Queensland Government

Department of
Natural Resources, Mines and Water

NAT/000878 1

F0036133

ABORIGINAL & TORRES STRAIT ISLANDER LAND ACTS BRANCH
WOPPABURRA LAND TRUST

File Number

Barcode Label

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F0036133

ABORIGINAL & TORRES STRAIT ISLANDER LAND ACTS BRANCH
WOPPABURRA LAND TRUST

Barcode Label

1 8 7 8 0 0 0

Published on DNRME Disclosure Log RTI Act 2009

Release

REPORT OF CONSULTATION AND RECOMMENDATION FOR

Unallocated State Land located on GREAT KEPPEL ISLAND

Lot 50 on SP190989
Lot 51 on SP190992
Lot 52 on SP190991
Lot 53 on SP190990
Lot 29 on SP190994

ON THE APPOINTMENT OF GRANTEES OF TRANSFERABLE LAND IN ACCORDANCE WITH PART 3 OF THE ABORIGINAL LAND ACT 1991

Published on DNRM Disclosure Log
RTI/IP Act

Prepared on Behalf of the Minister ***Date: 18 January 2007***

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SECTION A - PROPERTY DETAILS

PROPERTY TENURE/TITLE

The land, the subject of this report, is available Crown land that is Transferable Land (Aboriginal Land Amendment Regulation (No.4) 2006).

PROPERTY DESCRIPTION

Lot 50 on SP190989, lot 51 on SP190992, lot 52 on SP190991, lot 53 on SP190990 and lot 29 on SP190994 parish of Keppel, county of Livingstone. These lands are located on Great Keppel Island, approximately 50km north east of Rockhampton. See locality map and plans at **Attachment 1**.

AREA OF LAND

Lot 50 on SP190989 is 31.37ha
Lot 51 on SP190992 is 38.73ha
Lot 52 on SP190991 is 25.16ha
Lot 53 on SP190990 is 75.54ha
Lot 29 on SP190994 is 0.0642ha

Total area of land is 170.86 hectares

SURVEY

The lands, the subject of this report, have been surveyed and the relevant plans are considered appropriate for the purpose of this transfer.

ACCESS

The lands, the subject of this report, have access deemed appropriate for the purpose of transfer.

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SECTION B - RATIONALE

It is the Minister's responsibility pursuant to sections 27 and 28 of the *Aboriginal Land Act 1991* (ALA), to direct that a Deed of Grant in fee simple be prepared in relation to transferable land and to appoint grantees for that transferable area.

Pursuant to section 12(e) of the ALA, available Crown land declared by regulation to be transferable land is transferable land.

The lands, the subject of this report was declared by regulation to be available Crown land that is transferable land on 27 October 2006. A copy of the regulation is appended as **Attachment 2**

STATUTORY REQUIREMENT BEFORE APPOINTMENT OF GRANTEES

Section 28 of the ALA directs that before making any appointments of grantees, the Minister must consult with, and consider the views of, the group of Aboriginal people particularly concerned with the land and, as far as practicable, the Minister must make such appointments in accordance with any Aboriginal tradition applicable to the land.

This report documents the consultation done on the Minister's behalf with Aboriginal people particularly concerned with the land **[See Section C - Consultation Methodology]** and makes a recommendation to the Minister **[See Section D - Recommendation]**.

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SECTION C - CONSULTATION METHODOLOGY

GENERAL

After lengthy public consultation with stakeholders, five parcels of unallocated State land on Great Keppel Island have been made available for transfer under the ALA. The land has cultural heritage values for the Aboriginal people connected to the land, the Woppaburra People.

The lands are within the area of land being claimed by the Darumbal people under the *Native Title Act 1993* (Cth) and in deference to the native title claimants, their consent was requested prior to the commencement of the formal consultation process for this transfer. The Gurang Land Council, being the official agent of the Darumbal people, was requested to convene a meeting of the claimants at which the transfer process and its implications could be outlined. At such a meeting held in Rockhampton on 19 October 2005 and attended by members of the Gurang Land Council and representatives of the claimants, approval was obtained for the transfer process to commence.

The Department facilitated two formal meetings during the consultation process. The first meeting was held at Hervey Bay on 16 and 17 September 2006, and the second was held in Brisbane on 18 November 2006. The Woppaburra People also held a number of meetings prior to these meetings. Details of the meetings and of the history of the Woppaburra People, prepared by them, is appended as **Attachment 3.**

The method of consultation has consisted of:

- discussions with individuals and small groups of people;
- telephone conversations;
- formal and semi-formal meetings;
- newspaper advertisements;
- written and electronic communication.

Departmental officers acknowledge and appreciate the advice and assistance of the Woppaburra People throughout the transfer/consultation process.

DETAILS OF FORMAL MEETINGS

16 and 17 September 2006: The first formal meeting convened by departmental officers was held at Dhugamin CDEP Hall, Scrub Hill, Hervey Bay on 16 and 17 September 2006. At that meeting the transfer/consultation process was outlined, timelines were established and the provisions of the ALA and Regulation were outlined. The responsibilities of trustees under the Act and Regulation were explained, as were the processes of nominating and appointing grantees to become trustees of the land. On the second day of the meeting participants nominated the forty people listed below to represent the five main families connected to the land under Aboriginal tradition.

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Christine Konomie Barney	Meaghan Jay Cummins	Bessie Parsons
Colin James Barney	Christine Joyce Doherty	78B(2) of the RTI Act
Ernest Albert Barney	Frances May Gala	Debbra Richards
Gordon Windsor Barney	Peter Darryle Green	Lucy May Richards
Tarita Yvonne Borland	Tegan Marie Green	Nellie Ann Richards
Matthew Joseph Boustead	Susie Hansen	78B(2) of the RTI Act
Malcolm John Fredrick Burns	Michelle Diane Howden	
Valmai Frances Rowena Burns	Jay Jordan	Marlene Singleton
Lillian Bessie Catley	Vanessa Noelene Kirk	Vincent Stanley Singleton
Joh-Ann Alice Coates	Ruth Linda Link	Beryl Rosetta Smith
Jason Cockatoo	Jill Linda McBride	Fredrick Stanley
Selina Evelyn Costelloe	Kathryn Ann Mann	Linette Joan Van Issum
Glenice Esmai Croft	Scott Bradley Mitchell	Marlene May Cummins
Robert Michael Muir		

After the meeting three changes were made at the request of the relevant family groups. 78B(2) of t 78B(2) of was replaced by Janice Rose Reilly, 78B(2) of the RTI Act was replaced by Daphne Singleton, and 78B(2) of the RTI Act was replaced by Adam John Saunders.

Minutes of the meeting are appended as **Attachment 4.1**

18 November 2006: The second formal meeting facilitated by the departmental officers was held at the Virginia Palms International Hotel, Virginia, Brisbane. The main topics discussed at the meeting were:

- The outcome of the advertisements calling for objections to the nominated grantees
- Name for the land on the deed
- Name for the land trust
- The constitution of the land trust
- Potential handover dates and arrangements

Minutes of the Meeting are appended as **Attachment 4.2**

ADVERTISEMENTS

Advertisements calling for objections to the nominated grantees were approved by the Manager, Aboriginal and Torres Strait Islander Land Acts Branch on 17 October 2006 and were placed in the Koori Mail on 25 October and the Cairns Post, Townsville Bulletin, Rockhampton Morning Bulletin, Mackay Daily Mercury and Fraser Coast Chronicle on 28 October 2006. With respect to all advertisements, objections were requested to be received in writing by 5:00 pm on 17 November 2006.

A copy of the print advertisement is appended as Attachment 5

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OBJECTIONS

An objection was put forward by sch4p4(6) Personal information in regard to the nominated grantees. At the meeting held on 18 November 2006, the nominated grantees and Woppaburra Elders felt sch4p4(6) Personal information did not have any traditional connection to the Great Keppel lands. sch4p4(6) Personal informatio has been informed of this and that the transfer is to proceed as planned.

GOVERNMENT AND OTHER AGENCIES CONTACTED

- Department of Mines and Energy
- Department of Primary Industries
- Department of State Development
- Department of Main Roads
- Environmental Protection Agency / Queensland Parks and Wildlife Service
- Livingstone Shire Council
- Gurang Land Council
- Ergon Energy
- Telstra
- Aboriginal and Torres Strait Islander Commission (ATSIC)

No objections to the transfer were raised by any government agency contacted.

ABORIGINAL BODIES CONSULTED

- Gurang Land Council
- Woppaburra Dreaming Partnerships

ABORIGINAL PEOPLE CONSULTED

78B(2) of the RTI Act

Uncle Ernest Barney
Uncle Gordon Barney
Aunty Nellie Richards 78B(2) of the RTI A
Colin Barney

78B(2) of the RTI Act

Glenice Barney Croft

78B(2) of the RTI Act

K.A. Mann (Kathy)
Lucy Richards

78B(2) of the RTI Act

Vince Singleton

78B(2) of the RTI Act

Joh-Ann Coates
Fred Stanley

78B(2) of the RTI Act

Ruth Link (Cummins)
Beryl Smith
Debbra Richards

78B(2) of the RTI Act

Shelly Howden (Michelle)

78B(2) of the RTI Act

Selina Costelloe

78B(2) of the RTI Act

Chris Doherty

78B(2) of the RTI Act

S. Hansen (Susie)

78B(2) of the RTI Ac

Scott Mitchell
Bessie Parsons

78B(2) of the RTI Act

Peter Green

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78B(2) of the RTI Act

Janice Reilly

78B(2) of the RTI Act

Linette Van Issum

Jason Cockatoo

78B(2) of the RTI Act

Frances Gala

Tegan Green

78B(2) of the RTI Act

Marlene Cummins

78B(2) of the RTI Act

LIST OF PERSONS NOMINATED AS GRANTEES

Aboriginal people particularly concerned with the land have agreed to nominate the following persons to be considered for appointment as grantees and to act as trustees for the land pursuant to section 28 of the ALA:

Christine Konomie Barney
Colin James Barney
Ernest Albert Barney
Gordon Windsor Barney
Tarita Yvonne Borland
Matthew Joseph Boustead
Malcolm John Fredrick Burns
Valmai Frances Rowena Burns
Lillian Bessie Catley
Joh-Ann Alice Coates
Jason Cockatoo
Selina Evelyn Costelloe
Glenice Esmai Croft
Robert Michael Muir
Meaghan Jay Cummins
Christine Joyce Doherty
Frances May Gala
Peter Darryle Green
Tegan Marie Green
Susie Hansen
Michelle Diane Howden
Jay Jordan
Vanessa Noelene Kirk
Ruth Linda Link
Jill Linda McBride
Kathryn Ann Mann
Scott Bradley Mitchell
Bessie Parsons
Janice Rose Reilly
Debbra Richards
Lucy May Richards
Nellie Ann Richards
Adam John Saunders
Daphne Singleton
Marlene Singleton
Vincent Stanley Singleton
Beryl Rosetta Smith
Frederick Stanley
Linette Joan Van Issum
Marlene May Cummins

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ABORIGINAL TRADITION

All of the Aboriginal participants at the meeting/s concerning the land, the subject of this report, were people with traditional or historical connections to the land. The participants were informed at the meetings that, in appointing grantees, the Minister must act in accordance with any Aboriginal tradition that may apply to the land. This was noted by the participants. The recommendation to the Minister regarding the appointment of grantees reflects the decisions made by the Aboriginal participants at the meetings.

LAND TRUST NAME

The name of the Land Trust is to be Woppaburra Land Trust

Release

LOCAL NAME TO BE RECORDED

The name Woppaburra is to be recorded as the local name of the land, the subject of this report.

CONSULTATION REPORT

On **5th January 2007,** a draft of this report was circulated to the nominated grantees. No comments were received.

ISSUES

None

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SECTION D - RECOMMENDATION

That the Honourable the Minister, upon consideration of this report, direct that a deed of grant in fee simple be prepared in relation to:

Lot 50 on SP190989, lot 51 on SP190992, lot 52 on SP190991, lot 53 on SP190990 and lot 29 on SP190994 parish of Keppel, county of Livingstone

and that the following Aboriginal persons be appointed as grantees:

Christine Konomie Barney
Colin James Barney
Ernest Albert Barney
Gordon Windsor Barney
Tarita Yvonne Borland
Matthew Joseph Boustead
Malcolm John Fredrick Burns
Valmai Frances Rowena Burns
Lillian Bessie Catley
Joh-Ann Alice Coates
Jason Cockatoo
Selina Evelyn Costelloe
Glenice Esmai Croft
Robert Michael Muir
Meaghan Jay Cummins
Christine Joyce Doherty
Frances May Gala
Peter Darryle Green
Tegan Marie Green
Susie Hansen
Michelle Diane Howden
Jay Jordan
Vanessa Noelene Kirk
Ruth Linda Link
Jill Linda McBride
Kathryn Ann Mann
Scott Bradley Mitchell
Bessie Parsons
Janice Rose Reilly
Debbra Richards
Lucy May Richards
Nellie Ann Richards
Adam John Saunders
Daphne Singleton
Marlene Singleton
Vincent Stanley Singleton
Beryl Rosetta Smith
Frederick Stanley
Linette Joan Van Issum
Marlene May Cummins

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RTI Act 2009

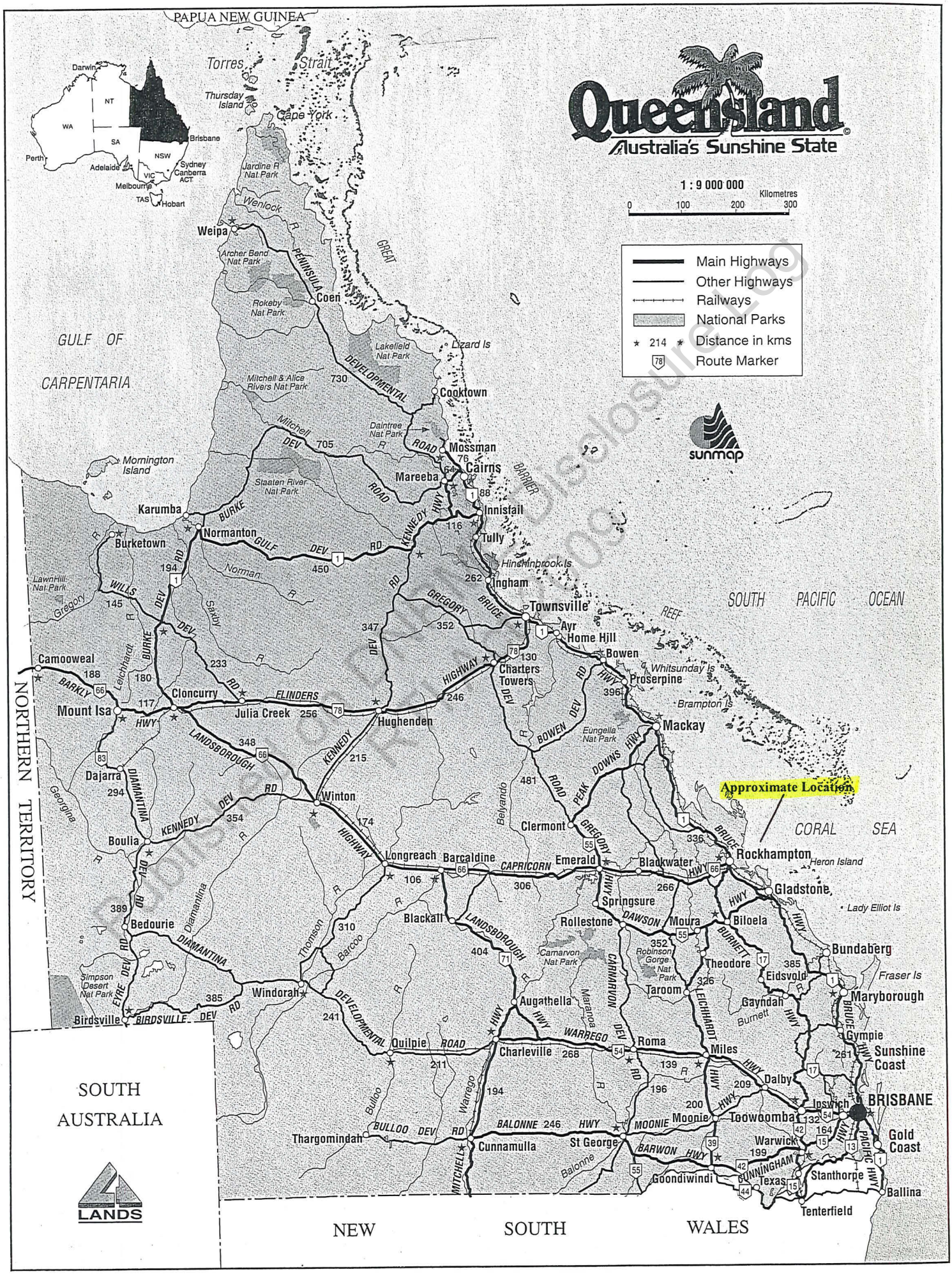
Release

SECTION E- ATTACHMENTS

1. Maps and Plans
2. Regulation
3. The Woppaburra People Historical Fact Sheet
4. Minutes of Meetings
5. Advertisements
6. Certification
7. Request for the Appointment of Grantees and Issue of Title

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RTI Act 2009

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Public Disclosure Log
Document Released Under FOI

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5394

Land Title Act 1994; Land Act 1994
Form 21 Version 2

SURVEY PLAN

Sheet 1 of 4

REFERENCE MARKS

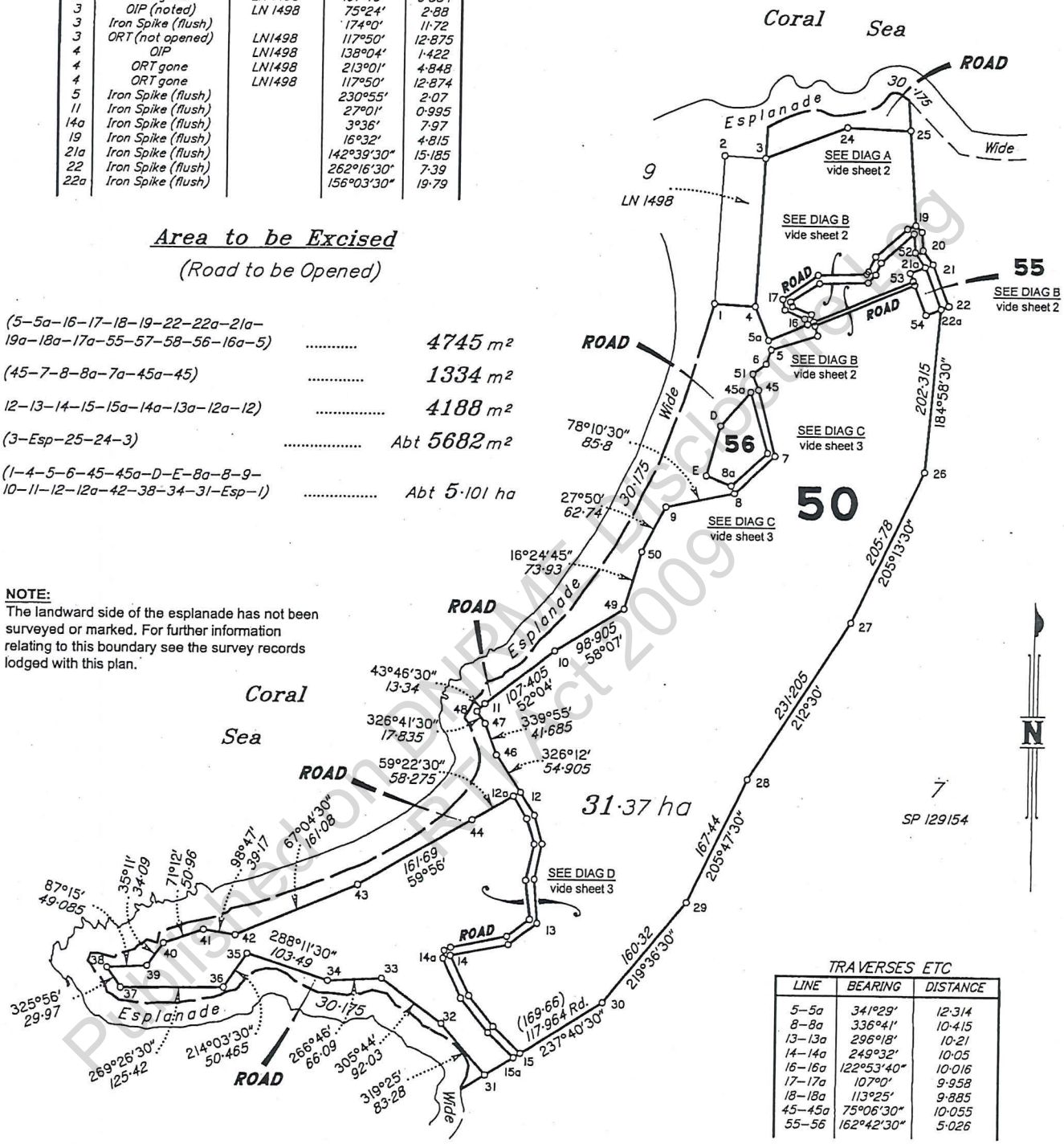
STN	TO	ORIGIN	BEARING	DIST
1	OIP	LN 1498	228°04'	1·422
1	ORT (not opened)	LN 1498	146°09'	11·245
2	OIP	LN 1498	318°04'	1·422
2	ORT gone	LN 1498	191°46'	9·354
3	OIP (noted)	LN 1498	75°24'	2·88
3	Iron Spike (flush)		174°0'	11·72
3	ORT (not opened)	LN1498	117°50'	12·875
4	OIP	LN1498	138°04'	1·422
4	ORT gone	LN1498	213°01'	4·848
4	ORT gone	LN1498	117°50'	12·874
5	Iron Spike (flush)		230°55'	2·07
11	Iron Spike (flush)		27°01'	0·995
14a	Iron Spike (flush)		3°36'	7·97
19	Iron Spike (flush)		16°32'	4·815
21a	Iron Spike (flush)		142°39'30"	15·185
22	Iron Spike (flush)		262°16'30"	7·39
22a	Iron Spike (flush)		156°03'30"	19·79

Short Steel Picket & Steel Picket marker placed at station 3 and all new corners, unless otherwise stated.

Area to be Excised
(Road to be Opened)

(5–5a–16–17–18–19–22–22a–21a–19a–18a–17a–55–57–58–56–16a–5)	.....	4745 m²
(45–7–8–8a–7a–45a–45)	.....	1334 m²
12–13–14–15–15a–14a–13a–12a–12)	.....	4188 m²
(3–Esp–25–24–3)	.....	Abt 5682 m²
(1–4–5–6–45–45a–D–E–8a–8–9–10–11–12–12a–42–38–34–31–Esp–1)	.....	Abt 5·101 ha

NOTE:
The landward side of the esplanade has not been surveyed or marked. For further information relating to this boundary see the survey records lodged with this plan.



TRAVERSES ETC

LINE	BEARING	DISTANCE
5–5a	341°29'	12·314
8–8a	336°41'	10·415
13–13a	296°18'	10·21
14–14a	249°32'	10·05
16–16a	122°53'40"	10·016
17–17a	107°0'	9·958
18–18a	113°25'	9·885
45–45a	75°06'30"	10·055
55–56	162°42'30"	5·026

Scale 1:5000 – Lengths are in Metres.

50 0 50 100 150 200 250 300 350 400 450 500 550 600 650 700

0 50|mm 100|mm 150|mm

State copyright reserved.

I, Charles Rodney Schlencker, hereby certify that the land comprised in this plan was surveyed by Cal John Stephenson, Surveying Associate, for whose work I accept responsibility and that the plan is accurate, that the said survey was performed in accordance with the Survey and Mapping Infrastructure Act 2003 and Surveyors Act 2003 and associated Regulations and Standards and that the said survey was completed on 14–6–2006.

sch4p4(6) Personal info

Date 14/06/06 ... Cadastral Surveyor

Plan of
Lots 50, 55 & 56

Cancelling part of USL (being Lots 1 & 2 on AP4361)

PARISH: **KEPPEL** COUNTY: **Livingstone**

Meridian: MGA by GPS F/N's: Yes

Scale: 1:5000
Format: STANDARD

SP190989

Plan Status:

Published on DNRME ESC Cadastre.org
RE Act 2009

Land Title Act 1994; Land Act 1994
Form 21 Version 2

SURVEY PLAN

5394

Date 05/05/06

I, Charles Rodney Schlencker, hereby certify that the land comprised in this plan was surveyed by Col John Stephenson, Surveying Associate, for whose work I accept responsibility and that the plan is accurate, that the said survey was performed in accordance with the Survey and Mapping Infrastructure Act 2003 and Surveyors Act 2003 and associated Regulations and Standards and that the said survey was completed on 5-5-2006.

Coastal Surveyor

sch4p4(6)

Plan of

Lot 51

Cancelling part of USL (being Lot 2 & Lot 4 on AP2513 and Lot 4 on USL42128)

PARISH: KEPPEL

COUNTY: Livingstone

Meridian: MGA by GPS

F/N's: Yes

Plan Status:

SP190992

Format: STANDARD

Scale: 1:5000

0 50 mm 100 mm 150 mm

State copyright reserved.

PERMANENT MARKS

PM	ORIGIN	BEARING	DIST	NO
1–PSM		93°14'	16·385	159470
6–PSM		54°50'	12·92	159472
6–OPM	Qld DMS	131°50'50"	1586·04	55257
8–PSM		175°36'30"	9·0	159471

QGS 1005

REFERENCE MARKS

STN	TO	ORIGIN	BEARING	DIST
1	OIP gone	LN2884	177°38'	0·71
1	ORT	LN710	142°17'	16·536
9	OIP	LN2884	200°27'	1·5
9	ORT stp	LN710	246°37'	3·62
9	ORT lying out	LN710	297°17'	4·727

Area to be Excised

(Road to be Opened)

(Esp–B–6–14–13–12–11–10–28–5–27–26–25–4 24–23–22–21–19–3–2–Esp) ..... Abt 13·33 ha

N

345°23' 126·85
124·195 113°12'30"
136·125 114°25'
78·19 94°10'
110°36'30" 202·115
103°38' 219·21
102°34'30" 218·735
93°16'30" 219·45
153°0' 25·915
142°13'30" 34·5
177°11'30" 95·09
206°12' 47·22
172°17'30" 89·21
Abt 166°55' Abt 300·8 Esp.
312°55' 87·36
270°54' 53·565
330°14' 64·89
344°06' 132·175
193·095
202·795 284°47'30"
187·66 280°49'
185·365 277°20'
132·155 270°03'
Abt 89·8 266°56' Abt
Abt 80·0 264°07' Abt
Abt 110·0 261°37' Abt
141·405 193°50'
129·255 200°10'
142·595 27°27'
301·36 277°07' (I–9)
177·337
40·2
OP
OP
OIP
ORT stp
ORT lying out

Coral Sea

Esplanade 30·175 Wide

ROAD

51

38·73 ha

7 SP 129154

7 AP 11326

2 CP 900494

B AP2513

A AP2344

PER 208968

AP 2513

SEE DIAG

NOTE:
The landward side of the esplanade has not been surveyed or marked. For further information relating to this boundary see the survey records lodged with this plan.

Short Steel Picket & Steel Picket marker placed at all new corners, unless otherwise stated.

Scale 1:5000 – Lengths are in Metres.

50 0 50 100 150 200 250 300 350 400 450 500 550 600 650 700

DIAGRAM

SCALE 1:1000

Coral Sea
Esplanade
No O.Mk OIP gone ORT
ROAD
51
(30·5)
Abt 25·5 Esp.
277°07'
7 USL 42128

Sheet 1 of 2

Published on DNRME Disclosure Log RTI Act 2009

ATTACHMENT 1.4

Land Title Act 1994: Land Act 1994
Form 21 Version 2

SURVEY PLAN

5394

Sheet 1 of 3

Date 9/5/06

sch4p4(6)

Cadastral Surveyor

I, Charles Rodney Schlencker, hereby certify that the land comprised in this plan was surveyed by Cal John Stephenson, Surveying Associate, for whose work I accept responsibility and that the plan is accurate, that the said survey was performed in accordance with the Survey and Mapping Infrastructure Act 2003 and Surveyors Act 2003 and associated Regulations and Standards and that the said survey was completed on 5-05-2006.

PERMANENT MARKS

PM	ORIGIN	BEARING	DIST	NO	
3a-PSM		121°10'	55·725	159448	
4-PSM		222°27'30"	40·79	159451	
13-OPM	Old DMS	358°21'55"	299·955	55257	QGS 1005

REFERENCE MARKS

STN	TO	ORIGIN	BEARING	DIST
1	OIP	LN1646	56°13'	1·006
2	OIP	LN1646	236°12'	1·006
2	OIP	LN1646	306°27'	1·006
4	OIP	LN1646	306°27'	1·006
6	OIP	LN1646	119°44'	1·006
7	OIP	LN1646	299°44'	1·006
7	ORT	LN1646	188°47'	4·245
9	OIP	LN1646	111°02'	1·022
18	OIP	LN1646	241°49'	1·006
18	OIP	LN1646	342°33'	1·006

Short Steel Picket & Steel Picket marker placed at station 7a, 17, 18 & all new corners unless otherwise stated.

NOTE:
The landward side of the esplanade has not been surveyed or marked. For further information relating to this boundary see the survey records lodged with this plan.

Area to be Added

(being Closed Road)

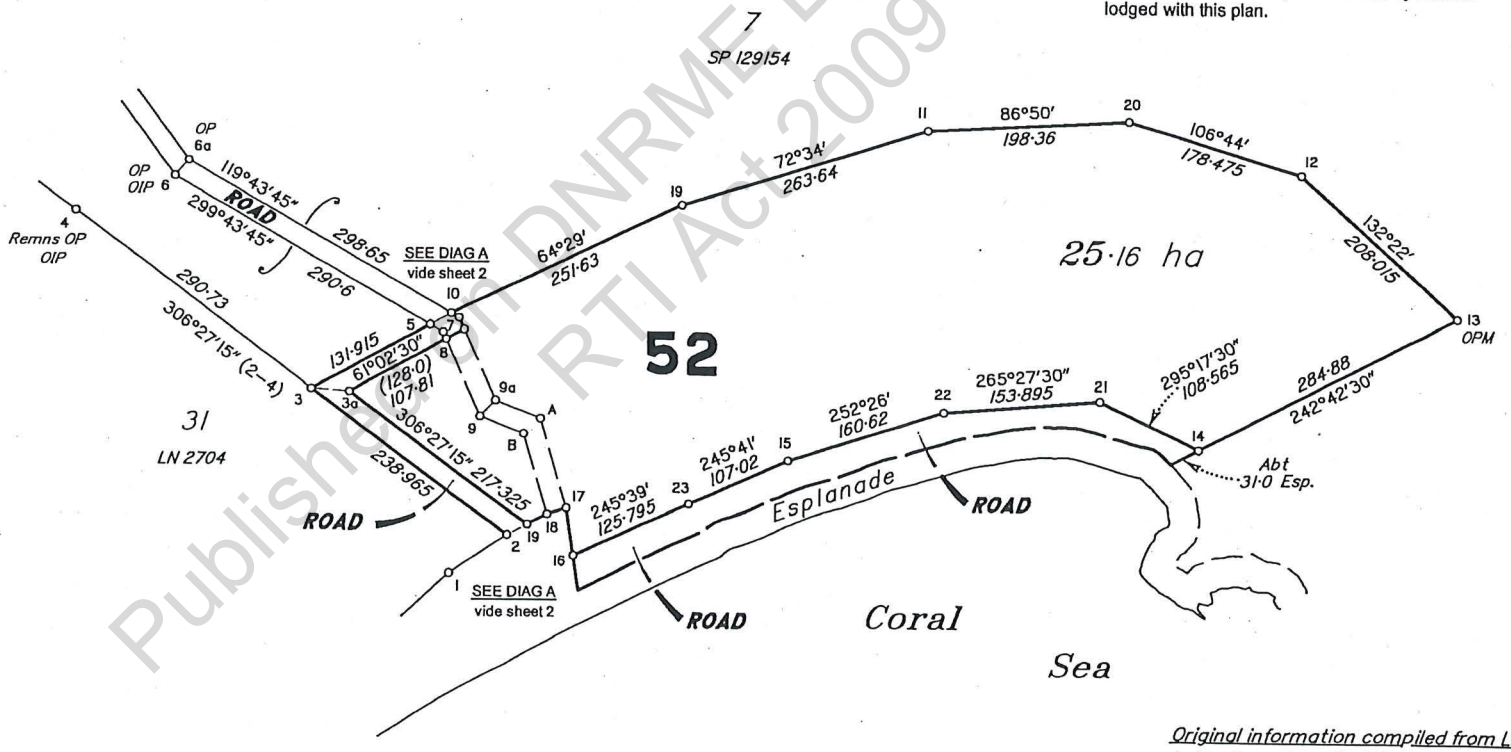
(8-8a-9a-A-17-18-B-9-8) 4278 m²

Area to be Excised

(Road to be Opened

(2-3-5-7-8-3a-19-2) 6992 m²

(Esp-16-15-14-Esp) Abt 1·779 ha



Scale 1:5000 – Lengths are in Metres.

50 0 50 100 150 200 250 300 350 400 450 500 550 600 650 700

Original information compiled from LN1646 in the Department of Natural Resources and Mines.

Plan of

Lot 52

Cancelling part of USL (being Lot 10 on USL 42128, Lot 46 on USL 42204 and Closed Road)

PARISH: **KEPPEL** COUNTY: ***Livingstone***

Meridian: *MGA by GPS*

F/N's: *Yes*

Plan Status:

SP190991

Scale: 1:5000

Format: STANDARD

0 50 mm 100 mm 150 mm

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5394

Land Title Act 1994; Land Act 1994
Form 21 Version 2

SURVEY PLAN

Sheet 1 of 3

PERMANENT MARKS

PM	ORIGIN	BEARING	DIST	NO
4–OPM	LN2618	316°36′	4·797	79523
5–OPM	Qld DMS	60°34′20″	1196·1	55257
9–PM fd		293°27′30″	60·81	91827

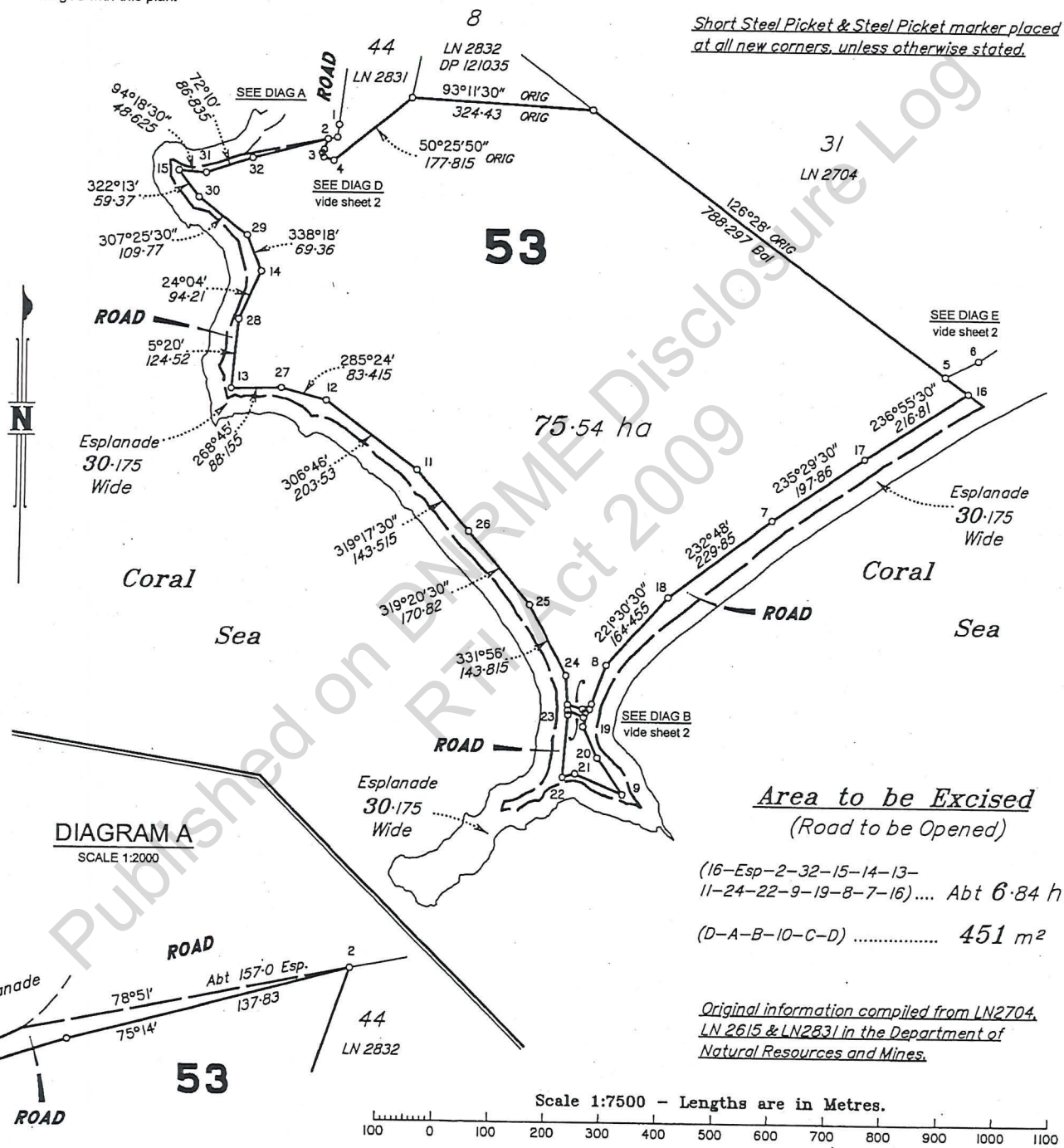
QGS 1005

REFERENCE MARKS

STN	TO	ORIGIN	BEARING	DIST
1	OIP	LN2831	200°29′15″	30·707
3	ORT (not conn)	IS149366	154°29′45″	5·63
3	OIP	LN2618	210°06′25″	6·0
5	OIP	LN1646	63°33′	1·006
5	OIP	LN1646	306°28′	1·006
5	ORT dead	LN1646	309°17′	19·614
6	OIP	LN1646	56°13′	1·006

NOTE:
The landward side of the esplanade has not been surveyed or marked. For further information relating to this boundary see the survey records lodged with this plan.

Short Steel Picket & Steel Picket marker placed at all new corners, unless otherwise stated.



Area to be Excised
(Road to be Opened)

(16–Esp–2–32–15–14–13–11–24–22–9–19–8–7–16) .... Abt 6·84 ha

(D–A–B–10–C–D) ..... 451 m²

Original information compiled from LN2704, LN 2615 & LN2831 in the Department of Natural Resources and Mines.

Scale 1:7500 – Lengths are in Metres.

100 0 100 200 300 400 500 600 700 800 900 1000 1100

0 50 mm 100 mm 150 mm

State copyright reserved.

I, Charles Rodney Schlencker, hereby certify that the land comprised in this plan was surveyed by Cal John Stephenson, Surveying Associate, for whose work I accept responsibility and that the plan is accurate, that the said survey was performed in accordance with the Survey and Mapping Infrastructure Act 2003 and Surveyors Act 2003 and associated Regulations and Standards and that the said survey was completed on 5–5–2006.

sch4p4(6) Personal informa

Cadastral Surveyor

Date 5/05/06

Plan of
Lot 53
Cancelling Part of USL (being Lot 30 on LN1316)

PARISH: **KEPPEL** COUNTY: **Livingstone**

Meridian: MGA by GPS F/N's: Yes

Scale: 1: 7500
Format: STANDARD

SP190990

Plan Status:

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Land Title Act 1994; Land Act 1994
Form 21 Version 2

SURVEY PLAN

5394

Date 14/8/06

I, Charles Rodney Schlencker, hereby certify that the land comprised in this plan was surveyed by Col John Stephenson, Surveying Associate, for whose work I accept responsibility and that the plan is accurate, that the said survey was performed in accordance with the Survey and Mapping Infrastructure Act 2003 and Surveyors Act 2003 and associated Regulations and Standards and that the said survey was completed on 14-6-2006.

sch4p4(6

Cadastral surveyor

REFERENCE MARKS

STN	TO	ORIGIN	BEARING	DIST
1	OIP	DP888530	216°22'	0·885
1	ORT	LN1658	206°0'	2·836
2	Spike (flush)		26°09'	4·25
3	OIP	LN1658	14°42'	1·006
3	ORT	LN1658	26°12'	14·444
4	Pin		358°57'	1·115
4	Spike (flush)		26°48'30"	13·185
6	O.GIN in Bit	DP888530	182°56'	11·635
7	OIP	DP888530	181°34'	0·67
8	O.GIN in Bit	LN2763	180°06'	12·831
8	O.GIN in Bit	LN2763	179°11'	12·84

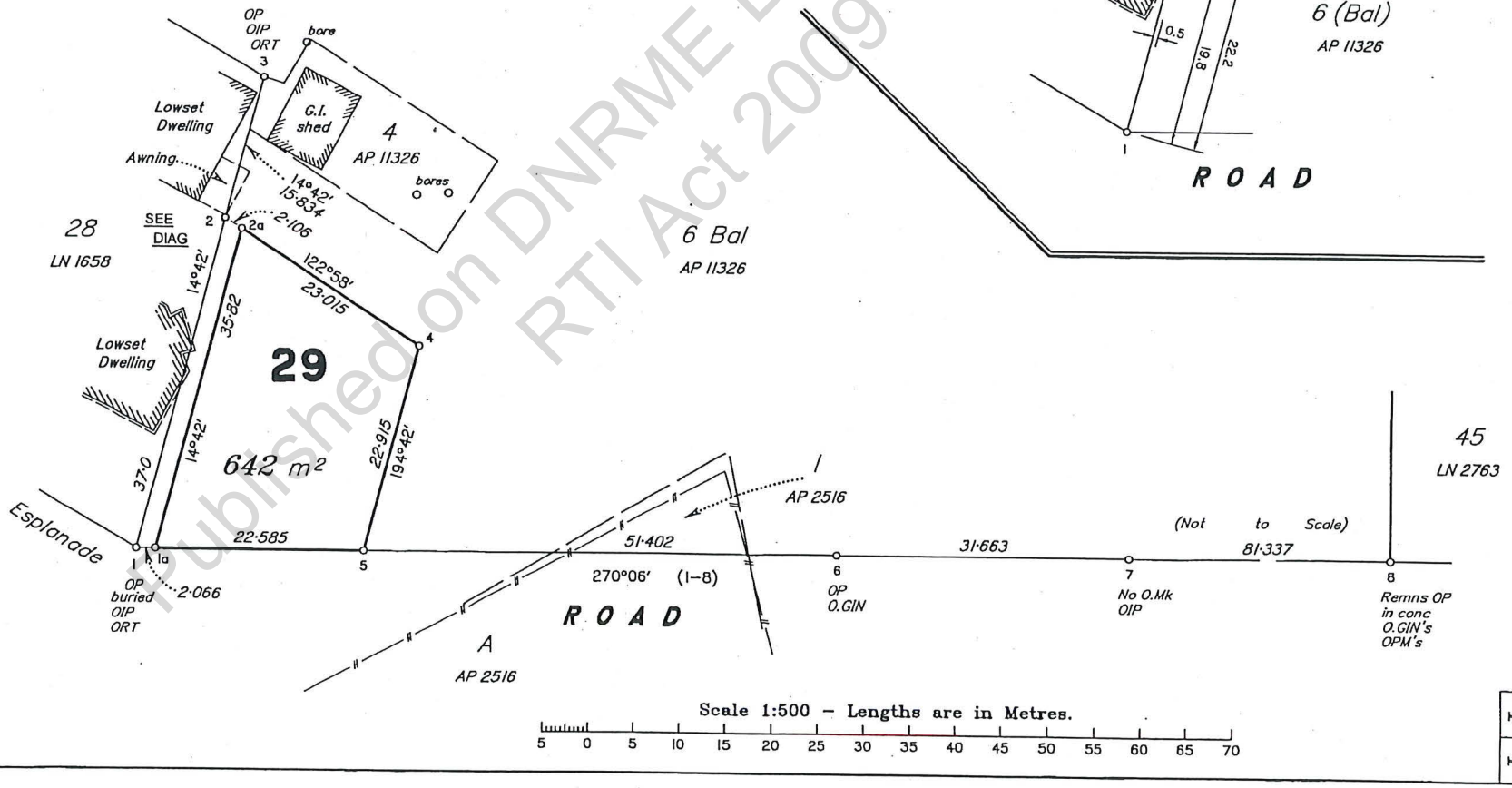
PERMANENT MARKS

PM	ORIGIN	BEARING	DIST	NO
8-OPM	SP169838	99°24'15"	233·41	141788
8-OPM	SP169838	89°48'05"	240·152	141787

Peg placed at stations 1a, 2a, 4 & 5.

DIAGRAM

Not to Scale



Scale 1:500 - Lengths are in Metres.

5 0 5 10 15 20 25 30 35 40 45 50 55 60 65 70

Plan of

Lot 29

Cancelling part of USL
(being part of Lot 6 on AP11326)

PARISH: KEPPEL
COUNTY: Livingstone
Meridian: of LN1658

F/N's: No

Plan Status:

Scale: 1:500
Format: STANDARD

SP190994

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Sheet 1 of 1



Queensland

Aboriginal Land Amendment Regulation (No. 4) 2006

Subordinate Legislation 2006 No. 264

made under the

Aboriginal Land Act 1991

Contents

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2	Regulation amended	2
3	Amendment of sch 2 (Available Crown land that is transferable land)	2

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1 Short title

This regulation may be cited as the *Aboriginal Land Amendment Regulation (No. 4) 2006*.

2 Regulation amended

This regulation amends the *Aboriginal Land Regulation 1991*.

3 Amendment of sch 2 (Available Crown land that is transferable land)

Schedule 2—

insert—

'28 Lot 50 on SP190989, County of Livingstone, Parish of Keppel,[1] area of 31.37ha.

29 Lot 51 on SP190992, County of Livingstone, Parish of Keppel,[2] area of 38.73ha.

30 Lot 52 on SP190991, County of Livingstone, Parish of Keppel,[3] area of 25.16ha.

31 Lot 53 on SP190990, County of Livingstone, Parish of Keppel,[4] area of 75.54ha

32 Lot 29 on SP190994, County of Livingstone, Parish of Keppel,[5] area of 0.0642ha.'.

1 This land is in the vicinity of latitude 23°09'47" south, longitude 150°57'26" east.
2 This land is in the vicinity of latitude 23°10'23" south, longitude 150°56'31" east.
3 This land is in the vicinity of latitude 15°36'15" south, longitude 145°19'03" east.
4 This land is in the vicinity of latitude 15°36'15" south, longitude 145°19'03" east.
5 This land is in the vicinity of latitude 23°10'47" south, longitude 150°56'10" east.

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ENDNOTES

1 Made by the Governor in Council on 26 October 2006.
2 Notified in the gazette on 27 October 2006.
3 Laid before the Legislative Assembly on . . .
4 The administering agency is the Department of Natural Resources and Water.

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The Woppaburra People
HISTORICAL FACT SHEET

To our guests/visitors

Welcome to the Traditional land and sea country of the Woppaburra People – Keppel Islanders
We hope you enjoy your visit with us, and walk our traditional country and see it through our eyes, culturally and spiritually.

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Background Facts: Woppaburra People of the Keppel Islands

- Our ancestors have occupied these islands since time began, our dreamtime, today's descendants have a lifelong spiritual and physical connection to the land and sea, every living thing is connected through the circle of life. We have a life long responsibility to our ancestors to care for country. Through many vast generations of the Woppaburra people, our fore-fathers have passed down traditional knowledge, our knowledge of the islands is intimate, and is under-rated, all its natural resources, the seasons, the tidal and ocean movements, the flora and fauna, what used to be there.

- Our ancestors island hopped through the Keppels, based on seasons, food, water shelter and traditional hunting, conducting ceremonies, but the primary islands of occupation were North Keppel (Konomie – meaning 'North Wind') and Great Keppel (Wop-pa – meaning 'Woppa means island, burra means, people of the island').

European Names	Woppaburra Language names
Great Keppel Is	*Wop-pa (Woppa means island, burra means, people of the island).*
North Keppel Is	*Ka-no-mie (North Wind)*
Middle Island	*Ba-la-ba (when our ancestors were removed in 1902, and sent and lived on other Aboriginal missions, spoken language and ceremonies were forbidden and prohibited, so a lot of this knowledge is lost in time*
Myall Island	*Ma-ma-lon-bi* (as above)
Humpy Island	*Bur-ye bur-ye (as above)*
Barren Island	*A-rum-mi (as above)*
Corrobboree Island	*Te- ri- mul (as above)*
Outer Rock	*o-nun (as above)*
Man and Wife Rocks	*Ban- ka-boo- la- re (as above)*
Whale	*Mugga Mugga* (Our clan totem)
Fish all sorts	*gu-ja*

Our Cultural Heritage Sites

Indigenous Sites of significance across Australia, form a strong case of physical evidence of 'occupation', for Australia's original inhabitants. We have sites on many of the islands, for example, one of our sites (a midden) on North Keppel has been dated as 4500-5000 years old, it is as big as three football fields.
Another priority site, is the (drowning cave – a massacre site), where our ancestors were chained to iron manacles at low tide as a form of punishment, and when the tides came in, they were drown, we want to have this site submitted to the National Heritage Register, as it has national significance of Australian historical importance and one of hundreds of examples across Australia, considered evidence, of the many atrocities that Indigenous people were victims of in early European /settlement.

15 years ago, we lodged an expression of interest for land acquisition on our ancestral lands, primarily, Great Keppel Island (USL). In March 2005, we were advised that the EOI was approved, but sadly, we have lost over 15

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Elders in this time, and a priority for us is the health and well being of our current Elders who are suffering debilitating illness's, and we want to ensure that we don't lose anymore of our Elders in this lengthy government process and that they will witness the handover ceremony in their time.

As a traditional owner group, we always extend our hand of friendship and good will to everyone, and we continue to seek resources and assistance from other stakeholders and their generosity, as it is a life struggle for Indigenous groups to go forward and set a future for our young people and future generations as we try and revive our culture and traditions on ancestral lands – a step towards the National Reconciliation Agenda of COAG – 'Friendship builds Respect'.



Figure 1 - In Loving Memory of Our Ancestors - The Woppaburra people

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WOPPABURRA HISTORICAL TIMELINE

European Settlement

- Pre 1770 – Our ancestors lived in harmony and occupied the Keppel Islands for time millennium;
- Post 1770 – The Keppel Islands first became known to the outside world on Sunday 27th May 1770, when Captain James Cook named Keppel Bay (after rear admiral Keppel) and the surrounding islands and observed people on them.
- Subsequently, several other coastal explorers observed people on the islands but provided no detailed descriptions of them or estimates of numbers.
- 1850's – marked a turning point in colonial activity on the mainland, and this was gradually to have significant repercussions for the Woppaburra People.
- 1853 – Colonial frontier settlers – Archer Brothers marked out Gracemere Station, south of now Rockhampton
- 1857 - Rockhampton was born (comprising only two buildings)
- 1858 – gold was discovered in Canoona
- 1860's – To the North, Bowen and Townsville were settled.
- 1865 – Yeppoon was settled
- 1867 – Emu Park was settled
- 1865 – The first recorded visit to the Keppel Islands occurred by a group of European settlers from the mainland.
- 1866 – Robert Ross obtained a lease over South Keppel.
- 1867 – Robert Ross visited South Keppel Island with a view to establishing a cattle station and for the first time offers a glimpse of the Woppaburra
- 1870's – Colonial contact with the Keppel Islands developed on a more systematic basic
- 1883 and onward – colonial reports and observations begin to reveal more details about the Woppaburra and the impacts of colonial settlement on their lifestyles, culture and survival start to emerge
- **1883 – 1902 After surviving many years of colonial settlement, after massacres and cruel and inhumane treatment at the hands of numerous lessee's on the islands, the number of Woppaburra are sadly reduced in numbers, from a possible 150 – 200, to only 17 Woppaburra, mainly women and children that are left.**
- **Most of our male ancestors were shot, and most of our women ancestors died of European disease**
- **1902 – The remaining 17 were forcibly removed and further separated by being sent to numerous Aboriginal missions in Queensland, Bogimbah Mission Fraser Island, Yarrabah and Cherbourg.**
- **Only 6 Woppaburra survived the removal of 1902 (Konomie, Jessie, Albert, Annie, Fred)**
- **Today's descendants have direct blood lineage to those 6 who survived.**
- **Those last 17 never returned to their island home, until 1984, when today's descendants held a reunion. (to remember and pay our respect)**
- **Today's descendants approximately number over 600-800.**

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Today's descendants – Historical Timeline

- 1984 – the first reunion of Woppaburra descendants held on Great Keppel Island
- 1991 – Expression of Interest (EOI) lodged for land acquisition on Great Keppel Island (Aboriginal Land Act 1991)
- 1993 – Descendant Bob Muir stuck the Aboriginal flag in the sand on Great Keppel Island (Wop-pa), reclaiming our ancestral and traditional lands – 'our peaceful protest'
- 2000 – First Burial Ceremony (Repatriation of our ancestors skeleton remains)
- 2001 – Second Burial Ceremony (Repatriation of our ancestors skeleton remains)
- March 2005 – OUR EOI for land acquisition IS APPROVED by the Dept of NR&M!!!! (this took 14 years from when we first lodged the EOI in 1991), pre Native Title Act. (We have lost a lot of Elders in this time, who sadly, aren't with us to witness this historic event)

(Chris Doherty and Bob Muir facilitated all the workshops below)
To inform and advise all descendants about the Land Acquistion EOI approval and the compliance process of the ALA 1991). To prepare and ready our people for the government consultation.

- December 2005 – Woppaburra Workshop on GKI (the last time so many descendants were together on the island was the 1984 reunion)
- 17 February 2006 – Woppaburra Workshop, Brisbane
- 24 February 2006 – Woppaburra Workshop, Cairns/Yarrabah
- 8 April 2006 – Woppaburra Workshop, Hervey Bay
- 29 April 2006 – Woppaburra Workshop, Sydney

Government Compliance Process – Land Acquisition on Great Keppel Island (Wop-pa)

- 16-17th September 2006 – Government (NR&M) commence consultations with Woppaburra People to proceed with Land Transfer (Compliance)
  40 Trustees are nominated for the five family clans
- 26th October 2006 Governor in Council approves land holdings to gazetted as regulated
- 27th October 2006 Notified in the gazette and laid before the Legislative Assembly
- Nominated trustees are advertised in numerous state and regional newspaper Advertised for 28days expired on 17th November
- 18th November – Government (NR&M) hold meeting with 40 Trustees to address any objections, nominate a name for land trust, nominate a name for Deed and name a date for hand-over ceremony and develop constitution
- Pending January 07 Meeting to finalise constitution
- March 07 Hand-over date, Historic Celebrations on Great Keppel Island as the Deed is handed over

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Our Long Term Dreams and Goals

Revive our culture, language,

customs and traditions

Build social and economic independence and opportunities

for our youth and future generations

Offer our hand in friendship and good will

Our Vision Statement

'To accomplish great things we must

not only act but also dream, not only

plan, but also believe'

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Record of First Meeting for Transfer of land at Great Keppel Island held at Dhugamin CDEP Community Hall, Scrub Hill, Hervey Bay, on Saturday and Sunday 16 & 17 September 2006

Meeting Opened Day 1 – Saturday 16 September, 2006

10.00 am

Attendees (Both Days)

78B(2) of the RTI Act Uncle Ernest Barney, 78B(2) of the RTI Act, Aunty Nellie Richards 78B(2) of the RTI Act Colin Barney, 78B(2) of the RTI Act K.A. Mann (Kathy), Lucy Richards, 78B(2) of the RTI Act 78B(2) of the RTI Act Janice Reilly, 78B(2) of the RTI Act Linette Van Issum, Vince Singleton, 78B(2) of the RTI Act, Joh-Ann Coates, Fred Stanley, 78B(2) of 78B(2) of the RTI Act Ruth Link 78B(2) of the R, Beryl Smith, Debbra Richards, 78B(2) of the 78B(2) of the RTI Act Shelly Howden (Michelle), 78B(2) of t 78B(2) of the RTI Act Selina Costelloe, Jason Cockatoo, 78B(2) of the RTI Act 78B(2) of the RTI Act Frances Gala, 78B(2) of the 78B(2) of the RTI Act Chris Doherty, 78B(2) of the RTI Act, S. Hansen (Susie), 78B(2) of the RTI A Scott Mitchell, Bessie Parsons, 78B(2) of the RTI Act Peter Green, Tegan Green, 78B(2) of the RTI Act Marlene Cummins, 78B(2) of the RTI Act

Colleen Hines, Jim Sloan, Vanessa Francis-Smith, Vanessa Saffigna and Lyn Ahern (Dept Natural Resources and Water)

Welcome and Opening

78B(2) of the RTI Act opened the meeting and welcomed everybody to Butchula country. Colleen thanked 78B(2) of the RT and acknowledged and paid respect to the traditional owners of the land. She thanked the Butchula people for holding the meeting on their land at Scrub Hill, and acknowledged and paid respect all the elders present. She thanked everybody for coming, introduced the ATSILAB team members and also acknowledged the assistance of all those who had helped with the planning and arrangements for the meeting.

By consensus among participants, Bob Muir was appointed to chair the meeting.

In response to a request from the floor, he outlined his efforts, over the last 13 years, to have the land at Great Keppel Island handed over to Aboriginal people. Glenice Croft pointed out the work also done by others in the past –KILAC, Linette van Issum. Following animated discussion from the floor, Colleen responded acknowledging the great contributions made by several people over many years. Participants were requested to focus on what they were there to achieve – to be informed about the transfer of land at Great Keppel Island under the *Aboriginal Land Act 1991* , the consultation process and the nomination of Aboriginal trustees for the land.

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Identification of the Land

Colleen indicated the five parcels of land – Lot 50 on DP 190989, Lot 51 on DP 190992, Lot 29 0n DP 190994, Lot 53 on DP190990, Lot 52 on DP 190991 to be transferred, on a large map. She explained that DP meant Deposited Plan as the survey plans had not yet been registered. She said that Rockhampton Office had advised that the survey plans would be registered on 16th October, and explained that the opening and closing of roads, and the native title notification process which that involved, had slowed down the registration of the survey plans. There was discussion about roads, access and native title. 78B(2) of the RTI Ac responded to the native title questions and gave a summary of future acts (in relation to native title) and other relevant issues.

Transfer/Consultation process

All participants had been provided with information folders which Colleen went through, explaining what the information was for and where it could be found. She also invited people to keep a record of this and future meetings, in the notebooks provided, and also to record any impressions, thoughts or feelings in words, drawings or song, or any other creative way, about the significance of the land transfer, and to maybe present them at the Handover Celebration.

Timeline

An 8-month calendar, from September 2006 to April 2007 was included amongst the resources. Colleen pointed out that, all being well, the Handover could take place before the end of April 2007. She said that the first step in the transfer/consultation process was being taken today, at this meeting. If the survey plans were registered by mid-October, as advised by Rockhampton Office, the Office of Parliamentary Council (OPC) could then be requested to draft the regulation to make the land transferable under the *Aboriginal Land Act 1991*. Once the land had been regulated, say by about the 25th November 2006 and provided that the Grantee Acceptance Forms had been completed, the nominated trustees could be advertised. Advertisements could be placed in the Koori Mail (a fortnightly publication) on 13th December and in other regional newspapers and indigenous radio station 4US. Objections would close about 11th January 2007. Therefore, the next meeting could be held in late January/early February 2007,after school, holidays. At that meeting, any objections received would be dealt with, and matters such as Aboriginal names for the land, a name for the Land Trust, as well as planning for the Handover Ceremony, would be discussed. Another meeting would be held possibly in February, to work on the constitution . The draft consultation report would also need to be presented at a meeting. After one more meeting, the Handover could possibly be held in March 2007. (Hence the calendar to April 2007).

ALA Fact Sheet

The Aboriginal Land Act Fact Sheet was mentioned. Colleen emphasized that, in the case of the Great Keppel Island, the land would be transferred. The section on claimable land did not apply, and would lapse at the end of 2006.

Information Booklet

Colleen also went through the Information Booklet in some detail and suggested that people refer to it for information about matters such as part 3 of the Aboriginal Land Regulation which deals with land trusts, the powers and responsibilities of trustees and a model constitution

The Journey toward Handover

Using a power point presentation, Colleen then provided an overview of the major steps in the ALA consultation/transfer process and summarised the issues which needed to be covered:

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- Identification of the land to be transferred;
- Native title issues
- The *Aboriginal Land Act 1991* (ALA)
- The *Aboriginal Land Regulation 1991*
- The rights and responsibilities of trustees
- The nomination of trustees
- Land trusts
- Rules/constitution
- Handover Ceremony/Celebration
- First Land Trust Meeting

People would also be invited to propose names, or a name, for the parcels of land, a name for the Land Trust, a draft consultation report would be circulated for comment by nominated trustees and then the Final Report, recommending the appointment of trustees, would be sent to the Minister.

Colleen said that the land at Great Keppel Island would be declared by regulation to be transferable under s 12(e) of the ALA, and that it would be granted for the benefit of Aboriginal people without a claim being made. It becomes Aboriginal land (within the meaning of the ALA) when it is transferred to Aboriginal grantees, who automatically become incorporated as a Land Trust.

The ATSILAB team was acting on behalf of the Minister who, before appointing people as grantees, is required, by S 28(3) of the ALA to consult with, and consider the views of Aboriginal people particularly concerned with the land. Aboriginal people particularly concerned with the land are: people connected to the land by Aboriginal tradition
people who live on or use the land
people who live on or use the neighbouring land

***The Aboriginal Land Act 1991* (ALA)**

A summary of the sections of the ALA as they apply to the transferable land at Great Keppel Island was presented by Colleen, using a power point display. Some of the main points made:

- The laws of the state apply to Aboriginal land (S26(1)
- The land is held by the grantees for the benefit of Aboriginal people and their anc estors nd descendants (S27)
- Minister appoints trustees and may remove or suspend trustees
- Minister must consult with and consider views of Aboriginal people particularly concerned with the land and
- Minister must, as far as practicable, act in a way that is consistent with any Aboriginal tradition applicable to the land concerned. (S28)
- When the deed is handed over, the land becomes Aboriginal land that is transferred land (S32)

Aspects of S(39) – Dealing with transferred land, were emphasized, particularly the sections dealing with the granting of leases and licences and the need for trustees to consult with the people particularly concerned with the land before granting an interest in the land, or consenting to the creation of a mining interest or entering into an agreement. S 35(b) says that Aboriginal people need to be able to express their views, and to be in agreement with, any proposals, and S35(c) requires that they be given at least one month's notice of the trustees' intentions. Colleen

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said that these sections could be especially important for the trustees and the land at Great Keppel Island.

The section of the ALA dealing with "Reservations" – S42 and S43 were also pointed out. Minerals and petroleum found on land anywhere in Australia, including Aboriginal Land, belong to the state.Jim Sloan said that royalties would be paid, and an Indigenous Land Use Agreement (ILUA) could be entered into, if minerals were found on Aboriginal land.
Forest products can also be reserved to the state. In reply to a question from Frances Gala about sandalwood, Chris Doherty advised that she had a good relationship with the Environmental Protection Agency (EPA) and that a permit could be obtained to use resources such as sandalwood.

Jim Sloan spoke briefly on ALA Review.

The Aboriginal Land Regulation 1991

Using power point presentation, Colleen spoke about the Regulation, especially about Part 3, which deals with Land Trusts.
Topics covered included:

- The formation of land trusts (Division 1)
- Grantees (Division 2)
- Trust property (Division 3)
- Compliance requirements (Division 4)

Part 5 - Decision Making Process was also discussed.

Lunch Time Feast

Following the Lunch time feast, a video "the Aboriginal Land Act and the Torres Strait Islander Land Act, 1991", was shown

Colleen then suggested that a good remedy for after-lunch drowsiness might be some entertainment. Participants responded in song, led by Bessie Parsons and followed by a beautiful rendition of "Pearly Shells" by 78B(2) of the RTI Act which had everyone singing along.

Nomination of Trustees

The process of nominating trustees was summarized. Colleen said that the Minister appoints trustees, but the people particularly concerned with the land nominate them. There was discussion about the process which includes the nomination, acceptance and advertising of trustees and dealing with any objections. The issue of who should be nominated was also discussed.

78B(2) of the RTI Ac spoke on cultural process.

Bob Muir advised that the Woppaburra people had decided that each family group would nominate people to be trustees for land at Keppel Island when it becomes transferable. Colleen confirmed that this was a very good way of choosing trustees.

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78B(2) of the RTI Act asked the ATSILAB Team to leave the meeting room to allow the participants to have private discussion.

Upon ATSILAB Team return, Colleen encouraged the meeting participants to talk amongst family groups to decide on Trustees overnight.

The meeting closed at about 5pm.

The Kgari Dancers performed cultural dances, at sunset, before another BBQ feast was held.

Kathy Mann extended an invitation to all to come to a special ceremony at Damon Point on Sunday morning, where the ashes of her late mother would be scattered on the beach.

Meeting Opened Day 2 - Sunday 17 September, 2006

11.00 am

Welcome and Opening

Bob Muir as Chairperson extended a welcome to all attendees on the second day of the meeting, acknowledging the presence of 78B(2) of the RTI Act as elders and direct descendants. 78B(2) of the RTI Act then opened the meeting with prayer.

Nominated Trustees

Colleen again summarized the process of nominating trustees. Colleen said that the Minister appoints trustees, but the people particularly concerned with the land nominate them. There was discussion about the process which includes the nomination, acceptance and advertising of trustees and dealing with any objections.

The issue of who should be nominated was also discussed. Bob Muir advised that the Woppaburra people had decided that each family group would nominate their people to be trustees for land at Great Keppel Island and each family group would have one collective vote. Participants at the meeting unanimously agreed that they would like to proceed to nominating trustees in their family groups.

A representative from each family group called out their nominations for grantees and these names were recorded by ATSILAB Officer, Vanessa Francis-Smith. Grantees were then asked to come up individually to sign their Trustee Acceptance Form. There were 40 nominated grantees.

The following list is the Nomination of Trustees for Great Keppel. These grantee names were reviewed and checked for spelling with all the Trustees in attendance. Trustee Acceptance Forms were signed by those present. Certain family representatives took responsibility for having the forms signed and returned by nominated trustees who were not present at the meeting.

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Nomination of Trustees for Great Keppel Island

Name	Date Nominated	Nominated By	Accepted Y/N	Seconded By	Carried Y/N
Michelle Howden	17 Sept 2006	Fred Ross Family	Y	78B(2) of the RTI Act	Y
Malcolm Burns *	17 Sept 2006	Fred Ross Family	Y		Y
78B(2) of the RTI A	17 Sept 2006	Fred Ross Family	Y		Y
Frances Gala	17 Sept 2006	Fred Ross Family	Y		Y
J. Linda McBride	17 Sept 2006	Fred Ross Family	Y	Michelle Howden	Y
Frederick Stanley	17 Sept 2006	Stanley Family – Descendents Jesse Keppel Ross (Stanley)	Y	Stanley Family – Descendents Jesse Keppel Ross (Stanley)	Y
Joh-Ann Coates	17 Sept 2006	Stanley Family – Descendents Jesse Keppel Ross (Stanley)	Y	Stanley Family – Descendents Jesse Keppel Ross (Stanley)	Y
78B(2) of the RTI Act	17 Sept 2006	Stanley Family – Descendents Jesse Keppel Ross (Stanley)	Y	Stanley Family – Descendents Jesse Keppel Ross (Stanley)	Y
Marlene Singleton *	17 Sept 2006	Stanley Family – Descendents Jesse Keppel Ross (Stanley)	Y	Stanley Family – Descendents Jesse Keppel Ross (Stanley)	Y
Vincent Singleton	17 Sept 2006	Stanley Family – Descendents Jesse Keppel Ross (Stanley)	Y	Stanley Family – Descendents Jesse Keppel Ross (Stanley)	Y
Ernest Albert Barney	17 Sept 2006	Ross – Peters Family	Y	Ross – Peters Family	Y
Lillian Bessie Catley	17 Sept 2006	Ross – Peters Family	Y	Ross – Peters Family	Y
Gordon Windsor Barney	17 Sept 2006	Ross – Peters Family	Y	Ross – Peters Family	Y
Colin James Barney	17 Sept 2006	Ross – Peters Family	Y	Ross – Peters Family	Y
Linette Joan Van Issum	17 Sept 2006	Ross – Peters Family	Y	Ross – Peters Family	Y
Glenice Esmai Croft	17 Sept 2006	Ross – Peters Family	Y	Ross – Peters Family	Y
Valmai Frances Burns *	17 Sept 2006	Ross – Peters Family	Y	Ross – Peters Family	Y
Christine Konomie Barney	17 Sept 2006	Ross – Peters Family	Y	Ross – Peters Family	Y

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Vanessa Noelene Kirk	17 Sept 2006	Ross – Peters Family	Y	Ross – Peters Family	Y
Bessie Parsons	17 Sept 2006	Ross – Peters Family	Y	Ross – Peters Family	Y
Tarita Yvonne Borland	17 Sept 2006	Ross – Peters Family	Y	Ross – Peters Family	Y
78B(2) of the RTI Act	17 Sept 2006	Konomie – Ross Family	Y	Marlene Cummins	Y
Selina Costelleo	17 Sept 2006	Konomie – Ross Family	Y	Marlene Cummins	Y
Marlene Cummins	17 Sept 2006	Konomie – Ross Family	Y	Marlene Cummins	Y
Lucy May Richards	17 Sept 2006	Konomie – Ross Family	Y	Marlene Cummins	Y
Jason Cockatoo	17 Sept 2006	Konomie – Ross Family	Y	Marlene Cummins	Y
Ruth Link	17 Sept 2006	Konomie – Ross Family	Y	Marlene Cummins	Y
Christine Doherty	17 Sept 2006	Konomie – Ross Family	Y	Marlene Cummins	Y
Aunty Susie Hansen	17 Sept 2006	Konomie – Ross Family	Y	Marlene Cummins	Y
Debbra Richards	17 Sept 2006	Konomie – Ross Family	Y	Marlene Cummins	Y
Meaghan Jay Cummins *	17 Sept 2006	Konomie – Ross Family	Y	Marlene Cummins	Y
Jay Jordan *	17 Sept 2006	Konomie – Ross Family	Y	Marlene Cummins	Y
Robert Michael Muir	17 Sept 2006	Smith – Ross Family	Y	Smith – Ross Family	Y
Nellie Ann Richards (Muir)	17 Sept 2006	Smith – Ross Family	Y	Smith – Ross Family	Y
Beryl Rosetta Smith	17 Sept 2006	Smith – Ross Family	Y	Smith – Ross Family	Y
Peter Darryle Green	17 Sept 2006	Smith – Ross Family	Y	Smith – Ross Family	Y
Scott Bradley Mitchell	17 Sept 2006	Smith – Ross Family	Y	Smith – Ross Family	Y
Matthew Joseph Boustead *	17 Sept 2006	Smith – Ross Family	Y	Smith – Ross Family	Y
Kathryn Ann Mann	17 Sept 2006	Smith – Ross Family	Y	Smith – Ross Family	Y
Tegan Marie Green	17 Sept 2006	Smith – Ross Family	Y	Smith – Ross Family	Y

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The nomination of all trustees was carried unanimously and with acclamation, by all participants.

Colleen congratulated all the grantees and thanked them for accepting the responsibilities of being a trustee. She also thanked and congratulated all participants for their wisdom in choosing the trustees.

She then spoke briefly on the process for regulation of the land as transferable, which could take about 4-6 weeks after the plans are registered around mid October. In that timeframe, the land could be regulated about mid December.

Process for Objections

Colleen explained that, when the land was regulated as transferable, the names of the nominated trustees would be advertised. This was so that people would know who the nominated trustees were, and if they thought that somebody should not be a trustee, they could object. Somebody could also "object" by saying that somebody who should be a trustee, had not been nominated. The following suggestions were obtained from participants regarding where best to advertise the nominated trustees to gain the most coverage of Aboriginal people particularly concerned with the land.

- Fraser Coast Chronicle
- Cairns Post
- Koori Mail
- Rockhampton Bulletin
- Daily Mercury – Mackay
- Radio 4US

Colleen said that, allowing for a 28 day objection period, the next meeting could be considered for around January 2007.

Till we meet again

Colleen explained how the Land Trust would be incorporated, and asked if everyone might think about ideas for the name of the Trust, considering that it must contain the words 'Land Trust' in the name.

She also spoke about the name to be on the Deed, which would be preferably a traditional or Woppaburra name for Great Keppel. She understood that names had already been discussed/chosen, but said that these would need to be confirmed/endorsed by at a formal meeting.

Colleen asked people to think about the following important matters before the next meeting:

- Land Trust name
- Names for the Land
- Constitution
- Planning for the Handover – where, when, who, what, how

The first milestone would be noted by sending a letter when the plans are registered to keep individuals informed of the progress.

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Thanks and Acknowledgements

Colleen thanked everyone for attending and accomplishing so much yesterday and today. She said that the Woppaburra people had achieved a record, in nominating trustees at the first meeting, before the land had even been regulated. They were on track to have a Handover in March 2007, and this would be another record – a Handover within seven months of the first meeting. and wished them "safe home".

On behalf of all present, she thanked Aunty Frances Gala, Korrawinga and Dhugamin, Molly and Mally and Brett, for their hospitality and the very special catering and for the unique contribution which they had made to the success of the weekend. She also acknowledged, and thanked the Kgari dancers for their brilliant cultural presentation at sunset on Saturday.

78B(2) of the RTI Act thanked the ATSILAB team.

There being no further questions or suggestions, the meeting closed at about 2pm.

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Release

Meeting for Transfer of Land at Great Keppel Island
Held at Virginia Palms International, Virginia, Brisbane
Saturday, 18 November 2006

Meeting Commenced

10.00 am

Attendees

Christine Barney
Colin Barney
Ernest Barney
Gordon Barney
Tarita Borland
Malcolm Burns
Lillian Catley
Joh-Ann Coates
Jason Cockatoo
Selina Costelloe
Glenice Croft
Meaghan Cummins
Christine Doherty
Frances Gala
Susie Hansen
Michelle Howden
Jay Jordan
Vanessa Kirk
Ruth Link
78B(2) of the RTI Act
Kathryn Mann
Robert Muir
Bessie Parsons
Janice Reilly
Debbra Richards
Lucy Richards
Nellie Richards
Daphne Singleton
Marlene Singleton
Vincent Singleton
Beryl Smith
Frederick Stanley
Linette Van Issum
78B(2) of the RTI Act

Department of Natural Resources and Water Staff: Jim Sloan, Vanessa Francis, Julie Brogan

Apologies

Marlene Cummins, Peter Green, Tegan Green, Scott Mitchell, Adam Saunders

Welcome and Opening

Christine Doherty and Bob Muir opened the meeting and congratulated everyone on the land becoming regulated, and ready to be handed over.

Bob spoke to the meeting about protocols regarding other clans business and the decision making process, whereby there would be one vote per family and each family were to nominate a spokesperson and central contact.

Christine Doherty introduced the legal advisors, (78B(2) of the RTI Act absent) who is an Indigenous Barrister who will work on a pro bono basis. 78B(2) of the RTI Act will be the other legal advisor. Christine Doherty asked for a show of hands to endorse the two legal advisors. Majority agreed.

Christine Doherty also asked in future if the families could each pick one person to represent them at meetings, as it is too expensive to get forty trustees together all the time. Glenice asked if it could be two people from each group, one younger person and one elder. Majority agreed.

Christine Doherty asked for a minute's silence to honour the elders and people we have lost.

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Christine Doherty and Bob were thanked for all their hard work and devotion in getting the Woppaburra people together.

Joh-Ann Coates asked Christine Doherty what 78B(2) of the RTI Act specialty was. Christine replied that 78B(2) of has worked in many different fields, which include: Indigenous legal services, land tenure, Native Title, youth services, Government.

Christine Doherty also acknowledged the legal expertise within the trustees.

Christine Doherty put to the meeting that there are a lot of decisions to be made today and could everyone please go through the appointed family member to speak. Christine Barney raised the issue of everyone having a say at the meeting, as everyone is excited and happy to be here. All agreed.

Discussion was had about who would chair today's meeting. It was unanimously agreed that 78B(2) of the RTI Act would chair the meeting on behalf of the Woppaburra people.

Agenda for the meeting was written up on the board as follows:

1. Minutes
2. Progress report – NRW
3. Transfer (Objection, Name of Land, Name of Land Trust, Constitution, Handover)
4. Where to from here

Christine Barney questioned if there was a consultation report, and if so, where is it? Jim Sloan responded that currently there is a draft report and that after all the steps have been completed the report will be updated and distributed to the trustees for comment before submission to the Minister for approval.

Previous Minutes

The minutes from the previous meeting at Scrub Hill were distributed for comment and approval. 78B(2) of opened up to the floor for comments on the minutes. These are as follows:

- Christine Barney asked if NRW could check the names of attendees as there were some double ups.
- Frances Gala brought to everyone's attention that on page 5 of the previous minutes, nominated trustees are to have one vote per family.
- Christine Barney asked if 78B(2) of the RTI Act could be taken off the minutes, as they were not in attendance at the Scrub Hill meeting.
- Janice Reilly referred to 78B(2) of the RTI A nomination as a trustee and confirmed that 78B(2) 78B(2) o had stood down as a trustee and Janice has taken her place.
- Jim Sloan advised that there had been a few changes to the original trustees that were nominated at Hervey Bay and that advertisement of trustees is not compulsory, but rather a policy.
- Lucy Richards asked if 78B(2) of the RTI Act could be added as a trustee.
- Christine Doherty responded that 78B(2) of the RTI Ac wasn't nominated as a trustee.
- Glenice suggested that the family should discuss it at morning tea.
- 78B(2) of the RTI Act questioned the timeline in the minutes for the handover for March 2007 and enquired if the rumour of a handover before Christmas was true.
- Jim Sloan responded saying that the regulation had come through earlier than predicted and that the timelines can be changed.

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- Gordon Barney questioned if the people could claim North Keppel?
- Open discussion was had on land tenure.
- 78B(2) of the RTI Act questioned the surrounding land's tenure type on Keppel.
- Jim responded that is it made up of lease land and State land.
- It was asked if the process, which was used to nominate the trustees at the last meeting, be documented into the minutes before they are passed.
- Christine Doherty and Bob Muir to provide advice to NRW on work they had undertaken.

Bob did a traditional welcome to country (Jagerra): "thank you to the traditional owners of this land for letting us do our business here on their country, thank you".

Progress Report

Jim Sloan gave an update on the progress since the last meeting. The regulation has been completed and the land was regulated on 26 October 2006. The advertisement of trustees had been done, and as a result one objection has been lodged in writing.

Transfer

Objection

The person objecting is sch4p4(6) Personal information , and Jim has spoken with sch4p on the phone. sch4p4(6) Pe was objecting to the process and not being consulted. sch4p claims to be Darumbal.

MOTION made by 78B(2) of the RTI Act
"We the Woppaburra people and trustees, disregard the objection of sch4p4(6) Personal inform sch4p4(6) Pe as we do not acknowledge sch4 as a Woppaburra person".
Seconded: Frances Gala.
Carried: Unanimously

Christine Doherty asked what NRW would do in reply to this objection?

Jim Sloan replied that he would contact sch4p4(6) Pe in the next week and inform sch4 of the outcome from today's meeting, and that he would also have to reply to sch4 in writing.

Name of the land

Jim explained that the name of the land could be put on the deed if the trustees would like that.

Christine Doherty and Bob Muir suggested to the group that the five parcels of land be named after the five family names. Chris and Bob had done a ballot allocating each parcel against a family name. Some agreed to this, and some didn't.

The meeting was opened up for discussion on the naming of the land.

Aunty Bessie thanked Chris and Bob for doing a wonderful job so far.

Vanessa Francis of NRW advised the group that to individually name each parcel of land would require five separate deeds to be created for each parcel.

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The meeting decided that it should only be one deed and that the local name would be "Woppaburra".

MOTION made by Christine Barney
"That the name of the land on the deed be Woppaburra".
Seconded: Linette Van Issum
Carried: Unanimously

Christine Doherty suggested that the people have a rock with a plaque to always remember the five family members so the future children don't forget the past. Christine also moved a motion that the group should have a vision statement.

Bernie gave an example of an Indian statement.
"We don't inherit the land, we borrow it from our children"

Glenice also made a suggestion of, "the land owns us".

Name of Land Trust

MOTION made by Linette Van Issum.
"The Land Trust name would be Woppaburra Land Trust".
Seconded: Vanessa Kirk.
Carried: Unanimously

Jason Cockatoo asked if we could find out the name of the ceremonies related to Keppel as the ceremony name governs the clan. Meaghan Cummins is to look into the ceremony name.

Constitution

Jim Sloan introduced the issue of developing a constitution, gave some options, and called for ideas.
Christine Doherty gave an update on the draft constitution that Bob and her had started, and would like 78B(2) of the RTI Act to have a look.

Christine Barney and Frances Gala have also worked on a draft constitution.

It was agreed that the five different family groups choose 3 people to be part of the working group to draft up the constitution as follows:

Konomie – Jason Cockatoo, Ruth Link, Jay Jordan
Fred-Ross – Malcolm Burns, Michelle Howden, Frances Gala
Albert/Ross/Peters – Bessie Parsons, Glenice Croft, Christine Barney
Jessie Keppel – Vincent Singleton, Joh-Ann Coates, Fred Stanley
Annie – Bob Muir, Nellie Richards, Kathy Mann

Lunch 12.30 to 1.30

Two draft models provided to each group.

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Jim offered to fund a 1 or 2 day workshop to progress constitution at the end of January 2007.

A statement on protocol and ethics is to be included in the constitution.

Jason Cockatoo discussed the constitution from a cultural perspective, with an explanatory diagram on the whiteboard.

Joh-Ann Coates asked Christine Doherty where the funding comes from to operate Woppaburra Dreaming Partnerships?

Christine Doherty replied that the developer pays Bob and Christine's wages and office lease.

Joh-Ann then asked if Chris and Bob had to report back to the developer and what he requires from them? Further discussion was had about Christine and Bob being engaged as facilitators for the Great Keppel process.

Christine Barney asked why communication is only filtered out through select people and not to the wider group?

Bob replied that in some instances due to privacy, they couldn't divulge that information to the wider group, now that shouldn't be a problem. Christine Doherty also replied and said that she and Bob had received numerous criticisms and attacks in the past regarding information sent out, so that had stopped doing it.

Christine Barney asked if in future the communication be distributed to everyone and not just select groups.

MOTION made by Bernie Singleton
"All communication is to be sent to the three people nominated to do the constitution and it was their responsibility to distribute to their groups "".
Seconded: Colin Barney
Carried: Unanimously

Discussion was had about the SRA and the one year expiry date.

Vanessa Kirk moved a motion.
MOTION
"Bob and Christine to follow up CDEP monies and report back to the group as a matter of urgency".
Seconded: Linette Van Issum
Carried: Unanimously

Handover

Christine Doherty wrote impacts up on the board.

- Minister's availability (no weekends)
- Funding
- Resolution of objection
- Feb/Mar

Open discussion was had regarding the handover and the following issues were raised:

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- Holiday period
- Families to take tents
- Resort is offering to pay for 50-60 people except travel costs
- Family to make contributions if a short fall
- Jim Sloan was asked how much NRW would be contributing. He replied he didn't know at this stage and would need to look at the figures
- It was suggested that any NRW funds be divided equally amongst each family group
- Chris and Bob to approach external bodies for funding
- Possible venues – Golf course, ALA land within the resort
- Welcoming ceremony

MOTION made by Vincent Singleton:
"Jim Sloan to confirm a handover date with Minister's office for a Friday in March 2007, for the following dates: 2nd, 9th, 16th, 23rd or 30th".
Seconded: Fred Stanley.
Carried: Unanimously

Working group for the handover was nominated:

- Jason Cockatoo
- Vincent Singleton
- 78B(2) of the RTI Act
- Bessie Parsons
- 78B(2) of the RTI Act
- Janice Reilly
- Sue Hanson

It was discussed that Livingstone Shire Council will provide a rock for the memorial.

Christine Doherty questioned the changeability of the date? Jim replied that they shouldn't go ahead with things like printing dates on shirts just yet.

78B(2) of t and Jim thanked everyone for their participation and attendance at the meeting today.

Meeting Closed

3pm

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Public Notice

TRANSFER OF LAND

Under the *Aboriginal Land Act 1991*, the Minister for Natural Resources and Water must as soon as practicable appoint those persons he considers should be the grantees of areas of transferable land. The grantees will hold the land in inalienable freehold title as trustees for the benefit of Aboriginal people. Before doing this, the Minister must, under section 28 of the Act, consult with and consider the views of Aboriginal people who are particularly concerned with the land to be granted.

The Minister has consulted with Aboriginal people who are particularly concerned with the following land that is to be regulated as transferable:

Part of Great Keppel Island State Land
being lot 50 on SP190989, lot 51 on SP190992, lot 52 on SP190991,
lot 53 on SP190990 and lot 29 on SP190994

As a consequence of this consultation, it is proposed to appoint the following Aboriginal people as grantees: -

Christine Konomie Barney
Colin James Barney
Ernest Albert Barney
Gordon W Barney
Tarita Yvonne Borland
Matthew Joseph Boustead
Malcolm John Fredrick Burns
Valmai Frances Rowena Burns
Lillian Bessie Catley
Joh-Ann Alice Coates
Jason Cockatoo
Selina Evelyn Costelloe
Glenice Esmai Croft
Marlene May Cummins
Meaghan Jay Cummins
Christine Joyce Doherty
Frances May Gala
Peter Darryle Green
Tegan Marie Green
Susie Hansen
Michelle Diane Howden
Jay Jordan
Vanessa Noelene Kirk
Ruth Linda Link
Jill Linda McBride
Kathryn Ann Mann
Scott Bradley Mitchell
Robert Michael Muir
Bessie Parsons
Janice Rose Reilly
Debbra Richards
Lucy May Richards
Nellie Ann Richards
Adam John Saunders
Daphne Singleton
Marlene Singleton
Vincent Stanley Singleton
Beryl Rosetta Smith
Frederick Stanley
Linette Joan Van Issum

Aboriginal people particularly concerned with the land are invited to express any objection they may have with the appointment of the above people as grantees. An objection must clearly state the name and address of the person objecting and the grounds for the objection. Objections must be received by 5:00pm Friday, 17 November 2006 and should be forwarded to the following address: -

Aboriginal and Torres Strait Islander Land Acts Branch
Department of Natural Resources and Water
Locked Bag 40
COORPAROO DC QLD 4151

Enquiries to: Colleen Hines on Freecall 1800 645 874

Manager
Aboriginal and Torres Strait Islander Land Acts Branch

Queensland Government
Natural Resources and Water
NATURAL RESOURCES AND WATER

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Certification

I, Vanessa Francis, hereby certify that the above report of the land transfer consultation process pursuant to the *Aboriginal Land Act 1991* is a fair and accurate account of that process. I further certify that the consultation was conducted in a culturally appropriate manner and in manner consistent with Aboriginal tradition as required.

Signed: sch4p4(6) Personal information

Date: 18/1/2007

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REQUEST FOR THE APPOINTMENT OF GRANTEES

AND THE ISSUE OF TITLE

To: Manager, ATSILAB

Please obtain the Minister's approval for the appointment of grantees and the issue of title under the *Aboriginal Land Act 1991* over the land, the subject of this report.

Important Information:

The below matters must be considered by the relevant Liaison Officer for each parcel of land.

Land Trust name?	Woppaburra Land Trust
More than one deed required?	No
Local name to be recorded?	Woppaburra
Aboriginal Bodies Consulted that require advice that land has been transferred?	Yes / Gurang Land Council, PO Box 1551, Bundaberg Qld 4670

Liaison Officer:

sch4p4(6) Personal informat

Date: 18/1/2007

Manager, ATSILAB:

sch4p4(6) Personal informa

Date: 18/1/2007

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Queensland Government

Department of Natural Resources & Mines

CHQ/005052 2

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CORPORATE HEADQUARTERS BRISBANE
ABORIGINAL & TORRES STRAIT ISLANDE
NATIVE TITLE
****
GREAT KEPPEL - NATIVE TITLE GENERA

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Form No 07/03

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Record of First Meeting for Transfer of land at Great Keppel Island held at Dhugamin CDEP Community Hall, Scrub Hill, Hervey Bay, on Saturday and Sunday 16 & 17 September 2006

Meeting Opened Day 1 – Saturday 16 September, 2006

10.00 am

Attendees (Both Days)

78B(2) of the RTI Act, Uncle Ernest Barney, Uncle Gordon Barney, Aunty Nellie Richards(Gwen Muir) Colin Barney, 78B(2) of the RT 78B(2) of the RTI Act Glenice Barney Croft, Ernest Barney, 78B(2) of the RTI Act K.A. Mann (Kathy), Lucy Richards, 78B(2) of the RTI Act 78B(2) of the RTI Act Janice Reilly, 78B(2) of the RTI Act Linette Van Issum, Vince Singleton, 78B(2) of the RTI A 78B(2) of t Joh-Ann Coates, Fred Stanley, 78B(2) of the RTI Act s, Ruth Link (Cummins), Beryl Smith, Debbra Richards, 78B(2) of the RTI Act 78B(2) of th Shelly Howden (Michelle), 78B(2) of the RTI Act Selina Costelloe, Jason Cockatoo, 78B(2) of the RTI Act 78B(2) of the RTI Act Frances Gala, 78B(2) of the RTI Act 78B(2) of the RTI Act Chris Doherty, 78B(2) of the RTI Act 78B(2) of the RTI Act S. Hansen (Susie), 78B(2) of the RTI A Scott Mitchell, Bessie Parsons, 78B(2) of the RTI Act , Peter Green, Tegan Green, 78B(2) of the RTI Act 78B(2) of the RTI Act Marlene Cummins, 78B(2) of the RTI Act Gordon Barney, 78B(2) of 78B(2) of t

Colleen Hines, Jim Sloan, Vanessa Francis-Smith, Vanessa Saffigna and Lyn Ahern (Dept Natural Resources and Water)

Welcome and Opening

78B(2) of the RTI Act opened the meeting and welcomed everybody to Butchula country. Colleen thanked 78B(2) of the RTI and acknowledged and paid respect to the traditional owners of the land. She thanked the Butchula people for holding the meeting on their land at Scrub Hill, and acknowledged and paid respect all the elders present. She thanked everybody for coming, introduced the ATSILAB team members and also acknowledged the assistance of all those who had helped with the planning and arrangements for the meeting.

By consensus among participants, Bob Muir was appointed to chair the meeting.

In response to a request from the floor, he outlined his efforts, over the last 13 years, to have the land at Great Keppel Island handed over to Aboriginal people. Glenice Croft pointed out the work also done by others in the past –KILAC, Linette van Issum. Following animated discussion from the floor, Colleen responded acknowledging the great contributions made by several people over many years. Participants were requested to focus on what they were there to achieve – to be informed about the transfer of land at Great Keppel Island under the *Aboriginal Land Act 1991* , the consultation process and the nomination of Aboriginal trustees for the land.

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Identification of the Land
Colleen indicated the five parcels of land – Lot 50 on DP 190989, Lot 51 on DP 190992, Lot 29 0n DP 190994, Lot 53 on DP190990, Lot 52 on DP 190991 to be transferred, on a large map. She explained that DP meant Deposited Plan as the survey plans had not yet been registered. She said that Rockhampton Office had advised that the survey plans would be registered on 16th October, and explained that the opening and closing of roads, and the native title notification process which that involved, had slowed down the registration of the survey plans. There was discussion about roads, access and native title. 78B(2) of the RTI Ac responded to the native title questions and gave a summary of future acts (in relation to native title) and other relevant issues.

Transfer/Consultation process

All participants had been provided with information folders which Colleen went through, explaining what the information was for and where it could be found. She also invited people to keep a record of this and future meetings, in the notebooks provided, and also to record any impressions, thoughts or feelings in words, drawings or song, or any other creative way, about the significance of the land transfer, and to maybe present them at the Handover Celebration.

Timeline
An 8-month calendar, from September 2006 to April 2007 was included amongst the resources. Colleen pointed out that, all being well, the Handover could take place before the end of April 2007. She said that the first step in the transfer/consultation process was being taken today, at this meeting. If the survey plans were registered by mid-October, as advised by Rockhampton Office, the Office of Parliamentary Council (OPC) could then be requested to draft the regulation to make the land transferable under the *Aboriginal Land Act 1991*. Once the land had been regulated, say by about the 25th November 2006 and provided that the Grantee Acceptance Forms had been completed, the nominated trustees could be advertised. Advertisements could be placed in the Koori Mail (a fortnightly publication) on 13th December and in other regional newspapers and indigenous radio station 4US. Objections would close about 11th January 2007. Therefore, the next meeting could be held in late January/early February 2007,after school, holidays. At that meeting, any objections received would be dealt with, and matters such as Aboriginal names for the land, a name for the Land Trust, as well as planning for the Handover Ceremony, would be discussed. Another meeting would be held possibly in February, to work on the constitution . The draft consultation report would also need to be presented at a meeting. After one more meeting, the Handover could possibly be held in March 2007. (Hence the calendar to April 2007).

ALA Fact Sheet
The Aboriginal Land Act Fact Sheet was mentioned. Colleen emphasized that, in the case of the Great Keppel Island, the land would be transferred. The section on claimable land did not apply, and would lapse at the end of 2006.

Information Booklet
Colleen also went through the Information Booklet in some detail and suggested that people refer to it for information about matters such as part 3 of the Aboriginal Land Regulation which deals with land trusts, the powers and responsibilities of trustees and a model constitution

The Journey toward Handover
Using a power point presentation, Colleen then provided an overview of the major steps in the ALA consultation/transfer process and summarised the issues which needed to be covered:

- Identification of the land to be transferred;

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- Native title issues
- The *Aboriginal Land Act 1991* (ALA)
- The *Aboriginal Land Regulation 1991*
- The rights and responsibilities of trustees
- The nomination of trustees
- Land trusts
- Rules/constitution
- Handover Ceremony/Celebration
- First Land Trust Meeting

People would also be invited to propose names, or a name, for the parcels of land, a name for the Land Trust, a draft consultation report would be circulated for comment by nominated trustees and then the Final Report, recommending the appointment of trustees, would be sent to the Minister.

Colleen said that the land at Great Keppel Island would be declared by regulation to be transferable under s 12(e) of the ALA, and that it would be granted for the benefit of Aboriginal people without a claim being made. It becomes Aboriginal land (within the meaning of the ALA) when it is transferred to Aboriginal grantees, who automatically become incorporated as a Land Trust.

The ATSILAB team was acting on behalf of the Minister who, before appointing people as grantees, is required, by S 28(3) of the ALA to consult with, and consider the views of Aboriginal people particularly concerned with the land. Aboriginal people particularly concerned with the land are: people connected to the land by Aboriginal tradition
people who live on or use the land
people who live on or use the neighbouring land

***The Aboriginal Land Act 1991* (ALA)**

A summary of the sections of the ALA as they apply to the transferable land at Great Keppel Island was presented by Colleen, using a power point display. Some of the main points made:

- The laws of the state apply to Aboriginal land (S26(1)
- The land is held by the grantees for the benefit of Aboriginal people and their anc estors nd descendants (S27)
- Minister appoints trustees and may remove or suspend trustees
- Minister must consult with and consider views of Aboriginal people particularly concerned with the land and
- Minister must, as far as practicable, act in a way that is consistent with any Aboriginal tradition applicable to the land concerned. (S28)
- When the deed is handed over, the land becomes Aboriginal land that is transferred land (S32)

Aspects of S(39) – Dealing with transferred land, were emphasized, particularly the sections dealing with the granting of leases and licences and the need for trustees to consult with the people particularly concerned with the land before granting an interest in the land, or consenting to the creation of a mining interest or entering into an agreement. S 35(b) says that Aboriginal people need to be able to express their views, and to be in agreement with, any proposals, and S35(c) requires that they be given at least one month's notice of the trustees' intentions. Colleen

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said that these sections could be especially important for the trustees and the land at Great Keppel Island.

The section of the ALA dealing with "Reservations" – S42 and S43 were also pointed out. Minerals and petroleum found on land anywhere in Australia, including Aboriginal Land, belong to the state.Jim Sloan said that royalties would be paid, and an Indigenous Land Use Agreement (ILUA) could be entered into, if minerals were found on Aboriginal land.
Forest products can also be reserved to the state. In reply to a question from Frances Gala about sandalwood, Chris Doherty advised that she had a good relationship with the Environmental Protection Agency (EPA) and that a permit could be obtained to use resources such as sandalwood.

Jim Sloan spoke briefly on ALA Review.

The Aboriginal Land Regulation 1991

Using power point presentation, Colleen spoke about the Regulation, especially about Part 3, which deals with Land Trusts.
Topics covered included:

- The formation of land trusts (Division 1)
- Grantees (Division 2)
- Trust property (Division 3)
- Compliance requirements (Division 4)

Part 5 - Decision Making Process was also discussed.

Lunch Time Feast

Following the Lunch time feast, a video "the Aboriginal Land Act and the Torres Strait Islander Land Act, 1991", was shown

Colleen then suggested that a good remedy for after-lunch drowsiness might be some entertainment. Participants responded in song, led by Bessie Parsons and followed by a beautiful rendition of "Pearly Shells" by 78B(2) of the RTI Act which had everyone singing along.

Nomination of Trustees

The process of nominating trustees was summarized. Colleen said that the Minister appoints trustees, but the people particularly concerned with the land nominate them. There was discussion about the process which includes the nomination, acceptance and advertising of trustees and dealing with any objections. The issue of who should be nominated was also discussed.

78B(2) of the RTI A spoke on cultural process.

Bob Muir advised that the Woppaburra people had decided that each family group would nominate people to be trustees for land at Keppel Island when it becomes transferable. Colleen confirmed that this was a very good way of choosing trustees.

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78B(2) of the RTI Act asked the ATSILAB Team to leave the meeting room to allow the participants to have private discussion.

Upon ATSILAB Team return, Colleen encouraged the meeting participants to talk amongst family groups to decide on Trustees overnight.

The meeting closed at about 5pm.

The Kgari Dancers performed cultural dances, at sunset, before another BBQ feast was held.

Kathy Mann extended an invitation to all to come to a special ceremony at Damon Point on Sunday morning, where the ashes of her late mother would be scattered on the beach.

Meeting Opened Day 2 - Sunday 17 September, 2006

11.00 am

Welcome and Opening

Bob Muir as Chairperson extended a welcome to all attendees on the second day of the meeting, acknowledging the presence of Aunty Ruth and 78B(2) of the RTI Act as elders and direct descendants. 78B(2) of the RTI Act then opened the meeting with prayer.

Nominated Trustees

Colleen again summarized the process of nominating trustees. Colleen said that the Minister appoints trustees, but the people particularly concerned with the land nominate them. There was discussion about the process which includes the nomination, acceptance and advertising of trustees and dealing with any objections.

The issue of who should be nominated was also discussed. Bob Muir advised that the Woppaburra people had decided that each family group would nominate their people to be trustees for land at Great Keppel Island and each family group would have one collective vote. Participants at the meeting unanimously agreed that they would like to proceed to nominating trustees in their family groups.

A representative from each family group called out their nominations for grantees and these names were recorded by ATSILAB Officer, Vanessa Francis-Smith. Grantees were then asked to come up individually to sign their Trustee Acceptance Form. There were 40 nominated grantees.

The following list is the Nomination of Trustees for Great Keppel. These grantee names were reviewed and checked for spelling with all the Trustees in attendance. Trustee Acceptance Forms were signed by those present. Certain family representatives took responsibility for having the forms signed and returned by nominated trustees who were not present at the meeting.

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Nomination of Trustees for Great Keppel Island

Name	Date Nominated	Nominated By	Accepted Y/N	Seconded By	Carried Y/N
Michelle Howden	17 Sept 2006	Fred Ross Family	Y	78B(2) of the RTI Act	Y
Malcolm Burns *	17 Sept 2006	Fred Ross Family	Y		Y
78B(2) of the RTI Act	17 Sept 2006	Fred Ross Family	Y		Y
Frances Gala	17 Sept 2006	Fred Ross Family	Y		Y
J. Linda McBride	17 Sept 2006	Fred Ross Family	Y	Michelle Howden	Y
Frederick Stanley	17 Sept 2006	Stanley Family – Descendents Jesse Keppel Ross (Stanley)	Y	Stanley Family – Descendents Jesse Keppel Ross (Stanley)	Y
Joh-Ann Coates	17 Sept 2006	Stanley Family – Descendents Jesse Keppel Ross (Stanley)	Y	Stanley Family – Descendents Jesse Keppel Ross (Stanley)	Y
78B(2) of the RTI Act	17 Sept 2006	Stanley Family – Descendents Jesse Keppel Ross (Stanley)	Y	Stanley Family – Descendents Jesse Keppel Ross (Stanley)	Y
Marlene Singleton *	17 Sept 2006	Stanley Family – Descendents Jesse Keppel Ross (Stanley)	Y	Stanley Family – Descendents Jesse Keppel Ross (Stanley)	Y
Vincent Singleton	17 Sept 2006	Stanley Family – Descendents Jesse Keppel Ross (Stanley)	Y	Stanley Family – Descendents Jesse Keppel Ross (Stanley)	Y
Ernest Albert Barney	17 Sept 2006	Ross – Peters Family	Y	Ross – Peters Family	Y
Lillian Bessie Catley	17 Sept 2006	Ross – Peters Family	Y	Ross – Peters Family	Y
Gordon Windsor Barney	17 Sept 2006	Ross – Peters Family	Y	Ross – Peters Family	Y
Colin James Barney	17 Sept 2006	Ross – Peters Family	Y	Ross – Peters Family	Y
Linette Joan Van Issum	17 Sept 2006	Ross – Peters Family	Y	Ross – Peters Family	Y
Glenice Esmai Croft	17 Sept 2006	Ross – Peters Family	Y	Ross – Peters Family	Y
Valmai Frances Burns *	17 Sept 2006	Ross – Peters Family	Y	Ross – Peters Family	Y
Christine Konomie Barney	17 Sept 2006	Ross – Peters Family	Y	Ross – Peters Family	Y

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Vanessa Noelene Kirk	17 Sept 2006	Ross – Peters Family	Y	Ross – Peters Family	Y
Bessie Parsons	17 Sept 2006	Ross – Peters Family	Y	Ross – Peters Family	Y
Tarita Yvonne Borland	17 Sept 2006	Ross – Peters Family	Y	Ross – Peters Family	Y
Frederick Saunders *	17 Sept 2006	Konomie – Ross Family	Y	Marlene Cummins	Y
Selina Costelleo	17 Sept 2006	Konomie – Ross Family	Y	Marlene Cummins	Y
Marlene Cummins	17 Sept 2006	Konomie – Ross Family	Y	Marlene Cummins	Y
Lucy May Richards	17 Sept 2006	Konomie – Ross Family	Y	Marlene Cummins	Y
Jason Cockatoo	17 Sept 2006	Konomie – Ross Family	Y	Marlene Cummins	Y
Ruth Link	17 Sept 2006	Konomie – Ross Family	Y	Marlene Cummins	Y
Christine Doherty	17 Sept 2006	Konomie – Ross Family	Y	Marlene Cummins	Y
Aunty Susie Hansen	17 Sept 2006	Konomie – Ross Family	Y	Marlene Cummins	Y
Debbra Richards	17 Sept 2006	Konomie – Ross Family	Y	Marlene Cummins	Y
Meaghan Jay Cummins *	17 Sept 2006	Konomie – Ross Family	Y	Marlene Cummins	Y
Jay Jordan *	17 Sept 2006	Konomie – Ross Family	Y	Marlene Cummins	Y
Robert Michael Muir	17 Sept 2006	Smith – Ross Family	Y	Smith – Ross Family	Y
Nellie Ann Richards (Muir)	17 Sept 2006	Smith – Ross Family	Y	Smith – Ross Family	Y
Beryl Rosetta Smith	17 Sept 2006	Smith – Ross Family	Y	Smith – Ross Family	Y
Peter Darryle Green	17 Sept 2006	Smith – Ross Family	Y	Smith – Ross Family	Y
Scott Bradley Mitchell	17 Sept 2006	Smith – Ross Family	Y	Smith – Ross Family	Y
Matthew Joseph Boustead *	17 Sept 2006	Smith – Ross Family	Y	Smith – Ross Family	Y
Kathryn Ann Mann	17 Sept 2006	Smith – Ross Family	Y	Smith – Ross Family	Y
Tegan Marie Green	17 Sept 2006	Smith – Ross Family	Y	Smith – Ross Family	Y

The nomination of all trustees was carried unanimously and with acclamation, by all participants.

Published on DMIRE Disclosure Log 8th Oct 2009

Release

Colleen congratulated all the grantees and thanked them for accepting the responsibilities of being a trustee. She also thanked and congratulated all participants for their wisdom in choosing the trustees.

She then spoke briefly on the process for regulation of the land as transferable, which could take about 4-6 weeks after the plans are registered around mid October. In that timeframe, the land could be regulated about mid December.

Process for Objections

Colleen explained that, when the land was regulated as transferable, the names of the nominated trustees would be advertised. This was so that people would know who the nominated trustees were, and if they thought that somebody should not be a trustee, they could object. Somebody could also "object" by saying that somebody who should be a trustee, had not been nominated. The following suggestions were obtained from participants regarding where best to advertise the nominated trustees to gain the most coverage of Aboriginal people particularly concerned with the land.

- Fraser Coast Chronicle
- Cairns Post
- Koori Mail
- Rockhampton Bulletin
- Daily Mercury – Mackay
- Radio 4US

Colleen said that, allowing for a 28 day objection period, the next meeting could be considered for around January 2007.

Till we meet again

Colleen explained how the Land Trust would be incorporated, and asked if everyone might think about ideas for the name of the Trust, considering that it must contain the words 'Land Trust' in the name.

She also spoke about the name to be on the Deed, which would be preferably a traditional or Woppaburra name for Great Keppel. She understood that names had already been discussed/chosen, but said that these would need to be confirmed/endorsed by at a formal meeting.

Colleen asked people to think about the following important matters before the next meeting:

- Land Trust name
- Names for the Land
- Constitution
- Planning for the Handover – where, when, who, what, how

The first milestone would be noted by sending a letter when the plans are registered to keep individuals informed of the progress.

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Thanks and Acknowledgements

Colleen thanked everyone for attending and accomplishing so much yesterday and today. She said that the Woppaburra people had achieved a record, in nominating trustees at the first meeting, before the land had even been regulated. They were on track to have a Handover in March 2007, and this would be another record – a Handover within seven months of the first meeting. and wished them "safe home".

On behalf of all present, she thanked Aunty Frances Gala, Korrawinga and Dhugamin, Molly and Mally and Brett, for their hospitality and the very special catering and for the unique contribution which they had made to the success of the weekend. She also acknowledged, and thanked the Kgari dancers for their brilliant cultural presentation at sunset on Saturday.

78B(2) of the RTI Act thanked the ATSILAB team.

There being no further questions or suggestions, the meeting closed at about 2pm.

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Release

Queensland Government

Department of
Natural Resources, Mines and Water

File Title and Barcode Label

CHQ/005052 3

F0035768

CORPORATE HEADQUARTERS BRISBANE
ABORIGINAL & TORRES STRAIT ISLANDER LAND INTEREST
NATIVE TITLE
****
GREAT KEPPEL - NATIVE TITLE GENERAL

1. Storage Location Code associated with the 'Home Location' of the file	Level 4
2. Date Created Date of file creation	
3. Date Closed Date of file closure	Handover 4 April 2007
4. Previous File No. File number previously assigned to file in the event that the file number has changed	
5. Related Files The file number/s of file/s on a related subject	NOW: WOPPABURRA LAND TRUST NAT/000878
6. Related Reports/ Plans/Attachments Details of related documentation that is not physically attached to the file	
7. Destruction Date Date upon which file is to be destroyed in accordance with disposal schedule approved by Qld State Archives	
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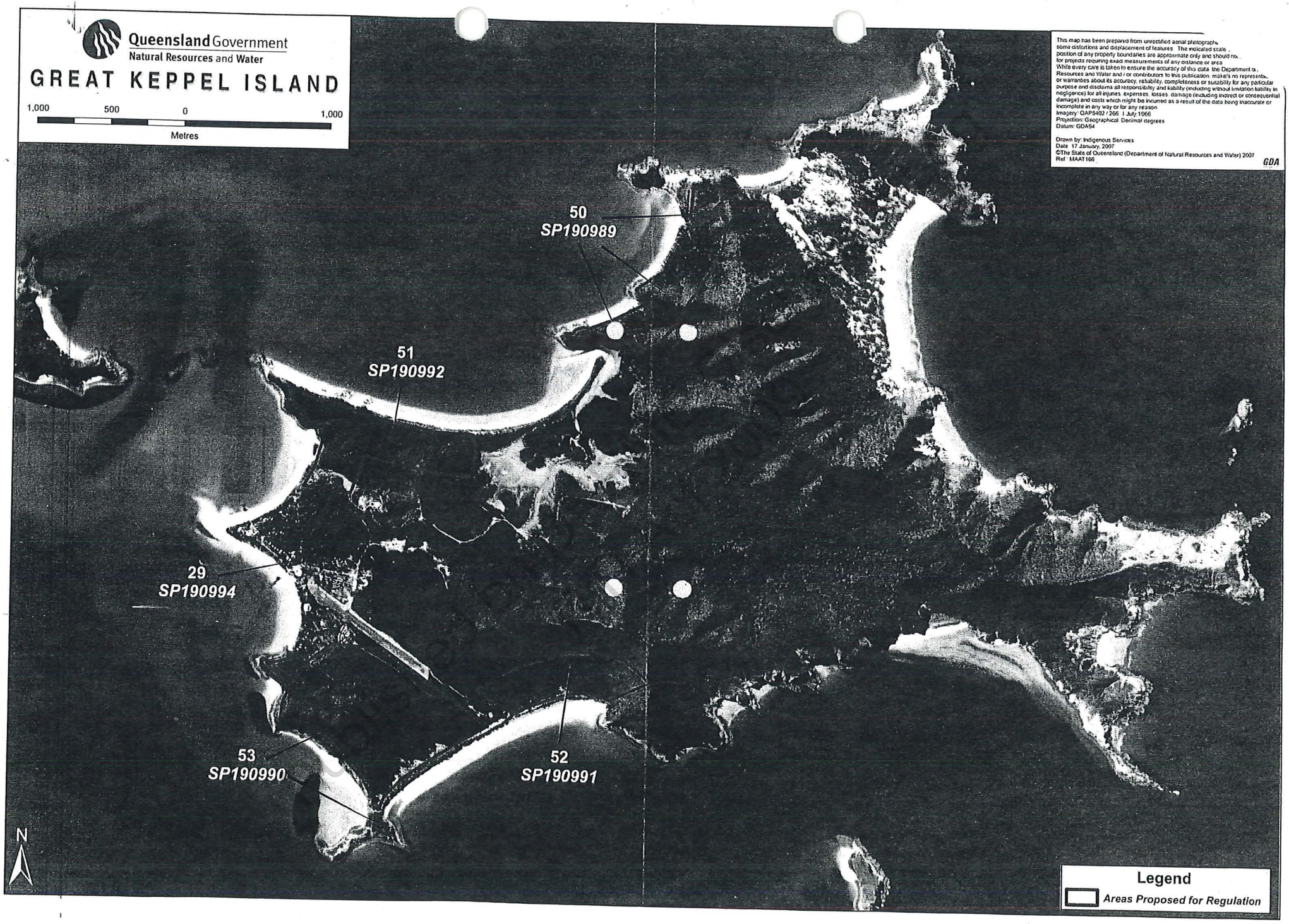
CORPORATE HEADQUARTERS BRISBANE
ABORIGINAL & TORRES STRAIT ISLANDER LAND INTEREST
NATIVE TITLE
****
GREAT KEPPEL - NATIVE TITLE GENERAL

Form No 07/03

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RTI Act 2009

Release


Queensland Government
Natural Resources and Water
GREAT KEPPEL ISLAND
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Metres
This map has been prepared from unrectified aerial photographs
some distortions and displacement of features. The indicated scale
position of any property boundaries are approximate only and should not
for projects requiring exact measurements of any distance or area
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damage) and costs which might be incurred as a result of the data being inaccurate or
incomplete in any way or for any reason.
Imagery: QAP5402 / 266 1 July 1966
Projection: Geographical Decimal degrees
Datum: GDA94
Drawn by: Indigenous Services
Date: 17 January, 2007
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Areas Proposed for Regulation

CTS 03159/07

sch4p4(6) Persona

Advisor OK
Dated 28/3/07
Approved/Not Approved/Noted
Further information required
Minister .....
Dated / /

Department of Natural Resources and Water
MINISTERIAL BRIEFING NOTE

TO: **The Honourable Minister**

THROUGH: **Director-General** 27/3
A/Assistant Director-General, Land and Vegetation Services sch4p4(6) 27/3

FROM: **Executive Director, Indigenous Services**

SUBJECT: **Great Keppel Island – Land Handover under the Aboriginal Land Act 1991**

RECOMMENDATION

It is recommended that the Minister note:

- the status of the arrangements for the handover of a deed of grant for parcels of land on Great Keppel Island under the *Aboriginal Land Act 1991* (ALA);
- the draft timelines and agenda for the handover ceremony; and
- the draft speech notes for the ceremony.

BACKGROUND

On 16 February 2007, the Minister directed that a deed of grant be prepared over parts of Great Keppel Island and that certain Aboriginal people be appointed as grantees.

Under the ALA, a deed of grant takes effect upon its delivery to the grantees. A proposed handover ceremony, as outlined under Key Issues, will facilitate this requirement of the ALA.

KEY ISSUES

- Following consultation with the Minister's office, a ceremony where the Minister will present Aboriginal grantees with a deed of grant and unveil a plaque is to be held on 4 April 2007. The handover will take place within the Great Keppel Island Resort complex commencing at 10.30am, followed by a barbeque lunch.
- Approximately 300 people are expected to attend the celebration. Attendees will include the grantees, representatives of the local indigenous and wider community and senior officers of the Queensland Government. The grantees and the department have invited the following dignitaries:
  - Paul Hoolihan MP, Member for Keppel
  - Senator the Honourable Ian Macdonald MP
  - Kirsten Livermore MP, Member for Capricornia (Cth)
  - Councillor Mayor, Bill Ludwig, Livingstone Shire Council
  - Councillor Mayor, Margaret Strelow, Rockhampton City Council
  - Honourable Virginia Chadwick AO, Chairman, Great Barrier Reef Marine Park Authority (GBRMPA)
  - Dr Evelyn Scott AO, Member, GBRMPA
  - Ms Fay Barker OAM, Member, GBRMPA
  - Mr Ross Rolfe, Member, GBRMPA
  - Mr John Tanzer, Executive Director, GBRMPA
  - Professor Russell Reichelt, Chairman, Great Barrier Reef Consultative Committee
- The grantees have requested that the Honourable Peter Beattie MP, Premier and Minister for Trade, the Honourable Anna Bligh MP, Deputy Premier, Treasurer and Minister for Infrastructure, the Honourable Lindy Nelson-Carr MP, Minister for Environment and Multiculturalism and the Honourable Robert Schwarten MP, Minister for Public Works, Housing and Information and Communication Technology also be invited. Draft invitations for the Minister's signature are attached.

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- The estimated cost of the handover is approximately $48,000. Indigenous Services' Aboriginal and Torres Strait Islander Land Acts Branch (ATSILAB) have budgeted for this cost.
- A draft agenda for the ceremony and draft speech notes are attached.

PROPOSED ACTION(S)

- ATSILAB will continue to liaise with the appointed grantees concerning arrangements for the handover on 4 April 2007.
- ATSILAB will liaise with the Minister's office on the content of media releases and speech notes for the handover ceremony.

MINISTER'S COMMENTS

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WOPPABURRA HANDOVER / RETURNING OF COUNTRY PROGRAMME

Date: Wednesday 4 April 2007

Where: Great Keppel Island

Time Commences: 10:30am

Master/s of Ceremonies: 78B(2) of the RTI Act

10.30am

- Welcome dance on entry through archway
- Welcome to Country and Opening – Bob Muir & Chris Doherty
- One Minute's Silence
- Opening Prayer – 78B(2) of the RT & Tarita Borland
- Woppaburra Perspective, Our History – Chris Doherty
- Woppaburra Perspective, What today means to us – Ruth Link, Robert Muir Jnr, 78B(2) of the RTI Act TBA (Aunty Bessie to advise)
- Introduction of Minister - Athol Backhouse (Regional Manager, NR&W)
- Handover of Deed – Hon Craig Wallace to hand five copies of deed to five Woppaburra children, who will hand to five Woppaburra Elders. Hon Craig Wallace to hand original deed to Bob Muir.
- Unveiling of Plaque by Hon Craig Wallace, Bob Muir, Uncle Bernie, Aunty Joyce, Aunty Nellie, Aunty Ruth, Aunty Bessie and five children (TBA)
- First Meeting of Woppaburra Land Trust
- Introduction of Executive Committee - Jim Sloan
- Presentation of gifts of appreciation – Bob Muir & Chris Doherty
- Closing Words - Woppaburra Executive person
- Lunch – 1.00pm (approx)
- Entertainment – Aunty Bessie Parsons, 78B(2) of the RTI Ac Marlene Cummins

END

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Great Keppel Handover / Returning of Country Ceremony

4 April 2007

DRAFT SPEECH NOTES

- I would like to acknowledge the Woppaburra people and their Elders – the traditional owners of the land on which this 'Handover' or 'Returning of Country' ceremony is taking place. I am aware that the Woppaburra people and their descendants have occupied and continued to visit the Keppel Islands from the time of the islands formation about 5000 years ago.

- I would also like to welcome:
  - *TO BE ADVISED CLOSER TO DATE*
  - Other invited guests

- I thank you for inviting me to be here today as I consider it a pleasure and a great honour to be with you on this historic occasion.

- Today, I am here on behalf of the Queensland Government and the people of Queensland to hand over a Deed of Grant for 5 parcels of land on Great Keppel Island to a group of trustees who will hold the land in trust for all Aboriginal people connected to the land.

- This ceremony is the culmination of a land transfer process under the *Aboriginal Land Act 1991* that grants inalienable freehold title to the land. In handing the land over the Queensland Government

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is recognising and respecting the traditions, observances, customs and beliefs of Aboriginal people as custodian of the land.

- When I hand over the deed to the land, the Woppaburra Land Trust will become its owner and it will be the responsibility of the Land Trust members to deal with the land in such a way that it will benefit present and future generations of Aboriginal people.

- Woppaburra will be the 57th land trust established in Queensland since the Aboriginal Land Act came in to effect in 1991. This Act has given Aboriginal people title to a total of 1.3 million hectares of land throughout Queensland.

- Over many years this process has involved a large number of people and I would like to congratulate and thank them all for their patience and hard work in bringing everyone to this point. In particular, I would like to thank the Woppaburra descendants, who have worked hard to achieve today's outcome. They have achieved this by developing working partnerships with all groups with an interest in the islands and I am sure that these partnerships of respect and cooperation will continue long into the future.

- On this very historic occasion I will now ask:

1. 78B(2) of the RTI Act to accept a copy of the Deed on behalf of the Konomie Ross Family

2. 78B(2) of the RTI Act to accept a copy of the Deed on behalf of the Fred Ross Family

3. 78B(2) of the RTI Act to accept a copy of the Deed on behalf of the Jessie Ross Family

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4. Aunty Nellie Richards to accept a copy of the Deed on behalf of the Annie Smith-Ross Family

5. Aunty Bess Catley to accept a copy of the Deed on behalf of the Albert Ross-Peters Family

- Finally I call on Mr Bob Muir to accept the original Deed of Grant on behalf of the Woppaburra people.

- Unveiling of Plaque

End of Minister's formal speech.

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RTI Act 2009

Hon Craig Wallace MP
Member for Thuringowa

Queensland Government

Minister for Natural Resources and Water and Minister Assisting the Premier in North Queensland

Ref CTS 03159/07

29 MAR 2007

The Honourable Peter Beattie MP
Premier and Minister for Trade
PO Box 15185
City East Qld 4002

Dear Premier

I would like to invite you to a transfer of land ceremony on Great Keppel Island under the *Aboriginal Land Act 1991*. Five parcels of land with a total area of 171 hectares are being transferred to the Woppaburra people, who will hold the land in trust for Aboriginal people, their ancestors and descendants.

A community ceremony to transfer the land will commence at 10.30am on Wednesday 4 April 2007. During the ceremony, which is being held within the Great Keppel Island Resort complex, a deed of grant will be handed over to the Aboriginal trustees and a commemorative plaque will be unveiled. The ceremony will be followed by a BBQ lunch.

The Woppaburra people and I request the pleasure of your company at the ceremony. If you are able to attend please advise my personal assistant Ms Clare Gillic on telephone 3896 3046.

Yours sincerely

sch4p4(6) Perso
sch4p4(6) Personal information

sch4p Craig Wallace MP
Minister for Natural Resources and Water
and Minister Assisting the Premier in North Queensland

Published on DNRW's Disclosure Log
RTI Act 2009

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Queensland 4002 Australia
Telephone +61 7 3896 3688
Facsimile +61 7 3210 6214
Email NRW@ministerial.qld.gov.au
Website www.nrw.qld.gov.au

Queensland Government

Hon Craig Wallace MP
Member for Thuringowa

Minister for Natural Resources and Water and Minister Assisting the Premier in North Queensland

Ref CTS 03159/07

29 MAR 2007

The Honourable Anna Bligh MP
Deputy Premier, Treasurer
and Minister for Infrastructure
GPO Box 611
Brisbane Qld 4001

Dear Deputy Premier Anna

I would like to invite you to a transfer of land ceremony on Great Keppel Island under the *Aboriginal Land Act 1991*. Five parcels of land with a total area of 171 hectares are being transferred to the Woppaburra people, who will hold the land in trust for Aboriginal people, their ancestors and descendants.

A community ceremony to transfer the land will commence at 10.30am on Wednesday 4 April 2007. During the ceremony, which is being held within the Great Keppel Island Resort complex, a deed of grant will be handed over to the Aboriginal trustees and a commemorative plaque will be unveiled. The ceremony will be followed by a BBQ lunch.

The Woppaburra people and I request the pleasure of your company at the ceremony. If you are able to attend please advise my personal assistant Ms Clare Gillic on telephone 3896 3046.

Yours sincerely sch4p4(6) Personal in
sch4p4(6) Personal information

Craig Wallace MP
Minister for Natural Resources and Water
and Minister Assisting the Premier in North Queensland

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RTI Act 2009

Hon Craig Wallace MP
Member for Thuringowa

Queensland Government

Minister for Natural Resources and Water and Minister Assisting the Premier in North Queensland

Ref CTS 03159/07

The Honourable Robert Schwarten MP
Minister for Public Works, Housing and Information and Communication Technology
GPO Box 2457
Brisbane Qld 4001

Dear Minister Robert,

I would like to invite you to a transfer of land ceremony on Great Keppel Island under the *Aboriginal Land Act 1991*. Five parcels of land with a total area of 171 hectares are being transferred to the Woppaburra people, who will hold the land in trust for Aboriginal people, their ancestors and descendants.

A community ceremony to transfer the land will commence at 10.30am on Wednesday 4 April 2007. During the ceremony, which is being held within the Great Keppel Island Resort complex, a deed of grant will be handed over to the Aboriginal trustees and a commemorative plaque will be unveiled. The ceremony will be followed by a BBQ lunch.

The Woppaburra people and I request the pleasure of your company at the ceremony. If you are able to attend please advise my personal assistant Ms Clare Gillic on telephone 3896 3046.

Yours sincerely

sch4p4(6) Perso
sch4p4(6
sch4p4(6) Personal information

Craig Wallace MP
Minister for Natural Resources and Water
and Minister Assisting the Premier in North Queensland

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RTI Act 2009

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CTS 01507/07

sch4p4(6) Personal

Advisor [redacted] OK
Dated 15/2/07
Approved/Not Approved/Noted sch4p4
Further information required
sch4p4(6) Personal information
Ministe sch4p4(6) Personal info
Dated 21/2/07

Department of Natural Resources and Water
MINISTERIAL BRIEFING NOTE

TO: **The Honourable Minister**

THROUGH: **Director-General** NO 14/2
sch4p4(6)
A/Assistant Director-General - L&V
sch4p4 12/2/07

FROM: **Executive Director, Indigenous Services**

SUBJECT: **Handover Date for the Transfer of Lands on Great Keppel Island under the *Aboriginal Land Act 1991* (ALA)**

RECOMMENDATION

It is recommended that the Minister:-

1. note that the handover of lands on Great Keppel Island under the ALA is likely to occur in March 2007; and
2. indicate if he would be available to officiate at the handover ceremony. If so, could he provide a suitable date in March 2007 when he is available (preferably Friday 23 or Friday 30 March 2007).

BACKGROUND

A briefing note has been forwarded to the Minister seeking his endorsement to direct that a deed of grant be prepared over 5 parcels of unallocated State land on Great Keppel Island and appoint Aboriginal grantees (the Woppaburra people) to a Land Trust (see CTS 00758/07).

Upon receiving Ministerial direction, Governor-in-Council approval to issue the title will be sought. This is an administrative process that takes three weeks. It is anticipated that the title will be ready to be handed over to the grantees in mid March 2007.

KEY ISSUES

- Given the location of the lands and the availability of accommodation a long lead time is required to organise this handover.
- At meetings of the nominated grantees on 18 November 2006 and 2 February 2007 it was asked if the Minister would be officiating at the handover and, could the handover take place on any Friday in March 2007 – preferably 23 or 30 March.
- On 6 February Christine Doherty and Bob Muir, spokespersons for the Woppaburra people emailed the Minister's office asking if the Minister was available to officiate at the handover ceremony and if so, could he commit to a date. They also stated in the email they would be inviting the premier to attend.

PROPOSED ACTIONS

- That the Minister indicates whether he will be officiating at the handover ceremony.
- Departmental officers will continue to work with the nominated grantees on handover arrangements.

MINISTER'S COMMENTS

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Briefing Officer: Jim Sloan, Manager, ATSI Land Acts Branch Telephone: 389 63804 Date: 12-02-07

Dept Reference/File Number

CTS 00758/07

sch4p4(6) Person

Advisor OK
Dated / /
~~Approved/Not Approved/Noted~~
~~Further information required~~
sch4p4(6) Personal information
Minister
Dated 16/2/07

Department of Natural Resources and Water
MINISTERIAL BRIEFING NOTE

TO: **The Honourable Minister**

THROUGH: **A/Director-General** sch4p4(6) Pe 29/1/07
A/Assistant Director-General, Land and Vegetation sch4p4(6) Pe 25/1/07

FROM: **Executive Director, Indigenous Services**

SUBJECT: **Great Keppel Island – Transfer of Land under the *Aboriginal Land Act 1991* (ALA)**

RECOMMENDATION

It is recommended that the Minister:

1. **direct** that a deed of grant be prepared over parts of Great Keppel Island; and
2. **appoint** Aboriginal grantees (the Woppaburra people) by signing **Attachment A**.

BACKGROUND

The ALA provides the process under which land can be transferred to a group of Aboriginal people as trustees, to hold the land for the benefit of Aboriginal people.

The Lands that can be transferred are:

- certain Aboriginal reserve land
- land in a deed of grant in trust for Aboriginal people (all the large Aboriginal communities in Queensland are deeds of grant in trust land);
- Aurukun Shire lease land;
- Mornington Island Shire lease land;
- land declared by a Regulation to be transferable land (the Act specifies what land may be declared available for transfer).

Under the transfer process, NRW officers, on behalf of the Minister for Natural Resources and Water, consult with Aboriginal people who are particularly concerned with the land at issue. The product of these consultations then serves as the basis of a recommendation to the Minister that the land be transferred to a specified group who are considered the most appropriate representatives of the Aboriginal people. If the Minister agrees with the recommendation, the representatives will become the grantees of the land, who will act as trustees for Aboriginal people and their ancestors and descendants.

In appointing grantees, the Minister must, as far as practicable, act in a way that is consistent with any Aboriginal tradition applicable to the land.

KEY ISSUES

- Five parcels of unallocated State land on Great Keppel Island totalling 170.86 hectares in area were regulated as transferable land under the ALA on 27 October 2006. The land, located approximately 50 km north east of Rockhampton, has cultural heritage values for the Aboriginal people connected to the land, the Woppaburra people.
- The subject lands are described as lot 50 on SP190989, lot 51 on SP190992, lot 52 on SP190991, lot 53 on SP190990 and lot 29 on SP190994 parish of Keppel, county of Livingstone, total area of 170.86 hectares and are described in **Attachments B and C**.

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- Indigenous Services officers conducted a consultation process on the Minister's behalf to identify grantees to the land. The Department facilitated two formal meetings, as well as a number of other informal meetings and discussions with smaller groups. At the first meeting held in Hervey Bay on 16-17 September 2006 the responsibilities of trustees under the Act and Regulation were explained, as were the processes of nominating and appointing grantees to become trustees of the land. On the second day meeting participants nominated forty people, as listed on **Attachment A,** to represent the five main families connected to the land under Aboriginal tradition.
- The accompanying **Report of Consultation and Recommendation** details the consultation and research undertaken to satisfy the requirements of the ALA and provides the basis for the recommendation.
- All necessary title pre-issue requirements under the ALA for transfer of the subject land have been met.
- The transfer is clearly contemplated by the Act and does not affect native title.

PROPOSED ACTIONS

- Upon receiving Ministerial direction, Governor-in-Council approval to issue the title will be sought, and it is anticipated that the title will be handed over to the grantees in March 2007.
- Departmental officers will liaise with the Aboriginal grantees concerning arrangements for the handover. Further advice will be provided to the Minister in relation to handover arrangements.

MINISTER'S COMMENTS

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DIRECTION TO ISSUE TITLE TO TRANSFERABLE LAND AND APPOINTMENT OF GRANTEES FOR TRANSFERABLE LAND

In accordance with my powers under the *Aboriginal Land Act 1991*, I, Craig Wallace MP, hereby direct that a deed of grant in fee simple over lot 50 on SP190989, lot 51 on SP190992, lot 52 on SP190991, lot 53 on SP190990 and lot 29 on SP190994 be prepared and I hereby appoint the following Aboriginal people to be grantees, as trustees for the benefit of Aboriginal people and their ancestors and descendants.

Christine Konomie Barney
Colin James Barney
Ernest Albert Barney
Gordon Windsor Barney
Tarita Yvonne Borland
Matthew Joseph Boustead
Malcolm John Fredrick Burns
Valmai Frances Rowena Burns
Lillian Bessie Catley
Joh-Ann Alice Coates
Jason Cockatoo
Selina Evelyn Costelloe
Glenice Esmai Croft
Robert Michael Muir
Meaghan Jay Cummins
Christine Joyce Doherty
Frances May Gala
Peter Darryle Green
Tegan Marie Green
Susie Hansen
Michelle Diane Howden
Jay Jordan
Vanessa Noelene Kirk
Ruth Linda Link
Jill Linda McBride
Kathryn Ann Mann
Scott Bradley Mitchell
Bessie Parsons
Janice Rose Reilly
Debbra Richards
Lucy May Richards
Nellie Ann Richards
Adam John Saunders
Daphne Singleton
Marlene Singleton
Vincent Stanley Singleton
Beryl Rosetta Smith
Frederick Stanley
Linette Joan Van Issum
Marlene May Cummins

The title should issue as prescribed by the *Aboriginal Land Act 1991* and in accordance with the following parameters:

- The Aboriginal people appointed to be grantees, as trustees for the benefit of Aboriginal people and their ancestors and descendants of the land, should be recorded as trustees.
- The land should be described on the title in an appropriate manner.
- The title should issue with regard to the due process prescribed by the legislation and in accordance with appropriate administrative procedures.

sch4p4(6) Personal information

Craig Wallace MP
Minister for Natural Resources and Water

16-2-07
Date

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