



HIGH COURT OF AUSTRALIA

NOTICE OF FILING

This document was filed electronically in the High Court of Australia on 30 Jul 2026 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: P23/2026
File Title: Yanunijarra Aboriginal Corporation RNTBC & Ors v. State of
Registry: Perth
Document filed: Form 27B - Appellants' chronology
Filing party: Appellants
Date filed: 30 Jul 2026

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
PERTH REGISTRY

ON APPEAL FROM THE FULL COURT OF THE FEDERAL COURT OF AUSTRALIA

BETWEEN: **Yanunijarra Aboriginal Corporation RNTBC**
First Appellant
Walalakoo Aboriginal Corporation RNTBC
Second Appellant
Malarngowem Aboriginal Corporation RNTBC
Third Appellant
Kimberley Land Council Aboriginal Corporation
Fourth Appellant
and
State of Western Australia
Respondent

10

APPELLANTS' CHRONOLOGY

Part I: Certification

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

Part II: Chronology of principal events

No	Date	Event	Ref
1.	30 May 2022	The State of Western Australia, through the Department of Mines, Industry Regulation and Safety (DMIRS), issues a release entitled "New expedited procedure process", linking a page titled "Expedited Procedure Reforms", on which was published: (1) an "Engagement Protocols" form; (2) Expedited Procedure Case Management Guidelines; (3) Guide to Expedited Procedure Case Management within the Resource Access Branch (RAB): DMIRS Case Management Outcomes; (4) Guide to the Exploratory Title Assessment and Case Management Process Pursuant to the Native Title Act 1993: Expedited Procedure; (5) Guidelines for Assessing Hot Spots for Exploratory Titles.	PJ[87]-[88] AFM114-5, 118-140, 341-70

No	Date	Event	Ref
2.	26 June 2023	DMIRS officer prepares “Expedited Statement Risk Assessment Sheet” for exploration licence application E80/5754.	AFM90-1
3.	27 June 2023	A second DMIRS officer reviews “Expedited Statement Risk Assessment Sheet” for E80/5754.	AFM90-1
4.	30 June 2023	Notice given by the Respondent (the State) to the Third Appellant (MAC) of proposed grant of E80/5754 (MAC notice).	PJ[13] AFM20-2
5.	6 September 2023	DMIRS officer prepares “Expedited Statement Risk Assessment Sheet” for exploration licence application E04/2725.	AFM88-9
6.	8 September 2023	Notice given by the State to the Second Appellant (WAC) of proposed grant of E04/2725 (WAC notice).	PJ[14] AFM23-4
7.	8 September 2023	Notice given by the State to the First Appellant (YAC) of proposed grant of E04/2725 (first YAC notice).	PJ[14] AFM25-6
8.	13 September 2023	A second DMIRS officer reviews “Expedited Statement Risk Assessment Sheet” for E04/2725.	AFM88-9
9.	22 September 2023	Notice given by the State to YAC of proposed grant of E80/5931 (second YAC Notice).	PJ[18] AFM197-209
10.	29 September 2023	The notification day provided in the second YAC Notice.	PJ[18] AFM197-209
11.	6 November 2023	MAC lodges an objection with the National Native Title Tribunal against the inclusion of the statement in the MAC notice under s 32(3). The objection includes a statement that it is “made under protest” as to the Tribunal’s jurisdiction.	PJ[15] AFM244-8
12.	20 December 2023	WAC lodges an objection with the Tribunal against the inclusion of the statement in the WAC notice under s 32(3). The objection includes a statement that it is “made under protest” as to the Tribunal’s jurisdiction.	PJ[16] AFM229-33
13.	21 December 2023	YAC lodges an objection with the Tribunal against the inclusion of the statement in the first YAC notice under s 32(3). The objection includes a statement that it is “made under protest” as to the Tribunal’s jurisdiction.	PJ[16] AFM234-8

No	Date	Event	Ref
14.	22 December 2023	Originating application, concise statement and copies of the MAC notice, WAC notice and first YAC notice filed by the Appellants.	PJ[20], [23] AFM8-26
15.	22 January 2024	Notice of objection to the competency of the application filed by the State.	PJ[26] AFM27-9
16.	7 February 2024	The Federal Court orders the State to file and serve an affidavit setting out the process followed by DMIRS staff when assessing whether an expedited procedure statement will be included in a 29 notice, and annexing relevant policy and procedure documents.	AFM30-1
17.	28 March 2024	The Federal Court orders the filing of any interlocutory applications, and programs the hearing of any such applications (if the matter does not resolve at mediation).	AFM32-4
18.	5 April 2024	Interlocutory application seeking leave to amend originating application and concise statement filed by the Appellants.	PJ[6], [29] AFM35-8
19.	2 May 2024	The parties agree that YAC collected the second YAC notice.	AFM371-2
20.	8 May 2024	The objections by YAC and WAC are treated as withdrawn by the Tribunal, on the basis of the withdrawal of application for E04/2725.	PJ[17] AFM393-8
21.	16-17 May 2024	Hearing before the Federal Court (Horan J).	CAB8
22.	26 November 2024	Objection by MAC treated as withdrawn by the Tribunal, on the basis of withdrawal of the application for E80/5931.	FC[16] AFM399-400
23.	15 May 2025	Judgment and orders of the Federal Court given in each of the interlocutory applications filed 5 April 2024, and 12 April 2024: <i>Yanunijarra Aboriginal Corporation RNTBC v Western Australia</i> [2025] FCA 490. Leave to amend the application was refused. Application was summarily dismissed.	CAB5, 75
24.	27 May 2025	Application for leave to appeal, and draft notice of appeal, filed by Appellants.	FC[7] CAB77-85
25.	20 November 2025	Hearing before the Full Court of the Federal Court (Moshinsky, Sarah C Derrington & Longbottom JJ). The Full Court granted leave to appeal.	FC[8] CAB86, 92

No	Date	Event	Ref
26.	12 February 2026	Appeal dismissed, by the Full Court of the Federal Court: <i>Yanunijarra Aboriginal Corporation RNTBC v Western Australia</i> [2026] FCAFC 7; 314 FCR 534.	CAB86, 115
27.	11 June 2026	Application for special leave to appeal granted by High Court (Gageler CJ, Gordon, Edelman, Stewart, Jagot & Beech-Jones JJ).	CAB123
28.	24 June 2026	Notice of appeal filed in the High Court.	CAB125

Dated: 29 July 2026



Sturt Glacken
T: (03) 9225 8171
E: glacken@vicbar.com.au



Emrys Nekvapil
T: (03) 9225 6831
E: emrys@vicbar.com.au



Tessa Herrmann
T: (08) 9220 0478
E: therrmann@francisburt.com.au