2 December 2016	Hearing of the proceeding continues.	1 JCAP p 27 [27]
19.	10 – 13 April 2017	Hearing of the proceeding continues (closing submissions on connection).	1 JCAP p 27 [28]
20.	28 – 29 June 2017	Hearing of the proceeding continues (closing submissions on extinguishment).	1 JCAP p 27 [29]
21.	23 November 2017	Judgment of North J delivered: <i>Manado (on behalf of the Bindunbur Native Title Claim Group) v State of Western Australia</i> [2017] FCA 1367	1 JCAP pp 8 – 252
22.	13 February 2018	Further oral hearing in respect of outstanding issues identified in the judgment of North J delivered on 23 November 2017	1 JCAP p 257 [8]
23.	8 March 2018	Judgment of North J delivered: <i>Manado (on behalf of the Bindunbur Native Title Claim Group) v State of Western Australia</i> [2018] FCA 275	1 JCAP pp 252 – 269
24.	2 May 2018	Determinations of native title made in respect of the Binunbur and Jabirr Jabirr applications. The Goolarabooloo application is dismissed: <i>Manado (on behalf of the Bindunbur Native Title Claim Group) v State of Western Australia</i> [2018] FCA 854.	1 JCAP p 270 – 407
25.	22 May 2018	Notice of appeal filed by the Bindunbur (WAD 215/2018).	2 JCAP pp 416 – 423
26.	22 May 2018	Notice of appeal filed by the Jabirr Jabirr (WAD 216/2018).	2 JCAP pp 424 – 431

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Item	Date	Event	Ref
27.	7 August 2018	Amended Supplementary Notice of Appeal filed by the Bindunbur in WAD 215/2018.	2 JCAP pp 435 – 442
28.	7 August 2018	Amended Supplementary Notice of Appeal filed by the Jabirr Jabirr in WAD 216/2018.	2 JCAP pp 443 – 451
29.	14 – 16 November 2018	Hearing of the appeal by the Full Court of the Federal Court.	2 JCAP p 455
30.	20 December 2018	Judgment of the Full Court (Barker, Perry and Charlesworth JJ) delivered and orders made amending the determination made on 2 May 2018: <i>Manado on behalf of the Bindunbur Native Title Claim Group v State of Western Australia</i> [2018] FCAFC 238.	2 JCAP pp 452 – 522
31.	17 January 2019	Applications for Special Leave to Appeal filed by the State of Western Australia (P4/2019 and P5/2019)	
32.	17 January 2019	Applications for Special Leave to Appeal filed by the Commonwealth of Australia (P6/2019 and P7/2019).	
33.	21 June 2019	Special Leave granted in P4/2019, P5/2019, P6/2019 and P7/2019 (Nettle and Gordon JJ).	2 JCAP 599, 651, 687 & 738
34.	5 July 2019	Notices of Appeal filed by the State of Western Australia (P34/2019 and P35/2019).	2 JCAP pp 604 & 655
35.	5 July 2019	Notices of appeal filed by the Commonwealth of Australia (P36/2019 and P37/2019).	2 JCAP pp 691 & 743

Dated: 21 August 2019



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