



# Extract from Schedule of Native Title Applications

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**Application Reference:** Federal Court number: NTD6/2013  
NNTT number: DC2013/001

**Application Name:** Cleophanus (Lofty) Katakarinja & Ors obo the Imperlknge, Urlatherrke, Parerrule, Yaperlpe, Urlampe, Lwekerreye and llewerr groups v Northern Territory of Australia

**Application Type:** Claimant

**Application filed with:** Federal Court of Australia

**Date application filed:** 22/05/2013

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**Current status:** Full Approved Determination - 15/06/2016

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

**Date claim entered on Register of Native Title Claims:** 25/07/2013

**Registration decision status:** Accepted for registration

**Registration history:** Registered from 25/07/2013 to 30/06/2016,

**Date claim / part of claim determined:** 15/06/2016

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**Applicants:** Cleophanus (Lofty) Katakarinja, Carl Inkamala, Huckitta Lynch, Rhonda Inkamala, Stewart Pareroutja, Gloria McCormack, Jean Mack, Ronnie MacNamarra

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## Additional Information

Not applicable

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## Persons claiming to hold native title:

A copy of the Schedule A, which sets out information in relation to the Native Title Claim Group is attached to this extract.

**Native title rights and interests claimed:**

1. To the extent that any extinguishment of native title rights and interests must be disregarded the native title rights and interests that are claimed in relation to the application area are possession, occupation, use and enjoyment to the exclusion of all others
2. The native title rights and interests of the native title holders are the rights possessed under and exercisable in accordance with their traditional laws and customs, including the right to conduct activities necessary to give effect to them, being:
  - (a) the right to access and travel over any part of the land and waters;
  - (b) the right to live on the land, and for that purpose, to camp, erect shelters and other structures;
  - (c) the right to hunt, gather and fish on the land and waters;
  - (d) the right to take and use the natural resources of the land and waters;
  - (e) the right to access, take and use natural water on or in the land;
  - (f) the right to light fires for domestic purposes, but not for the clearance of vegetation;
  - (g) the right to share or exchange natural resources obtained on or from the land and waters, including traditional items made from the natural resources;
  - (h) the right to access and to maintain and protect sites and places on or in the land and waters that are important under traditional laws and customs;
  - (i) the right to conduct and participate in the following activities on the land and waters:
    - (i) cultural activities;
    - (ii) ceremonies;
    - (iii) meetings;
    - (iv) cultural practices relating to birth and death including burial rites;
    - (v) teaching the physical and spiritual attributes of sites and places on the land and waters that are important under traditional laws and customs,
- and, subject to the rights of any person arising under the laws in force in the Northern Territory to be present on the land, the right to privacy in the exercise and enjoyment of those activities;
- (j) the right to speak for country and to make decisions about the use and enjoyment of the land and waters by Aboriginal people who recognise themselves to be governed by the traditional laws and customs acknowledged by the native title holders;
- (k) the right to be accompanied on the land and waters by persons who, though not native title holders, are:
  - (i) people required by traditional law and custom for the performance of ceremonies or cultural activities on the land and waters;
  - (ii) people who have rights in relation to the land and waters according to the traditional laws and customs acknowledged by the native title holders;
  - (iii) people required by the native title holders to assist in, observe, or record traditional activities on the areas.
3. Subject to paragraph 1 and the operation of the non-extinguishment principle where it applies all the rights and interests listed in paragraph 2 above existed and continue to exist in relation to the application area as a whole.
4. Unless any extinguishment of native title rights and interests must be disregarded the native title rights and interests claimed do not confer possession, occupation, use and enjoyment of the application area to the exclusion

of all others.

5. The applicant acknowledges that the native title rights and interests are subject to and exercisable in accordance with valid laws of the Northern Territory of Australia and the Commonwealth of Australia.

6. The common or group rights and interests comprising the native title are held by the members of the landholding groups that together comprise the native title claim group over the application area as a whole. However, the distribution of rights and interests within the group and in respect of different parts of the application area is governed by the claimants' system of traditional laws and customs, including:

(a) the particular association that members of the native title claim group have with one or more of the landholding groups and their respective estate areas; and

(b) individual circumstances, including age, gender, knowledge, and physical and mental capacity.

7. The activities referred to in Schedules G and M were and are undertaken in the exercise of the native title rights and interests set out in paragraph 2

**Application Area:**                   **State/Territory:** Northern Territory  
**Brief Location:** Several Northern Territory Perpetual Pastoral Lease portions over Narwietooma  
**Primary RATSIB Area:** Southern Northern Territory  
**Approximate size:** 2628.8412 sq km  
(Note: There may be areas within the external boundary of the application that are not claimed.)  
**Does Area Include Sea:** No

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

(a) The area covered by the application

1. NT Portion 727 comprising an area 2,590 square kilometres which is held under Perpetual Pastoral Lease No 1019 by Anthony Woodley Davis and Pamela Ruth Davis of 6 Emery Court, Larrakeyah, NT 0820.

2. NT Portion 1607 comprising an area of 28 hectares 1,100 square metres located within the boundaries of NT Portion 1224 which is Crown land containing part of the channel of Dashwood Creek.

3. That part of NT Portion 4284 comprising an area of 31 square kilometres located within the boundaries of NT Portion 727 which is Crown land being part of the North West Stock Route.

4. The area covered by the application and its boundaries are shown on the map referred to in Schedule C.

(b) Any areas within those boundaries that are not covered by the application

5. NT Portion 1224 comprising an area of 2 square kilometres 30 hectares 7,000 square metres located within the boundaries of NT Portion 727 which is held for an estate in fee simple by Mbunghara Community Incorporated.

6. NT Portion 3727 comprising an area of 2 hectares 2,400 square metres located within the boundaries of NT Portion 727 which is held for an estate in fee simple by the Australian and Overseas Telecommunications Corporation Ltd.

7. A road 100 metres wide (Tanami Road) which traverses NT Portion 4284 in a north-westerly direction across NT Portion 727 from the boundary with Amburla Station (NT Portion 4443) in the east to the boundary with Napperby Station (NT Portion 747) in the north.

8. A road 100 metres wide (Kintore Road) which traverses NT Portion 727 from the boundary with Amburla Station (NT Portion 4443) in the east to the boundary with Derwent Station (NT Portion 241) in the west.

9. A road 100 metres wide (Glen Helen Station Road) which traverses part of NT Portion 727 from the junction with the Kintore Road in a south-westerly direction to the boundary with Glen Helen Station (NT Portion 719).

10. Subject to Schedule L, any other area within the boundaries of the area covered by the application in relation to which a previous exclusive possession act under section 23B of the NTA has been done is excluded from the application.

- Attachments:**
1. Map of the claim area, Attachment A of the application, 1 page - A4, 22/05/2013
  2. Schedule A Native Title Claim Group, 8 pages - A4, 24/03/2016

**NNTT Contact Details**

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End of Extract