



Extract from the Register of Native Title Claims

Application Information

Application Reference: Federal Court number: QUD25/2019
NNTT number: QC2004/006

Application name: Patrick Malone & Ors v State of Queensland & Ors (The Clermont-Belyando Area Native Title Claim)

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: Patrick Malone, Irene Simpson, Lyndell Turbane, Priscilla Gyemore, Gregory Dunrobin, Elizabeth McAvoy, Norman Johnson Jnr, Ida Bligh

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Additional Information:

Not Applicable

DESCRIPTION OF THE AREA COVERED BY THE CLAIM:

- (a) All areas where native title has otherwise been extinguished are excluded from this application
- (b) Areas which are subject to valid 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 area.

PERSONS CLAIMING TO HOLD NATIVE TITLE:

The native title claim group comprises the descendants of one or more of the following people:

1. Billy and Lucy (parents of Jimmy Tarpot, Mary Ann Alboro and Mary Ellen)
2. Dan Dunrobin (also known as Dunrobin, Christopher Dunrobin and Dan Robin)
3. Frank Fisher (Snr) of Clermont
4. Jimmy Flourbag
5. Charlie McAvoy of Logan Downs
6. Liz McEvoy of Alpha
7. The Mother of Jack (Girrabah) Malone and Jim (Conee) Malone
8. Mary of Clermont (also known as Mary Johnson)

REGISTERED NATIVE TITLE RIGHTS AND INTERESTS:

The following Native Title Rights & Interests were entered on the Register on 07/05/2020

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 claim group claim the right to possess, occupy, use and enjoy the lands and waters of the claim area to the exclusion of all others.
2. Over areas where a claim to exclusive possession cannot be recognised, rights:
 - (a) To access, be present on, move about on and travel over the claim area;
 - (b) To camp, and erect temporary shelters, on the claim area for that purpose;
 - (c) To hunt, fish and gather in the claim area for personal, domestic and non-commercial communal purposes;
 - (d) To take, use and share natural resources from the claim area for personal, domestic and non-commercial communal purposes;
 - (e) To take and use the water of the area for personal, domestic and non-commercial communal purposes;
 - (f) To hold meetings on the claim area;
 - (g) To conduct ceremonies on the claim area;
 - (h) To maintain places of importance and areas of significance to the native title claimants under their traditional laws and customs and protect those places and areas from physical harm;
 - (i) To teach the physical and spiritual attributes of the claim area, on the claim area;
 - (j) To bury, and be buried by, native title claimants on the claim area;
 - (k) To light fires on the claim area for domestic purposes including cooking, but not for the purpose of hunting or clearing vegetation.
 - (l) To live on the claim area.
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. External Boundary Description, Attachment B of the application, 6 pages - A4, 20/02/2020
2. Map of Claim Area, Attachment C of the application, 1 page - A4, 20/02/2020
3. NNTT Map of Claim Area, 1 page - A4, 20/02/2020

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.