

NATIVE TITLE SNAPSHOT 2019

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Each year there have been many milestones on the journey to native title.

2019 marks 37 years since, in 1982, a group of Meriam people brought an action against the State of Queensland and the Commonwealth of Australia in the High Court, claiming 'native title' to Mer and the other islands of the Murray Group. It is 30 years since the Court sat on Mer and Waiben in 1989 to hear testimony in the case. That was a first for the High Court. Of course, it was 27 years ago in 1992 that the High Court recognised the continued existence of native title, overturning the doctrine of terra nullius.

Under the Native Title Act 1993 (Cth) and its regulations, title is administered or held in trust by a Registered Native

Title Body Corporate, also known as a Prescribed Body Corporate (PBC). Their numbers have grown with the number of determinations, with 204 PBCs registered by September 2019. Some PBCs have achieved more than one determination, and some claims groups are yet to nominate their PBC to the NNTT.

Native title at a glance

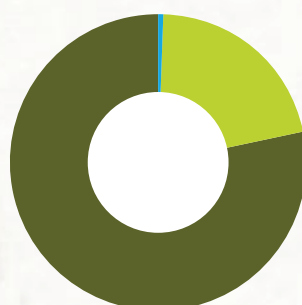
Each year we compile native title determination information from the National Native Title Tribunal's register and native title vision, available at <http://www.nntt.gov.au/>. This information provides you with a snapshot of how many native title determinations and PBCs there are to

NORTHERN TERRITORY

In the Northern Territory (NT) there have been 105 positive determinations of native title over 310,796km² of land and waters.

	Land and waters (km ²)	Land and waters (%)
Total land and waters	1,419,630	100
Land/waters under native title	310,796	22 ¹
Land/waters not under native title	1,116,048	78
Exclusive native title	8,278	0.6
Non-exclusive native title	302,518	21.3

How much of the NT is under native title?



■ Exclusive native title
■ Non-exclusive native title
■ Land not under native title

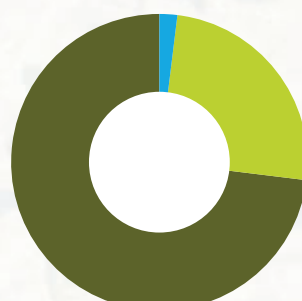
	Total PBCs	Small	Medium	Large
NT	30	28	2	0

QUEENSLAND

In Queensland (QLD) there have been 141 positive determinations of native title over 496,530km² of land and waters.

	Land and waters (km ²)	Land and waters (%)
Total land and waters	1,851,736	100
Land/waters under native title	496,530	27
Land/waters not under native title	1,355,206	73
Exclusive native title	41,617	2
Non-exclusive native title	454,913	25

How much of QLD is under native title?



■ Exclusive native title
■ Non-exclusive native title
■ Land not under native title

	Total PBCs	Small	Medium	Large
QLD	85	65	19	1

NEW SOUTH WALES

In New South Wales (NSW) there have been 14 positive determinations of native title over 4,845km² of land and waters.

	Land and waters (km ²)	Land and waters (%)
Total land and waters	809,592	100
Land/waters under native title	4,845	0.6
Land/waters not under native title	804,747	99.4
Exclusive native title	685	0.08
Non-exclusive native title	4160	0.52

How much of NSW is under native title?



■ Exclusive native title
■ Non-exclusive native title
■ Land not under native title

	Total PBCs	Small	Medium	Large
NSW	9	6	3	0

¹ The 2019 figures for state and territory area include land AND waters, so the percentage of land and waters under native title may appear reduced from previous years.

date and how much of Australia's land and waters have been successfully determined to be native title land.

**Note that the land mass of claims cannot be sorted from total amount of land and waters within claim boundaries – this information is not included in native title vision. The calculations in this article should be read as an approximate percentage of native title land and waters to Australia's total area.*

This data is current as at 6 September 2019. Land and water data is from Geoscience Australia: <https://www.ga.gov.au/scientific-topics/national-location-information/dimensions/area-of-australia-states-and-territories>

NATIONAL

Nationally there have been 396 positive determinations of native title over 2,983,063km² of land and waters.

	Land and waters(km ²)	Land and waters (%)
Total land and waters	8,099,264	100
Land/waters under native title	2,983,063	37
Land/waters not under native title	5,116,201	63
Exclusive native title	996,730	12
Non-exclusive native title	1,986,333	25

	Total PBCs	Small	Medium	Large
National	204	140	56	8

Year	Percentage of Australia under Native Title
2000	-
2005	7.9%
2010	12.6%
2018	35%
2019	37%

AUSTRALIAN CAPITAL TERRITORY AND TASMANIA

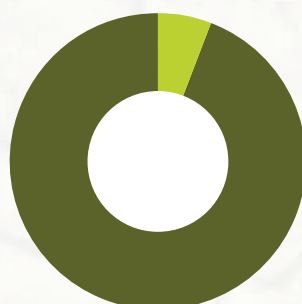
To date, there have not been any successful native title determinations in the ACT or Tasmania. Both the ACT and Tasmania do, however, have land co-management plans with Aboriginal representative organisations.

VICTORIA

In Victoria (VIC) there have been 4 positive determinations of native title over 15,171km² of land and waters.

	Land and waters(km ²)	Land and waters (%)
Total land and waters	237,657	100
Land/waters under native title	15,171	6
Land/waters not under native title	212,245	94
Exclusive native title	0	0
Non-exclusive native title	15,171	6

How much of VIC is under native title?



■ Exclusive native title
■ Non-exclusive native title
■ Land not under native title

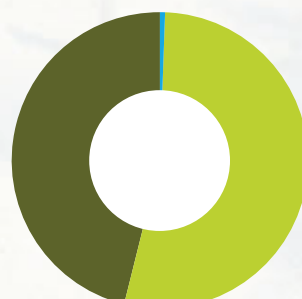
	Total PBCs	Small	Medium	Large
VIC	4	0	3	1

SOUTH AUSTRALIA

In South Australia (SA) there have been 31 positive determinations of native title over 562,739km² of land and waters.

	Land and waters(km ²)	Land and waters (%)
Total land and waters	1,044,353	100
Land/waters under native title	562,739	54
Land/waters not under native title	481,614	46
Exclusive native title	6,084	0.6
Non-exclusive native title	556,655	53.4

How much of SA is under native title?



■ Exclusive native title
■ Non-exclusive native title
■ Land not under native title

	Total PBCs	Small	Medium	Large
SA	19	7	11	1

WESTERN AUSTRALIA

In Western Australia (WA) there have been 92 positive determinations of native title over 1,592,982km² of land and waters.

	Land and waters(km ²)	Land and waters (%)
Total land and waters	2,642,753	100
Land/waters under native title	1,592,982	60
Land/waters not under native title	1,049,771	40
Exclusive native title	940,066	36
Non-exclusive native title	652,916	24

How much of WA is under native title?



■ Exclusive native title
■ Non-exclusive native title
■ Land not under native title

	Total PBCs	Small	Medium	Large
WA	57	34	18	5