



Extract from the Register of Native Title Claims

Application Information

Application Reference: Federal Court number: QUD728/2017
NNTT number: QC2017/014

Application name: John Alvoen & Ors on behalf of the Wakaman People #4 and State of Queensland (Wakaman People #4)

Registration History: Registered from 22/03/2018

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

Application filed with: Federal Court of Australia

Date application filed: 19/12/2017

Date claim entered on Register: 22/03/2018

Applicants: John Alvoen, William Thomas, Robyn Hooley, Raelene Madigan, Carol Payne

Address for service: Chris Harriss
Senior Legal Officer
North Queensland Land Council
PO Box 679N
NORTH CAIRNS QLD 4870
Phone: (07) 4042 7000
Fax: (07) 4031 9489

Additional Information:

Not Applicable

DESCRIPTION OF THE AREA COVERED BY THE CLAIM:

See Attachment B

PERSONS CLAIMING TO HOLD NATIVE TITLE:

The Wakaman People native title claim group is comprised of the descendants (including through adoption or raising up in accordance with traditional laws and customs) of the following apical ancestors:

- a. Jimmy and Winnie, parents of Maude Byrne and grandparents of Jinnie Pearson, Joe Dosetta Jnr and Rita Hall;
- b. Mick McTavish Snr, father of Jessie Chong and Fred Fulford, and grandfather of Daisy Thomas;

- c. William and Emily Fulford, parents of Henry Fulford;
- d. Spider and Kitty, parents of Maggie grandparents of Harold Jackson, Jubilee Jackson, Phoebe Jackson and Maggie Fox;
- e. Pluto Brumby, father of Jack Brumby, Mabel Kew and Maude Robin;
- f. Jinnie Denford, mother of Alick Brown and May Ezzy aka May Brown;
- g. Micky Atherton, father of Roley Cameron;
- h. Billy Garbutt and Lucy aka Lizzie, parents of Margaret Maude and grandparents of Albert Thomas, Louise Malthouse, Maude Ludwick and Agnes Henry;
- i. Kandjuldi and Ngululinjeir, parents of Charlie Oak Park aka Charlie Leftbridge;
- j. Bujulimba, mother of Phil Alpin Snr and grandmother of Phil Alpin Jnr;
- k. Nellie, mother of Ruby Riley nee Alpin, Phil Alpin Jnr and Herbert Alpin aka Herbert Brown;
- l. Harry Croydon, father of Jerry Croydon;
- m. Darby and Dick, parents of Jessie Croydon and grandparents of Jerry Croydon;
- n. Jaingkali aka Nellie Hackett aka Minnie Chillagoe and her partners Geramutami and Bomarana, parents of Frank Hudson, Minnie Sandy and Lucy;
- o. Jenny and Billy, parents of Rosie Rosendale (wife of Louis Rosendale and William Maytown aka William Dolo);
- p. Lizzy Marr, mother of Elma Marr (wife of Leo Rosendale);
- q. Maggie, mother of Charlie Brown and Bob Brown;
- r. Pearl and Charlie Chillagoe, parents of Alex Chillagoe and grandparents of Bethel Andrews, Jane Wallace, Mildred McLeod and Jessima York;
- s. Mitchell Dodd;
- t. Charlie and Polly, parents of Larkin aka Larkie Ferguson and Jackie Hackett; and
- u. Siblings Kathleen and Nancy Robinson.

REGISTERED NATIVE TITLE RIGHTS AND INTERESTS:

The following Native Title Rights & Interests were entered on the Register on 22/03/2018

The rights and interests claimed in relation to:

1) Land and waters where there has been no prior extinguishment of Native Title or where section 238 (the non-extinguishment principle) applies:

The native title rights and interests claimed are the right to possession, occupation, use and enjoyment of the claim area as against the whole world, pursuant to the traditional laws and customs of the claim group but subject to the valid laws of the Commonwealth of Australia and the State of Queensland.

2) All remaining land and waters within the claim area the Native Title rights and interests claimed are not to the exclusion of all others and are the rights to speak for country, be present on, have access to and use the claim area and its cultural resources, namely the right to:

- a. occupy the claim area;
- b. use the claim area;
- c. access the claim area;
- d. traverse the claim area;

- e. enjoy the claim area;
- h. camp on the claim area;
- i. erect structures on the claim area including those that are both temporary and permanent;
- j. hunt on the claim area;
- k. fish on the claim area;
- l. gather on the claim area;
- m. light fires on the claim area for domestic purposes, including but not restricted to, cooking and warmth;
- n. light fires on the claim area for hunting purposes;
- o. light fires on the claim area for clearing vegetation and regenerating growth of natural resources;
- p. conduct religious activities on the claim area;
- q. conduct religious ceremonies on the claim area;
- r. conduct spiritual activities on the claim area;
- s. conduct spiritual ceremonies on the claim area;
- v. interact with the spirits and ancestral beings on the claim area;
- w. maintain places of importance under traditional laws and customs on the claim area;
- x. protect places of importance under traditional laws and customs on the claim area from physical harm;
- y. teach on the claim area the physical and spiritual attributes of the claim area;
- z. consume natural resources on the claim area;
- aa. share natural resources on the claim area;
- bb. exchange natural resources on the claim area;
- cc. harvest natural resources on the claim area;
- dd. construct material items from natural resources on the claim area including but not restricted to shields, baskets, bagu, and items of adornment;
- gg. practice traditional bush medicine on the claim area;
- hh. produce traditional bush medicines in the claim area;
- ii. consume traditional bush medicines in the claim area;
- ll. bury deceased claim group members on the claim area;
- mm. be buried on the claim area.

The asserted native title rights and interests are subject to:

- (a) Valid laws of the State of Queensland and the Commonwealth of Australia;
- (b) Rights past and present conferred upon persons pursuant to the valid laws of the Commonwealth and the laws of the State of Queensland; and

The asserted native title rights and interests:

- (a) Do not include a claim to ownership of any minerals, petroleum or gas wholly owned by the Crown in a manner which is inconsistent with continuing native title rights and interests residing in those substances;

(b) Will not apply if they have been extinguished in accordance with valid State or Commonwealth laws.

Note: Natural resources includes but is not limited to ochres, clays, stones, sand, plants, fruits, grasses, bark and waters.

REGISTER ATTACHMENTS:

1. Attachment B Area Description, 2 pages - A4, 01/03/2018
2. Attachment C Map of claim area, 1 page - A3, 01/03/2018

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.