



Extract from Schedule of Native Title Applications

Application Reference: Federal Court number: NTD24/2018
NNTT number: DC2018/004

Application Name: Eric Braedon & Anor on behalf of the Imarnte Estate Group V Northern Territory of Australia (Rainbow Valley)

Application Type: Claimant

Application filed with: Federal Court of Australia

Date application filed: 28/06/2018

Current status: Full Approved Determination - 07/05/2019

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: 02/10/2018

Registration decision status: Accepted for registration

Registration history: Registered from 2/10/2018 to 13/05/2019,

Date claim / part of claim determined: 07/05/2019

Applicants: Eric Braedon, Peter Kenny

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Additional Information

Not applicable

Persons claiming to hold native title:

Schedule A: Native Title Claim Group is an attachment to the extract.

Native title rights and interests claimed:

1. The native title rights and interests of the native title holders are the non-exclusive native title rights and interests possessed under and exercisable in accordance with the traditional laws acknowledged and traditional customs observed, 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; and
- (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 land and waters;

(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. All the rights and interests listed in paragraph 1 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 Imarnte landholding 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.

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: Rainbow Valley, Northern Territory

Primary RATSIB Area: Southern Northern Territory

Approximate size: 24.8279 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 1993 comprising an area of approximately 24 square kilometres 83 hectares held under Crown Lease Perpetual No. 307 by the Conservation Land Corporation - the Rainbow Valley Conservation Reserve.
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. 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. Native title claim group, Schedule A of the application, 6 pages - A4, 28/06/2018
 2. Map of Claim Area, Attachment A of the application, 1 page - A4, 28/06/2018

NNTT Contact Details

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