

FEDERAL COURT OF AUST

Native Title - application under the *Native Title Act* for a determination of permanent native title in relation to lands and waters at Hopevale, north of Cooktown - referral by the Registrar of the National Native Title Tribunal to the Federal Court pursuant to s 74 of the Act - order made by a Judge of the Court under s 87 of the Act after agreement reached between the parties.

Native Title Act 1993 - ss 56(2); 57(2) and (3); 87(1)(a)(i) and (2)

Buck v State of New South Wales, Lockhart J, 7 April 1997, unreported - cons.

**ERICA DEERAL (ON BEHALF OF HERSELF AND THE GAMAAY PEOPLES) &
ORS v GORDON CHARLIE & ORS**

QG 174 OF 1997

**JUDGE: BEAUMONT J.
PLACE: CAIRNS
DATE: 8 DECEMBER 1997**

IN THE FEDERAL COURT OF AUSTRALIA
QUEENSLAND DISTRICT REGISTRY

QG 174 of 1997

BETWEEN: ERICA DEERAL (ON BEHALF OF HERSELF AND THE GAMAAY PEOPLES), PHILLIP BARU (ON BEHALF OF HIMSELF AND THE DINGAAL PEOPLES), BERTIE GORDON (ON BEHALF OF HIMSELF AND THE NUGAL PEOPLES), HERMAN BAMBI (ON BEHALF OF HIMSELF AND THE THUUBI PEOPLES), BRIAN COBUS (ON BEHALF OF HIMSELF AND THE NGUURRUMUNGU PEOPLES), WAYNE COATS (ON BEHALF OF HIMSELF AND THE DHARRPA PEOPLES), PAT WALLACE (ON BEHALF OF HIMSELF AND THE BINHTHI PEOPLES), EDDIE DEEMAL (ON BEHALF OF HIMSELF AND THE THITHAARR PEOPLES), HECTOR MICHAEL (ON BEHALF OF HIMSELF AND THE THANIL PEOPLES), GEORGE ROSENDALE (ON BEHALF OF HIMSELF AND NGUYMBAARR NGUYMBAARR PEOPLES), TERRENCE JACKO (ON BEHALF OF HIMSELF AND THE NGAATHA PEOPLES), MARTIN JAMES (ON BEHALF OF HIMSELF AND THE GULAAL PEOPLES) JOINTLY, AND IN THEIR CAPACITIES AS REPRESENTATIVES OF THEIR RESPECTIVE CLANS; AND BERTIE GORDON, HERMAN BAMBI, PAT WALLACE, EDDIE DEEMAL AND TERRENCE JACKO IN THEIR RESPECTIVE CAPACITIES JOINTLY ON BEHALF OF THE BUURNGA PEOPLES
Applicants

AND: GORDON CHARLIE
First Respondent

STATE OF QUEENSLAND
Second Respondent

HOPEVALE ABORIGINAL COUNCIL
Third Respondent

CAPE FLATTERY SILICA MINES PTY LIMITED
Fourth Respondent

COOK SHIRE COUNCIL
Fifth Respondent

FAR NORTH QUEENSLAND ELECTRICITY CORPORATION
Sixth Respondent

TELSTRA CORPORATION LIMITED
Seventh Respondent

ROBERT WILLIAM DUNN BY HIS AGENT THE QUEENSLAND
COMMERCIAL FISHERMEN'S ORGANISATION
Eighth Respondent

AUSTRALIAN MARITIME SAFETY AUTHORITY
Ninth Respondent

CAPE YORK LAND COUNCIL ABORIGINAL CORPORATION
Tenth Respondent

JUDGE: BEAUMONT J.

DATE OF ORDER: 8 DECEMBER 1997

WHERE MADE: CAIRNS

ORDERS:

1. Order that a determination of native title be made in the terms of the determination annexed to these reasons.

Note: Settlement and entry of orders is dealt with in Order 36 of the Federal Court Rules.