

# Native Title and Quandamooka Coast Claim

## Frequently Asked Questions

### What is native title?

Native title describes the rights and interests of Indigenous people under their traditional laws and customs.

Native title is protected at a State and Commonwealth level under the *Native Title (Queensland) Act 1993* and *Native Title Act 1993* (Commonwealth).

### What is the Background to the Native Title Act

The background dates to the Native Title Act and related laws include the Racial Discrimination Act 1975, Native Title Act 1993 (Qld) and the 1996 High Court Wik decision which recognises that Native title can coexist with statutory leases.

### How does a native title claim commence?

The process begins under the Commonwealth Native Title Act 1993 when a native title claim group, in this case the Quandamooka people, files an application in the Federal Court seeking a determination that recognises them as native title holders over the area claimed.

### How does the new claim deal with the 2011 native title determination?

The new Quandamooka Coast claim refers to additional areas not covered by the 2011 Federal Court determination which covers the majority of North Stradbroke Island, Peel Island, Goat Island, Bird Island, Stingaree Island, Crab Island and the surrounding waters of Moreton Bay are covered by the determinations. Further information on this determination can be found at [www.redland.qld.gov.au](http://www.redland.qld.gov.au)

### What areas does the Quandamooka Coast Claim cover?

The claim covers the majority of the Redland City and parts of Brisbane City Council areas as described in the Claim area map. In summary the application covers about 530 sq km, extending from the top of Russell Island in the South to North of Mud Island in Moreton Bay. The western extent is bounded by Capalaba and Wynnum Creek, and the eastern limit of the claim is bordered by north Stradbroke island. The claim excludes Russell Island, and parts of Sheldon, Mount Cotton and Redland Bay.

### What are the types of rights and interest covered by Native title?

Native title rights and interests are subject to laws of the Commonwealth, State and local Government and include rights to:

- live and be present on the determination areas
- conduct traditional ceremonies
- take, use, share and exchange traditional natural resources
- conduct burial rites, teach about the physical and spiritual attributes of the area
- maintain places of importance and areas of significance.

### What does the native title claim mean for other landholders?

As with all native title claims, the Quandamooka people's claims cannot cover private freehold or many types of leasehold land, so the majority of landholders will not be directly affected.

### How does the native title claim relate to the Redland City community and corporate plans?

Council's community and corporate plans identify the unique interests and history of the Quandamooka people in Redlands and commit to working together to protect and respect that history for the benefit of the whole community.

### Does native title claim prevent access to public parks, reserves and public spaces?

No, the native title claim does not restrict access over any parts of public parks, reserves and public spaces

### What are the next steps?

The claim is currently filed in the Federal Court which follows an assessment process including, public notification and the exchange of archeological and connection material and thereafter related submissions on the potential extent of native title interests and rights.

To keep updated on these matters go to [www.derm.qld.gov.au](http://www.derm.qld.gov.au), [www.nntt.gov.au](http://www.nntt.gov.au) and [www.redland.qld.gov.au](http://www.redland.qld.gov.au)

Sources include: *The State of Queensland (Department of Environment and Resource Management)* [www.derm.qld.gov.au](http://www.derm.qld.gov.au). *National Native Title Tribunal* [www.nntt.gov.au](http://www.nntt.gov.au)