

SCHEDULE A NATIVE TITLE CLAIM GROUP

1. The native title claim group comprises the persons who are *ngurraritja* for the country – Ananta (Umbeara), Kalka (Kulgera), Watju (Mount Cavenagh), Wapirrka (Victory Downs) and Warnukula (Mulga Park) – covered by the application. These persons according to the traditional laws acknowledged and customs observed by them are the Aboriginal persons who, as *ngurraritja* for the area described in Schedule B (the ‘application area’), have a spiritual connection to the area and to the *Tjukurrpa* associated with it because:

- (a) it is their country of birth; or
- (b) they have had a long-term association with the area, possess traditional religious and geographical knowledge of it and have assumed responsibility for the area; or
- (c) they have an affiliation to the area through an ancestor with a connection to the area through birth or through long-term association and possession of traditional religious and geographical knowledge

and they are recognised by other *ngurraritja* as having rights and interests in the area under the traditional laws and customs of the Western Desert.

2. The application area is located in Yankunytjara and Matutjara territory within the Western Desert. 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 the application area. The group rights comprising the native title are held by *ngurraritja* in those parts of the application area with which they have a connection in accordance with the traditional laws and customs of the Western Desert.
3. Members of the native title claim group are affiliated with the Yankunytjara and Matutjara languages respectively. Both are dialects of the Western Desert Language. 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 persons authorised to make the application are *ngurraritja* for the following parts of the application area:

Mick Wikilyiri	Warnukula/Mulga Park
Mary Anderson	Wapirrka/Victory Downs
Donald Grant	Watju/Mt Cavenagh
Richard Shilling	Ananta/Umbeara
Stanley Douglas	Kalka/Kulgera
5. Members of the native title claim group have been recognised as the traditional Aboriginal owners of neighbouring land under the *Aboriginal Land Rights (Northern Territory) Act*

1976 (Cth) and as native title holders under the *Native Title Act 1993* (Cth):

Aputjilpinya group

Claimants associated with Aputjilpi (Kelly Hills) on Mulga Park Station.

Uluru (Ayers Rock) National Park and Lake Amadeus/Luritja Land Claim

Report by the Aboriginal Land Commissioner, Mr Justice Toohey, to the Minister for Aboriginal Affairs and to the Minister for Home Affairs. Commonwealth of Australia: Canberra 1980. Pp 1, 15, 23.

De Rose Hill

Claimants associated with De Rose Hill and parts of the application area.

De Rose v State of South Australia [2002] FCA 1342; *De Rose v State of South Australia* [2003] FCAFC 286.

6. Members of the native title claim have obtained freehold title to the following areas of land within the application area:

NT Portion 3880 Corporation	Mulga Park	Wanarkula	Aboriginal
NT Portion 4698 Corporation	Victory Downs	Wapirka	Aboriginal
NT Portion 4408	Mount Cavenagh	Watju Aboriginal Corporation	
NT Portion 3521	Umbeara (Kulgera)	Ulbullu Aboriginal Corporation	
NT Portion 3319	Umbeara (Kulgera)	Wirrmalanya Aboriginal Corporation	

Membership of the native title claim group

7. In accordance with the claimants' system of traditional laws and customs in relation to the possession of rights and interests in land the native title claim group comprises all those persons who are recognised as *ngurraritja* for the following parts of the application area as described in paragraph 1 above:

WARNUKULA (Mulga Park Station)

Language affiliation: Yangkuntjara

Armunta-Windlass-Stanley Family

Murika/Jenny, the mother of the siblings, Nellie Armunta, Windlass Kunmarnarra and Stanley Kunmarnarra was born at Aputjilpi (Kelly Hills) on Mulga Park. Stanley Kunmarnarra was born on Ulaipa Creek near Mulga Park.

Yilpi Lewis (and siblings): children of Nellie Armunta – long-term association and mother's mother's birth on Warnukula.

Alison Carroll (Milyika) (and siblings): children of Windlass Kunmarnarra – long-term association and father's mother's birth on Warnukula.

Renita Stanley (and siblings): children of Stanley Kunmarnarra – long-term association and father's mother's birth on Warnukula.

Wikilyiri Family

Mick Wikilyiri: long-term association and knowledge of country.

Paniny Wikilyiri: long-term association and knowledge of country.

Malya Mick: son of Mick and Paniny Wikilyiri – birth on Warnukula.

Maringka Tunkin: daughter of Mick and Paniny Wikilyiri – birth and long-term association.

Tjunkara Mick (and siblings): children of Mick and Paniny Wikilyiri – long-term association.

Ajax Family

Lulu Cooley: long-term association and knowledge of country.

Sandy Ajax: long-term association and knowledge of country.

Clancy Ajax (dcd): birth on Warnukula and long-term association.

Brian Ajax: long-term association and knowledge of country

David Ajax: long-term association and knowledge of country

Rankine Ajax: long-term association and knowledge of country

Lloyd Ajax (and sibling): children of Clancy Ajax: father's birth on Warnukula and long-term association.

Umula Family

Audrey Umula: birth on Warnukula. Her children, Michael, Deborah and Isaac, are *ngurraritja* by virtue of their mother's birth on Warnukula.

Bruce Smith Family

Bruce Smith: birth.

Others with a birthplace connection to Warnukula

Tjunkaya Tapaya: birth on Warnukula. Her children, Winima and Joseph (two others deceased), are *ngurraritja* by virtue of their mother's birth on Warnukula.

Ukula Tapaya (dcd): birth on Warnukula. Her children, Makinti and Anthony are *ngurraritja* by virtue of their mother's birth on Warnukula.

Madjakura Brumby Jimmy (Jimmy Brumby) (dcd): birth on Warnukula. See further below under Victory Downs.

WAPIRRKA (Victory Downs Station)

Language affiliation: Yangkunyjtjara/Matutara

Brumby-Ward Family

Madjakura Brumby Jimmy (Jimmy Brumby) (dcd): long-term association with Wapirrkka

and knowledge of the country. His children were Harry Brumby, Maggie Ward (born on Mulga Park Station) and Sandy Brumby.

Ronnie Brumby: long-term association and knowledge of country and ancestral affiliation to Wapirrka through his father, Harry Brumby, and grandfather, Madjakura Brumby Jimmy.

Huey Ward and Kay Ward (dcd): long-term association and knowledge of country and ancestral affiliation to Wapirrka through their mother, Maggie Ward, and grandfather, Madjakura Brumby Jimmy. The children of Kay Ward are *ngurraritja* by virtue of their mother's association with Wapirrka and ancestral affiliation.

Sandy Brumby: ancestral affiliation to Wapirrka through his father Madjakura Brumby Jimmy.

Amandari-Anderson-Allan Family

The antecedents of the Anderson family had long residential and employment associations with Wapirrka commencing with Bull Jimmy (*aka* Jimmy Amandari) who was the social father to the children of Molly and his deceased elder brother, including Betty Anderson. Betty Anderson (dcd) had a long-term association with Wapirrka.

Barbara and Jimmy Anderson (dcd): children of Betty Anderson – long-term association.

Julie Anderson: daughter of Betty Anderson – birth on Wapirrka and long-term association.

Mary Anderson (Tjaruwa): daughter of Betty Anderson – birth on Wapirrka and long-term association.

Bull Jimmy and Molly had two other children, Mavis and Emily. Mavis' daughter **Christine Allan** and Emily's daughter, **Michelle Allan** were born on Wapirrka.

Toby Family

Toby Wakupi had a long-term association and Dreaming connection to Wapirrka.

Clem Toby (Wakupi): son of Toby Wakupi – long-term association, knowledge of country and father's association.

Kathy Roberts (Maringka): daughter of Toby Wakupi – long-term association, knowledge of country and father's association.

Curtis-Cole-Mintuma Family

Roley Mintuma: birth on Wapirrka, long-term association and knowledge of country.

Linda Bray (and sibling (dcd)): daughter of Alunya (Kitty) (dcd) – mother's birth on Wapirrka.

Rodney Ray (and siblings): children of Warnampi (Ray) (dcd) – father's birth on Wapirrka.

Tjutatja Family

Peter Tjutatja was born in South Australia close to the southern boundary of Victory Downs and had a long-term association with the station. His son, Panma/Sandy Williams (dcd) was born on Wapirrka.

Yuminya Ken: daughter of Peter Tjutata – father’s birth in close vicinity to Wapirka, long-term residence on and knowledge of country and her own long-term association.

Tjimpana Williams (and sibling (dcd)): daughters of Panma/Sandy Williams – father’s birth on Wapirka and grandfather’s association with the area.

Mitakiki Family

Michael Mitakiki (dcd) was born on Wapirka, grew up there and maintained an association with the country.

Hector Mitakiki (and siblings): children of Michael Mitakiki – father’s birth on Wapirka.

Curly Family

Unnamed paternal grandfather of the family was born on Wapirka and was associated with the Wapirka *Tjukurpa*.

Jack Curly (Mungata) (and siblings): father’s birth on Wapirka and long-term association. His children, David Curly (dcd), Fairy Stevens, Katie Curly and Anna Curly (dcd): grandfather’s birth on Wapirka, father’s association with the area and their own long-term association and knowledge of country.

Others with a birthplace connection to Wapirka

Amanda Kulyuru: birth on Wapirka.

WATJU (Mount Cavenagh)

Language affiliation: Yankunytjara

Frank-Douglas-Grant Family

Frank Binda Binda (Wallutana) and his wife Molly had a long-term association with Watju and knowledge of the country. Their daughter Millie Frank (dcd) was born on Watju. Their son **Benny Frank** and siblings Horace (dcd) and **David Frank** are reputed to have been born on Watju.

Elaine Walker: daughter of Frank Binda Binda and Molly – long-term association and knowledge of country and parents’ long-term association with country.

Donald Grant: son of Elaine Walker – birth on Watju and long-term association and knowledge of country and mother’s long-term association.

Neville Douglas (and siblings): children of Millie Frank – birth on Watju and long-term association, mother’s birth and grandfather’s long-term association.

Arnie Frank: son of Benny Frank – long-term association, father’s birth on Watju and/or long-term association and father’s father’s country.

De Rose Family

Tilly Yaltjangki: sister of Johnny Wimitja De Rose (born on Watju) and Snowy De Rose – birth on Watju.

Neil (aka Gilligan) Yaltjangki: son of Tilly Yaltjangki – own birth and mother’s birth on Watju. Neil Yaltjangki’s siblings **Pimpi (Amy), Carol, Tiger, Edna and Edith Yaltjangki** – mother’s birth on Watju.

Bradley De Rose (and sibling (dcd)): grandson of Johnny Wimitja De Rose – grandfather’s birth on Watju.

Linda Bray, a daughter of Kitty (Alunya), Roley Mintuma’s sister, was born on Watju (see above Curtis-Cole-Mintuma family in relation Wapirrka). Her son, **Gary Cole**, is *ngurraritja* for Watju by virtue of his mother’s birth there.

KALKA (former Kulgera Station now part of Umbeara)

Language affiliation: Yankunytjara/Matutara

Douglas-Amandara-Smith-Simmons-Wilyuka Families

The children of Blind Billy’s sister (dcd) – Hilda (Payura) (dcd), Peter Amandara (dcd) and Vera Briscoe (dcd) – and of Blind Billy (dcd) and his wife Ngayalpa – Daisy (dcd), Maudie (Morica) Smith (dcd) and Paulus (dcd) – had a long term association with Kalka and knowledge of the country. Their children, who bear the names Douglas, Briscoe, Smith, Penham, Ferguson and Wilyuka, are *ngurraritja* for Kalka.

Stanley Douglas (and siblings): children of Hilda (Payura) – birth on Kalka and long-term association, mother’s long-term association.

Dennis Douglas (and siblings, including Rene Douglas (see below) and Neville Douglas (see Watju above): children of Peter Amandara – birth on Kalka and long-term association, father’s birth on Kalka and long-term association.

Rene Douglas: daughter of Peter Amandara – birth on Kalka and long-term association, father’s birth on Kalka and long-term association.

Nita Ferguson (and sibling (dcd)): daughter of Daisy Simmons (dcd) – birth on Kalka and long-term association, mother’s long-term association.

Christine Ferguson (and siblings (dcd)): daughter of Maudie (Morica) – birth on Kalka and long-term association, mother’s long-term association.

Phillip Wilyuka (and siblings): children of Paulus – birth on Kalka and long-term association, father’s long-term association.

Stuart Family

Jaltana Tommy Stuart had six children, one of whom, Joe Stuart, was born on Kalka. One of his daughters, Rita Hoosen, was born at New Crown, but had a long-term association with Kalka.

Maxine Stuart and Geoffrey Stuart: children of Joe Stuart – father’s birth on Kalka and long-term association.

Pearson Family

David Pearson: son of Mabel Pearson who had a long association with the country – birth

on Kalka and long-term association, mother's long-term association.

Armstrong Family

Daisybelle Multa (dcd): daughter of Toby Armstrong – birth on Kalka and long-term association. Her children, Maureen Multa (and two deceased siblings), are *ngurraritja* by virtue of their mother's birth on Kalka.

Louie Armstrong (dcd): son of Toby Armstrong – birth on Kalka and long-term association. His children, Judy, Phillip, Rosemary and Ruth Armstrong (and two dcd siblings), are *ngurraritja* by virtue of their father's birth on Kalka.

Judy Armstrong: daughter of Toby Armstrong – birth on Kalka, parent's long-term association with area and the burial of Toby on the station. Her children are *ngurraritja* by virtue of their mother's birth on Kalka. Her youngest daughter, Susan, was also born on Kalka.

Goodwin Family

Toby and Molly Goodwin had a long-term residential and work association with Kulgera.

Rupert Goodwin: son of Toby and Molly Goodwin – long-term association and parents' long-term association.

Others with a birthplace connection to Kalka

Sylvia De Rose: birth on Kalka. Her children **Tommy**, **Amanda** and **Germaine/Kenny Mick** [male] – mother's birth on Kalka.

Payula Jack (dcd): birth on Kalka. Her children **Yaritji (Evonne)**, **Joylene** and **Lillian Jack** – mother's birth on Kalka.

ANANTA (Umbeara Station)

Language affiliation: Matutara/Yankunytjara

Pearce-Gilligan-Summerfield-Shilling-Clyne-Taylor Family

Ted Mungkulpi was born on Ananta and had a long-term association with the country. One of his three daughters, Ampy (Claris) Gilligan (deceased), was born on Ananta.

Edie Summerfield: daughter of Ted Mungkulpi – father's birth on Ananta, own long-term association.

Julie Maruntju: granddaughter of Edie Summerfield – great grandfather's birth on Ananta, grandmother's long-term association.

Marie Shilling: daughter of Ted Mungkulpi – father's birth on Ananta (own birth on Kalka).

Richard Shilling (and siblings): son of Marie Shilling – mother's father's birth on Ananta.

Nora Campbell (and siblings): daughter of Ampy (Claris) Gilligan – mother's birth and mother's father's birth on Ananta.

Fanny (Tjingilya) was born on Ananta.

Ronnie Pearce (and siblings (dcd)): children of Fanny – mother's birth on Ananta and long-term association of maternal grandparents.

Della Pearce: daughter of Ronnie Pearce – grandmother's birth on Ananta and father's long-term association.

Daisybelle was born on and/or had a long-term association with Lilla Creek/Umbeara stations. Daisybelle's sister, Maggie Taylor, was born on Ananta. Her half sister was Fanny (Tjingilya).

Daisy (Harris) Clyne (and sibling (dcd)): daughter of Daisybelle – mother's birth on Ananta and/or long-term association and knowledge of country.

Stephen and **Julie Clyne** (and siblings): children of Daisy Harris/Clyne – mother's long-term association and mother's mother's birth on Ananta and/or long-term association and knowledge of country.

Eva Taylor (and siblings): daughter of Maggie Taylor – mother's birth on Ananta and long-term association.

Taylor Family

Nguntiwarlata and her daughter Nyinyingaiya (Molly) were born on Ananta.

Willy Taylor and **Alison Taylor** (dcd) – birth and mother's and mother's mother's birth on Umbeara. Their siblings claim association through their mother's and mother's birth on Umbeara and their own long-term association.

Harry Taylor: son of Nyinyingaiya/ Molly – long-term association and mother's and mother's mother's birth on Ananta.

Myra Taylor/Ah Chee (and siblings, including Harry Taylor): daughter of Nyinyingaiya – mother's and mother's mother's birth on Ananta.

Summerfield-Briscoe-Kenny-Swan-Doolan-Stuart-Warri Family

Teeta is said to have born on Kalka or Lilla Creek/Umbeara Stations. Teeta had two daughters with his first wife, Kanaka and Lily Reid. Kanaki had a long-term association with Ananta/Kalka. She had three children, Percy Summerfield, Don Summerfield and Eileen Briscoe.

Jennifer Summerfield: daughter of Percy Summerfield – birth on Ananta, father's and father's mother's long-term association and knowledge country and great grandfather's association with the area.

Gordon Briscoe: daughter of Eileen Briscoe – mother's mother's long-term association and knowledge country and great grandfather's association with the area.

Sandra Summerfield (and siblings): children of Don Summerfield – father's and father's mother's long-term association and knowledge country and great grandfather's association with the area.

Lily Reid was from Ananta and her daughter, Edie Kenny (Reid), was born there. Edie married and had thirteen children with Jack Kenny: Casey Kenny (dcd), Ronald Kenny (dcd), Nita Kenny, Rhoda Kenny (dcd), Dennis Kenny, Julie Kenny, Mary Kenny, Margaret Kenny, Peter Kenny, Syd Kenny, Reggie Kenny, Shirley Kenny and Marilyn Kenny. Jack Kenny had a long-term association with Umbeara.

The children of Edie and Jack Kenny are *ngurraritja* for Ananta by virtue of their mother's and mother's mother's birth on Ananta and father's long-term association.

Teeta had three children with his second wife, Fanny Doolan, Paddy Stuart and Zedecki Warri. Fanny Doolan and Zedecki Warri were born on Lilla Creek/Umbeara stations.

Raymond Doolan: grandson of Fanny Doolan – mother's mother's birth on Ananta and great grandfather's association with the area.

Mavis Warri (and siblings): daughter of Zedecki Warri – father's birth on Ananta, father's father's association with the area.

Corrigan-Pearson Family

Kutungarta was from Ananta. His son, Dan Corrigan, was born on Ananta and another son Pompey Pearson had a long association with the area.

Daphne Corrigan (and siblings): children of Dan Corrigan – father's and father's father's birth on Ananta.

David Pearson: son of Pompey Pearson – father's long-term association and own association with the country.

8. Succession is not a feature of the Western Desert land tenure system.
9. Under the claimants' system of traditional laws and customs the rights and interests in land possessed by *ngurraritja* are differentially distributed amongst the members of the native title claim group according to their local associations to particular country and associated mythical traditions consistent with customary factors such as age, gender and initiatory status.
10. A number of members of the native title claim group are *ngurraritja* for more than one area within the application area.