



HIGH COURT OF AUSTRALIA

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Details of Filing

File Number: D14/2025
File Title: Mpwerempwer Aboriginal Corporation RNTBC (ICN 7316) v.
Registry: Darwin
Document filed: Appellant's chronology
Filing party: Appellant
Date filed: 23 Oct 2025

Important Information

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**IN THE HIGH COURT OF AUSTRALIA
DARWIN REGISTRY**

BETWEEN:

**MPWEREMPWER ABORIGINAL
CORPORATION RNTBC (ICN 7316)**

Appellant

and

**MINISTER FOR TERRITORY FAMILIES
AND URBAN HOUSING as delegate of the
MINISTER FOR THE ENVIRONMENT**

First Respondent

**FORTUNE AGRIBUSINESS FUNDS
MANAGEMENT PTY LTD (ACN 607 474 251)**

Second Respondent

APPELLANT'S CHRONOLOGY

Part I: Certification

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

Part II: Principal events

Date	Event	Reference
2 Jul 09	Declaration of Western Davenport Water Control District under s 22 of the <i>Water Act 1992</i>	CAB 14, PJ [8]; CAB 173, AJ [11]; ABFM Tab 1.
7 Sept 10	Determination of native title and that the appellant (MAC) is the prescribed body corporate for s 57(2) of the <i>Native title Act 1993: Rex v Northern Territory</i> [2010] FCA 911.	[JBA]
22 Dec 18	Declaration of Western Davenport Water Allocation Plan 2018-2021 under s 22B of the Act	CAB 14, PJ [8]; CAB 173, AJ [11]; ABFM Tabs 2 and 3.
18 Aug 20	The second respondent (Fortune) applied to the Controller of Water Resources for a licence to take groundwater from an area known as Singleton Station, to develop approx. 3,500 ha for intensive irrigated horticulture.	CAB 12, PJ [2]; CAB 15, PJ [9]; CAB 170, AJ [3]-[4].

15 Feb 21	Minister for Environment expressed her opinion under s 60(4) of the Act (as then in force) there were “special circumstances” that justified granting a licence for 30 years.	CAB 130, PJ [220]; CAB 210, AJ [84]; ABFM Tab 5.
8 Apr 21	Controller granted Fortune a groundwater extraction licence.	CAB 15, PJ [10]; CAB 171, AJ [4].
7 May 21	MAC sought review of the Controller’s decision by the Minister for Environment under s 30(1) of the Act. Other entities also sought review around the same time.	CAB 16, PJ [12]; CAB 172, AJ [7].
26 Jul 21	Minister for Environment referred the review applications to the Water Resources Review Panel , pursuant to s 30(3)(b) of the Act	CAB 18, PJ [16]; CAB 173, AJ [10]
1 Sept 21	MAC provided the <i>Singleton Water Licence: Aboriginal Cultural Values Assessment</i> final report of Susan Donaldson to Review Panel	CAB 270, AJ [220]; ABFM Tab 6.
29 Sept 21	Commencement of amendments made to s 60 of the Act by the <i>Statute Law Amendment (Territory Economic Reconstruction) Act 2021</i> (NT)	CAB 130, PJ [220]; CAB 176, AJ [19]; CAB 213, AJ [91].
15 Oct 21	Review Panel reported to the Minister for Environment (MAC did not see the Review Panel report until after it was publicly released on 15 November 2021).	CAB 19, PJ [18]; CAB 173, AJ [11]; ABFM Tab 7.
2 Nov 21	Department of Environment, Parks and Water Security sought clarification from Review Panel’s Chair about the report and recommendations relating to a cultural values impact assessment. (MAC did not see this correspondence until 7 April 2022)	CAB 19, PJ [19]; CAB 261, AJ [199]; ABFM Tab 8, p 226.
3 Nov 21	Review Panel’s Chair responded to the Department, with further advice about the conduct of a cultural values impact assessment. (MAC did not see this correspondence until 7 April 2022.)	CAB 19, PJ [20]; CAB 261, AJ [200]; AFBM Tab 8, p 225.
10 Nov 21	Department wrote to Fortune about proposed additional and amended licence conditions, proposing for the first time that Aboriginal cultural values be addressed by a new condition precedent, CP10. (MAC did not see this correspondence until 7 April 2022).	CAB 262, AJ [201]; AFBM Tab 10, pp 280-282.

11 Nov 21	Minister for the Environment delegated her powers under s 30 of the Act in relation to the Controller's decision to grant the licence to Minister for Territory Families and Urban Housing (Delegate Minister).	CAB 20, PJ [21]; CAB 174, AJ [12].
12 Nov 21	Department briefed the Delegate Minister	CAB 21, PJ [22]; CAB 213, AJ [91]. ABFM Tab 9.
12 Nov 21	Fortune responded to the Department about proposed additional and amended licence conditions, and accepted proposed CP 10. (MAC did not see this correspondence until 7 April 2022).	CAB 21, PJ [22]. CAB 213, AJ [91]. ABFM Tab 10, pp 283-285.
12 Nov 21	Department briefed the Delegate Minister about Fortune's response	CAB 21, PJ [22]. ABFM, Tab 10.
15 Nov 21	Delegate Minister granted the licence and gave reasons	CAB 21, PJ [24]; CAB 90, PJ [141]. CAB 174, AJ [13]. ABFM, Tabs 11 and 12.
28 Jan 22	MAC applied for judicial review of grant of licence	
7 Apr 22	Affidavit of Stephanie Jungfer filed by the Minister	

Dated 23 October 2025

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