



Extract from Schedule of Native Title Applications

Application Reference: Federal Court number: NTD6/2020
NNTT number: DC2020/002

Application Name: Bessie Coleman v (Jawoyn BMW (ML))

Application Type: Claimant

Application filed with: Federal Court of Australia

Date application filed: 11/03/2020

Current stage(s): Notification Complete

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: 03/04/2020

Registration decision status: Accepted for registration

Registration history: Registered from 3/04/2020

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Additional Information

Not applicable

Persons claiming to hold native title:

1. The native title claim group in relation to the claim area described in Schedule B (*the application*)

area) is comprised of the Primary Native Title Holders and the Other Native Title Holders.

2. The Primary Native Title Holders are those persons who, in accordance with their traditional laws and customs, have a connection with the land and waters of the application area; and who hold communal native title in this application area, from which rights and interests derive.

3. The Primary Native Title Holders are the Jawoyn Bolmo, Matjba and Wurrkbarbar group.

4. In accordance with traditional laws and customs, the Jawoyn Bolmo, Matjba, Wurrkbarbar group are traditionally connected with the area described in the application area by reason of:

- (a) patrilineal descent;
- (b) his or her mother, father's mother or mother's mother being or having been a member of the group by reason of patrilineal descent; or
- (c) having been adopted or incorporated into the descent relationships referred to in (a) or (b) hereof.

5. The persons described in 4(a) and 4(b) above are descended from the following eleven apical persons being:

- (a) Jerry NaJaleyn Buwutbuwut;
- (b) Charli NaMarnakomori;
- (c) Peter NaBamjern Nangalkwikwaruk;
- (d) Tommy Nabokdern;
- (e) NaGarriboko;
- (f) NaBartberk;
- (g) NaBarrakgolotok;
- (h) Charlie Nabamwowotj;
- (i) Ngalboy;
- (j) NaMatjba; and
- (k) Peggy Pamwuja.

6. The Other Native Title Holders are other Aboriginal persons who, in accordance with the Primary Native Title Holders' traditional laws and customs, have rights and interests in respect of the application area, subject to the rights and interests of the Primary Native Title Holders.

7. The Other Native Title Holders are:

- (a) Members of neighbouring native title holding groups or estate groups; and
- (b) Spouses of the Primary Native Title Holders.

Native title rights and interests claimed:

1. The native title rights and interests of the Primary Native Title Holders are rights in relation to the application area to:

- (a) Access, remain on and use the area;
- (b) Access and take for any purpose the resources of the area; and
- (c) Protect places, areas and things of traditional significance.

2. The native title rights and interests of the Other Native Title Holders are rights in relation to the application area to:

- (a) Access, remain on and use the area; and
- (b) Access the resources of the area.

3. The native title rights and interests do not confer on the native title holders:

- (a) Possession, occupation, use and enjoyment of the application area to the exclusion of all others;
- (b) Any right to control access to or use of the land and waters of the application area or its resources; or
- (c) Any right to access or take:
 - (i) water captured by the holders of Perpetual Pastoral Lease 1111; or

- (ii) resources that are the private or personal property of another, including but not limited to:
- A. infrastructure or fixtures;
 - B. chattels, equipment, machinery or supplies;
 - C. animals that are the private or personal property of another, including stock within the meaning of the *Pastoral Land Act 1992* (NT) and the progeny of any such animal that are the private or personal property of another; and
 - D. plants, crops and grasses that are the private or personal property of another.
4. The native title rights and interests are subject to and exercisable in accordance with:
- (a) The traditional laws and customs of the Primary Native Title Holders; and
 - (b) The laws of the Northern Territory of Australia and the Commonwealth of Australia.
5. In the application area, there are no native title rights and interests in:
- (a) Minerals (as defined in s 2 of the *Minerals (Acquisition) Act 1953* (NT));
 - (b) Petroleum (as defined in s 5 of the *Petroleum Act 1984* (NT)); or
 - (c) Prescribed substances (as defined in s 3 of the *Atomic Energy (Control of Materials) Act 1946* (Cth) and/or s 5(1) of the *Atomic Energy Act 1953* (Cth)).

Application Area: **State/Territory:** Northern Territory
Brief Location: Northern Northern Territory, west of Kakadu National Park
Primary RATSIB Area: Northern Northern Territory
Approximate size: 0.7645 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

The application area covers all the land and waters within the area of land subject to Mineral Lease Applications 32257 and 32258.

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

Subject to Schedule L of this application, any area in relation to which a previous exclusive possession act under section 23B of the Act has been done, is excluded from this application.

Attachments: 1. Map showing the boundaries of the application area, Attachment B of the application, 1 page - A4, 11/03/2020

End of Extract