



Extract from the Register of Native Title Claims

Application Information

Application Reference: Federal Court number: QUD357/2025
NNTT number: QC2025/001

Application name: Bernard Charlie & Ors on behalf of the Gudang Yadhaykenu People Sea Claim and State Minister for the State of Queensland (Gudang Yadhaykenu People Sea Claim)

Registration History: Registered from 11/12/2025

Register Extract (pursuant to section 186 of the *Native Title Act 1993* (Cth))

Application filed with: Federal Court of Australia

Date application filed: 30/05/2025

Date claim entered on Register: 11/12/2025

Additional Information: Not Applicable

APPLICANT:

Person/s authorised as applicant: Bernard Charlie, Trevor Lifu, Conwell Young, Myiesha Yoelu, Trevina Lifu

Condition/s on authority:

The conditions on the authority of the Applicant to make the application and to deal with matters arising in relation to it are as follows:

Decision-making by the Applicant

1. A decision by the Applicant about a matter arising in relation to the Proposed Claim will be considered to have been made:

- (a) where there is a consensus amongst the persons who comprise the Applicant; or
- (b) if there is no consensus—where a majority of the persons who comprise the Applicant agree with that decision.

2. In the event of the resignation, death or incapacity of any one or more of the persons comprising the Applicant from time to time, the remaining persons comprising the Applicant are authorised to continue to act as the Applicant notwithstanding such resignation, death or incapacity.

Limitations on the authority of the Applicant

1. The Applicant has no authority to make any decision:

- (a) to approve a consent determination in respect of the Proposed Claim; or
- (b) subject to [8.1] below, to change the solicitor for the Applicant in the Proposed Claim.

2. Decisions in respect of such matters at [1] are to be made by the Native Title Claim Group.

3. The authority of the Applicant is confined to matters arising in relation to the Proposed Claim.

The above limitations are set out in the resolutions that are annexed to the affidavit of Parkinson Wirrick affirmed 30 May 2025 (PW) that was filed in the North Eastern Peninsula Sea Claim Group proceeding (NSD 115 of 2017) (NEP Sea Claim). The PW affidavit is annexed as MRV-1 to the affidavit of Matilda Rae Vaughan (MRV) that is at "Attachment P".

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DESCRIPTION OF THE AREA COVERED BY THE CLAIM:

(a) The area covered by the application

1. Subject to [4] below, the external geographical boundaries of the area covered by this application are described in **Attachment B.1**.
2. Subject to [4] below, the external geographical boundaries of the area covered by the application are delineated and marked on the map at **Attachment B.2**.
3. In the event of any inconsistency between the written description in **Attachment B.1** and the delineation of the boundaries in **Attachment B.2**, the written description in **Attachment B.1** shall prevail, but subject to the exclusions from that description of the area referred to at [4] below.

(a) [sic] Any areas within those boundaries that are not covered by the application

4. Areas within the external geographic boundaries that are not covered by the application are the following areas, if any, except where any extinguishment by the acts mentioned is required by ss 47A and 47B of the *Native Title Act 1993* (Cth) to be disregarded:
 - (a) any area that, when this application is made, is or was subject to any of the following kinds of acts as they are defined in either the *Native Title Act 1993* (Cth) (where the act in question is attributable to the Commonwealth), or the *Native Title (Queensland) Act 1993* (Qld) (where the act in question is attributable to the State of Queensland):
 - (i) Category A past acts;
 - (ii) Category A intermediate period acts;
 - (iii) Category B past acts that are wholly inconsistent with the continued existence, enjoyment or exercise of any native title rights or interests;

- (iv) Category B intermediate period acts that are wholly inconsistent with the continued existence, enjoyment or exercise of any native title rights or interests;
 - (b) any area in relation to which a previous exclusive possession act under ss 20 or 21 of the *Native Title (Queensland) Act 1993* (Qld) was done and the act was attributable to the State of Queensland;
 - (c) any area in relation to which a previous exclusive possession act as defined by s.23B (including s.23B(7)) of the *Native Title Act 1993* (Cth) was done and the act was attributable to the Commonwealth;
 - (d) any area where native title rights and interests have otherwise been wholly extinguished;
- and
- (e) specifically, any area where there has been:
 - (i) an unqualified grant of an estate in fee simple (and which grant is not a deed of grant in trust, or Aboriginal land under the *Aboriginal Land Act 1991* (Qld)); or
 - (ii) any public work as defined in s.253 of the *Native Title Act 1993* (Cth) the construction or establishment of which began on or before 23 December 1996.

PERSONS CLAIMING TO HOLD NATIVE TITLE:

The native title claim group is the Gudang Yadhaykenu People, being those Aboriginal persons who are descendants by birth, or adoption in accordance with the traditional laws acknowledged and the traditional customs observed by the Gudang Yadhaykenu People, from one or more of the following apical ancestors:

- (a) Wymarra (Wymara Outaiakindi);
- (b) Tchiako (aka Chaiku/Chakoo) & Baki (siblings);
- (c) Peter Padhing Pablo;
- (d) Mathew Charlie Gelapa;
- (e) Annie Blanco;
- (f) Ila-Ela;
- (g) Woounduinagrun & Tariba (parents of Tom Redhead);
- (h) Charlotte (spouse of Billy Doyle and Wilson Ware)
- (i) Pijame and Daudi (sisters);
- (j) Mother of Thompson Olwinjinkwi; or
- (k) Nara Jira Para

REGISTERED NATIVE TITLE RIGHTS AND INTERESTS:

The following Native Title Rights & Interests were entered on the Register on 11/12/2025

(a) Below high-water mark

The claimed rights and interests for the areas below the ordinary high-water mark at spring tides (**high-water mark**) are the rights to:

- (a) access, to remain in and to use the area;
- (b) access resources and to take for any purpose, resources in the area;
- (c) maintain places and areas of significance, to the members of the native title claim group under their traditional laws and customs on the area and protect those places and areas from harm;

(b) Above high-water mark

Where exclusive native title can be recognised above the high-water-mark, the claimed rights and interests for areas above the high water mark 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 right to take the Water of the area for personal, domestic and non-commercial communal purposes.

“Water” means:

- (a) water which flows, whether permanently or intermittently, within a river, creek or stream;
- (b) any natural collection of water, whether permanent or intermittent;
- (c) water from an underground water source; and
- (d) tidal water.

Where non-exclusive native title can be recognised above the high-water mark, the non-exclusive rights to:

- (a) access, be present on, move about on and travel over the area;
- (b) live and camp on the area and for those purposes to erect shelters and other structures thereon;
- (c) hunt, fish and gather on the land and waters of the area;
- (d) take the 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;
- (g) maintain places of importance and areas of significance to the members of the native title claim group under their traditional laws and customs on the area and protect those places and areas from harm;

- (h) teach on the area the physical and spiritual attributes of the area and the traditional laws and customs of the members of the native title claim group to other members of the native title claim group or persons otherwise entitled to access the area;
- (j) conduct ceremonies on the area;

“Natural Resources” means:

- (a) an Animal, a Plant, or any other non-human life form; and
- (b) inorganic material;

but does not include:

- (c) Animals that are the private personal property of any person;
- (d) crops that are the private personal property of another;
- (e) minerals as defined in the *Mineral Resources Act 1989* (Qld); and
- (f) petroleum as defined in the *Petroleum Act 1923* (Qld) and the *Petroleum and Gas (Production and Safety) Act 2004* (Qld);

Areas covered by the native title and who holds the rights

Each of the claimed rights and interests exist for areas below the high-water mark and for areas above the high-water mark in relation to the whole of the application area.

Members of the native title claim group:

- (a) hold the claimed rights and interests and interests for their respective communal, group and individual entitlements in relation to the application area in accordance with the traditional laws acknowledged and traditional customs observed by them;
- (b) do not all hold all the claimed rights equally in all areas; and
- (c) do not each hold rights in all areas.

REGISTER ATTACHMENTS:

1. External Boundary Description, attachment B.1 of the application, 1 page - A4, 16/10/2025
2. Map, attachment B.2 of the application, 1 page - A4, 16/10/2025

Note: The Register of Native Title Claims may, in accordance with section 188 of the Native Title Act 1993 (Cth), contain confidential information that will not appear on the Extract.