



Extract from the Register of Native Title Claims

Application Information

Application Reference: Federal Court number: QUD20/2019
NNTT number: QC2018/007

Application name: Michael Douglas & Ors on behalf of the Kabi Kabi First Nation Traditional Owners Native Title Claim Group and State of Queensland and Ors (Kabi Kabi First Nation Traditional Owners Native Title Claim Group)

Registration History: Registered from 8/02/2019

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

Application filed with: Federal Court of Australia

Date application filed: 11/12/2018

Date claim entered on Register: 08/02/2019

Additional Information:

On 8 August 2023, the Federal Court made orders that the Kabi Kabi First Nations Traditional Owners native title claim application (QUD20/2019) be partitioned into three parts called "Part A", "Part B" and "Part C".

On 17 June 2024, the Federal Court made a determination that native title exists in parts of the "Part A" application area – see [Douglas on behalf of the Kabi Kabi First Nation Traditional Owners Native Title Claim Group v State of Queensland \(No 5\) \[2024\] FCA 645](#). That determination is attached to this Extract.

Order 2 of the determination provides that '[t]he determination will take effect upon the agreement referred to in paragraph 1(a) of Schedule 2 being registered on the Register of Indigenous Land Use Agreements.' Once that agreement has been registered, the determination will be entered on the National Native Title Register (NNTR).

On 25 October 2024, the agreement referred to in Order 2 was registered. Therefore this determination is in effect from 25 October 2024.

APPLICANT:

Person/s authorised as applicant: Michael Douglas, Helena Gulash, Cecilia Combo, Melissa Bond, Norman Bond, Kerry Jones, Brian Warner

Condition/s on authority: Not Applicable

Address for service:

Sheree Sharma
Queensland South Native Title Services Limited
Level 4
293 Queen Street
Brisbane QLD 4000
Phone: 07 3224 1200
Email: sheree.sharma@qsnts.com.au

DESCRIPTION OF THE AREA COVERED BY THE CLAIM:

In relation to a) above a description of the area of land and waters covered by the application is provided at **Attachment B**.

In addressing the requirement b) above, this application does not cover:

1) Any area where a previous exclusive possession act (PEPA) was done;

2) Any area that is or has been subject to any of the following:

i. Any Crown to Crown grant of freehold

ii. Any post 23 December 1996 grant of freehold

3) Any area that is subject to the following category of leases:

- Boat Harbour
- Housing Lease
- Railway Lease
- Freeholding Lease
- Grazing Homestead Perpetual Lease
- Perpetual Lease
- Non- competitive Lease;
- Manufacturing, Industrial, Residential or Business

4) Any area listed at **Attachment B1** including by this further amendment [filed 7 October 2021].

Except in relation to paragraphs 1 - 4 above, where any extinguishment is to be disregarded by force of sections 47, 47A and/or 47B of the Native Title Act 1993 (Cth).

PERSONS CLAIMING TO HOLD NATIVE TITLE:

The Kabi Kabi First Nation Traditional Owners are those people:

(a) Who are descendants of the following apical ancestors:

1. Maggie Cadenti/Cadente/Cantidi: "Maggie"
2. George Parson
3. Albert Williams
4. Ngimburum
5. Kaloma-kuta/Galmaguda/Haloma-kuta/Kal-ma-kuta
6. Willie Kina

7. Susan Andy
8. Jacky Ball (or Baul)
9. Maggie Cain/Caine
10. James Crow/Crowe
11. Maggie Palmer
12. Emma Dunne
13. William/Billy Glenbar
14. Annie Laurie
15. May Burnett
16. Tuppernywoe/"King" Tommy of Noosa
17. Dundalli
18. Sarah Di:naba Moreton
19. Marian/Mary Ann Thompson
20. Towcha

And

(b) Who identify as and are recognised as members of the Kabi Kabi First Nation Traditional Owners in accordance with the system of traditional laws and customs.

REGISTERED NATIVE TITLE RIGHTS AND INTERESTS:

The following Native Title Rights & Interests were entered on the Register on 05/06/2020

The non-exclusive rights to:

- a. access, be present on, move about on and travel over area;
- b. camp on the area, and for that purpose, erect 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, use and share Natural Resources from the land and waters of the area for personal, domestic and non-commercial communal purposes;
- e. take and use the Water of the area for personal, domestic and non-commercial communal purposes;
- f. participate in cultural activities on the area;
- g. hold meetings on the area;
- h. maintain places of importance and areas of significance to the native title holders under their traditional laws and customs and to protect those places and areas from physical harm;
- i. teach on the area the physical and spiritual attributes of the area;
- j. light fires on the area for domestic purposes including cooking, but not for the purpose of hunting or clearing vegetation;
- k. be buried and bury native title holders within the area.

COMBINATION DETAILS:

Date of order to combine: 29/11/2018

This application is a combination of the following applications:

Application Number(s)	Application Name	Date Application Filed	Register of Native Title Claims History *
QUD20/2019, QC2013/003	Alex Davidson & Ors on behalf of the Kabi Kabi First Nation Traditional Owners Native Title Claim Group v State of Queensland	31/05/2013	Registered from 7/08/2013 to 8/02/2019 Registered from 11/02/2019
QUD908/2016, QC2016/011	Alex Davidson & Ors on behalf of the Kabi Kabi Undambi Area Claim and State of Queensland	30/11/2016	Registered from 30/03/2017 to 8/02/2019

** For further information on pre-combined applications, see the Extract from the Schedule of Native Title Applications for each pre-combined application.*

REGISTER ATTACHMENTS:

1. External Boundary Description, Attachment B of the application, 8 pages - A4, 27/05/2020
2. List of Areas Specifically Excluded, Attachment B1 of the application, 17 pages - A4, 07/10/2021
3. Map of Application Area, Attachment C of the application, 1 page - A4, 27/05/2020
4. QC2018_007 Kabi Kabi First Nation Traditional Owners Native Title Claim Group Determination (Part 1 of 2), 225 pages - A4, 17/06/2024
5. QC2018_007 Kabi Kabi First Nation Traditional Owners Native Title Claim Group Determination (Part 2 of 2), 206 pages - A4, 17/06/2024

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.