



# Extract from Schedule of Native Title Applications

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**Application Reference:** Federal Court number: QUD29/2019  
NNTT number: QC2012/019

**Application Name:** Phillip George & Anor on behalf of the Gkuthaarn and Kukatj People and State of Queensland & Ors (Gkuthaarn and Kukatj People)

**Application Type:** Claimant

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

**Date application filed:** 28/11/2012

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**Current status:** Full Approved Determination - 29/09/2020

**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:** 25/03/2013

**Registration decision status:** Accepted for registration

**Registration history:** Registered from 25/03/2013 to 30/09/2020,

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**Applicants:** Phillip George, Leanne Edwards

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## Additional Information

Not applicable

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## Persons claiming to hold native title:

The members of the native title claim group on whose behalf the application is made are all the descendants of the following apical ancestors including those who have been adopted by them and their descendants in accordance with Gkuthaarn and Kukatj traditional law and custom:

- a. Sisters Nellie, Rosie, Alice and Mabel;
- b. Paddy and Lucy;
- c. Louie Richards;
- d. Harry Hayes; and
- e. Maggie Kukatj and Charlie B;
- f. Jock Inverleigh (also known as Inverleigh Jock); and
- g. Joker Jack.

**Native title rights and interests claimed:**

1. Over areas where a claim to exclusive possession can be recognised (including areas where there has been no prior extinguishment of native title and where section 238 and/or sections 47, 47A and 47B apply), Gkuthaarn and Kukatj People claim the right to possess, occupy, use and enjoy the lands and waters of the application area to the exclusion of all others.

2. Over areas where a claim to exclusive possession cannot be recognised, the following rights and interests are claimed:

- a. The right to access, to remain in and to use those areas for any purpose;
- b. The right to access and to take resources in those areas for any purpose; and
- c. The right to maintain and protect places and objects of significance in those areas.

3. The native title rights are subject to:

- a. the valid laws of the State of Queensland and the Commonwealth of Australia;
- b. the rights conferred upon persons pursuant to the laws of the Commonwealth and the laws of the State of Queensland.

**Application Area:**                    **State/Territory:** Queensland  
**Brief Location:** The application area is located in Far North Queensland and extends from Leichhardt River easterly to the Norman River  
**Primary RATSIB Area:** Carpentaria Gulf Region  
**Approximate size:** 16434.8234 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):**

(a) A description of the area covered by the application is provided at ATTACHMENT B.

(b) Areas within the boundaries described in ATTACHMENT B that are NOT covered by the application are:

1. Any land covered by valid previous exclusive possession acts as defined by section 23B of the *Native Title Act (1993)* (Cth)
2. Exclusive possession is not claimed over areas which are subject to valid previous non-exclusive possession acts done by the Commonwealth, State or territory.

3. Where an act specified in paragraphs 1 and 2 affects land or waters referred to in Part 2 Division 4 (more specifically sections 47, 47A and 47B) of the *Native Title Act (1993)* (Cth) as amended from time to time, the area covered by the act is not excluded from the application.

4. The area covered by the application excludes land or waters where the native title rights and interests claimed have been otherwise extinguished.

5. The area covered by the application excludes the following:

a. Areas subject to railway leases, being the following lots:

i. Lot 4 on B14467;

ii. Lot 21 on SP112712;

iii. Lot 31 on SP112713;

iv. Lot 32 on SP112713;

v. Lot 33 on SP112713;

vi. Lot 34 on SP112713;

vii. Lot 41 on SP112714;

viii. Lot 51 on SP112715;

ix. Lot 52 on SP112715;

x. Lot 4 on SP112914;

xi. Lot 6 on SP112914;

xii. Lot 9 on SP112914;

xiii. Lot 29 on SP139310;

b. Public works under section 24JB of the *Native Title Act (1993)*(Cth); and

c. Pre-existing Rights Based Acts under section 24IB of the *Native Title Act (1993)*(Cth).

More information is provided and labelled ATTACHMENT B

**Attachments:**

1. External Boundary Description, Attachment B of the application, 2 pages - A4, 18/08/2020

2. Map of Application Area, Attachment C of the application, 1 page - A4, 18/08/2020

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End of Extract