



Extract from Schedule of Native Title Applications

Application Reference: Federal Court number: QUD6002/2001
NNTT number: QC2001/002

Application Name: Eastern Yugambeh People

Application Type: Claimant

Application filed with: Federal Court of Australia

Date application filed: 25/01/2001

Current status: Discontinued - 26/07/2002

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: Not Accepted for registration

Registration history: -

Applicants: Wesley Aird, Ian Levinge, Eileen Williams, Rudy Sandy

Address(es) for Service: Terry Fisher & Co
PO Box 5409
WEST END QLD 4101
Phone: 07 3846 5399

Additional Information

Not applicable

Persons claiming to hold native title:

The Eastern Yugambeh People being the descendants of:

Bungaree,

Blow,

Darramlee,

Slab,

Bilin Bilin,

Kipper Tommy,

Warri,

Nellie

The known apical ancestors of the group.

Native title rights and interests claimed:

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

The Eastern Yugambah People are entitled to use, enjoyment and occupation of their lands, seas reefs, and waters, in the case of some of the parcels in this application, their rights co-exist with the holders of other rights and interests in the land. That is to say that they do not claim exclusive possession.

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

(i) Preserve sites of significance to the native title holders and other Aboriginal people on the native title land, reefs and seas;

(ii) determine, give effect to, pass on, and expand the knowledge and appreciation of their culture and tradition;

(iii) regard the native title land, reefs and seas as part of the inalienable attachment of the native title holders to the native title land, reefs and seas and ensure that the use of native title land is consistent with that attachment;

(iv) maintain the cosmological relations, beliefs, practices and institutions through ceremony and proper and appropriate custodian ship of the native title land, reefs and seas 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 interests in relation to the native title land, reefs and seas on others in accordance with custom and tradition;

(vi) determine who are the native title holders;

(vii) resolve disputes in relation to the native title land, reefs and seas.

Establish residences on the native title lands.

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

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

Have access to and use of the natural resources of the native title land, reefs and seas including the right to:

(i) Maintain and use the native title land, reefs and seas;

(ii) Conserve the natural resources of the native title land, reefs and seas;

(iii) Safeguard the natural resources of the native title land, reefs and seas for the benefit of the native title holders.

Manage the native title land, reefs and seas for the benefit of native title holders;

Use the natural resources of the native title land, reefs and seas for social, cultural, economic, religious, spiritual, customary and traditional purposes.

The native title rights and interests claimed are subject to the following qualifications.

1. The applicants do not claim ownership of minerals, petroleum or gas wholly owned by the Crown.
2. The applicants do not claim exclusive possession of any offshore place.
3. 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.

Application Area: **State/Territory:** Queensland
Brief Location: South East Queensland
Primary RATSIB Area: Southern and Western Queensland Region
Approximate size: 1636.8349 sq km
(Note: There may be areas within the external boundary of the application that are not claimed.)
Does Area Include Sea: Yes

Area covered by the claim (as detailed in the application):

-The start point is at the latitude level with the northern most tip of South Stradbroke Island and one kilometre to the east.

From the start point, west and north of Crusoe Island, north of Short Island, east and north of Cobby Cobby Island to the mouth of the Logan River. Follow the middle of the Logan River past the mouth of the Albert River, Continue along the middle of the Logan River to the vicinity of Logan Village.

Then south to the Waterford Tamborine Road. Follow the Waterford Tamborine Road to Tamborine Village. From Tamborine Village, follow the Tamborine Mountain Road along until a point north of The Knoll.

Follow the escarpment to a point two kilometres to the east of Maybury Creek. Then east to the source of Maybury Creek. Follow Maybury Creek south east to the Coomera River.

Follow the Coomera River south to Back Creek.

Follow Back Creek for some four kilometres then south east to Beechmont Road.

Follow Beechmont Road south to a point north west of the intersection of Tony's Creek and the Nerang River.

From the intersection of Tony's Creek and the Nerang River, follow the Nerang River south to the Queensland, New South Wales border.

Follow the Queensland, New South Wales border to Mount Tomewin.

From Mount Tomewin south east for one kilometre and then east to the Bilambil Creek.

Follow Bilambil Creek to Charles Bay.

From that point north east to the middle of the channel south of Big Island.

Then east and north east along Terranora Creek, south of Boyds Bay Bridge.

Then to the seaward side of South Head Breakwater.

then north following the coastline at the low water mark to the Start Point.

Attachment B contains further information on the areas subject to the application within the above mentioned boundary.

Attachments:

1. Map of the Claim Area, 1 page - A3, 23/11/2001
2. Identification of Boundaries, 1 page - A4, 23/11/2001
3. Description of External Boundary, 5 pages - A4, 23/11/2001

NNTT Contact Details

Address: National Native Title Tribunal
Brisbane Office
Level 5, Harry Gibbs Commonwealth Law Courts
119 North Quay
BRISBANE QLD 4000
GPO Box 9973
BRISBANE QLD 4001

Telephone: +61 7 3307 5000
Freecall: 1800 640 501
Fax: +61 7 4046 9050
Web Page: www.nntt.gov.au

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