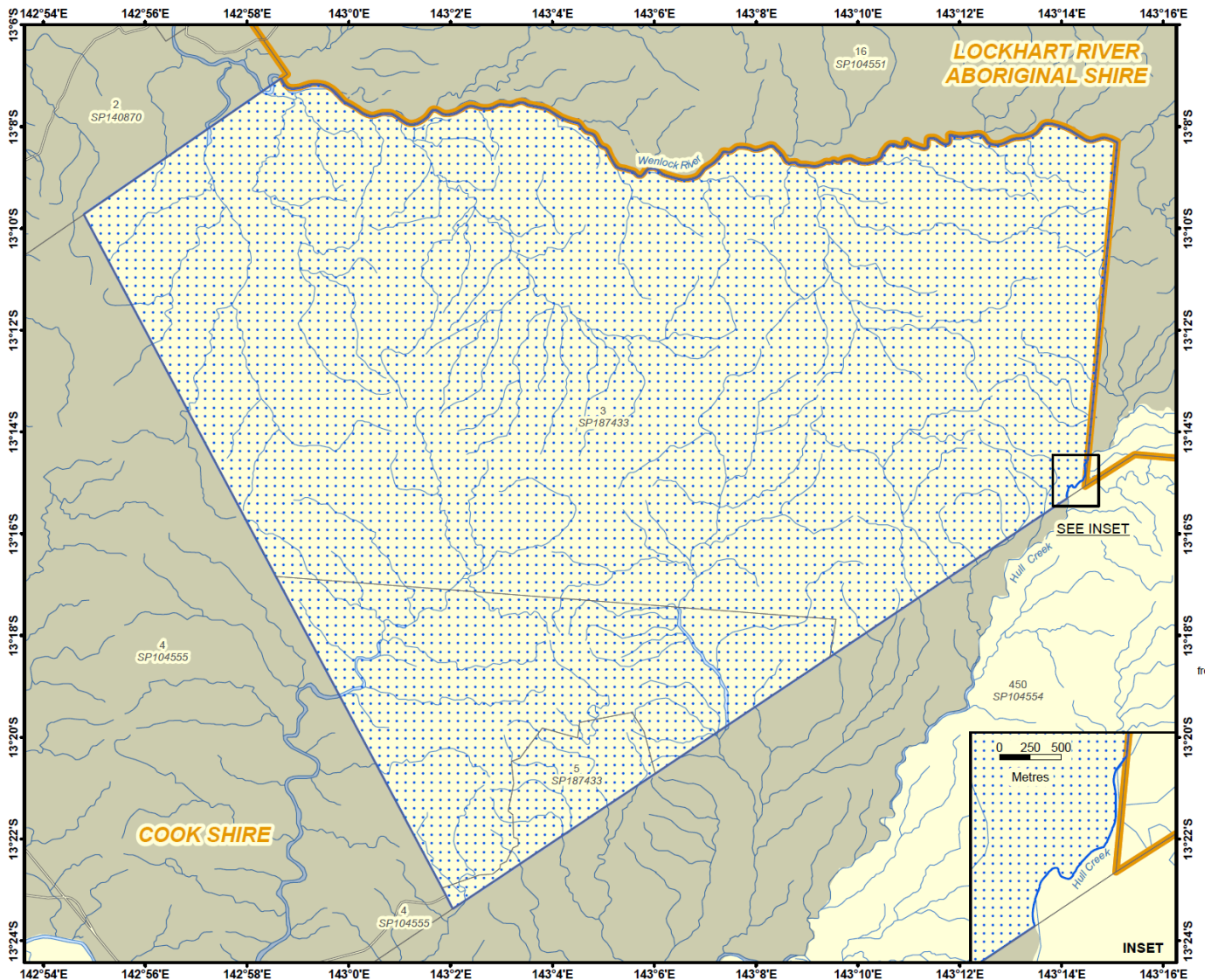


**AUTHORISATION MEETING FOR A NATIVE TITLE DETERMINATION AGREEMENT
AND AN INDIGENOUS LAND USE AGREEMENT**

Cape York United # 1 Native Title Claim (QUD673/2014)

**Northern Kaanju Native Title Group
Wednesday 10 May 2023
Cairns**

Cape York Land Council (CYLC) will hold a meeting on **Wednesday 10 May 2023** in **Cairns** for the Northern Kaanju Native Title Group to consider (1) whether to authorise the proposed agreement under s.87A of the *Native Title Act 1993* (Cth) (**NTA**) for a determination of native title over Lots 3 and 5 on SP187433 (other than a small portion in the east of lot 3 south of Hull Creek that is Southern Kaantju country) (**Determination Agreement Area**); and (2) whether to authorise a proposed Indigenous Land Use Agreement (**ILUA**) over the same area (**ILUA Agreement Area**). The Determination Agreement Area and the ILUA Agreement Area are the same, and are shown on the map below. The Federal Court made a determination of native title in favour of the Northern Kaanju Native Title Group for large areas of the land surrounding this area on 5 July 2022.



A. NTA s.87A Agreement Authorisation

A determination of native title involves a decision of the Federal Court. Important things about a determination of native title include that the Federal Court determines (1) who holds native title, (2) what the native title rights are, (3) the area to which the native title rights apply after any determination is made, and (4) which corporation will represent the members of the determined native title group. If the meeting on **Wednesday 10 May 2023** authorises the proposed determination of native title set out in the proposed s.87A agreement, a determination in favour of the group will then be sought in the Federal Court. CYLC expects that the proposed determination of native title over the Determination Agreement Area (as shown on the map above) would likely be made by the Court “on the papers” (meaning without a hearing), in **November or December 2023**. A copy of the proposed s.87A agreement for a determination of native title will be available at the meeting on **Wednesday 10 May 2023**.

At the request of the people who constitute the Applicant in the Cape York United Number 1 Native Title Claim (**Applicant**), CYLC staff and consultants will be in attendance to be available to explain things such as the meaning and effect of the proposed s.87A agreement at the meeting. Any person attending the meeting will be able to ask questions about the proposed s.87A agreement and state their views about it.

B. Indigenous Land Use Agreement Authorisation

The meeting of the Northern Kaanju Native Title Group will also consider the Applicant, State and Bowyer Archer River Quarries Pty Ltd’s proposal for an ILUA to provide appropriate tenure to the Northern Kaanju Native Title Group for the ILUA Agreement Area, financial compensation for past impacts and future extractions of quarry materials from the ILUA Agreement Area, and other non-financial benefits. CYLC staff and consultants will explain (1) the terms of the proposed ILUA, (2) the extent of the ILUA Agreement Area, (3) the proposed tenure over the ILUA Agreement Area, (4) the proposed grantee of the tenure, and (5) the financial and non-financial benefits provided to Northern Kaanju People under the proposed ILUA.

The proposed ILUA will provide for:

- The doing, and validation, of Future Acts done after the execution of the ILUA by the State but prior to the Registration of the ILUA, to the extent that they were done invalidly under the NTA;
- The validation of the prior grant, amendment, extension, renewal or variation of Sales Permit 000296 and Sales Permit 201609002 between 18 January 1996 and immediately before registration of the ILUA;
- The extension of (a) the Term Lease over the ILUA Agreement Area; and (b) Sales Permit 000296 and Sales Permit 201609002 to 31 August 2046 in favour of Bowyer Archer River Quarries Pty Ltd;
- The reconfiguration of Lot 3 and Lot 5 on SP187433 (after reconfiguration, called the New Lot 3 and New Lot 5);
- The construction and ongoing maintenance of an Access Track by Bowyer Archer River Quarries Pty Ltd for Northern Kaanju People to access the New Lot 3;
- The appointment of the Northern Kaanju RNTBC as Grantee of the Aboriginal Freehold once it is the RNTBC for the whole of the ILUA Agreement Area (as it already is for large areas of the land surrounding Lots 3 and 5 on SP187433);
- The transfer of land (New Lot 3) within the ILUA Agreement Area from the Department of Agriculture and Fisheries to the Northern Kaanju Aboriginal Corporation RNTBC (ICN 9756) as Aboriginal Freehold under the *Aboriginal Land Act 1991* (Qld);
- Payment of financial compensation by the State of Queensland in full and final satisfaction of any entitlement to compensation for (a) past removals of Quarry Material from the ILUA Agreement Area between 18 January 1996 and 30 September 2021; (b) Declared Removals extracted between 1 October 2021 and the Registration of the ILUA; and (c) administration costs associated with the execution of the ILUA; and
- The Registration of the ILUA under the NTA.

If the meeting on **Wednesday 10 May 2023** authorises the proposed ILUA, the ILUA will be signed by the Applicant and the State and submitted to the Native Title Registrar for registration under the NTA.

Who is invited to attend the meetings?

The Authorisation meeting is open to all descendants by birth, or adoption in accordance with traditional law and custom, of one or more of the following apical ancestors:

1. Billy and Annie/Alice (parents of George Lefthand Moreton);	13. Old Lady Mapoon (Mapun);
2. Charlie Boko;	14. Mary Ann (mother of Trixie Prior) and her sister Rosie (Percy/Docherty);
3. Billy Boyd;	15. Mickie and Nelly (parents of Annie Mullet);
4. Nancy Boyd (spouse of Monkey Boyd);	16. George Moreton Snr;
5. Father of Billy Chungo;	17. Big Johnny (Nguulpam);
6. Billy George and Jenny (parents of Annie Thompson/Small);	18. Annie Night Island;
7. Henry (father of Annie Densley and Joe Sullivan);	19. Charlie James (Flathead) Pascoe;
8. Jack (father of Nellie Creedy aka Nellie Fox and Mary Ann Malandadji aka Mary Ann Johnson);	20. Polly Roberson;
9. Annie King (aka Long Annie) and her brother Roy Stevens;	21. King Bob Robertson;
10. Paddy King (spouse of Annie King);	22. Jack (aka Johnny Rocky/Rockeby) and Jinnie/Jennie (parents of Old Lady Rosie);
11. Tommy Larsen;	23. Jimmy Saturday and Dolly (parents of Monkey Boyd);
12. George Mamoose (aka George Mamus);	24. Father of Billy Wenlock (Ukunchal); or
	25. Ammanbunga (mother of Victoria John).

Any person who is a descendant of one or more of the apical ancestors listed above is invited to attend these meetings. Please contact CYLC if you would like to confirm whether you are a descendant of one or more of the apical ancestors listed above and so entitled to attend the meeting.

The meeting will be held as follows:

Date: Wednesday 10 May 2023
Venue: Rydges Esplanade Resort Cairns
Time: 9:30am – 3:30pm

Video-conferencing

Video-conferencing facilities will be made available at the meeting. If you would like CYLC to arrange a video-conference from your location into the meeting, whether you live at the location of the meeting or elsewhere, please contact CYLC on the number above. It is important to provide every opportunity for persons entitled to attend the meeting.

Purpose of the Authorisation Meeting

The purpose of the meeting is to decide whether or not to approve (1) the proposed s.87A agreement for a determination of native title for the Determination Agreement Area; and (2) the proposed ILUA over the ILUA Agreement Area. The agenda of the meeting will be to consider whether the persons present:

- agree and adopt a decision-making process;
- agree to and authorise the proposed s.87A agreement for a determination of native title;
- agree to and authorise the proposed ILUA;
- agree to nominate the existing Northern Kaanju RNTBC (Northern Kaanju Aboriginal Corporation RNTBC (ICN 9756)) to be the corporation to represent the native title holders identified in the proposed s.87A agreement for a determination of native title over the Determination Agreement Area; and
- authorise the Principal Legal Officer of CYLC to nominate the proposed corporation in writing to the Federal Court for it to be the prescribed body corporate under NTA s.57(2)(a)&(b) for the proposed determination of native title.

Attendance

If you would like further information about this meeting, please call Michelle Cioffi on 0408 408 017. For **travel assistance** queries, to confirm your attendance or to arrange a zoom link to this meeting, please contact **Jayd Copelin** before **Wednesday 3 May 2023** at CYLC on **(07) 4053 9222** or free call number **1800 623 548** or by email jcopelin@cylc.org.au. Please note that there is limited funding for travel assistance.