



Extract from Schedule of Native Title Applications

Application Reference: Federal Court number: NTD6001/1996
NNTT number: DC1994/006

Application Name: Mary Yarmirr & Ors v Northern Territory of Australia & Ors (Croker Island Seas)

Application Type: Claimant

Application filed with: National Native Title Tribunal

Date application filed: 22/11/1994

Current status: Full Approved Determination - 04/09/1998

Registration information: Please refer to the Register of Native Title Claims/National Native Title Register (as appropriate) for registered details of this application.

Registration decision status: Not currently identified for Reg. Decision

Registration history: Registered from 26/05/1995 to 29/07/2002

Date claim / part of claim determined: 04/09/1998

Old Act* registered native title claimants: Mary Yarmirr

Address(es) for Service: Phillipa Hetherton
Northern Land Council
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Additional Information

Not applicable

Persons claiming to hold native title:

The Madilarrri-Ildugij peoples, The Mangalarra peoples, The Muran peoples, The Minaga peoples, The Gadurra peoples, The Ngayndjagar peoples, The Mayorram peoples

Native title rights and interests claimed:

The applicants believe that their native title rights and interests include ownership, occupancy, possession, and rights of use.

Description of Traditional Laws and Customs

1. The applicants are traditional owners of the sea and sea-beds referred to in this application. The applicants believe their native title rights to the land and waters include ownership, occupancy, possession, and rights of use.
2. At the time of acquisition of sovereignty over the Northern Territory by the English Crown, the applicants ancestors were traditional owners of the sea and sea-beds subject to this application.
3. The applicants' traditional connection with the sea and sea-beds subject to this application was inherited from their ancestors in accordance with their traditional was and customs.

Particulars of Traditional Laws and customs

1. Possession, use and enjoyment of the sea band sea-beds, or parts thereof, described in this application.
2. Knowledge of sites of significance contained in the sea and sea-beds.
3. Knowledge of dreaming tracks which cross the sea.
4. Use of the sea and sea-beds in a manner consistent with traditional law.
5. Recognition of the dangers, both natural and supernatural, associated with some areas. This includes the requirement to obtain permission to visit certain areas, and the necessity not to pollute certain areas.
6. Use of the sea in accordance with traditional law as part of ceremonies for deceased persons. For example, the closure of an area of the sea to which a deceased person had traditional connection.
7. The right to exclude other persons from the area the subject of this application.
8. Hunting, fishing, and the gathering of shell fish from the sea and sea-beds.
9. The right to deal with and dispose of the resources of the sea and sea-beds to other parties, including the development of trade links with other peoples.
10. Travel across the seas by boat for the purpose of hunting, fishing, and transport between the islands and the mainland.
11. Acknowledgment that certain groups among the applicants have recognised rights under traditional law to areas of the sea and sea-beds.
12. The existence and observance of traditional laws and customs which govern the succession of rights to the sea and sea-beds held by the applicants.
13. The transference of traditional knowledge to younger generations.

An amendment was lodged by NLC on 7 February 1995 which indicated that native title rights and interests applied only insofar as such rights have not been extinguished, particularly in relation to the implied condition contained within Crown Lease Term 01034 (CLT 1034) over NT Portion 3906.

Application Area: **State/Territory:** Northern Territory
Brief Location: Croker Island Region
Primary RATSIB Area: Northern Northern Territory
Approximate size: 2868.5078 sq km
(Note: There may be areas within the external boundary of the application that are not claimed.)
Does Area Include Sea: Yes

Area covered by the claim (as detailed in the application):

The seas in the Croker Island region of the NT which adjoin Croker Island, Oxley Island, New Year Island, Lawson Island, McCluer Island, Grant Island, other related islands, and a portion of the mainland which extends between de Courcy Head and the commencement of the Cobourg Peninsula Marine Park near Gualung Point. The subject area includes the seas and sea-beds contained within the boundary and also includes land or reefs contained within the boundary other than land or reefs which have been granted for the benefit of Aboriginal people pursuant to the Aboriginal Land Rights (Northern Territory) Act 1976. The boundary area commences from the easternmost point of de Courcy Head which is located on the mainland to the east of Croker Island and then clockwise from de Courcy Head.

Attachments: 1. Map of Claim Area, 1 page - A4, 22/11/1994

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