



# Extract from Schedule of Native Title Applications

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**Application Reference:** Federal Court number: QUD6222/1998  
NNTT number: QC1996/105

**Application Name:** Bar-Barrum People v State of Queensland & Others (Bar-Barrum People)

**Application Type:** Claimant

**Application filed with:** National Native Title Tribunal

**Date application filed:** 08/11/1996

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**Current status:** Full Approved Determination - 28/06/2001

**Registration information:** Please refer to the Register of Native Title Claims/National Native Title Register (as appropriate) for registered details of this application.

**Registration decision status:** Accepted for registration

**Registration history:** Registered from 08/11/1996 to 05/07/2001

**Date claim / part of claim determined:** 28/06/2001

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**Old Act\* registered native title claimants:** Mr Thomas Congoo

**Address(es) for Service:** Attention: Peter Poynton  
Terry Fisher & Co  
PO Box 5409  
WEST END QLD 4101  
**Phone:** (070) 581 008

## Additional Information

Not applicable

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## Persons claiming to hold native title:

This application is made on behalf of the Bar-Barrum People, Professional Athnographer Dr. Bruce Sommer has provided a comprehensive list of the Bar-Barrum People. That list is attached as "Attachment A" and the Bar-Barrum people includes the descendants of these persons as well as the named persons.

**Native title rights and interests claimed:**

It is duly noted that "the native title rights and interests claimed are subject to the laws of the state and commonwealth generally and to any other valid acts of adverse dominion."

The Bar-Barrum People are entitled to use, enjoyment and occupation of their lands and waters, in the case of some of the parcels in this application, their rights co-exist with the holders of others rights and interests in the land.

1. Discharge cultural, spiritual, traditional and customary rights, duties, obligations and responsibilities on in relation to, and concerning the native title land including to:

- (i) preserve sights of significance to the native title holders and other Aboriginal people on the native title land;
- (ii) determine, give effect to, pass on, and expand the knowledge and appreciation of their culture and tradition in relation to the land in this application;
- (iii) regard the native title land as part of the inalienable attachment of the native title holders to the native title land and ensure that the use of the native title land is consistent with that attachment;
- (iv) maintain the cosmological relationship, beliefs, practice and institutions through ceremony and proper an appropriate custodianship of the native title land in this application and special and sacred sites, to ensure the continued vitality of culture, and the well-being of the native title holders;
- (v) inherit, dispose of or confer native title rights and interest in relation to the native title land on other in accordance with custom and tradition;
- (vi) determine who are the native title holders;
- (vii) resolve disputes in relation to the native title land.

2. Establish residences on the native title lands

3. Determine use rights in relation to activities which may be carried out by others on the native title land including the right to grant, deny or impose conditions in relation to, activities which may be carried out on the native title land

i) Exercise and carry out economic life (including by way of barter) on the native title lands including to hunt, fish and carry out activities on the native title land, including the creation, growing production or harvesting of natural resources.

4. Have access to and use of the natural resources of the native title land including the right to:-

- i) maintain and use the native title land;
- ii) conserve the natural resources of the native title land;
- iii) safeguard the natural resources of the native title land for the benefit of the native title holders;
- iv) manage the native title land for the benefit of the native title holders;
- v) use the natural resources of the native title land for social, cultural, economic, religious, spiritual, customary and tradition purposes.

**Application Area:** **State/Territory:** Queensland  
**Brief Location:** Atherton Tablelands far Nth Qld  
**Primary RATSIB Area:** Northern Queensland Region  
**Approximate size:** 315.3535 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):**

The area covered by the application is:

Reserve 18 LD 96 Parish of Koorboora, County of Lynd, the camping and water reserve next to Almaden;

Reserve 8 LD 149 Parish of Petford, County of Lynd, the Petford Training Farm Reserve and the following USL blocks:

Lot14 USL 21562, Lot 1 USL 21432, Lot 35 USL 21562, Lot 53 USL 21566, Lot 19 USL 21563, Lot 142 USL 21437, Lot 135 USL 21437, Lot 146 USL 21437, Lot 91 USL 21437, Lot 147 USL 21437, Lot 3 USL 21433, Lot 1 USL 21433, Lot 156 USL 21437, Lot 150 USL 21437, Lot 151 USL 21437, Lot 141 USL 21437, Lot 27 HG 724, Lot 128 USL 21437, Lot 127 USL 21437, Lot 115 USL 21437, Lot 83 USL 21437, Lot 26 HG 723, Lot 100 USL 21437

It is duly noted that "the native title rights and interests claimed are subject to the laws of the state and commonwealth generally and to any other valid acts of adverse dominion."

The application excludes:

- Dedicated roads;
- Dedicated road reserves;
- Creeks or rivers dedicated to the State of Queensland;
- valid grants of freehold land or water;
- other scheduled interests;
- a commercial lease that is neither an agricultural lease nor a pastoral lease;
- an exclusive agricultural lease or exclusive pastoral lease;
- a residential lease;
- a community purpose lease;
- any lease other than a mining lease that confers exclusive possession over particular lands or waters;
- what is taken by subsection 245(3) (which deals with the dissection of mining leases into certain other leases) to be a separate lease in respect of land or waters mentioned in paragraph (a) of that subsection, assuming that the reference in subsection 245(2) to "1 January 1994" were instead a reference to "24 December 1996".
- any area covered by the valid construction or establishment of any public works where the establishment or construction of the public work commenced on or before 23 December 1996.

**Attachments:**

1. Map of claim area A3 (reduced to A4 size), 1 page - A4, 01/06/2001
2. List of Bar-Barrum People referred to in Schedule A, 8 pages - A4, 28/05/1999

**NNTT Contact Details** **Address:** National Native Title Tribunal  
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