

QUESTION ON NOTICE

No. 1952

asked on 28 November 2019

MR MOLHOEK ASKED THE MINISTER FOR NATURAL RESOURCES, MINES AND ENERGY (HON DR A LYNHAM)—

QUESTION:

Will the Minister confirm that all affected First Nations Peoples, including the Quandamooka and the Noonuckle, and all relevant stakeholders are being consulted in an open and transparent manner with respect to any proposed Native Title changes that affect Moreton Island?

ANSWER:

The Commonwealth's *Native Title Act 1993* sets down clear requirements for recognising native title, and the identification of the appropriate First Nation Peoples is fundamental to that process.

To reach a negotiated settlement, the state must first be satisfied that it is dealing with the right people for the land and waters under claim, and that those people have maintained a continuing connection to the claim area.

Native title claims are lodged with, and overseen by, the Federal Court of Australia, and everything pertaining to the claim is subject to the court's rules and the operation of the *Native Title Act 1993*.

Under this Act, the resolution of native title claims throughout Australia is conducted on a "confidential and without prejudice" basis between the parties. The Federal Court's decisions are made independent of broader public consultation.

But, as with all native title claims around Australia, the National Native Title Tribunal publicly advertised the Moreton Island claim's details, and all stakeholders had three months in which to apply to the Federal Court to become parties to the claim, and to follow its progress.

Responsibility for circulating information within the broad claimant group was shared between the representative body, Queensland South Native Title Services, and the Quandamooka Yoolooburabee Aboriginal Corporation (QYAC). I am advised the broader claim group was briefed before the approval of the settlement was finalised.

Officers from the Department of Natural Resources, Mines and Energy briefed representatives of the three Moreton Island township associations on Monday, 2 December 2019.

I can assure the Member that, when it comes to native title, the Queensland Government takes its model litigant role very seriously, and applies itself diligently to complying with state and Commonwealth legislation and the Federal Court's requirements.