

# Extract from the Register of Native Title Claims

---

## Application Information

**Application Reference:** Federal Court number: NTD47/2016  
NNTT number: DC2016/004

**Application name:** Bruce Breadon & Ors on behalf of the Inteyere, Twenge, Ipmengkere, Murtikutjara, Aniltika and Nthareye landholding groups and Northern Territory of Australia (Henbury Pastoral Lease)

**Registration History:** Registered from 9/12/2016

---

## Register Extract (pursuant to s. 186 of the *Native Title Act 1993*)

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

**Date application filed:** 06/09/2016

**Date claim entered on Register:** 09/12/2016

**Applicants:** Bruce Breadon, Baydon Williams, Christobel Swan, Felix Armstrong, Gordon Lucky, Kevin Ungwanaka

**Address for service:** Central Land Council  
PO Box 3321  
Alice Springs NT 0871  
**Phone:** (08) 8951 6358  
**Fax:** (08) 8958 2807

### Additional Information:

Not Applicable

### DESCRIPTION OF THE AREA COVERED BY THE CLAIM:

#### (a) The area covered by the application

1. NT Portion 657 comprising an area of 5,168 square kilometres held under Perpetual Pastoral Lease No 1094 by Henbury Holdings Pty Ltd (ACN 169 887 585) as trustee for the Henbury Unit Trust.
2. NT Portion 551 comprising an area of 4 square kilometres 4 hectares 6,000 square metres which is held for an estate in fee simple by the Conservation Land Corporation.
3. NT Portion 1054 comprising an area of 1 square kilometre 29 hectares 4,994 square metres which is Reserve No. 1247 (Ilamurta Springs Conservation Reserve).
4. NT Portion 3896 comprising an area of 2 hectares 2,500 square metres which is Crown land.

5. NT Portion 5169 comprising an area of 52 square kilometres which is Crown land being parts (3) of the Hugh River Stock Route.

6. 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**

7. NT Portion 1226 comprising an area of 5 square kilometres 95 hectares within NT Portion 657 held for an estate in fee simple by the Australian Rail Track Corporation.

8. NT Portion 3812 comprising an area of 20 square kilometres 24 hectares located within NT Portion 657 held for an estate in fee simple by the Rurutenge Aboriginal Land Trust.

9. NT Portion 3813 comprising an area of 28 square kilometres 86 hectares located within NT Portion 657 held for an estate in fee simple by the Pantyinteme Aboriginal Land Trust.

10. NT Portion 3814 comprising an area of 23 square kilometres 63 hectares located within NT Portion 657 held for an estate in fee simple by the Akanta Aboriginal Land Trust.

11. NT Portion 4392 comprising an area of 2 hectares 76 hectares 3,000 square metres located within NT Portion 657 held for an estate in fee simple by Ilpurla Aboriginal Corporation.

12. A road 200 metres wide (Stuart Highway) from the boundary with Orange Creek Station (NT Portion 652) to the boundary of Palmer Valley Station (NT Portion 1991).

13. A road 100 metres wide (Ernest Giles Road) from the Stuart Highway to the boundary with the Urrampinyi Itjiltjarri Aboriginal Land Trust (NT Portion 5484).

14. A road 100 metres wide (Tempe Downs Road) from the Ernest Giles Road to the boundary with the Urrampinyi Itjiltjarri Aboriginal Land Trust (NT Portion 5484).

15. A road 100 metres wide (Tempe Downs Road) from the boundary of Henbury Station (NT Portion 657) to the boundary of the Urrampinyi Itjiltjarri Aboriginal Land Trust (NT Portion 5484).

16. A road 100 metres wide (Ilamurta Springs Access Road) from the Ernest Giles Road to Ilamurta Springs Conservation Reserve (NT Portion 1054).

17. A road 100 metres wide from the Ilamurta Springs Access Road (Boggy Hole Access Road) to the Finke Gorge National Park (NT Portion 6623).

18. A road 100 metres wide from the Henbury Station Homestead to the Stuart Highway.

19. A road 100 metres wide from the Ernest Giles Road to the Henbury Meteorite Conservation Park (NT Portion 551).

20. 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.

**PERSONS CLAIMING TO HOLD NATIVE TITLE:**

A copy of Schedule A of the application sets out information in relation to the native title claim group and is attached to the extract.

**REGISTERED NATIVE TITLE RIGHTS AND INTERESTS:**

**The following Native Title Rights & Interests were entered on the Register on 09/12/2016**

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 lands 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 holders of Perpetual Pastoral Lease 1094;
- (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 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 sites; 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 person 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 customs 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 as a whole.

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 application area as a whole. However, the distribution of rights and interest 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 tile 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.

#### **REGISTER ATTACHMENTS:**

1. Schedule A - Native title claim group description, 6 pages - A4, 06/09/2016
2. Attachment A - Map of area, 1 page - A4, 06/09/2016

*Note: The Register of Native Title Claims may, in accordance with s. 188 of the Native Title Act 1993, contain confidential information that will not appear on the Extract.*