



Extract from Schedule of Native Title Applications

Application Reference: Federal Court number: NTD6069/2001
NNTT number: DC2001/069

Application Name: Alec Peterson Apetyarr & Ors obo Alyawarr & Kaytetye People (Sandover River) v Northern Territory of Australia

Application Type: Claimant

Application filed with: Federal Court of Australia

Date application filed: 19/12/2001

Current status: Full Approved Determination - 14/10/2014

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: 18/01/2002

Registration decision status: Accepted for registration

Registration history: Registered from 18/01/2002 to 22/10/2014,

Date claim / part of claim determined: 14/10/2014

Applicants: Banjo Morton Apetyarr, Martin Spratt Apetyarr, Linda Dobbs Apwerl, Lulu Teece Apetyarr, Colleen Morton Kngwarrey

Address(es) for Service: Sue Polden
Central Land Council
PO Box 3321
ALICE SPRINGS NT 0871
Phone: (08) 8951 6358

Additional Information

Not applicable

Persons claiming to hold native title:

1. The native title claim group comprises the members of the Aharreng, Akaneng, Akweranty

Anwerret, Alarilpw, Angkeperretyey, Antarrengeny, Areyn, Arlangkw, Arlpaw, Arnawenty Imangker, Atnerlelengk, Atnwengerrp, Ileyarn, Irrerlerr, Kwerrkepenty, Lyentyawel Ilepparranem, Ntewerrek, Pwerrk and Tyaw landholding groups ('the landholding groups'). Those persons according to the traditional laws acknowledged and customs observed by them:

(a) have spiritual, physical and/or historical associations (as described in Schedule F) with the area described in Schedule B ('the application area') and are connected to the area through:

(i) descent from ancestors (including adoption) connected with the application area as described in paragraph 9(a) below; or

(ii) non-descent based connections as described in paragraphs 9(b) and 11 below;

(b) hold the common or group rights and interests comprising the native title in the application area.

2. The application area is located in part of the territory identified with the Alyawarr and Kaytetye people respectively. The common body of traditional laws acknowledged and customs observed by members of the native title claim group govern how rights and interests in land are acquired and who holds them in particular parts of this territory, including the application area. The nineteen landholding groups which together comprise the native title claim group constitute a community or group whose members hold the common or group rights comprising the native title over the application area as a whole.

3. The application area is located in Alyawarr and Kaytetye linguistic territory. However, under the traditional laws acknowledged and customs observed by members of the native title claim group rights in land are not acquired through membership of a language group. Accordingly, linguistic affiliation or language group identity is not necessarily indicative of a person's connection to particular land and waters.

4. The land and waters associated with an estate group are usually named after a prominent site or place in the estate concerned. The nineteen landholding groups which are named after their respective estate areas are affiliated to the following parts of the application area:

(a) Aharreng (comprising six sub-countries) - Ammaroo Station, central Derry Downs Station and south-central Elkedra Station;

(b) Akaneng - boundary region of Murray Downs and Ammaroo Stations;

(c) Akweranty/Anwerret - western Elkedra Station;

(d) Alarilpw - eastern Elkedra Station;

(e) Angkeperretyey - central-western Ammaroo Station;

(f) Antarrengeny (comprising three sub-countries) - southern Murray Downs Station and north-western Elkedra Station;

(g) Areyn (comprising five sub-countries) - northern and north-eastern Derry Downs Station and south-eastern Elkedra Station;

(h) Arlangkw - north-eastern Elkedra Station;

(i) Arlpaw - west-central Murray Downs Station;

(j) Arnawenty Imangker - north-and central Murray Downs Station;

(k) Atnerlelengk - central eastern Murray Downs Station and north-western Elkedra;

(l) Atnwengerrp (comprising four sub-countries) - south-western Ammaroo Station and western Derry Downs Station;

(m) Ileyarn - far north-western Murray Downs Station;

(n) Irrerlerr (comprising three sub-countries) - south-western Derry Downs Station;

- (o) Kwerrkepent - south-western Murray Downs Station;
- (p) Lyentyawel Ilepparranem - north-eastern Murray Downs Station;
- (q) Ntewerrek - south-eastern Derry Downs Station;
- (r) Pwerrke - south-western Murray Downs Station;
- (s) Tyaw- central and northern Elkedra Station.

5. The persons authorised to make the application are members of the following landholding groups:

Banjo Morton Apetyarr: Aharreng, Ntewerrek, Antarrengeny and Akeneng;

Martin Spratt Apetyarr: Antarrengeny;

Linda Dobbs Apwerl: Angkeperretyey, Tway, Arnapwenty/Imangker and Antarrengeny;

Lulu Teece Apetayarr: Aharreng and Antarrengeny;

Colleen Morton Kngwarrey: Aharreng and Antarrengeny.

6. Members of the following landholding groups have previously been recognised as the traditional Aboriginal owners of neighbouring land under the Aboriginal Land Rights (Northern Territory) Act 1976 (Cth) ('ALRA'):

(a) Antarrengeny (Indaringinya): Land Claim by Alyawarra and Kaititja. Report by the Aboriginal Land Commissioner, to the Minister for Aboriginal Affairs, Commonwealth of Australia, 1979.

(b) Akweranty/Anwerret (Anurrete), Arlangkw (Alangkwe/Alangkwa) and Tyaw (Tyawa): Wakaya/Alyawarre Land Claim, Report No. 34. Findings, Recommendation and Report of the Aboriginal Land Commissioner, Mr Justice Olney, to the Minister of Aboriginal Affairs and to the Administrator of the Northern Territory, Australian Government Publishing Service, Canberra, 1991;

(c) Atwengerrp (Irrwely (Erultja) sub-country): Anmatjirra and Alyawarra Land Claim to Utopia Pastoral Lease. Report by the Aboriginal Land Commissioner, Mr Justice Toohey, to the Minister for Aboriginal Affairs and to the Administrator of the Northern Territory, Australian Government Publishing Service, Canberra, 1980. The land comprised in the Atwengerrp Aboriginal Land Trust is scheduled land under Schedule I (Part 3) of the ALRA.

(d) Aharreng - the land comprised in the Aherrenge Aboriginal Land Trust is scheduled land under Schedule I (Part 2) of the ALRA.

7. Members of the following landholding groups have previously been recognised as native title holders of neighbouring land under the Native Title Act 1993 (Cth):

(a) Davenport/Murchison - The Alyawarr, Kaytetye, Warumungu, Wakay Native Title Claim Group v Northern Territory of Australia [2004] FCA 472:

(i) Akweranty/Anwerret;

(ii) Antarrengeny;

(iii) Lyentyawel Ilepparranem; and

(iv) Tyaw.

(b) Singleton - Rex on behalf of the Akwerlpe-Waake, Iliyarne, Lyentyawel Ilepparranem and Arrawatyen People v Northern Territory of Australia [2010] FCA 911:

(i) Ileyarn; and

(ii) Lyentyawel Ileparranem.

(c) Ooratippra - Kngwarrey on behalf of the members of the Irrkwal, Irrmarn, Ntewerrek, Aharreng, Arrty/Amatyerr and Areyn Landholding Groups v Northern Territory of Australia [2011] FCA 428:

(i) Aharreng;

(ii) Areyn; and

(iii) Ntewerrek.

(d) Neutral Junction Kngwarraye on behalf of the members of the Arnerre, Wake-Akwerlpe, Errene and Ileyarne Landholding Groups v Northern Territory of Australia [2011] FCA 765:

(i) Ileyarn.

8. The following groups have been granted Community Living Areas under the Crown Lands Act:

(a) Irrwelty (Atnwengerrp sub-country) - Welere excision on Derry Downs Station (NT Portion 757) - NT Portion 2000 held for an estate in fee simple by the Welere Community Aboriginal Corporation;

(b) Areyn - Areyn excision on Derry Downs Station (NT Portion 1289) - NT Portion 4761 held for an estate in fee simple by the Areyn Aboriginal Corporation;

(c) Arnawenty - Imangker excision on Murray Downs Station (NT Portion 22896) - NT Portion 1600 held for an estate in fee simple by the Imangara Aboriginal Corporation;

(d) Aketepwenty (Antarrengeny sub-country) - Imperrenth and Dinnie excisions on Elkedra Station (NT Portions 3431) - NT Portions 4479 and 6302 respectively held for an estate in fee simple by the Imperrenth Aboriginal Corporation.

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Criteria for Membership of the native title claim group

9. In accordance with the claimants' system of traditional laws and customs in relation to membership of a landholding group and the possession of rights and interests in land the native title claim group comprises all those persons who are:

(a) descendants (by birth or adoption) of one or more of the following named and unnamed ancestors of the landholding groups (the "ancestors"):

AHARRENG (Apetyarr/Kngwarrey)

Mweralpeny Kngwarrey

Alec Peterson Apetyarr (dcd), Banjo Morton Apetyarr, Angeline Clark Apetyarr, Nellie Rubuntja Apetyarr and Cigarette George Apetyarr (dcd) - FFF.

Arketyerreytyer Kngwarrey

Mary Akemarr and Betty Beasley Akemarr - MMM.

Atankety Kngwarrey

Male - no known issue.

Arnkweg Kngwarrey

Jupiter Barnes and siblings - FF.

Yiltyirrpity Kngwarrey

Male - no known issue.

Rosy Anwengalker Kngwarrey

P. Woodman (dcd) - M; Kenny Woodman FM.

Artepelepenty Kngwarrey

Linda Dobbs Apwerl - FM.

Molly Kngwarrey

Julie Wauchope Apwerl - FM.

AKANENG (Apetyarr/Kngwarrey)

Aratilkerk Apetyarr

Nugget Smith Apetyarr (dcd) - FF; Nancy Smith FF.

Unnamed Apetyarr

Male - no known issue.

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Unnamed Apetyarr

Male - no known issue.

Arntetyarrernelhekw Apetyarr

Banjo Morton Apetyarr - MM.

AKWERANTY ANWERRET (Apetyarr/Kngwarrey)

The actual or classificatory children of Arrampemp Kngwarrey.

Jimmy Athelp Apetyarr

Albie Bailey Akemarr - MF

Yepeytew Apetyarr

Kwementyay (Peggy) Wickham Apetyarr - FF.

George Wickham Aywet Apetyarr

Georgina Kngwarrey - F.

Eadie Akipwet Apetyarr

Betty Beasley Akemarr and Eileen Bonney Beasley Akemarr - FM; Nugget Smith Apetyarr (dcd) - MM.

Aperengaper Apetyarr

Female - no known issue.

ALARILPW (Apetyarr/Kngwarrey)

No surviving descent affiliates conclusively identified.

ANGKEPERRETYEY (Apwerl/Akemarr)

The children of an unnamed Akemarr male. His younger sister, Antywerrety Akemarr, had no children.

Arwekwarr Apwerl

Male - no known issue.

Iltyamwenth Apwerl

Doris Elkedra Apwerl, Hector Lewis Apwerl and Linda Dobbs Apwerl - FF.

Alepenh Apwerl

Julie Wauchope Apwerl and siblings - FF.

Ingkwerrperl Apwerl

Dave Ross Akemarr and siblings - MM.

Alpetyeytwak Apwerl

Female - no known issue.

ANTARRENGENY (Apwerl/Akemarr)

The actual or classificatory children of three Antarrengeny-areny Apwerl apical brothers, Alanty Apwerl, Nkaratherr Apwerl and Artyenp Apwerl.

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Unnamed Akemarr

Hilda and Hector Akemarr - FF.

Lyarrrtyw Akemarr

Gilbert Corbett Apwerl - FMM.

Alekwaty Akemarr

Mary Akemarr - FF; Banjo Morton Apetyarr - MF.

Ngalarrelyew or Anreltyenpeyengerr Akemarr

Alec Peterson Apetyarr (dcd)- MF; Sammy Ladd Akemarr - FF.

Altyamper Akemarr

Alfie Bailey Akemarr and siblings - FF.

Kentewelyerr Akemarr

Female - no known issue;

Apengatyepatyep Akemarr

Jackie Beasley Akemarr and Mary Akemarr - MM.

Ilpilperr Akemarr

Reggie Camphoo Apwerl - F.

Nalal Akemarr

Tommy Thomson Kngwarrey - M.

Arnketyarrkaten or Antyenerrek Akemarr

Lucy Dobbs Apwerl - F.

Arlanth Akemarr

Dean Camphoo Apwerl - F.

Old Sarah Arlawenten Akemarr

Georgina Kngwarrey - M; Jackie Holmes Akemarr - MM.

AREYN (Akemarr/Apwerl)

The children (five classificatory siblings and one adoptive) of two classificatory Akemarr brothers, Ilparrkarakerr/Anparkaraty and Lumpy Ilparrkarakerr.

Rayerrp Apwerl

P. Woodman (dcd) - F; Kenny Woodman - FF.

Long Tommy Antyeypeyangker Apwerl (adoptive; Arrtyeler-areny)

Jasper Payne Akemarr - F; P. Woodman (dcd) - step-father.

Rosie Angketyerr-mwenh Apwerl

Jemima Foster - M; Alan Philimack - FM.

Alwerrenganterrek Apwerl

Steven Bob Kngwarrey/Apwerl - FF; Eileen Bonney Beasley Akemarr - MMF.

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Alkenyarerr-Iherrew/Arriper Apwerl

Georgina Kngwarrey - FM; Albie Bailey Akemarr - MFM.

Blind Jennie Mpwekarrkarr Apwerl

No surviving descendants.

ARLANGKW (Akemarr/Apwerl)

Lebara Apwerl

Betty Beasley Akemarr, Topsy Besaley, Jackie Beasley Akemarr, Eileen Bonney/ Beasley Akemarr, Johnny Beasley Akemarr and Joannie Beasley Akemarr - FFF; Nugget Smith Apetyarr (dcd) - MFF.

Apwerl male

Ethel Teague (Smith) Akemarr - FFF; Michael Teague Kngwarrey - MFFF.

Apwerl male

Stephen Bob Kngwarrey/Apwerl - MF.

ARLPAW (Akemarr/Apwerl - Alyawarr; Ampetyane/Thangale - Kaytetye)

The children of Jupiter Apwerl.

Unnamed Akemarr

Two unnamed Apwerl siblings - FF.

Kathy Wilson Akemarr

Ronnie Wilson Kngwarrey and Michael Wilson Kngwarrey - MF.

Patsy Akemarr

No known issue.

ARNAPWENTY IMANGKER (Apetyarr/Kngwarrey - Alyawarr; Apengarte/Kap-etye and

Apenangke/Kngwarreye - Kaytetye)

No surviving descent affiliates.

ATNERLELENGK (Akemarr/Apwerl)

No surviving descent affiliates.

ATNWENGERRP (Akemarr/Apwerl)

The children of an unnamed male Akemarr. His classificatory younger sister, Antalaranerek Akemarr, was Nugget Smith (dcd) Apetyarr's FM. A younger brother, Ateylperr Akemarr, had no known issue.

Akeynan Apwerl

David Lewis Apwerl - FF.

Unnamed Apwerl

Gilbert Corbett Akemarr - FF.

Atnethakert Apwerl

Queenie Akemarr - F.

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Anwengk (or Anarnk) Apwerl

Ron Mills Apwerl - FF.

Atayntek Bill Apwerl

Kingi Ross Apwerl - FF.

Mpwelenk Apwerl

Freddie Camphoo and Lucy Dobbs Apwerl - MM.

Akeypet Apwerl

Linda Dobbs Apwerl - MM.

Iykamp Apwerl

Alfie Bailey and siblings - FMM.

Iykamp Apwerl

Reggie Camphoo Apwerl - MM.

Ngarrantye Apwerl

Male - no known issue.

Tom Angarakw Apwerl

Ada Nelson and Musceley Tommy - F.

ILEYARN (Kngwarraye/Kapetye - Kaytetye)

The descendants of an unnamed male Kngwarraye. His brother, Paddy Kngwarraye, had no known issue.

Tommy 'Galloper' Kapetye

Paddy Jungaloo Kngwarraye and Roger Tommy Kngwarraye and siblings and Maureen Wilson

Kngwarraye - FF.

IRRERLERR (Kngwarrey/Apetyarr - Alyawarr; Peltharre/Kngwarraye - Eastern Arrernte)

The descendants of three Peltharre brothers and one sister.

Unnamed Peltharre

Dudley Petrick Kngwarraye - FFF; Margaret Mary Turner Kemarre - MF.

Ateylilperr Peltharre

Ruby Tracker Peltharre (dcd) - FF; Laney Tracker Apwerl MF.

Unnamed Peltharre

Ada Nelson and Musceley Tommy - MF.

Unnamed female Peltharre

Albie Bailey Akemarr and siblings - FM.

KWERRKEPENTY (Petyarre (or Kapetye)/Kngwarreye - Kaytetye)

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Annie Petyarre

Michael Hayes Pwerle - father's adoptive FM.

Unnamed Petyarre

Female - no known issue.

Topsy Petyarre

Tommy Walkabout Jangala - M.

Alec Petyarre

No known issue.

Unnamed Petyarre

Hilda Brett Akemarr and siblings - FM.

Kitty Petyarre

Noreen Bredd Kemarre and siblings - FM.

Mary Anne Mpwelarr Petyarre

Billy Dempsey Apwerl Akatyerr (deceased) - M; Alec Peterson Apetyarr (dcd) and siblings - MM.

LYENTYAWEL ILEPARRANEM (Kngwarrey/Apetyarr - Alyawarr; Kngwarreye/Kapetye, Apenangke/Apengarte - Kaytetye)

The descendants of two classificatory sisters - Awawerr Apenangke and unnamed Apenangke.

Lyarrtw Akemarr

Female - no known issue.

Alekwyat Akemarr

Alwerr Ruby Apwerl - FM.

Ngalarrellyew Akemarr

His children (all dcd) have surviving children - FFM and MFM.

Jim McLean Jangali

Katie McLean and Topsy - FM.

NTEWERREK (Akemarr/Apwerl)

The actual or classificatory children of an unnamed Apwerl.

Unnamed Akemarr

Ada Nelson - MM.

Billy Akemarr

No known issue.

Polly Raperrkarnek Akemarr

Alec Peterson Apetyarr (dcd) - FM.

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Judy Akernarenek Akemarr

Banjo Morton Apetyarr and Angeline Clark Apetyarr - FM.

Unnamed Akemarr

Female - no known issue.

Alareyl Akemarr

Johnny Barber Kngwarrey - FMF; Roy Rusty - MMF.

Akwet Akemarr

Wagon Willy and Maudie Wartakampey - F.

Atarrkarr Akemarr

Lily Kngwarrey - M.

Iparip Akemarr

Dave Ross - MFM; Lenny Jones Kngwarrey - FM.

Artety or Atengarrampek Akemarr

Ruby Tracker (dcd) - FM.

Alpalangenty Akemarr

Female - descendants not known.

PWERRK (Akemarre/Pwerle)

Peter Manjong Akemarr (son of Pwerrk ancestor Ayengetew Apwerl)

Rosaline, Thea and Christine Nangala - FF.

TYAW (Apwerl/Akemarr)

The actual or classificatory children of an unnamed Akemarr.

Altyekwerr Apwerl

Male - no known issue.

Analty Apwerl

Albie Baliey Akemarr and siblings - MMF.

Tommy Antyeypeyangker Apwerl

Richard Payne Apwerl and siblings - FF.

Antyetyerr Apwerl

Jemima Foster Apetyarr - F; Alan Philimack Kngwarrey - FF; Adrian Mick Akemarr - FFF.

(b) accepted as members of one (or more) of the estate groups by the senior descent based members of the groups on the basis of their non-descent connections to the estate.

10. The named ancestors in paragraph 9(a) are the uppermost generation of the known ancestors of members of the native title claim group.

11. Under the claimants' system of traditional laws and customs a person who is not descended from the ancestors becomes a member of a landholding group when accepted by the senior descent based members of the group on the basis of non-descent connections to the estate. The non-descent criteria that senior members of a landholding group have regard to when considering the recruitment of a particular individual are:

- (a) spiritual identification with and responsibility for an estate;
- (b) conception and/or birthplace affiliation with an estate;
- (c) long-term residence in an estate;
- (d) close kinship ties, including intermarriage;
- (e) shared section/subsection and/or moiety affiliation;
- (f) a more distant ancestral connection to an estate, for example, mother's father's mother;
- (g) possession of secular knowledge of an estate;
- (h) possession of traditional religious knowledge, authority and responsibility for an estate;
- (i) authority and responsibility for shared Dreaming tracks and/or places of significance connected with an estate;
- (j) seniority in traditional matters concerning the claim group and/or the estate. ,

12. The claimants' system of traditional laws and customs includes rules about succession. Traditional succession processes have been recognised in relation to land in the Alyawarr region: see Wakaya/Alyawarre Land Claim, Report No. 34 (1991), paragraphs 5.4, 6.18, 6.19 and 6.20. These processes have occurred in relation to a number of estates in the application area. For example, an area in central-east Derry Downs was formerly affiliated with an estate named Tyapakert. The estate is identified with the Apetyarr/Kngwarrey sections the same section pair affiliation as the neighbouring Aharreng estate. The landholding group had no surviving patri-members and the estate is now acknowledged to be part of the Aharreng estate. Succession has also occurred in relation to Akweranty Anwerret country (Wakaya/Alyawarre Land Claim Report, paragraphs 5.4, 6.19) while Alarilpw estate is being 'looked after' jointly by affiliates of the neighbouring Areyn, Antarrengeny and Aharreng estates in accordance with traditional processes. Additional information about these rules is contained in Schedule F.

13. Under the claimants' system of traditional laws and customs descent is the most important basis for the possession of rights and interests in land. Subject to individual circumstances members of the

landholding groups who are descended from one of the ancestors possess and transmit a wide range of traditional rights and interests.

14. Under the claimants' system of traditional laws and customs rights and interests in land are inherited through all four grandparental lines. However, members of a landholding group with descent connections through father's father and mother's father are generally able to activate the widest range of rights in relation to the estate.

15. Under the claimants' system of traditional laws and customs the range of rights and interests in land possessed by members of a landholding group who are not descended from the ancestors depends on individual circumstances, including the nature and extent of their non-descent connections to the estate. Generally such rights and interests are not transmittable.

16. A number of members of the native title claim group are members of more than one estate group, for example, due to different grandparental links to multiple estates.

Native title rights and interests claimed:

1. To the extent that any extinguishment of native title rights and interests must be disregarded the native title rights and interests that are claimed in relation to the application area are possession, occupation, use and enjoyment to the exclusion of all others.

2. To the extent that any extinguishment of native title rights and interests is not to be disregarded the native title rights and interests of the native title holders are the rights possessed under and exercisable in accordance with their traditional laws and customs, 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 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,

and, subject to the rights of any person arising under the laws in force in the Northern Territory to be present on the land, the right to privacy in the exercise and enjoyment of those activities;

(i) the right to speak for country and 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;

(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.

3. Subject to paragraph 1 and the operation of the non-extinguishment principle where it applies all the rights and interests listed in paragraph 2 above existed and continue to exist in relation to the application area as a whole.

4. Unless any extinguishment of native title rights and interests must be disregarded 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.

5. 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.

6. 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.

7. 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 2.

Application Area:

State/Territory: Northern Territory

Brief Location: South East of Tennant Creek

Primary RATSIB Area: Southern Northern Territory

Approximate size: 18567.5645 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 1290 comprising an area of 1,041 square kilometres held under Perpetual Pastoral Lease No. 1105 by Ammaroo Pty Ltd (part Ammaroo).

2. NT Portion 749 comprising an area of 1,960 square kilometres held under Perpetual Pastoral Lease No. 1105 by Ammaroo Pty Ltd (part Ammaroo).

3. NT Portion 1289 comprising an area of 1,257 square kilometres held under Perpetual Pastoral Lease No. 1107 by David Andrew Weir (part Derry Downs).

4. NT Portion 757 comprising an area of 3,033 square kilometres held under Perpetual Pastoral Lease No. 1107 by David Andrew Weir (part Derry Downs).

5. NT Portion 2286 comprising an area of 5,595 square kilometres held under Perpetual Pastoral Lease No. 1139 by L & S Nominees Pty Ltd (Murray Downs).

6. NT Portion 3431 comprising an area of 5,406 square kilometres 31 hectares held under Perpetual Pastoral Lease No. 1000 by Roy Henry Driver (Elkedra).

7. NT Portion 6302 comprising an area of 30 square kilometres 55 hectares held for an estate in fee simple by

Dinnie Excision (Imperrenth) Aboriginal Corporation as an Aboriginal Community Living Area (Imperrenth ILUA DI2003/012 registered on 14/11/2003).

8. NT Portion 4260 comprising an area of 57 square kilometres being part of the Sandover Stock Route.
9. NT Portion 4868 comprising an area of 30 square kilometres 14 hectares being vacant Crown land (former Reserve 1767).
10. NT Portion 5162 comprising an area of 56 square kilometres being vacant Crown land (part of former Elkedra Stock Route).
11. NT Portion 5163 comprising an area of 81 square kilometres being vacant Crown land (part of former Sandover Stock Route).
12. The area covered by the application and its boundaries are shown on the map referred to in Schedule C.
(b) Any areas within those boundaries that are not covered by the application
13. NT Portion 1600 comprising an area of 84 hectares 7,200 metres located within NT Portion 2286 and held for an estate in fee simple by the Imangara Aboriginal Corporation.
14. NT Portion 2000 comprising an area of 2 square kilometres 56 hectares located within the boundaries of NT Portion 757 and held for an estate in fee simple by the Welere Community Aboriginal Corporation.
15. NT Portion 3802 comprising an area of 15 square kilometres 69 hectares located within the boundaries of NT Portion 5163 and held for an estate in fee simple by the Atnwengerrpe Aboriginal Land Trust.
16. NT Portion 3834 comprising an area of 27 square kilometres 71 hectares located within the boundaries of NT Portions 749 and held for an estate in fee simple by the Aherrenge Aboriginal Land Trust.
17. NT Portion 3903 comprising an area of 2 hectares 2,500 metres located within the boundaries of NT Portion 749 and held for an estate in fee simple by the Australian and Overseas Telecommunications Corp. Ltd.
18. NT Portion 3904 comprising an area of 2 hectares 2,500 metres located within the boundaries of NT Portion 1289 and held for an estate in fee simple by the Australian and Overseas Telecommunications Corp. Ltd.
19. NT Portion 3905 comprising an area of 2 hectares 2,500 metres located within the boundaries of NT Portion 3431 and held for an estate in fee simple by Australian and Overseas Telecommunications Corp. Ltd.
20. NT Portion 4479 comprising an area of 9 square kilometres 10 hectares 9,000 metres located with the boundaries of NT Portion 3431 and held for an estate in fee simple by the Imperrenth Aboriginal Corporation.
21. NT Portion 4761 comprising an area of 4 square kilometres 1 hectare 2,000 metres located within the boundaries of NT Portion 1289 and held for an estate in fee simple by the Areyn Aboriginal Corporation.
22. NT Portion 5018 comprising an area of 1 square kilometre 16 hectares 3000 metres located with the boundaries of NT Portion 2286 and held under Crown Lease Term 1879 by the AustralAsia Railway Corporation.
23. Roads constructed by or on behalf of the Territory as public roads, being the following strips of land 100 metres in width:
 - (a) from the boundary of NT Portion 705 (Angarapa ALT) to the boundary of Derry Downs Station (NT Portion 1289) and from there to the boundary of Ooratippra Station (NT Portion 2981) (Sandover Highway);
 - (b) from the Sandover Highway on NT Portion 749 to Elkedra Station Homestead (NT Portion 3431) (Elkedra Access Road);
 - (c) from the boundary of NT Portion 3375 (Neutral Junction Station) to the boundary of NT Portion 4386 (Erterlapenty ALT) (Murray Downs Road);
 - (d) from the Elkedra Access Road to the boundary of NT Portion 3431 (Elkedra Station) and from there to the junction with the Murray Downs Road;
 - (e) from the boundary of NT Portion 3802 (Atnwengerrpe ALT) to the boundary of NT Portion 705 (Angarapa ALT);
 - (f) from the boundary of NT Portion 717 (Old Macdonald Downs Station) to the boundary of NT Portion 481 (Arapunya Station);
 - (g) from the boundary of NT Portion 599 (Warrabri ALT) to the junction with the Murray Downs Road on NT Portion

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(i) from the boundary of NT Portion 3375 (Neutral Junction Station) to the boundary of NT Portion 1736 (Alyawarra ALT).

24. 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. Maps of Application Area, Attachment A of the Application, 2 pages - A3, 05/04/2012

NNTT Contact Details

Address:	National Native Title Tribunal Melbourne Office Level 10, Commonwealth Law Courts 305 William Street MELBOURNE VIC 3000 GPO Box 9973 MELBOURNE VIC 3001
Telephone:	+61 3 9920 3000
Freecall:	1800 640 501
Fax:	+61 8 9425 1193
Web Page:	www.nntt.gov.au

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