



# Extract from Schedule of Native Title Applications

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**Application Reference:** Federal Court number: SAD208/2010  
NNTT number: SC2010/005

**Application Name:** Tjayiwara Unmururu Native Title Claim

**Application Type:** Claimant

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

**Date application filed:** 17/12/2010

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**Current status:** Full Approved Determination - 16/07/2013

**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:** 06/10/2011

**Registration decision status:** Accepted for registration

**Registration history:** Registered from 6/10/2011 to 2/08/2013,

**Date claim / part of claim determined:** 16/07/2013

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**Applicants:** Peter De Rose, Mary Anderson

**Address(es) for Service:** Michael Pagsanjan  
South Australian Native Title Services Limited  
Level 4, 345 King William Street  
ADELAIDE SA 5000  
**Phone:** 08 8110 2800

## Additional Information

Not applicable

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## Persons claiming to hold native title:

Under the relevant traditional laws and customs of the Western Desert Bloc, the native title claim group comprise those Aboriginal people who have a spiritual connection to the Tjayiwara Unmururu Claim Area and the Tjukurpa associated with it because:

- (a) the Claim Area is his or her country of birth (which is also reckoned by the area where his or her mother lived and travelled during pregnancy); and/or
- (b) he or she has had a long-term association with the Claim Area such that he or she has traditional geographical and religious knowledge of that country; and/or
- (c) he or she has an affiliation with the Claim Area through a parent or grandparent with a connection to the Claim Area as specified in sub paragraphs (a) or (b) above; and
- (d) he or she is recognized under relevant Western Desert traditional laws and customs by other members of the native title Claim Group as having rights and interests in the Claim Area;

including the following persons:

1. Jackie Tjutanyakunu and Umatji are acknowledged as apical ancestors for the Tjayiwara/Unmuru native title claim. The biological descendants of this couple are acknowledged as members of the native title claim group and include the Cole, Miller and Curtis families.
2. Lirutja is acknowledged as an apical ancestor for the Tjayiwara/Unmuru native title claim. His biological descendants are acknowledged as members of the native title claim group and include the families of Mintuma and Mitakiki.
3. Nelly Kunyala is acknowledged as an apical ancestor for the Tjayiwara/Unmuru native title claim. Her biological descendants are acknowledged as members of the native title claim group and include the families of Ward, Brumby, and De Rose.
4. Tommy Pirangalku and his two spouses, Minmilya and Mayaru are acknowledged by the claimants as apical ancestors for the Tjayiwara/Unmuru native title claim. Acknowledged as part of the claim group are their descendants who include the families of Whiskey, Winytjin, Russell, Kulyuru, De Rose and Watson.
5. Jimmy Piti Piti and Tjirpawa are acknowledged by the claimants as apical ancestors for the Tjayiwara/Unmuru native title claim. Acknowledged as part of the claim group are their descendants who include the families descended from Snowy De Rose, Johnny De Rose, Nelly Doolan and Tilly Yaltjangki.
6. Joe Angkumpi and Molly Nyungalka are acknowledged as apical ancestors for the Tjayiwara/Unmuru native title claim. Acknowledged as part of the claim group are their descendants who include the Ken, Pearson and Kenmore families.
7. Jackie Walukuta and Annie Ulilya are acknowledged as apical ancestors for the Tjayiwara/Unmuru native title claim. Acknowledged as part of the claim group are their descendants who include the Singer families.
8. Puntjinakunu and Rosie are acknowledged by the claimants as apical ancestors for the Tjayiwara/Unmuru native title claim. Acknowledged as part of the claim group are their descendants who include the families of: Edie Angkaliya and Minnie Nyanu (the Curtis families), Nyulpingka, Palitja, Tjapantjari, and Wikilyiri.
9. Murilinya George and Betty Pinyiri Murilinya are acknowledged as apical ancestors for the Tjayiwara/Unmuru native title claim. Acknowledged as claimants are the descendants of the three sons of this couple and in particular of the Alec Baker family.
10. One of the children of Paddy Uluru and Molly Nyunmiti was Nelly Wilson. She and her descendants are acknowledged as part of the Tjayiwara/Unmuru native title claim group, namely the Wilson family.
11. Jimmy Amantari and Bidy Anderson/Thompson are acknowledged as apical ancestors for the Tjayiwara/Unmuru native title claim. The biological descendants of Jimmy Amantari, his wife Betty (Piti) Anderson and his wife Molly Iwana Stewart are members of the native title claim group.
  - a. They include the biological descendants of Molly Iwana Stewart and the families of: Lucy Lester,

Mavis Allan and Emily Amantari Allan

b. They include the biological descendants of Betty (Piti) Anderson and the families of Barbara Anderson, Julie Anderson and Mary Anderson.

12. Malu and Nyapuru are acknowledged as apical ancestors for the Tjajiwara/Unmuru native title claim. The descendants of their children, Don Corrigan, Lame Tommy Lang, Paddy Nyangkalpi, Owen Pannikin, Tommy Yalda Stuart, Left hand Tommy and Pompey Pearson are acknowledged as members of the claim group.

13. Frank or Jim Mutjutjanu and Rosie Kalykula are acknowledged as apical ancestors for the Tjajiwara/Unmuru native title claim. Their descendants are acknowledged as members of the native title claim group and include the families of Peggy Tjingilya Cullinan, Sandy Sam, the Smiths and the Williams.

14. Frank Tjapantjapan and Unrupa are acknowledged as apical ancestors for the Tjajiwara/Unmuru native title claim. Also acknowledged as members of the claim group are Edie De Rose and her descendants.

15. Kalaya Tjukur and Mangkatjingi are acknowledged as apical ancestors for the Tjajiwara/Unmuru native title claim. Their descendants are families of Ida Smith/Anderson, Pinkie Smith/Anderson and Nyinninga Stewart. Acknowledged as claimants are the families of Howard Doolan and his brother Donald Sampson.

16. Harry Killikan is acknowledged as an apical ancestor for the Tjajiwara/Unmuru native title claim. His wife was Ampa Killikan, and their daughter, Cora Killikan who was born on Tieyon is acknowledged as a claim group member together with her descendants.

**Native title rights and interests claimed:**

1. The nature and extent of the native title rights and interests in relation to the claim area are the rights to use and enjoy the land and waters of the claim area in accordance with the traditional laws and customs being:

- a) the right to access and move about the claim area;
- b) the right to hunt on the claim area;
- c) the right to gather and use the natural resources of the claim area such as food, medicinal plants, wild tobacco, timber, stone and resin;
- d) the right to use the natural water resources on the claim area;
- e) the right to live, to camp and to erect shelters on the claim area;
- f) the right to cook on the claim area and to light fires for all purposes other than the clearance of vegetation;
- g) the right to engage and participate in cultural activities on the claim area including those relating to births and deaths;
- h) the right to conduct ceremonies and to hold meetings on the claim area;
- i) the right to teach on the claim area the physical and spiritual attributes of locations and sites within the claim area;
- j) the right to maintain and protect sites and places of significance to members of the native title claim group under their traditional laws and customs on the claim area;
- k) the right to be accompanied on to the claim area by those people who, though not members of the native title claim group, are:
  - (i) spouses of members of the native title claim group,
  - (ii) people required by traditional law and custom for the performance of ceremonies or cultural activities on the claim area,

(iii) people who have rights in relation to the claim area according to the traditional laws and customs acknowledged by members of the native title claim group,

(iv) people required by members of the native title claim group to assist in, observe, or record traditional activities on the claim area; and

l) The right to make decisions about the use and enjoyment of the claim area by Aboriginal people who recognise themselves to be governed by the traditional laws and customs acknowledged by members of the native title claim group.

2. The native title rights and interests claimed are also subject to the effect of:-

- a) all existing non-native title rights and interests (see, for example, those referred to in Schedule D); and
- b) all laws of South Australia made in accordance with section 19, 22F, 23E or 231 of the Native Title Act; to the extent that these are valid and applicable.

3. A right of exclusive possession is not claimed in relation to any area over which a previous non-exclusive possession act has been made.

**Application Area:**                   **State/Territory:** South Australia  
**Brief Location:** Northern South Australia  
**Primary RATSIB Area:** Greater South Australia  
**Approximate size:** 4397.4931 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 this application is all land and waters subject to:

Pastoral Lease CL1433/13 (Ayers Range South); and

That part of Pastoral Lease CL1628/19 (Tieyon) west of a line drawn between the following two points:

- A point on the northern boundary of Pastoral Lease CL1628/19 (Tieyon) at 133.900000o East; and
- A point on the southern boundary of Pastoral Lease CL1628/19 (Tieyon) at Longitude 133.850000o South.

(b) The areas of land comprising the Stuart Highway, the Central Australian Railway and the Digital Radio Concentrator (parcel A3003 on Plan D35731) are not covered by the application.

**NOTE:**

Non-Freehold and Pastoral Lease data sourced from Dept of Environment and Heritage, SA (February,2009).

Determination boundary data compiled by the National Native Title Tribunal from data sourced from the Dept of Environment and Heritage (SA) and Geoscience Australia.

**Reference Datum**

Geographical coordinates have been provided by the NNTT Geospatial Services and are referenced to the Geocentric Datum of Australia 1994 (GDA94), in decimal degrees and are based on the spatial reference data acquired from the various custodians at the time.

**Use of Coordinates**

Where coordinates are used within the description to represent cadastral or topographical boundaries or the intersection with such, they are intended as a guide only. As an outcome to the custodians of cadastral and topographic data continuously recalculating the geographic position of their data based on improved survey and data maintenance procedures, it is not possible to accurately define such a position other than by detailed ground survey.

Prepared by Geospatial Services, National Native Title Tribunal (25 March 2010)

National Native Title Tribunal

Extract from Schedule of Native Title Applications

SAD208/2010

Page 4 of 5

**Attachments:** 1. Map showing the boundaries of the area covered by the Application, Attachment C of the Application, 1 page - A4, 17/12/2010

**NNTT Contact Details**

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