



# Extract from Schedule of Native Title Applications

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**Application Reference:** Federal Court number: NTD62/2016  
NNTT number: DC2016/005

**Application Name:** Topsy Dodd (Vincent) & Ors and Northern Territory of Australia (Wave Hill Pastoral Lease)

**Application Type:** Claimant

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

**Date application filed:** 25/11/2016

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**Current status:** Full Approved Determination - 08/09/2020

**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:** 02/03/2017

**Registration decision status:** Accepted for registration

**Registration history:** Registered from 2/03/2017 to 9/09/2020,

**Date claim / part of claim determined:** 08/09/2020

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**Applicants:** Topsy Dodd (Vincent), Paddy Doolak, Freddy Algy, Pauline Ryan

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## Additional Information

Not applicable

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**Persons claiming to hold native title:**

**Native title rights and interests claimed:**

1. The native title rights and interests of the native title holders are the non-exclusive rights possessed under and exercisable in accordance with their traditional laws and customs, 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 holders of 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;
  - (j) the right 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 provided that the right does not extend to making any decision that purports to control the access of such persons to the determination area;
  - (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.
  - (l) The right to conduct activities necessary to give effect to the rights referred to in (a) to (k) hereof.
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 all 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:** East of Kalkaringi, NT.

**Primary RATSIB Area:** Southern Northern Territory

**Approximate size:** 5478.7374 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 2653 comprising an area of 5,492 square kilometres held under Perpetual Pastoral Lease No 1002 by Gambamora Industries Pty Ltd (ACN 009 941 173).
2. The area covered by the application and its boundaries are shown on the map referred to in Schedule C and labelled "Attachment A".

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

3. NT Portion 1340 comprising an area of 2 hectares 8,000 square metres within NT Portion 2653 held for an estate in fee simple by Gambamora Industries Pty Ltd (ACN 009 941 173).
4. NT Portion 4104 comprising an area of 2 hectares 4,500 square metres within NT Portion 2653 held for an estate in fee simple by Telstra Corporation Limited.
5. NT Portion 4105 comprising an area of 2 hectares 2,500 square metres within NT Portion 2653 held for an estate in fee simple by Telstra Corporation Limited.
6. The Buntine Highway which traverses NT Portion 2653 from the boundary with NT Portion 2199 (Wave Hill Stock Route) to the boundary with NT Portion 2395 (Daguragu Aboriginal Land Trust).
7. A road 100 metres wide (Lajamanu Road) which traverses NT Portion 2653 from the junction with the Buntine Highway to the boundary with NT Portion 1740 (Central Desert Aboriginal Land Trust).
8. A road 100 metres wide (Wave Hill/Cattle Creek Road) which traverses NT Portion 2653 from the boundary with NT Portion 2654 (Cattle Creek) to the junction with the Buntine Highway.
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. Schedule A Native Title Claim Group, 5 pages - A4, 25/11/2016
2. Attachment A Map of the application area, 1 page - A4, 25/11/2016

**NNTT Contact Details**

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