



Extract from the Register of Native Title Claims

Application Information

Application Reference: Federal Court number: QUD33/2019
NNTT number: QC2012/009

Application name: Lynette Gail Blucher & Ors on behalf of the Gaangalu Nation People and State of Queensland & Ors (Gaangalu Nation People)

Registration History: Registered from 15/11/2012

Register Extract (pursuant to s. 186 of the *Native Title Act 1993*)

Application filed with: Federal Court of Australia

Date application filed: 20/08/2012

Date claim entered on Register: 15/11/2012

Applicants: Lynette Gail Blucher, Lynette Ann Anderson, Lillian May Harrison, Rodney John Jarro, Margaret Jennifer Kemp, Kevina Fay Suey

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Additional Information:

Not Applicable

DESCRIPTION OF THE AREA COVERED BY THE CLAIM:

The area covered by the application is described in Attachment B.

The areas within those described boundaries which are not covered by the application are:

1. any land or waters that is or has been covered by:
 - (a) a Scheduled Interest
 - (b) a freehold estate
 - (c) a commercial lease that is neither an agricultural lease nor a pastoral lease
 - (d) an exclusive agricultural lease or an exclusive pastoral lease
 - (e) a residential lease
 - (f) a community purpose lease
 - (g) a lease dissected from a mining lease and referred to in s23B(2)(c)(vii) of the Native Title Act 1993 (Cth) ("the Act")
 - (h) any lease (other than a mining lease) that confers a right of exclusive possession over particular land or waters

(i) Lot 1 on SP235822, County of Humboldt Parish of Blackwater (being the determination area in the Blackwater Accommodation Village Determination (unopposed non-claimant application QUD 250 of 2010), 12 April 2011, and
(j) Lot 1 on SP246036, being the determination area in the Qantac Pty Ltd non-claimant application QUD188 of 2012, 9 September 2013.

2. Subject to paragraphs 4 and 5, the area covered by the application excludes any land or waters covered by the valid construction or establishment of any public work, where the construction or establishment of the public work commenced on or before 23 December 1996.

3. Subject to paragraphs 4 and 5, exclusive possession is not claimed over areas that are subject to valid previous non-exclusive possession acts done by the Commonwealth or State of Queensland.

4. Subject to paragraph 6, where the act specified in paragraphs 1,2 and 3 falls within the provisions of:

- s23B(9)- Exclusion of acts benefiting Aborigines or Torres Strait Islanders
 - s23B(9A) - Establishment of a national or State park
 - s23B(9B) - Exclusion of acts where legislation provides for non-extinguishment
 - s23B(9C) - Exclusion of Crown to Crown grants, or
 - s23B(10) - Exclusion by regulation,
- the area covered by the act is not excluded from the application.

5. Where the act specified 111 [in] paragraphs 1, 2 and 3 affects or affected land or waters referred to in: within the provisions of:

- s47 - Pastoral leases etc covered by claimant application
 - s47A - Reserves etc covered by claimant application, or
 - s47B - Vacant Crown land covered by claimant application
- the area covered by the act is not excluded from the application.

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

PERSONS CLAIMING TO HOLD NATIVE TITLE:

The Gaangalu Nation native title claim group comprises all persons who are biologically descended from the following deceased ancestors, all of whom are recognised by the living Gaangalu claim group members as having been Gaangalu:

- Maggie of Dingo
- Bidy of Wooroona
- Sandy of Wooroona
- Henry Williams of Duaringa
- Jack (of Coomooboolaroo)
- Billy Mickelo
- Claude and Anne Anderson
- Rose Ann Tyson
- Bidy (wife of Jumbo)
- Lizzy Tiger (Blackwater)
- Blanche of Duaringa
- Annie French
- Polly Doctor
- Annie of Orion Downs
- Peter Tyson
- Lily of the McKenzie River Bend
- Violet Thompson
- Jenny Doctor [not the daughter of Polly Doctor]
- Queenie (Hart) of Duaringa
- (Brothers) Charlie, Willie and George Riley
- Lily/Lilla Livingstone
- William Toby
- Nellie of Planet Downs
- Myra Freeman
- Sarah Dodd, and
- Mary Ann Crook.

REGISTERED NATIVE TITLE RIGHTS AND INTERESTS:

The following Native Title Rights & Interests were entered on the Register on 18/12/2019

The nature and extent of the native title rights and interests in relation to the land and waters are the rights, in non-exclusive areas, to:

- (a) access, be present on, move about on and travel over the area;
- (b) to occupy, use and camp on the area, but not to reside permanently, and for that purpose to construct non-permanent structures;
- (c) hunt, fish and gather on the land and waters of the area for personal, domestic, and non-commercial communal purposes;
- (d) take, use, share and exchange natural resources from the land and waters of the area for personal, domestic and non-commercial communal purposes;
- (e) take and use the Water of the area for personal, domestic and non-commercial communal purposes;
- (f) conduct ceremonies on the area;
- (g) maintain places of importance and areas of significance to the native title holders under their traditional laws and customs and protect those places and areas from physical harm;
- (h) teach on the area the physical and spiritual attributes of the area;
- (i) light fires on the area for domestic purposes including cooking, but not for the purpose of hunting or clearing vegetation; and
- (j) be buried and bury native title holders within the area.

REGISTER ATTACHMENTS:

1. External Boundary Description, Attachment B of the application, 6 pages - A4, 30/10/2019
2. Map of claim area, Attachment C of the application, 1 page - A4, 30/10/2019

Note: The Register of Native Title Claims may, in accordance with s. 188 of the Native Title Act 1993, contain confidential information that will not appear on the Extract.