



Extract from Schedule of Native Title Applications

Application Reference: Federal Court number: QUD6010/1998
NNTT number: QC1995/002

Application Name: Ian Delaney on behalf of the Quandamooka People # 1 and State of Queensland & Ors (Quandamooka)

Application Type: Claimant

Application filed with: National Native Title Tribunal

Date application filed: 03/01/1995

Current status: Full Approved Determination - 09/12/2011

Registration information: Please refer to the Register of Native Title Claims/National Native Title Register (as appropriate) for registered details of this application.

Registration decision status: Accepted for registration

Registration history: Registered from 08/09/1995 to 15/12/2011

Date claim / part of claim determined: 04/07/2011

Old Act* registered native title claimants: Dale Alfred Eugene Ruska and Ian Delaney

Address(es) for Service: Shahzad Rind
Queensland South Native Title Services
Level 4, 370 Queen Street
(PO Box 10832, Adelaide Street)
BRISBANE QLD 4000
Phone: (07) 3224 1200

Additional Information

Not applicable

Persons claiming to hold native title:

The Native Title Group on whose behalf this application is made is the Quandamooka People who are the biological descendants of the following people:

- a. Nellie/Lilly Kidgeree
- b. Mary Indoole Compignie
- c. Elizabeth Ruska
- d. Charlie Moreton (Dandruba)
- e. Sidney Rollands (Kingal/Winyeeaba)
- f. Lillian Lyons (Dungoo)
- g. King Billy Toompani
- h. Juno (Gonzales)
- i. Liza Jungerboi (mother of Rose Martin nee Bain)
- j. Tommy Nuggin (Gendarieba)
- k. Tilly (mother of Tommy Dalton, Richard Dalton and Henry Lea)
- l. Kindarra,

who identify as and are accepted by other Quandamooka People as Quandamooka People according to Quandamooka traditional law and custom.

Native title rights and interests claimed:

1. The nature and extent of the native title rights and interests in relation to the application area are the rights and interest of the Native Title Claim Group to possess, occupy, use and enjoy the determination area, to the exclusion of all others, under their traditional laws acknowledged and customs observed and, in particular, to:

- a) conserve and safeguard the application area and its natural resources for the benefit of the Native Title Claim Group;
- b) maintain and manage the application area for the benefit of the Native Title Claim Group, including to:
 - i) make decisions about, control, and impose conditions upon, the use and enjoyment of the application area and its natural resources by the Native Title Claim Group and other persons;
 - ii) make decisions about, control, and impose conditions upon, access to the application area and its natural resources by the native title holders and other persons;
- c) use and enjoy the application area, including to live on and build structures on the application area;
- d) take, use, keep or interfere with the natural resources of the application area, including to:
 - i) exercise and carry out economic activities on the application area including to grow, produce and harvest;
 - ii) engage in trade;
- e) exercise cultural, spiritual, religious, traditional and customary rights and discharge responsibilities on the application area, including to:
 - i) preserves sites on the application area of significance to the native title holders;
 - ii) decide on, carry out and pass on the culture, traditional laws acknowledged and traditional customs observed of the Native Title Claim Group which apply to the application area;

- iii) conduct and maintain cultural, spiritual and religious practices and institutions through ceremonies and proper and appropriate maintenance and use of the application area;
- iv) inherit or transmit native title rights and interests in the application area to others possessed under traditional laws acknowledged and traditional customs observed by the Native Title Claim Group;
- v) resolve disputes between the Native Title Claim Group and other parties in relation to the application area;
- vi) conduct burials on the application area;
- vii) decide who are the Native Title Claim Group, provided that such person must be members of the "Aboriginal Peoples" within the meaning of that term in the Native Title Act 1993 (Cth);
- viii) regulate the activities of, and resolve disputes between, the Native Title Claim Group in relation to the rights of possession, use, occupation and enjoyment of the application area;
- f) maintain, protect and prevent the misuse of cultural knowledge of the Native Title Claim Group associated with the application area.

Application Area: **State/Territory:** Queensland
Brief Location: Stradbroke Is., Moreton Bay
Primary RATSIB Area: Southern and Western Queensland Region
Approximate size: 500.0957 sq km
(Note: There may be areas within the external boundary of the application that are not claimed.)
Does Area Include Sea: Yes

Area covered by the claim (as detailed in the application):

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.

In relation to a) above, the application covers:

1. all fresh and sea water, shores and tidal waters, littoral zones, beaches and foreshores within the boundaries described in Attachment B under the heading "Description Area 1"; and
2. all the land and waters described in Attachment B under the heading "Description Area 2";

with the exception of those areas described in Attachment B under the headings "exclusions" and "removed from original application" and those areas referred to in b) below.

In relation to b) above, the application does not cover:

1. any area where a previous exclusive possession act was done; or
2. any other area where native title has been extinguished as at 28 September 2000;

except where any extinguishment is required to be disregarded by force of section 47, 47A or 47B.

Attachments: 1. Map of Application Area, 1 page - A3, 20/06/2011
 2. External Boundary Description, 5 pages - A4, 20/06/2011

End of Extract