

Bularnu Waluwarra Wangkayujuru Aboriginal Corporation RNTBC

OVERVIEW

The Bularnu Waluwarra Wangkayujuru Aboriginal Corporation RNTBC administers land on behalf of the Bularnu Waluwarra and Wangkayujuru people. Their native title rights and interests were recognized in *the Bularnu Waluwarra and Wangkayujuru People* determination of 2014.

The application and the terms of the native title determination sought in the present case by the applicants recognise the extinguishment of native title in whole or in part over a large proportion of the claim area, as well as recognising a range of rights and interests in land that now exist in the claim area. It is worth noting that the area of land over which exclusive native title rights is sought is small. Also there are portions of the claim area for which a determination of non-exclusive use is sought, and there are very substantial parts of the claim area (mostly those parts occupied by permanent improvements and pursuant to pastoral leases) where the proposed determination recognises that native title does not exist and has been extinguished. It follows that all interested parties consented to a determination of native title in the form sought, except for a group of people represented by Lorna Bogdanek. The Court found that the evidence in this matter did not provide enough support to make a decision on the issues Mrs Bogdanek had raised as a respondent in this matter. The court ordered that native title rights of the applicants should be recognised. This was subject to some amendments to be made to the form of determination attached to the statement of claim. The Court in the orders directed the parties to file an agreed form of final determination. As a respondent Mrs Bognadek is required to participate in the process.

RNTBC PROFILE

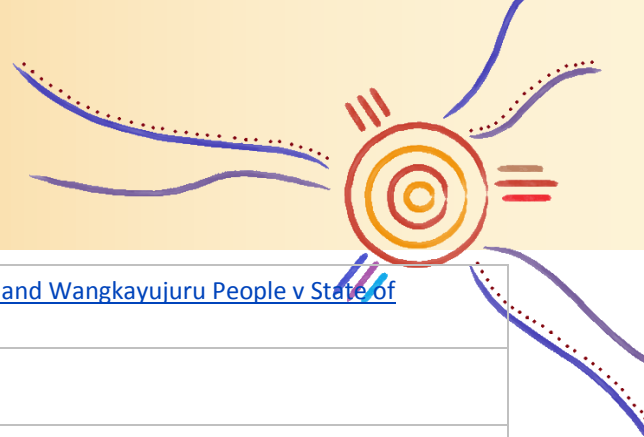
NAME OF RNTBC ORIC	BULARNU WALUWARRA WANGKAYUJURU ABORIGINAL CORPORATION RNTBC
TYPE OF RNTBC ATNS	AGENT
STATE/TERRITORY	QLD
MAP NNTT HYPERLINK	National Native Title Tribunal Produced Map
CONTACT DETAILS ORIC HYPERLINK	The following contact details are subject to change. Check ORIC for recent details: Contact Officer: Thelma Parker Mail Address: 47 Banks Crescent, SUNSET QLD 4825 Telephone: 07 4749 5269 Email Address: themaparker@ereflc.org.au

RNTBC ADMINISTRATION

INDIGENOUS CORPORATION NUMBER	7666
DATE OF INCORPORATION	31/01/2012
DOCUMENTATION ORIC HYPERLINK	Documentation, Rules, Member List, etc.

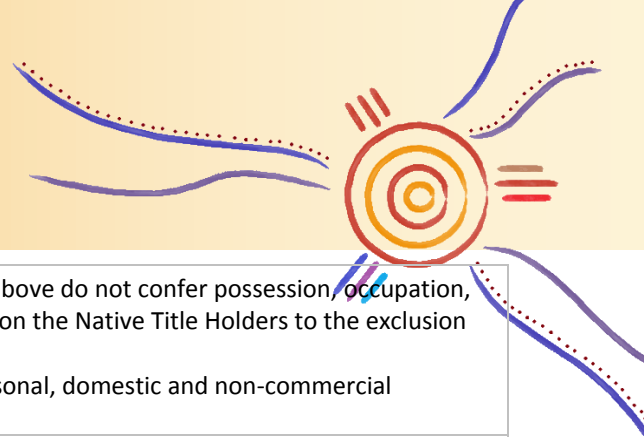
NATIVE TITLE DETERMINATION INFORMATION

NNTT SHORT NAME NNTT HYPERLINK	BULARNU WALUWARRA & WANGKAYUJURU PEOPLE
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CASE LAW AUSTLII HYPERLINK	Dempsey on behalf of the Bularnu, Waluwarra and Wangkayujuru People v State of Queensland (No 2) [2014] FCA 528
DATE OF DETERMINATION	26/02/2014
TYPE OF DETERMINATION ATNS HYPERLINK	CONSENT DETERMINATION
DETERMINATION OUTCOME	NATIVE TITLE EXISTS IN PARTS OF THE DETERMINATION AREA
TRIBUNAL FILE NO	QCD2014/009
FEDERAL COURT FILE NO	QUD6115/1998
NATIVE TITLE RIGHTS AND INTERESTS ¹	<p>The nature and extent of the native title rights and interests held by the Native Title Holders are rights to use, stay on and enjoy the land and waters of the Determination Area, being:</p> <ul style="list-style-type: none"> (a) The right to access and move about the Determination Area; (b) The right to live, to camp and to erect shelters on the Determination Area; (c) The right to hunt and fish on the Determination Area; (d) The right to gather and use the natural resources of the Determination Area such as food, plants, timber, resin, ochre and soil; (e) The right to cook and to light fires for cooking and camping purposes on the Determination Area; (f) The right to use the natural water resources of the Determination Area; (g) The right to distribute, trade or exchange the natural resources of the Determination Area; (h) The right to conduct ceremonies and hold meetings on the Determination Area; (i) The right to engage and participate in cultural activities on the Determination Area including those relating to births and deaths; (j) The right to carry out and maintain burials of deceased native title holders and of their ancestors within the Determination Area; (k) The right to teach on the Determination Area the physical and spiritual attributes of locations and sites within the Determination Area; (l) The right to visit, maintain and preserve sites and places of cultural or spiritual significance to Native Title Holders within the Determination Area; (m) The right to speak for and make decisions in relation to the Determination Area about the use and enjoyment of the Determination Area by Aboriginal people who recognise themselves to be governed by the traditional laws and customs acknowledged by the Native Title Holders of the Determination Area; (n) The right to be accompanied on to the Determination Area by those people who, though not Native Title Holders, are: <ul style="list-style-type: none"> (i) spouses of Native Title Holders; or (ii) people required by traditional law and custom for the performance of ceremonies or cultural activities on the Determination Area; or (iii) people who have rights in relation to the Determination Area according to the traditional laws and customs acknowledged by the Native Title Holders.

¹ These native title rights and interests are subject to the laws of the State and the Commonwealth, including the common law. They may also be subject to particular interests specified in the determination.



	The native title rights and interests described above do not confer possession, occupation, use and enjoyment of the Determination Area on the Native Title Holders to the exclusion of others. The native title rights and interests are for personal, domestic and non-commercial communal use.
AREA OF LAND	Land in the Boulia, Cloncurry and Mt Isa local government areas.
LOCATION OF DETERMINATION AREA	EASTERN SOUTH AUSTRALIA
NTRB REGION NTRB HYPERLINK	QUEENSLAND SOUTH NATIVE TITLE SERVICES LTD

AGREEMENTS

AGREEMENT NAME ATNS HYPERLINK	NNTT FILE NO. NNTT HYPERLINK	TYPE OF AGREEMENT	SUBJECT MATTER (NNTT)	SUBJECT MATTER (ATNS)
BULARNU WALUWARRA AND WANGKAYUJURU PEOPLE AND LOCAL GOVERNMENT INDIGNEOUS LAND USE AGREEMENT (ILUA)	QI2012/132	AREA AGREEMENT	Government	Local Government
BULARNU, WALUWARRA AND WANGKAYUJURU PEOPLES URANDANGI TENURE RESOLUTION INDIGENOUS LAND USE AGREEMENT (ILUA)	QI2013/029	AREA AGREEMENT	Extinguishment	Land Use Native Title Native Title - Extinguishment

ADDITIONAL ELECTRONIC RESOURCES

News	The North West Star, Native title recognised (25 May 2014)
Case Summary	What's New in Native Title (PDF 1.02MB), ' Dempsey on behalf of the Bularnu, Waluwarra and Wangkayujuru People v State of Queensland (No 2) [2014] FCA 528 ' (June 2014)