

22 November 2021

Four-year battle ends in native title win for the Yuwaalaraay / Euahlayi People

Today the Yuwaalaraay / Euahlayi People celebrate a milestone win as their four-year native title claim concludes with the formal recognition by the Australian legal system, that they are the Native Title Holders of their traditional country in Queensland's southwest region.

In an on-country hearing at Dirranbandi Civic Centre, the Honourable Justice Collier of the Federal Court of Australia, determined native title over land and waters covering 12,945 hectares of land located within the Shire of Balonne, including the townships Dirranbandi and Hebel.

With today's determination, the Yuwaalaraay / Euahlayi People have been granted exclusive and non-exclusive native title rights. Exclusive native title has been recognised over 97 parcels of land which allows the community to have rights to possess, occupy, use and enjoy the area to the exclusion of all others.

Yuwaalaraay / Euahlayi Traditional Owner and Applicant, Jamie-Lee Taylor said today's native title recognition is empowering and will allow for the Yuwaalaraay / Euahlayi People to rightfully protect their land, waters and culture.

"I can continue my journey of reconnecting to Country and community. It will allow our people greater access to Country for cultural and traditional practices which will increase our knowledge sharing.

"This sharing of knowledge will give me the opportunity to listen, learn, be mentored and walk in the footsteps of those leaders before me. I hope to then pass this knowledge on to the future generations to ensure our culture continues to flow strong and deep," Ms Taylor said.

Non-exclusive native title rights have also been granted over parcels within the determination area such as waterways and largely public reserve areas. This includes waterways, which within the determination area, are multiple rivers and creeks including stretches of the Narran River, Bokhara River and Ballandool River, as well as parts of the Balonne and Culgoa Rivers.

Traditional Owner and Applicant, Mayrah Dreise said, "Achieving native title means our people can look after country in the way we are supposed to. The Yuwaalaraay People will have access to land and waterways for hunting and fishing and to bush tucker.

"My country is important to me and the recognition of native title means we are known as the traditional custodians of our country. I will be able to access parts of country that I couldn't before. To dance on country and protect her from harm is very important for future generations and me," Ms Dreise said.

Queensland South Native Title Services Chief Executive Officer, Kevin Smith said, "QSNTS acknowledges the ancient, living culture of the Yuwaalaraay / Euahlayi People and their strong connection to their traditional land and waters. The Yuwaalaraay / Euahlayi People



Queensland South Native Title Services

have many positive attributes as a First Nations People, ‘two-world’ wisdom, indomitable spirit and resilience but this native title process has demonstrated that *unity* is their power. Unity is essential to successfully prosecute a native title claim as well as to make native title work for current and future generations.

“They have remained *united* in their acknowledgement and observance of traditional laws and customs from time immemorial to modern times, *united* despite the ravages of colonisation, especially the devastation of artificial state borders literally dividing their traditional country since 1859 and *united* despite the harrowing process required to prove native title. The fact that this claim has successfully resolved under five years – a comparatively very short time frame for native title claims – speaks volumes to this quality. Stay strong in your unity and all the best for the next leg of your native title journey.”

QSNTS congratulates the Yuwaalaraay / Euahlayi People on this historic occasion as Native Title Holders for their ancestral lands and waters.

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Media Fact Sheet

Fact Sheet:

The Yuwaalaraay/Euahlayi Native Title Claim Group are the descendants of the following ancestors:

- a) Billy Bloomfield
- b) Ned Combo and Jane Sands
- c) Jennie of Bangate
- d) Clara Murray/Billie/Foster and Bangate Charlie (Charlie Wilson)
- e) Kitty Hibbett
- f) Peter Hippi alt. (Hippi Peters) and Lady Hippi
- g) Ellen Leonard
- h) Susannah McCauley
- i) Eliza McCrae
- j) Albert Murray father of Dolly McPherson
- k) Biddigae (Biddey) Murray [Hall]
- l) Lucy ‘Sookie’ Murray
- m) Mary Murray [Dancey]
- n) Mary Murray [Orchard]

- o) Thomas Murray and Kitty Bootha, parents of Katie Murray [Butler] and Jenny Murray [Rose]
- p) Biddy Martha mother of Harry Rose
- q) John 'Jack' Simpson
- r) Ada Russell / Murdoch / Bloomfield / Murray
- s) Fanny White
- t) Fanny Cubby
- u) Jenny Murray (Horne)
- v) Albert Sharpley
- w) Lucy Brandy
- x) Kitty Thunderbolt, mother of Arthur and Jimmy Dixon and Peter Hill
- y) Alice Brandy, the mother of Arthur Dodd
- z) Eliza Buguthar Brandy
- aa) George Bullaman

Other Stakeholders

Respondents to the claim:

- a) The State of Queensland;
- b) Balonne Shire Council;
- c) Ergon Energy Corporation Ltd;
- d) Telstra Corporation Ltd;
- e) Cornelia Margaret Coetzer as trustee of Codima Trust;
- f) Frederik Ernst Coetzer as trustee for Codima Trust; and
- g) Jece Pty Ltd.

Native Title Claim History

- On 23 January 2017, the Yuwaalaraay/Euahlayi Native Title Determination Application was filed in the Federal Court of Australia.
- Research in the region was undertaken from 2013 to establish which group/s of people held native title rights and interests within the region. An Anthropological Report was produced in 2018 by Anthropologist, Mr Jitendra Kumarage and a Supplementary Report was produced in 2019 also by Mr Jitendra Kumarage.
- In addition to the anthropological research, many claimants provided evidence in support of the native title claim.
- In December 2019, the State wrote to the Applicant advising that it was prepared to enter into substantive negotiations towards a consent determination.



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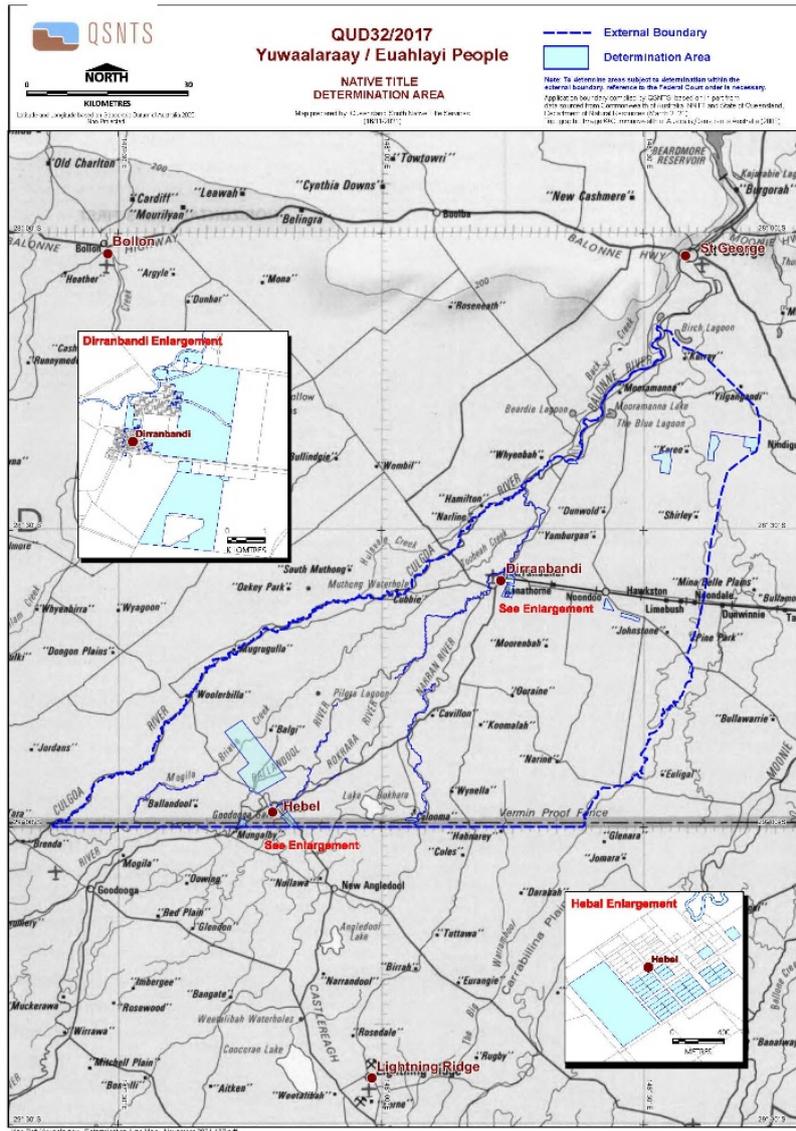
- On 22 November 2021, the Federal Court of Australia held a hearing on country at Dirranbandi and made orders, which included the recognition of the Yuwaalaraay/Euahlayi People as Native Title Holders.

The Yuwaalaraay/Euahlayi Applicant acknowledge the Elders who have passed, and those that are still alive today. The Elders' never-ending commitment and perseverance was instrumental in achieving recognition of the Yuwaalaraay Euahlayi Peoples native title rights and interests.

Native Title Determination Area

- The Yuwaalaraay/Euahlayi People's Native Title Determination Area covers 12,495ha of land and waters in southwest Queensland within the Shire of the Balonne, including the townships of Dirranbandi and Hebel. The waterways within the Determination Area include part of various rivers and creeks, including stretches of the Narran River, Bokhara River and Ballandool River, as well as parts of the Balonne and Culgoa Rivers.

Native Title Determination Map



Native Title Rights and Interests

- Exclusive native title has been recognised over 97 parcels of land in and around Dirranbandi, Hebel, Currawillinghi and an area of land on the border of QLD and NSW.
- Recognition of exclusive native title rights and interests means that the Yuwaalaraay / Euahlayi People will have the right to possession, occupation, use, and enjoyment of the areas to the exclusion of all others.
- Non-exclusive native title has been recognised over the balance of parcels within the determination area. This includes the waterways, and largely public reserve areas in and around Dirranbandi and Hebel.

Exclusive native title rights

The native title rights and interests in relation to the Determination Area where the Parties agree that exclusive native title exists are the rights to:

- a) other than in relation to Water, the right to possession, occupation, use and enjoyment of the area to the exclusion of all others; and
- b) in relation to Water, the non-exclusive rights to:
 - (i) hunt, fish and gather from the Water of the area;
 - (ii) take the Natural Resources of the Water in the area; and
 - (iii) take the Water of the area for personal, domestic and non-commercial communal purposes.

Non-exclusive native title rights

The native title rights and interests in relation to the Determination Area where the Parties agree that non-exclusive native title exists are the rights to:

- a) access, be present on, move about on and travel over the area;
- b) camp, and live temporarily on the area as part of camping, and for that purpose build temporary shelters;
- c) hunt, fish and gather on the land and waters of the area;
- d) take Natural Resources from the land and waters of the area;
- e) take the Water of the area for personal, domestic and non-commercial communal purposes;
- f) conduct ceremonies on the area;
- g) bury Native Title Holders within the area;
- h) maintain places of importance and areas of significance to the Native Title Holders under their traditional laws and customs and protect those places and areas from physical harm;
- i) teach on the area the physical and spiritual attributes of the area;
- j) hold meetings on the area;
- k) light fires on the area for domestic purposes including cooking, but not for the purpose of hunting or clearing vegetation; and
- l) be accompanied onto the area by certain non-native title holders, being:
 - i. spouses and other immediate family members of Native Title Holders, pursuant to the exercise of traditional laws and customs; and
 - ii. people required under the traditional laws acknowledged and traditional customs observed by the Native Title Holders for the performance of, or participation in ceremonies.