



Extract from Schedule of Native Title Applications

Application Reference: Federal Court number: NTD27/2013
NNTT number: DC2013/009

Application Name: Jack Cook Ngal/Jangala & Ors obo Rrwerk/Mamp/Arrwek, Yinjirrpikurlangu, Janyinpartinya, Yanarilyi/Anerely & Ngarliyikirlangu landholding groups (Mt Denison Pastoral Lease) v Northern Territory Of Australia

Application Type: Claimant

Application filed with: Federal Court of Australia

Date application filed: 06/12/2013

Current status: Full Approved Determination - 16/06/2016

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: 07/04/2014

Registration decision status: Accepted for registration

Registration history: Registered from 7/04/2014 to 30/06/2016,

Date claim / part of claim determined: 16/06/2016

Applicants: Jack Cook Ngal/Jangala, Teddy Long Jupurrurla, Maggie Ross Napaljarri

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Additional Information

Not applicable

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. 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 except water captured by the holder of a pastoral lease;
- (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.

2. The rights and interests listed in paragraph 1 above existed and continue to exist in relation to the application area as a whole.

3. The native title rights and interests claimed do not confer possession, occupation, use and enjoyment of the application area to the exclusion of others.

4. 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.

5. 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.

6. 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 1.

Application Area: **State/Territory:** Northern Territory
Brief Location: Northern Territory
Primary RATSIB Area: Southern Northern Territory
Approximate size: 2702.3673 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 312 comprising an area 2,702 square kilometres held under Perpetual Pastoral Lease No. 1110 by Mount Denison Proprietors Pty Ltd.

2. 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

3. NT Portion 3408 comprising an area of 2 hectares 2,500 square metres located within the boundaries of NT Portion 312 is Crown land set aside to Telstra Corporation Limited.

4. NT Portion 4153 comprising an area of 2 square kilometres 41 hectares 9,000 square metres located within the boundaries of NT Portion 312 held for an estate in fee simple by Yurrkuru Aboriginal Land Trust.

5. NT Portion 4747 comprising an area of 2 square kilometres 25 hectares located within the boundaries of NT Portion 312 held for an estate in fee simple by the Kurripi Aboriginal Corporation.

6. A road 100 metres wide (Yuendumu/Pine Hill Road) which traverses NT Portion 312 from the boundary with the Coniston Station (NT Portion 690) in the east to the boundary with the Yuendumu Aboriginal Land Trust (NT Portion 1633) in the west.

7. A road 100 metres wide which traverses NT Portion 312 from its junction with the Yuendumu/Pine Hill Road in the east to its junction with the Pine Yuendumu/Pine Hill Road in the west.

8. A road 100 metres wide which traverses NT Portion 312 in a northerly direction from its junction with the Yuendumu/Pine Hill Road to the boundary with the Pawu Aboriginal Land Trust (NT Portion 360).

9. 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. Attachment A Map of Claim Area, 1 page - A4, 05/05/2016
2. Schedule A Native Title Claim Group, 6 pages - A4, 05/05/2016

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