



3 The schedules to this application contain the following information:

SCHEDULE A NATIVE TITLE CLAIM GROUP [see Act, s 61]

The names (including Aboriginal names) of the persons (the **native title claim group**) on whose behalf the application is made or a sufficiently clear description of the persons so that it can be ascertained whether any particular person is one (1) of those persons.

1. The native title claim group comprises the members of the Amapete, Apwetyerlaneme, Atnweale and Warrtharre 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 with the area described in Schedule B (“the application area”) and are traditionally connected to the area through:
 - (i) descent from ancestors (including adoption) connected with the application area as described in paragraph 7(a) below; or
 - (ii) non-descent based connections as described in paragraphs 7(b) 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 Eastern Arrernte territory. 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 four 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 term “estate” is used to describe the land and waters associated with a landholding group – which are commonly named after a prominent site or place in the estate concerned. The four landholding groups are named after their respective estate areas and affiliated to the following parts of the application area:
 - (a) Amapete – north-eastern;
 - (b) Apwetyerlaneme – north-western and central;
 - (c) Atnweale – northern; and
 - (d) Warrtharre – southern and south-eastern.

The estates extend beyond the boundaries of the application area.

4. The landholding groups are associated with the Eastern Arrernte 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.

5. Members of the native title claim group have been recognised as traditional Aboriginal owners of other land under the *Aboriginal Land Rights (Northern Territory) Act 1976* (Cth) ("the ALRA") and as native title holders under the NTA:

Apwetyerlaneme (also Pwetyalaneme)

Harts Range Land Claim, Report No. 44. Findings, Recommendation and Report of the Aboriginal Land Commissioner, Mr Justice Olney, to the Minister For Aboriginal and Torres Strait Islander Affairs and to the Administrator of the Northern Territory. Commonwealth of Australia 1992. Pp 14, 19.

Warrtharre

Mt Riddock pastoral lease native title determination: *Bloomfield on behalf of the members of the Akerte, Atwele, Irrerlerre, Ulpmerre and Warrtharre Landholding Groups v Northern Territory of Australia* [2017] FCA 335.

Members of the Warrtharre landholding group were found to be traditional owners of Ankweteng country in the Alcoota Land Claim through mother's father, father's mother or mother's mother connections: *Alcoota Land Claim No. 48.* Report and recommendations. Pp 29-31.

Atnweale (also Atnwarle)

Members of the Atnweale landholding group are also claimants in the Jinka Jervois (NTD16/2018) native title determination application. The claimants' connection has been accepted by the Northern Territory of Australia in that proceeding.

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

Banjo Madrill (Warrtharre)

Shirley Neale (Atnweale)

Kevin Bloomfield (Warrtharre)

Raymond Webb (Apwetyerlaneme)

David Blue (Amapete)

Herbie Bloomfield (Warrtharre)



Membership of the native title claim group

7. 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 and subject to paragraph 12) of one or more of the following named and unnamed ancestors of the landholding groups ("the ancestors"):

AMAPETE (Penangke/Peltharre)

Descendants of Blue Bob Ahamareke Penangke (*Amapete-arenye*), whose children were Sammy Blue Alewatyerre Peltharre, Louis Blue Antenhe Peltharre and Kitty Peltharre.

APWETYERLANEME (Penangke/Peltharre)

Descendants of Alkneye Ampelkneke Dick Penangke (*Apwetyerlaneme-arenye*), whose children were Alantye Peltharre, Peltharre [female], Janet Altengirkwereke Peltharre and George Webb/Pound Akwempweke Peltharre.

ATNWEALE (Kemarre/Perrurle)

Descendants of Inkaltereke, whose children were Bob Cleary Kemarre, Irrp-man-wilyinka Carbine Kemarre, Akneyempelkneyeke Dick Kemarre and Lame Jim Kemarre.

WARRTHARRE (Peltharre/Penangke)

Descendants of Marnte Angele (or Marntelpwete) Penangke, whose children were six classificatory siblings Fred Arreyemarnte Peltharre, Johnny Angele Peltharre, Jenny Anyethe Peltharre, Rosie Arlpalerwerke Peltharre, Charlie Bloomfield Tyetyanteye Peltharre and an unnamed Peltharre female.

- (b) accepted as members of one (or more) of the landholding groups by the senior descent based members of the groups on the basis of their non-descent connections to the estate.
8. The ancestors identified in paragraph 7(a) are the uppermost generations of the known ancestors of members of the native title claim group.
9. Under the claimants' system of traditional laws and customs a person can be recruited and recognised (by the senior descent based members of the group) as a member of a landholding group on the basis of non-descent connections to the estate. The non-descent connections 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 traditional religious knowledge, authority and responsibility for an estate;
 - (h) authority and responsibility for shared Dreaming tracks and/or places of significance connected with an estate; or
 - (i) seniority in traditional matters concerning the claim group and/or the estate.
10. Although the claimants' system of traditional laws and customs includes rules about succession there have been no instances of succession in relation to the application area. Additional information about these rules is contained in Schedule F.
11. 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 group through descent possess and transmit a wide range of traditional rights and interests.
12. Under the claimants' system of traditional laws and customs rights and interests in a grandparent's father's estate are inherited through father's father, father's mother, mother's father and mother's mother. However, members of the landholding group with descent connections through father's father and mother's father are generally able to activate the widest range of rights and interests in relation to the estate.
13. 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. Such rights and interests are usually limited to the individual and are not transmittable.
14. 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.