



Extract from Schedule of Native Title Applications

Application Reference: Federal Court number: NTD3/2020
NNTT number: DC2020/001

Application Name: Robert Mumu v Northern Territory of Australia (Karinga Lakes Native Title Claim)

Application Type: Claimant

Application filed with: Federal Court of Australia

Date application filed: 13/02/2020

Current status: Full Approved Determination - 05/04/2023

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: 27/03/2020

Registration decision status: Accepted for registration

Registration history: Registered from 27/03/2020 to 19/04/2023,

Date claim / part of claim determined: 05/04/2023

Applicants: Robert Mumu, David Wongaway, Malya Teamay, Johnny Tjingo, David Miller, Tony Paddy, Margaret Smith, Kathleen Luckey, Tanya Luckey, Alison Carroll, Vivian Thompson, Yaritiji Miller

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Additional Information

Not applicable

Persons claiming to hold native title:

See Schedule A Native Title Claim Group which is an attachment to this extract.

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 access, take and use for any purpose the natural resources of the land and waters, and natural water on or in the land and waters;
 - (d) the right to light fires for domestic purposes, but not for the clearance of vegetation;
 - (e) the right to share or exchange natural resources obtained on or from the land and waters, including traditional items made from the natural resources;
 - (f) 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;
 - (g) 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;
 - (h) 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;
 - (i) 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.
 - (j) the right to conduct activities necessary to give effect to the rights referred to in (a) to (i) 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 group or individual rights and interests comprising the native title are held by the individuals and members of family/kin groups who 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 or associations that members of the native title claim group have with one or more parts of the application area;
 - (b) the extent to which members of the native title claim group have asserted, and other members of the native title claim group have recognised, those associations; and
 - (c) 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: Eastern Western Desert, NT
Primary RATSIB Area: Southern Northern Territory
Approximate size: 10842.0400 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 326 comprising an area of 4,152 square kilometres held under Perpetual Pastoral Lease 1092 by Peter Armstrong Severin and Ashley Armstrong Severin.
2. NT Portion 3350 comprising an area of 3,762 square kilometres held under Perpetual Pastoral Lease 1088 by John Garnaut Stanes.
3. NT Portion 3351 comprising an area of 2,930 square kilometres 67 hectares held under Perpetual Pastoral Lease No 1031 by Eraldunda Pty Ltd (ACN 632 019 115) as trustee for the Eraldunda Land Trust, and also as trustee for the Eraldunda Land Trust No 2.
4. NT Portion 1107 comprising an area of 8,360 square metres held for an estate in fee simple by the Commonwealth of Australia.
5. NT Portion 1975 comprising an area of 4 hectares held for an estate in fee simple by the Australian Telecommunications Commission.
6. NT Portion 1978 comprising an area of 2 hectares 8,900 square metres held for an estate in fee simple by the Australian Telecommunications Corporation.
7. NT Portion 2452 comprising an area of 2,500 square metres held for an estate in fee simple by the Australian Telecommunications Commission.
8. NT Portion 5740 comprising an area of 1 square kilometre 33 hectares 4,000 square metres held for an estate in fee simple by the Karu Mutu Aboriginal Corporation (ILUA DI2003/003 entered on the Register of Indigenous Land Use Agreements on 30/06/2003).
9. 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

10. NT Portion 1794 comprising an area of 8 hectares 9,100 square metres within NT Portion 3351 held for an estate in fee simple by Eraldunda Desert Oaks Resort Pty Ltd (ACN 166 360 872).
11. NT Portion 2429 comprising an area of 8 hectares 2,000 square metres held for an estate in fee simple by Peter Armstrong Severin and Ashley Armstrong Severin.
12. A road 100 metres wide (Stuart Highway) which traverses NT Portion 3351 from the boundary of NT Portion 2869 (Umbeara) to the boundary of NT Portion 1991 (Palmer Valley).
13. A road 100 metres wide (Lasseter Highway) which traverses NT Portion 3351 from the junction with the Stuart Highway to the boundary of NT Portion 680 (Mount Ebenenzer).
14. A road 150 metres wide (Lasseter Highway) which traverses NT Portion 326 from the boundary of NT Portion 620 (Angas Downs) to the western boundary of NT Portion 326 (not including any part of NT Portion 2429).
15. A road 100 metres wide (Lyndavale Access Road) which traverses NT Portion 3350 from the boundary with NT Portion 3351 (Eraldunda) to the Lyndavale Station Homestead.
16. A road 100 metres wide (Mulga Park Road) which traverses NT Portion 326 from the junction with the Lasseter Highway to the boundary of NT Portion 325 (Mulga Park).
17. 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, 13/02/2020
 2. Map of the claim area, Attachment A of the application, 2 pages - A4, 13/02/2020

End of Extract