



Extract from the Register of Native Title Claims

Application Information

Application Reference: Federal Court number: NTD16/2018
NNTT number: DC2018/002

Application name: Andrew Reiff & Ors V Northern Territory of Australia (Jinka Jervois Pastoral Leases)

Registration History: Registered from 7/09/2018

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

Application filed with: Federal Court of Australia

Date application filed: 10/05/2018

Date claim entered on Register: 07/09/2018

Applicants: Andrew Reiff, Banjo Madrill, David Blue, Donald Madrill, Henry Oliver, Timothy Norman

Address for service: Sue Polden
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:

Information identifying the boundaries of:

- (a) the area covered by the application; and
- (b) any areas within those boundaries that are not covered by the application.

(a) The area covered by the application

1. NT Portion 366 comprising an area of 2,736 square kilometres held under Perpetual Pastoral Lease No 962 by Jervois Pastoral Co. Pty Ltd.
2. NT Portion 7511 comprising an area of 94 square kilometres 8 hectares held under Perpetual Pastoral Lease No 962 by Jervois Pastoral Co. Pty Ltd.
3. NT Portion 482 comprising an area of 2,033 square kilometres held under Perpetual Pastoral Lease 1119 by Michael John Broad C/- Jervois Station via Alice Springs.
4. NT Portion 3803 comprising an area of 13 square kilometres 76 hectares held for an estate in fee simple by the

Ilparle Aboriginal Land Trust.

5. NT Portion 4267 comprising an area of 11 square kilometres 41 hectares is Crown Land.

6. NT Portion 7443 comprising an area of 23 square kilometres 32 hectares is Crown land.

7. NT Portion 7509 comprising an area of 11 square kilometres 73 hectares is Crown land.

8. NT Portion 7510 comprising an area of 48 square kilometres 75 hectares is Crown land.

9. NT Portion 7558 comprising an area of 34 hectares 3,000 square metres is Crown land.

10. 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

11. NT Portion 1152 comprising an area of 8,360 square metres located within NT Portion 366 held for an estate in fee simple by the Australian & Overseas Telecommunications Corporation Limited.

12. NT Portion 2957 comprising an area of 2 square kilometres 56 hectares located within NT Portion 366 held for an estate in fee simple by the Orritpa Thurra Aboriginal Corporation (Bonya Aboriginal Community Living Area).

13. NT Portion 3403 comprising an area of 2 hectares, 2,500 square metres located within NT Portion 482 held for an estate in fee simple by Airservices Australia.

14. NT Portion 3404 comprising an area of 2 hectares, 2,500 square metres located within NT Portion 366 held for an estate in fee simple by the Australian & Overseas Telecommunications Corporation Limited.

15. NT Portion 3405 comprising an area of 2 hectares, 2,500 square metres located within NT Portion 366 held for an estate in fee simple by the Australian & Overseas Telecommunications Corporation Limited.

16. A road 150 metres wide (Plenty Highway) from the boundary of NT Portion 2454 (Huckitta Station) to the boundary of NT Portion 366 (Jervois Station).

17. A road 100 metres wide (Plenty Highway) from the boundary of NT Portion 482 (Jinka Station) to the boundary of NT Portion 367 (Tarlton Downs).

18. A road 100 metres wide from Jinka Station to the Plenty Highway.

19. A road 100 metres wide (Bonya Access) from the Plenty Highway to NT Portion 2957 (Bonya Aboriginal Community Living Area).

20. A road 100 metres wide (Lucy Creek Access) from the Plenty Highway to the boundary of NT Portion 686 (Lucy Creek).

21. 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:

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

REGISTERED NATIVE TITLE RIGHTS AND INTERESTS:

The following Native Title Rights & Interests were entered on the Register on 07/09/2018

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, except water captured by the holder of a pastoral lease;
- (f) the right to light fires for domestic purposes, but not for the clearance of vegetation;
- (g) 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;
- (h) 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;

(i) 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;

(j) the right to share or exchange natural resources obtained on or from the land and waters, including traditional items made from the natural resources.

(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. 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.

REGISTER ATTACHMENTS:

1. Map of claim area, Attachment A of the application, 1 page - A4, 13/07/2018

2. Native title claim group, Schedule A of the application, 20 pages - A4, 13/07/2018

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.