National Native Title Tribunal

Extract from the Register of Native Title Claims

Application Information

Application Reference:	**Federal Court number:** QUD85/2004 **NNTT number:** QC2004/006
Application name:	Adrian Burragubba & Ors on behalf of the Wangan and Jagalingou Peoples v State of Queensland & Ors (Wangan and Jagalingou People)
Registration History:	Registered from 5/07/2004

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

Application filed with:	Federal Court of Australia
Date application filed:	27/05/2004
Date claim entered on Register:	05/07/2004
Applicants:	Adrian Burragubba, Patrick Malone, Irene White, Lyndell Turbane, Priscilla Gyemore, Craig Dallen, Linda Bobongie, Norman Johnson Jnr, Gwendoline Fisher, Les Tilley, Delia Kemppi, Lester Barnard
Address for service:	Andrea Olsen Senior Legal Officer Queensland South Native Title Services Limited Level 10, 307 Queen Street (PO Box 10832, Adelaide Street) BRISBANE QLD 4000 **Phone:** (07) 3224 1200 **Fax**: (07) 3229 9880

Additional Information:

Not Applicable

DESCRIPTION OF THE AREA COVERED BY THE CLAIM:

Information identifying the boundaries of:

a) the area covered by the application; and
b) any areas within those boundaries that are not covered by the application. The application area is attached hereto

(a) All areas where native title has otherwise been extinguished are excluded from this application.
(b) Areas which are subject to valid previous exclusive possession acts ((PEPAs) are excluded from this application.
(c) Exclusive possession is not claimed over areas which are subject to valid previous non-exclusive possession acts

done by the Commonwealth or State.

“Attachment B” sets out the relevant coordinates of the claim.

PERSONS CLAIMING TO HOLD NATIVE TITLE:

The native title claim group is made up of families whose members identify as Wangan and Jangalingou, in accordance with traditional laws acknowledged and traditional customs observed by them. Wangan and Jagalingou are tribal names for groups traditionally associated with the lands centered around the town of Clermont in Central Queensland.

Membership of the native title group must be in accordance with traditional laws acknowledged and traditional customs observed by them and is based on the principle of cognatic descent (i.e. descent traced through either mother or father). Including by adoption. Case of [sic] do not significantly alter the status of the claimant's descent rights neither do they compromise the identification of the group into which the child is adopted.

Claimants who identify with the name Wangan and Jagalingou are descendants of the following persons:

1. Billy and Lucy (parents of Jimmy Tarpot, Mary Ann Alboro and Mary Ellen)
2. Daisy Collins
3. Nellie Digaby
4. Dan Dunrobin (also known as Dunrobin, Christopher Dunrobin and Dan Robin)
5. Frank Fisher (Snr) of Clermont
6. Annie Flourbag
7. Jimmy Flourbay
8. Katy of Clermont
9. Charlie McAvoy of Logan Downs
10. Liz McEvoy of Alpha
11. Maggie of Clermont (also known as Maggie Miller and Nandroo)
12. The Mother of Jack (Girrabah) Malone and Jim (Conee) Malone
13. Mary of Clermont (also known as Mary Johnson)
14. Momitja

REGISTERED NATIVE TITLE RIGHTS AND INTERESTS:

The following Native Title Rights & Interests were entered on the Register on 05/07/2004

Rights and Interests

1. Over areas where a claim to exclusive possession can be recognised (such as areas where there has been no prior extinguishment of native title or where s238, ss47, 47A or 47B apply), the Wangan and Jagalingou People claim the right to possess, occupy, use and enjoy the lands and waters of the application area as against the whole world, pursuant to the traditional laws and customs of the claim group.

2. Over areas where a claim to exclusive possession cannot be recognised the Wangan and Jagalingou claim the following rights and interests:

(a) To access, be present on, move about on and travel over the area
(b) To camp on the area and for that purpose, erect temporary shelters on the area
(c) To hunt, fish and gather on the land or waters of the area for personal, domestic and non-commercial communal purposes
(g) To have access to, take and use natural resources from the land and waters of the area for personal, domestic and non-commercial communal purposes
(i) To conduct ceremonies in the area
(j) To maintain places of importance and areas of significance to the native title holders under their traditional laws and customs and protect those places
(k) Teach on the area the physical and spiritual attributes of the area
(l) To be buried or bury native title holders on the area
(m) To live on the application area
(n) To move about the application area
(p) To make decisions about the use and enjoyment of the area by Aboriginal people who recognise themselves to be governed by the traditional laws and customs acknowledged and observed by the native title holders

(q) To transmit the cultural heritage of the native title claim group including knowledge of particular sites

3. The native title rights are subject to and exercisable in accordance with:

a) The valid laws of the State of Queensland and the Commonwealth of Australia;
b) The traditional laws acknowledged and the traditional customs observed by native title holders.

REGISTER ATTACHMENTS:

1. Attachment B Written Description of claim area, 6 pages - A4, 14/08/2014

2. Attachment C Map of claim area, 1 page - A4, 14/08/2014

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.