



HIGH COURT OF AUSTRALIA

NOTICE OF FILING

This document was filed electronically in the High Court of Australia on 12 Jul 2023 and has been accepted for filing under the *High Court Rules 2004*. Details of filing and important additional information are provided below.

Details of Filing

File Number: D3/2023
File Title: Chief Executive Officer, Aboriginal Areas Protection Authority
Registry: Darwin
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Filing party: Appellant
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Important Information

This Notice has been inserted as the cover page of the document which has been accepted for filing electronically. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties and whenever the document is reproduced for use by the Court.

IN THE HIGH COURT OF AUSTRALIA
DARWIN REGISTRY

ON APPEAL FROM THE FULL COURT OF THE SUPREME COURT
OF THE NORTHERN TERRITORY OF AUSTRALIA

BETWEEN:

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**Chief Executive officer,
Aboriginal Areas Protection Authority**
Appellant

- and -

Director of National Parks (ABN 13 051 694 963)
First Respondent

Attorney-General of the Commonwealth
Second Respondent

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APPELLANT'S CHRONOLOGY

Part I: Certification

1. The Appellant certifies that this chronology is in a form suitable for publication on the internet.

Part II: Chronology of principal events

Date	Event	Reference
5 April 1979	Kakadu National Park established by proclamation.	
14 January 1996	The relevant portion of Kakadu National Park is leased by the DNP from the Gunlom Aboriginal Land Trust granted in accordance with the <i>Aboriginal Land Rights (Northern Territory) Act 1976 (Cth)</i> .	CAB 27
25 November 2015	The Kakadu National Park Management Plan 2016-2026 (the Management Plan) was approved by the Minister under s 370 of the <i>Environment Protection and Biodiversity Conservation Act 1999 (Cth)</i> .	CAB 27
26 November 2018	Dr James Findlay commenced as the Director of National Parks (DNP). He remained the DNP at all material times.	CAB 24
22 March 2019	The DNP arranged for a contractor to be engaged to perform construction works on the realignment of the walking track at Gunlom Falls, in the Kakadu National Park in the Northern Territory of Australia (Track Realignment Works).	CAB 23
4 April 2019	Stage 1 of the Track Realignment Works located at the lower portion of the Gunlom Falls walking track commenced and thereafter was completed during April 2019 by excavating and clearing trees, rock, soil and vegetation along the existing walking track and inserting concrete steps at various points along the realigned walking track.	CAB 23
11 September 2020	The Aboriginal Areas Protection Authority (AAPA) filed and served complaint in the NTLC charging	CAB 5-21

	the DNP with an offence against s 34(1) of the <i>Northern Territory Aboriginal Sacred Sites Act 1989</i> (NT).	
3 June 2021	The Commonwealth Attorney-General intervened in the proceeding in the Local Court under s 78A of the <i>Judiciary Act 1903</i> (Cth).	CAB 23
8 October 2021	The DNP entered a plea of not guilty before Her Honour Judge Morris and Judge Morris stated the Special Case to the NTSC.	CAB 22-28
16 November 2021	His Honour Chief Justice Grant referred the Special Case stated by the Local Court on 8 October 2021 to the NTSCFC.	CAB 29-32
21 & 22 March 2022	Chief Justice Grant, Justice Southwood and Justice Barr heard oral argument in relation to the Special Case.	
30 September 2022	Chief Justice Grant, Justice Southwood and Justice Barr deliver judgment in relation to the Special Case: <i>Aboriginal Areas Protection Authority v Director of National Parks</i> [2022] NTSCFC 1.	CAB 33-97
28 October 2022	AAPA filed and served an application for special leave to appeal to the HCA from the decision of the NTSCFC.	
19 May 2023	The HCA comprising Gordon, Edelman, and Gleeson JJ heard oral argument in relation to the Special Leave Application and granted AAPA special leave to appeal.	CAB 101-102
2 June 2023	AAPA filed and served the Notice of Appeal.	CAB 103-107
23 June 2023	AAPA filed and served the Notice of Constitutional Matter	CAB 108-112

DEFINITIONS

In addition to any definitions given in-line, certain words in this chronology have the following meaning:

‘**AAPA**’ means the Aboriginal Areas Protection Authority, the Appellant.

‘**CAB [X]**’ means the page number of the Core Appeal Book filed by the Appellant on 23 June 2023 for proceeding D3 of 2023 in the High Court.

‘**DNP**’ means the Director of National Parks, the First Respondent.

Dated: 12 July 2023

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J T Gleeson SC
Banco Chambers
clerk@banco.net.au