

Extract from the National Native Title Register

Determination Information:

Determination Reference: Federal Court Number(s): QUD176/2020
NNTT Number: QCD2025/001

Determination Name: [Wyles on behalf of the Gurambilbarra Wulgurukaba People for the GW Mada Claim v State Minister for Queensland](#)

Date(s) of Effect: 24/07/2025

Determination Outcome: Native title exists in parts of the determination area

Register Extract (pursuant to s. 193 of the *Native Title Act 1993*)

Determination Date: 24/07/2025

Determining Body: Federal Court of Australia

ADDITIONAL INFORMATION:

Not Applicable

REGISTERED NATIVE TITLE BODY CORPORATE:

Gurambilbarra Wulgurukaba Aboriginal Corporation RNTBC
Trustee Body Corporate
NQLC Level 6
122 Walker Street
TOWNSVILLE Queensland 4810

Note: current contact details for the Registered Native Title Body Corporate are available from the Office of the Registrar of Indigenous Corporations www.oric.gov.au

ORIGINAL REGISTERED NATIVE TITLE BODY CORPORATE(S):

Gurambilbarra Wulgurukaba Aboriginal Corporation

Note: details of the Corporation name change can be found on the Office of the Registrar of Indigenous Corporations website www.oric.gov.au

COMMON LAW HOLDER(S) OF NATIVE TITLE: THE COURT DETERMINES THAT:

5. The native title is held by the Gurambilbarra Wulgurukaba People described in Schedule 1 (**Native Title Holders**).

SCHEDULE 1: NATIVE TITLE HOLDERS

The native title holders are the Gurambilbarra Wulgurukaba People. The Gurambilbarra Wulgurukaba People are the biological and adopted descendants of one or more of the following people:

- (a) Hilda Ambrym;
- (b) Annie, mother of Peter Hegarty;
- (c) Emily Underwood; and
- (d) Jimmy White.

MATTERS DETERMINED:

THE COURT ORDERS BY CONSENT THAT:

1. There be a determination of native title in the terms set out below (**Determination**).

THE COURT DETERMINES THAT:

3. The determination area is the land and waters described in Schedule 4 and depicted in the map attached to Schedule 6 to the extent those areas are within the External Boundary and not otherwise excluded by the terms of Schedule 5 (**Determination Area**). To the extent of any inconsistency between the written description and the map, the written description prevails.
4. Native title exists in the Determination Area.
5. The native title is held by the Gurambilbarra Wulgurukaba People described in Schedule 1 (**Native Title Holders**).
6. Subject to orders 8, 9 and 10 below the nature and extent of the native title rights and interests in relation to the land and waters described in Part 1 of Schedule 4 are the non-exclusive rights to:
 - (a) access, be present on, move about on and travel over the area;
 - (b) camp, and live temporarily on the area as part of camping, and for that purpose build temporary shelters;
 - (c) hunt, fish and gather on the land and waters of the area;
 - (d) access Natural Resources and take, for any purpose, Natural Resources from the area;
 - (e) take the Water of the area for personal, domestic and non-commercial communal purposes;
 - (f) conduct ceremonies on the area;
 - (g) bury Native Title Holders within the area;
 - (h) 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;
 - (i) teach on the area the physical and spiritual attributes of the area;
 - (j) hold meetings on the area;
 - (k) light fires on the area for domestic purposes including cooking, but not for the purpose of hunting or clearing vegetation; and
 - (l) be accompanied on to the area by those persons who, though not Native Title Holders, are:
 - (i) spouses of Native Title Holders;
 - (ii) people who are members of the immediate family of a spouse of a Native Title Holder; or
 - (iii) people who are reasonably required by the Native Title Holders under traditional laws and customs for the performance of ceremonies or cultural activities on the area.
7. Subject to orders 8, 9 and 10 below the nature and extent of the native title rights and interests in relation to the land and waters described in Part 2 of Schedule 4 are the non-exclusive rights to:
 - (a) access, remain in, and use the area;
 - (b) access Natural Resources and take for any purpose, Natural Resources from the area;
 - (c) 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; and
 - (d) be accompanied on to the area by those persons who, though not Native Title Holders, are:
 - (i) spouses of Native Title Holders;
 - (ii) people who are members of the immediate family of a spouse of a Native Title Holder; or
 - (iii) people who are reasonably required by the Native Title Holders under traditional laws and customs for the performance of ceremonies or cultural activities on the area.
8. The native title rights and interests referred to in orders 6 and 7 are subject to and exercisable in accordance with:
 - (a) the Laws of the State and the Commonwealth; and
 - (b) the traditional laws acknowledged and traditional customs observed by the Native Title Holders.
9. The native title rights and interests referred to in orders 6 and 7 do not confer possession, occupation, use or enjoyment to the exclusion of all others.

10. There are no native title rights in or in relation to minerals as defined by the *Mineral Resources Act 1989* (Qld) and petroleum as defined by the *Petroleum Act 1923* (Qld) and the *Petroleum and Gas (Production and Safety) Act 2004* (Qld).

11. The nature and extent of any other interests in relation to the Determination Area (or respective parts thereof) are set out in Schedule 2.

12. The relationship between the native title rights and interests described in orders 6 and 7 and the other interests described in Schedule 2 (**Other Interests**) is that:

- (a) the Other Interests continue to have effect, and the rights conferred by or held under the Other Interests may be exercised notwithstanding the existence of the native title rights and interests;
- (b) to the extent the Other Interests are inconsistent with the continued existence, enjoyment or exercise of the native title rights and interests in relation to the land and waters of the Determination Area, the native title continues to exist in its entirety but the native title rights and interests have no effect in relation to the Other Interests to the extent of the inconsistency for so long as the Other Interests exist; and
- (c) the Other Interests and any activity that is required or permitted by or under, and done in accordance with, the Other Interests, or any activity that is associated with or incidental to such an activity, prevail over the native title rights and interests and any exercise of the native title rights and interests.

13. The native title is held in trust.

14. The Gurambilbarra Wulgurukaba Aboriginal Corporation (ICN: 9181), incorporated under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (Cth), is to:

- (a) be the prescribed body corporate for the purpose of ss 56(2)(b) and 56(3) of the *Native Title Act 1993* (Cth); and
- (b) perform the functions mentioned in s 57(1) of the *Native Title Act 1993* (Cth) after becoming a registered native title body corporate.

15. In this Determination, unless the contrary intention appears:

“Animal” means any member of the animal kingdom (other than human), whether alive or dead;

“External Boundary” means the area described in Schedule 3;

“High Water Mark” has the meaning given in the *Land Act 1994* (Qld);

“land” and “waters”, respectively, have the same meanings as in the *Native Title Act 1993* (Cth);

“Laws of the State and the Commonwealth” means the common law and the laws of the State of Queensland and the Commonwealth of Australia, and includes legislation, regulations, statutory instruments, local planning instruments and local laws;

“Natural Resources” means:

- (a) any Animals and Plants found on or in the lands and waters of the Determination Area; and
- (b) any clays, soil, sand, gravel or rock found on or below the surface of the Determination Area, but does not include:

- (c) crops that are the private personal property of another;

- (d) Animals that are the private personal property of another;

- (e) minerals as defined in the *Mineral Resources Act 1989* (Qld); or

- (f) petroleum as defined in the *Petroleum Act 1923* (Qld) and the *Petroleum and Gas (Production and Safety) Act 2004* (Qld);

“Plant” means any member of the plant or fungus kingdom, whether alive or dead and standing or fallen;

“Water” means:

- (a) water which flows, whether permanently or intermittently, within a river, creek or stream;

- (b) any natural collection of water, whether permanent or intermittent;

- (c) water from an underground water source; and

- (d) tidal water;

“Works” has the same meaning as in the *Electricity Act 1994* (Qld).

REGISTER ATTACHMENTS:

1. QCD2025/001 Schedule 2 - Other interests in the determination area, 5 pages - A4, 24/07/2025

2. QCD2025/001 Schedule 3 - External boundary, 3 pages - A4, 24/07/2025

3. QCD2025/001 Schedule 4 - Description of determination area, 2 pages - A4, 24/07/2025

4. QCD2025/001 Schedule 5 - Areas not forming part of the determination area, 32 pages - A4, 24/07/2025

5. QCD2025/001 Schedule 6 - Map of determination area, 4 pages - A4, 24/07/2025

Note: The National Native Title Register may, in accordance with s. 195 of the Native Title Act 1993, contain confidential information that will not appear on the Extract.