



Extract from Schedule of Native Title Applications

Application Reference: Federal Court number: QUD983/2015
NNTT number: QC2015/014

Application Name: Bradley Go-Sam & Ors on behalf of the Jirrbal People #4 and State of Queensland & Ors (Jirrbal People #4)

Application Type: Claimant

Application filed with: Federal Court of Australia

Date application filed: 22/10/2015

Current stage(s): Notification Complete, Part Determination

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

Date claim entered on Register of Native Title Claims: 09/02/2016

Registration decision status: Accepted for registration

Registration history: Registered from 9/02/2016

Date claim / part of claim determined: 06/09/2024

Applicants: Bradley Go-Sam, Sarah Cronin, Tonya Grant, Phyllis Grant, Tasha House, Jeanette Miller, Kurt Noble, Joshua Weare, Vivian Woods

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Additional Information

On 25 March 2022, the Federal Court of Australia (Federal Court) ordered that the application be administratively partitioned into 'Part A' and 'Part B'. On 6 September 2024, the Federal Court made a determination that native title exists in the Part A area – see *Braun on behalf of the Jirrbal People #4 v State of Queensland (No 2) [2024] FCA 1018*. That determination was registered on the National Native Title Register (NNTR) on 12 September 2024. Pursuant to s 190(4)(e) the application remains on the Register of Native Title Claims only to the extent that it relates to the undetermined area (ie, Part B area).

Persons claiming to hold native title:

The names (including Aboriginal names) of the persons (the *native title claim group*) on whose behalf the application is made or a sufficiently clear description of the persons so that it can be ascertained whether any particular person is 1 of those persons.

The Jirrbal People #4 native title claim group is comprised of those Aboriginal persons who:

(a) are descended by birth or by adoption in accordance with the traditional laws acknowledged and the traditional customs observed by the Jirrbal People, from one or more of the following apical ancestors (listed alphabetically):

1. Betty (aka Biddy) Gordon
2. Bonnel Logan and Jinnie
3. Bulbulyarraman Willie Mango or his wives Nellie and Calida
4. Charlie (Jurabagle) Woods
5. Chloe McKenzie/Cameron
6. Dubula Lorna Lawrence (nee Robinson)
7. Ethel Perrott
8. Harry Maloon
9. Jack (Deinjo) Watson/Major
10. Jack Robinson
11. Jerry Linedale or Maggie
12. Jimmy Darcy or his wives Polly and Lassie Darcy
13. Jimmy Murray (aka Jimmy Minegan) or his wives Jinnie (aka Jay Minigan) and Misashay (aka Maryanne)
14. Joe Robinson or Eva Robinson
15. Katie Cameron
16. King Jimmy Robertson/Robinson (aka Jimmy King) or his wives Kitty Robertson or Polly Malone
17. King Sandy Maynard or his wife Annie Thomas
18. Linda Duffin (aka Linda McGuire)
19. Lizzie Palmer, Maggie Cross or Mary Todd
20. Lucy Gordon/Lifu
21. Minnie Silent
22. Murrigami (aka Jim Clarke)
23. Murriguemie
24. Nellie Deagon
25. Nellie Googoonburra
26. Nellie Keough/James, Merti/ Bertie or Peter
27. Nellie Williams
28. Polly Hull
29. Polly Robinson (1) (aka Polly Ingham) or her husband Mick Robinson
30. Polly Robson
31. Romeo Robson (aka Robinson) or his wife Topsy
32. Rosie Congoo
33. Sam Boyd
34. Toby and Polly
35. Tommy Gardiner (aka Tommy Anderson)
36. Tommy Herberton's siblings
37. Tommy Toombs or his wife Polly
38. Una Woodleigh
39. Wanmal and Yugibidjal
40. Youall Biddy-Robinson or her husband Tommy Herberton
41. Youall Biddy-Robinson's siblings, and

(b) identify themselves as Jirrbal; and

(c) are accepted as Jirrbal by other Jirrbal People in accordance with the traditional laws acknowledged and the traditional customs observed by the Jirrbal People.

Native title rights and interests claimed:

A description of the native title rights and interests claimed in relation to particular land or waters (including any activities in exercise of those 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 claims 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 claim group claims the non-exclusive rights to:

- (a) live and be present on the application area;
- (b) take, use, share and exchange Traditional Natural Resources for personal, domestic and non-commercial, communal purposes;
- (c) conduct burial rites;
- (d) conduct ceremonies;
- (e) teach on the area about the physical and spiritual attributes of the area;
- (f) 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;
- (g) light fires for domestic purposes including cooking but not for the purposes of hunting or clearing vegetation;
- (h) be accompanied into the claim area by non-claim group members being people required;
- (1) by traditional law and custom for the performance of ceremonies or cultural activities; and
- (2) to assist in observing and recording traditional activities on the claim area; and
- (i) In relation to Water, take and use;
 - (1) Traditional Natural Resources from the Water for personal, domestic and non-commercial communal purposes; and
 - (2) for personal, domestic and non-commercial, communal purposes.

3. For the purposes of (2) above;

“Live” means to reside and for that purpose erect shelters and temporary structures but does not include a right to construct permanent structures;

“Traditional Natural Resource” means:

- (1) “animals” as defined in the Nature Conservation Act 1992 (Qld);
 - (2) “plants” as defined in the Nature Conservation Act 1992 (Qld);
 - (3) “charcoal, shells and resin”; and
 - (4) “clay, soil, sand; ochre; gravel or rock on or below the surface”;
- “Water” means water as defined by the Water Act 2000 (Qld);

4. The native title rights and interests are subject to:

- (a) The valid laws of the State of Queensland and the Commonwealth of Australia; and
- (b) The rights conferred under those laws.

Application Area: **State/Territory:** Queensland
Brief Location: In the vicinity of Ravenshoe in far north Queensland
Primary RATSIB Area: Northern Queensland Region
Approximate size: 1976.0100 sq km
 (Note: There may be areas within the external boundary of the application that are not claimed.)
Does Area Include Sea: No

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 a description of the area of land and waters covered by the application is provided at “**ATTACHMENT B**”.

Areas within the boundary identified in “**ATTACHMENT B**” that are not covered by the application are set out below:

1. The area covered by the application excludes any land or waters that is or has been covered by:
 - (a) Scheduled Interest;
 - (b) a freehold estate;
 - (c) 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 s.23B(2)(c)(vii) of the Native Title Act 1993 (Cth); and
 - (h) any lease (other than a mining lease) that confers a right of exclusive possession over particular land or waters.
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 commences on or before 23 December 1996.
3. Subject to paragraphs 4 and 5, exclusive possession is not claimed over areas which 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:
 - S.23B(9) - Exclusion of acts benefiting Aboriginal Peoples or Torres Strait Islanders;

- S.23B(9A) - Establishment of a national park or state park;
- S.23B(9B) - Acts where legislation provides of non-extinguishment;
- S.23B(9C) - Exclusion of Crown to Crown grants; and
- S.23B(10) - Exclusion by regulation.

the area covered by the act is not excluded from the application.

5. Where an act specified in paragraphs 1, 2 and 3 affects or affected land or waters referred to in:

- S47 - Pastoral leases etc covered by claimant application;
- S47A - Reserves etc covered by claimant application;
- 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.

Attachments:

1. QC2015/014 Attachment B, Further Amended External Boundary Description, 2 pages - A4, 22/05/2024
2. QC2015/014 Attachment C, Map of the Application Area, 1 page - A4, 22/05/2024

End of Extract