



# Extract from the Register of Native Title Claims

---

## Application Information

**Application Reference:** Federal Court number: QUD105/2024  
NNTT number: QC2024/002

**Application name:** Tanya Mitchell & Ors on behalf of the Darumbal People #3 v State Minister for the State of Queensland (Darumbal People #3)

**Registration History:** Registered from 29/07/2024

---

## Register Extract (pursuant to section 186 of the *Native Title Act 1993* (Cth))

**Application filed with:** Federal Court of Australia

**Date application filed:** 23/02/2024

**Date claim entered on Register:** 29/07/2024

**Additional Information:** Not Applicable

### APPLICANT:

**Person/s authorised as applicant:** Tanya Mitchell, Berylanne Bauman-Sadowski, Gloria Malone, Noelene Renz, Trent White, Vernon Corporal, Lester Adams, Kathleen Hatfield

**Condition/s on authority:** The Applicant is authorised to make the application and matters arising in relation to it subject to terms and conditions set out at Attachment IA.

Further information is provided at **ATTACHMENT IA**.

[A copy of Attachment IA is attached to this Register extract.]

**Address for service:** Ricardo Martinez  
Queensland South Native Title Services  
Level 4, 293 Queen Street  
Brisbane QLD 4000  
**Phone:** 07 3224 1200  
**Email:** ricardo.martinez@qsnts.com.au

### DESCRIPTION OF THE AREA COVERED BY THE CLAIM:

Subject to paragraphs 1 to 3 below, the area covered by the application is all of the land or waters within Lot 72 on Plan LI219 and Lot 73 on Plan LI220 located near the town of Marlborough in the State of Queensland.

1. The area covered by the application excludes any land or waters within the application area covered by valid previous exclusive possession acts as defined by section 23B of the *Native Title Act 1993* (Cth).

2. The area covered by the application excludes any land or waters where the native title rights and interests claimed have been otherwise extinguished.

3. If any of the land or waters referred to in 1 or 2 above are subject to extinguishment that is required to be disregarded under subsection 47B(2) of the *Native Title Act* (Cth), then the area is not excluded from the application.

[A map showing the external boundaries of the area covered by this application is attached to this application as **Attachment C**. A copy of Attachment C is attached to this Schedule extract.]

#### **PERSONS CLAIMING TO HOLD NATIVE TITLE:**

The native title claim group is the Darumbal People. The Darumbal People are those people who:

(a) are descendants of the following deceased persons:

- i. John McPherson;
- ii. Harry Bauman;
- iii. Kate Reid and James Hector;
- iv. Clara McKenzie;
- v. Jack Naylor (Jnr);
- vi. Maria McKenzie;
- vii. Clara Wallace;
- viii. Mundabel;
- ix. Mary Jones;
- x. Maggie (Mitchell);
- xi. Yorky; or
- xii. Kitty Mulway and Pompey of Stanage; and

(b) are recognised by the living Darumbal People according to their traditional laws and customs as Darumbal People.

#### **REGISTERED NATIVE TITLE RIGHTS AND INTERESTS:**

**The following Native Title Rights & Interests were entered on the Register on 29/07/2024**

a) Where claimable, the right to possess, occupy, use and enjoy the land and waters covered by the application to the exclusion of all others.

b) Over the areas where a claim to exclusive possession cannot be recognised, the following non-exclusive native title rights and interests are claimed:

- 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 on the area;
- c. hunt, fish and gather on the land and waters of the area for personal, domestic and non-commercial communal purposes;
- d. take and share Natural Resources from the land and waters of the area for personal, domestic and non-commercial communal purposes;
- 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 and protect places of importance and areas of significance to the Native Title Holders under their traditional laws and customs;
- i. teach on the area the physical, cultural and spiritual attributes of the area;
- j. hold meetings on the area; and
- k. light fires on the area for personal and domestic purposes including cooking, but not for the purpose of hunting or clearing vegetation.

c) Except where section 47B of the Act applies, exclusive possession is not claimed over areas which are subject to valid previous non-exclusive possession acts done by the Commonwealth or the State of Queensland.

#### **REGISTER ATTACHMENTS:**

1. QC2024\_002 Attachment C - Map of the application area, 1 page - A4, 23/02/2024
2. QC2024\_002 Attachment IA - Conditions on Applicant's Authority, 5 pages - A4, 23/02/2024

*Note: The Register of Native Title Claims may, in accordance with section 188 of the Native Title Act 1993 (Cth), contain confidential information that will not appear on the Extract.*