

Tagalaka Aboriginal Corporation RNTBC

OVERVIEW

The Tagalaka Aboriginal Corporation RNTBC administers land on behalf of the Tagalaka people. Their native title rights and interests were first recognised in the *Tagalaka People* and *Tagalaka People #2* native title determinations on 10 December 2012.

The native title claimants lodged applications in 1998 and 2001 seeking a determination of native title on behalf of the Tagalaka People over various lands in the Gulf Savannah region around the townships of Croydon, Normanton and East Hayden. The two determined applications were heard together due to their geographical proximity.

The Federal Court recognised Tagalaka People's exclusive native title rights to possession, occupation, use and enjoyment over approximately 105 square kilometres of land within the Determination areas. Non-exclusive native title was recognised over a further 29,817 square kilometres (Department of Natural Resources and Mines, Queensland Government, 2012). Native title rights and interests were therefore recognised over approximately 30,000 square kilometres covering 469 parcels of land.

The consent determinations will operate along with a number of ILUAs that the Tagalaka People have negotiated with local councils, pastoralists and service providers. The ILUAs provide for the management and the ongoing protection of land within the determination area. They complement the ILUAs the Tagalaka People negotiated with the State Government in 2005 and 2008 (Queensland Government DNRM, 2012).

The remaining area, 'Tagalaka People #2 Part B', was set down for a later hearing because the parties had not reached agreement (see *Busch on behalf of the Tagalaka People #2 v State of Queensland* [2012] FCA 1489).

RNTBC PROFILE

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| NAME OF RNTBC ORIC | TAGALAKA 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: Patrick Wheeler Mail Address: PO Box 63, CROYDON QLD 4871 |

RNTBC ADMINISTRATION

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| INDIGENOUS CORPORATION NUMBER | 2272 |
| DATE OF INCORPORATION | 15/12/1994 |
| DOCUMENTATION ORIC HYPERLINK | Documentation, Rules, Member List, etc. |



NATIVE TITLE DETERMINATION INFORMATION

| 1. TAGALAKA PEOPLE | |
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| NNTT SHORT NAME NNTT HYPERLINK | TAGALAKA PEOPLE |
| CASE LAW AUSTLII HYPERLINK | Owens on behalf of the Tagalaka People v State of Queensland [2012] FCA 11396 |
| DATE OF DETERMINATION | 10/12/2012 |
| TYPE OF DETERMINATION ATNS HYPERLINK | CONSENT DETERMINATION |
| DETERMINATION OUTCOME | NATIVE TITLE EXISTS IN PARTS OF THE DETERMINATION AREA |
| TRIBUNAL FILE NO | QCD2012/012 |
| FEDERAL COURT FILE NO | QUD6109/1998 |
| NATIVE TITLE RIGHTS AND INTERESTS ¹ | <p>Native title is held communally by the People:</p> <p><u>The exclusive native title rights and interests that exist over land in the determination area include:</u></p> <ul style="list-style-type: none"> - the rights to possession, occupation, use and enjoyment of the area to the exclusion of all others. <p><u>In relation to water in the exclusive native title area, the following non-exclusive rights apply:</u></p> <ul style="list-style-type: none"> - the right to hunt, fish and gather from the water; - the right to take and use the natural resources of the water; and - the right to take and use the water for personal, domestic and non-commercial communal purposes. <p><u>The non-exclusive native title rights and interests that exist over land in the determination area include:</u></p> <ul style="list-style-type: none"> - the right to access, be present on, move about on and travel over the area; - the right to camp on the area; - the right to hunt, fish and gather for personal, domestic and non-commercial communal purposes; - the right to take, use, share and exchange natural resources from the area for personal, domestic and non-commercial communal purposes; - the right to take and use the water of the area for personal, domestic and non-commercial communal purposes; - the right to light fires on the area for domestic purposes but not for the purposes of hunting or clearing vegetation; - the right to conduct ceremonies on the area; - the right to teach on the area the physical and spiritual attributes of the area; and - the right to 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. |
| AREA OF LAND | APPROXIMATELY 30,000 SQUARE KILOMETRES (TAGALAKA PEOPLE AND TAGALAKA PEOPLE #2 COMBINED) |

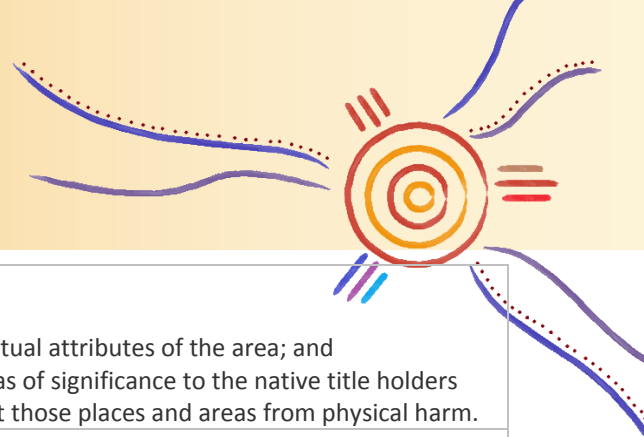
¹These native title rights and interests are subject to the laws of the Commonwealth and the State of Queensland. They may also be subject to particular interests specified in the determination.



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| LOCATION OF DETERMINATION AREA | CROYDON, NORTH QUEENSLAND |
| NTRB REGION NTRB HYPERLINK | NORTH QUEENSLAND LAND COUNCIL |

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| 2. TAGALAKA PEOPLE #2 | |
| NNTT SHORT NAME NNTT HYPERLINK | TAGALAKA PEOPLE #2 |
| CASE LAW AUSTLII HYPERLINK | Owens on behalf of the Tagalaka People v State of Queensland [2012] FCA 11396 |
| DATE OF DETERMINATION | 10/12/2012 |
| TYPE OF DETERMINATION ATNS HYPERLINK | CONSENT DETERMINATION |
| DETERMINATION OUTCOME | NATIVE TITLE EXISTS IN PARTS OF THE DETERMINATION AREA |
| TRIBUNAL FILE NO | QCD2012/013 |
| FEDERAL COURT FILE NO | QUD6020/2001 |
| NATIVE TITLE RIGHTS AND INTERESTS ² | <p>Native title is held communally by the People: <u>The exclusive native title rights and interests that exist over land in the determination area include:</u> - the rights to possession, occupation, use and enjoyment of the area to the exclusion of all others. <u>In relation to water in the exclusive native title area, the following non-exclusive rights apply:</u> - the right to hunt, fish and gather from the water; - the right to take and use the natural resources of the water; and - the right to take and use the water for personal, domestic and non-commercial communal purposes. <u>The non-exclusive native title rights and interests that exist over land in the determination area include:</u> - the right to access, be present on, move about on and travel over the area; - the right to camp on the area; - the right to hunt, fish and gather for personal, domestic and non-commercial communal purposes; - the right to take, use, share and exchange natural resources from the area for personal, domestic and non-commercial communal purposes; - the right to take and use the water of the area for personal, domestic and non-commercial communal purposes; - the right to light fires on the area for domestic purposes but not for the purposes of hunting or</p> |

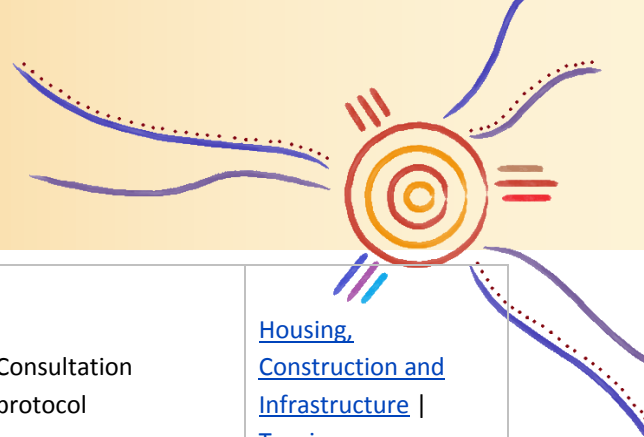
²These native title rights and interests are subject to the laws of the Commonwealth and the State of Queensland. They may also be subject to particular interests specified in the determination.



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| | clearing vegetation; - the right to conduct ceremonies on the area; - the right to teach on the area the physical and spiritual attributes of the area; and - the right to 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. |
| AREA OF LAND | APPROXIMATELY 30,000 SQUARE KILOMETRES (TAGALAKA PEOPLE AND TAGALAKA PEOPLE #2 COMBINED) |
| LOCATION OF DETERMINATION AREA | BETWEEN THE NORMAN AND GILBERT RIVERS AROUND CROYDON IN NORTH QUEENSLAND |
| NTRB REGION NTRB HYPERLINK | NORTH QUEENSLAND LAND COUNCIL |

AGREEMENTS

| AGREEMENT NAME ATNS HYPERLINK | NNTT FILE NO. NNTT HYPERLINK | TYPE OF AGREEMENT | SUBJECT MATTER (NNTT) | SUBJECT MATTER (ATNS) |
|---|---|--------------------------|-----------------------|---|
| ETHERIDGE SHIRE COUNCIL -TAGALAKA PEOPLE #2 INDIGENOUS LAND USE AGREEMENT (ILUA) | QI2013/031 | BODY CORPORATE AGREEMENT | Government | Access Local Government |
| Carpentaria Shire Council - Tagalaka People #2 Indigenous Land Use Agreement (ILUA) | QI2013/035 | BODY CORPORATE AGREEMENT | Government | Access Economic Development Future Act Housing, Construction and Infrastructure Native Title |
| Tagalaka Croydon Area Indigenous Land Use Agreement (ILUA) #1 | QI2003/021 | AREA AGREEMENT | Access | Future Act Housing, Construction and Infrastructure Land Use Native Title Native Title - Extinguishment |
| Tagalaka - Croydon Area Indigenous Land Use Agreement (ILUA) #2 | QI2006/047 | AREA AGREEMENT | Infrastructure | Access Future Act Housing, Construction and Infrastructure Native Title |



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| Croydon Shire Council/Tagalaka People - True Blue Tourist Facility Indigenous Land Use Agreement (ILUA) | QI2009/068 | AREA AGREEMENT | Consultation protocol | Housing, Construction and Infrastructure Tourism |
| Tagalaka (Town of Croydon) Indigenous Land Use Agreement (ILUA) | QI2007/001 | AREA AGREEMENT | Government | Land Transaction Native Title - Extinguishment |
| Tagalaka People and Ergon Energy Indigenous Land Use Agreement (ILUA) | QI2013/034 | BODY CORPORATE AGREEMENT | Energy | Access Future Act Housing, Construction and Infrastructure Native Title |

ADDITIONAL ELECTRONIC RESOURCES

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| News | The Courier Mail, Tagalaka people win Native Title in Qld (10/12/2012) |
| | Brisbane Times, ‘Tagalaka people set to win NQ native title claims’ (10/12/2012) |
| | The Australian, Tagalaka people win Native Title in Qld (10/12/2012) |
| Case summaries | What’s New in Native Title (PDF 410KB), ‘Owens on behalf of Tagalaka People v State of Queensland [2012] FCA 1396’ (December 2012/January 2013) |
| | What’s New in Native Title (PDF 410KB), ‘Busch on behalf of the Tagalaka People #2 v State of Queensland [2012] FCA 1489’ (December 2012/January 2013) |