



Extract from Schedule of Native Title Applications

Application Reference: Federal Court number: QUD495/2006
NNTT number: QC2006/020

Application Name: James Hill & Ors on behalf of the Yirendali People Core Country Claim v State of Queensland & Ors (Yirendali People Core Country Claim)

Application Type: Claimant

Application filed with: Federal Court of Australia

Date application filed: 13/12/2006

Current status: Full Approved Determination - 20/03/2017

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: 17/08/2007

Registration decision status: Accepted for registration

Registration history: Registered from 17/08/2007 to 24/03/2017,

Date claim / part of claim determined: 20/03/2017

Applicants: James Hill, Martina Jacobs, Jeffrey Lammermoor

Address(es) for Service: Jeffrey Dillon
Dillon Bowers Lawyers
PO Box 626
32 Blackwood Street
Townsville QLD 4810
Phone: 07 4721 2477

Additional Information

Not applicable

Persons claiming to hold native title:

1. The native title claim group in relation to the claim area is comprised of all persons descended from the Yirendali ancestors identified in paragraph (2).

2. The Yirendali ancestors referred to in paragraph (1) are more particularly identified as follows:

- o Albert Hill,
- o Henry Major Luco,
- o Philip and Ida Lammermoor,
- o Polly and Kiara (Kyra) (Kara) Christison and
- o Maggie Chermiside

Native title rights and interests claimed:

The rights and interests claimed in relation to

1) Land and waters where there has been no prior extinguishment of Native Title or where section 238 (the non-extinguishment principle) applies:

The native title rights and interests claimed are the right to possession, occupation, use and enjoyment of the claim area as against the whole world, pursuant to the traditional laws and customs of the claim group but subject to the valid laws of the Commonwealth of Australia and the State of Queensland.

2) All remaining land and waters within the claim area the Native Title rights and interests claimed are not to the exclusion of all others and are the rights to use and enjoy the claim area in accordance with the traditional laws acknowledged and customs observed by the Yirendali for the purposes of:

- o accessing land and waters;
- o entering and remaining on the land being claimed;
- o hunting;
- o fishing;
- o gathering and using the products of the claim area such food, medicinal plants, timber, bark, ochres and earths, stone and resin, minerals, and using natural water resources of the area;
- o camping and erecting shelters;
- o engaging in cultural activities;
- o conducting ceremonies and holding meetings;
- o teaching the physical and spiritual attributes of locations and sites;
- o participating in cultural practices relating to births, marriages and deaths on the claim area; and
- o making decisions, pursuant to Aboriginal law and custom about the use and enjoyment of the land by Aboriginal people.

The application does not include a claim for exclusive possession over previous non-exclusive possession act areas as defined under section 23F of the Native Title Act 1993 save where the Native Title Act 1993 and/or the common law allows such a claim to be part of the a Native Title Determination application.

Application Area: **State/Territory:** Queensland
Brief Location: Central Queensland
Primary RATSIB Area: Northern Queensland Region
Approximate size: 40317.0047 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):

1. The area covered by this application ("the claim area") includes all the land and waters inside the external boundary of the claim area.

The external boundary of the claim area is shown on the map and marked "Attachment C", and is also identified by reference to the external boundary description set out in "Attachment B".

2. Areas excluded from the claim area are those where:

i) Subject to (iv), valid acts that occurred on or before 23 December 1996 comprising such of the following that are considered extinguishing acts within the meaning of the Native Title Act 1993 (Cth) as amended, namely:

(a) Category A past acts as defined in s.228 and s.229 of the Native Title Act 1993 (Cth) and

(b) Category A intermediate acts as defined in s.232A and s.232B of the Native Title Act 1993 (Cth);

ii) Subject to (iv), any valid previous exclusive possession act(s), as set out in Division 2B of Part 2 of the Native Title Act 1993 (Cth) done in relation to the claim area and the act(s) were attributable to the Commonwealth or State;

iii) Subject to (iv), any areas over which native title has otherwise been extinguished;

iv) The paragraphs above and below are subject to the provisions of s.47, s.47A and s.47B of the Native Title Act 1993 (Cth) as may apply to any part of the claim area. Areas subject to acts referred to in (2)(i), (ii) & (iii), and (3), to which the provisions of s.47, s.47A and s.47B of the Native Title Act (1993) Cth apply, are not excluded from the claim area.

3. Save that exclusive possession is not claimed over areas that have been subject to valid previous non-exclusive possession act(s), done by the Commonwealth or the State, as set out in Division 2B or Part 2 of the Act.

Attachments:

1. Boundary description, Attachment B of the Application, 5 pages - A4, 12/12/2006
2. QC2006/020 Map of claim area, attachment C of the application, 1 page - A4, 13/12/2006

NNTT Contact Details

Address:	National Native Title Tribunal Cairns Office Level 14, Cairns Corporate Tower 15 Lake Street CAIRNS QLD 4870 PO Box 9973 CAIRNS QLD 4870
Telephone:	+61 7 4046 9000
Freecall:	1800 640 501
Fax:	+61 7 4046 9050
Web Page:	www.nntt.gov.au

End of Extract