

Erubam Le Traditional Land and Sea Owners (Torres Strait Islanders) Corporation

OVERVIEW

The Erubam Le Traditional Land and Sea Owners (Torres Strait Islanders) Corporation, administers the native title rights and interests recognised in the determination *Erubam Le (Darnley Islanders) #1* over Erub (Darnley) Island.

The *Erubam Le (Darnley Islanders) #1* determination arose out of an application made by Mr George Mye, a traditional Erub elder. He filed an application for native title in the Federal Court in June 1996 and continued to act as the named applicant on behalf of the people of Erub Island throughout the proceedings.

This claim was affected by the Federal Court's decision in October 2003 in *Erubam Le v State of*

Queensland which established that public works which had been constructed on the islands before December 1996 would extinguish native title. This decision motivated the parties to negotiate in order to recognise exclusive native title rights. The claim was mediated. All parties recognised the Erub people's right to:



View of village on Darnley Island

- Exclusive possession of land, and
- Non-exclusive use of water and things within the water for personal, non-commercial or domestic uses.



Sea Claim negotiating team during 2005

Erub Island, the land over which the claim was recognised, is a part of the Eastern cluster of the Torres Strait, at the edge of the Great Barrier Reef. It is a high island with numerous volcanic rock outcrops, thickly vegetated areas and rich deep soils.

The Erubam Le Traditional Land and Sea Owners (Torres Strait Islanders) Corporation also administers Indigenous Land Use Agreements with both Ergon Energy and Telstra.

RNTBC PROFILE

NAME OF RNTBC ORIC HYPERLINK	ERUBAM LE TRADITIONAL LAND AND SEA OWNERS (TORRES STRAIT ISLANDERS) CORPORATION
TYPE OF RNTBC ATNS HYPERLINK	TRUSTEE
STATE/TERRITORY	QLD (TSI)
MAP NNTT HYPERLINK	http://www.nntt.gov.au/Publications-And-Research/Maps-and-Spatial-Reports/Documents/Quarterly%20Maps/Determinations_PBCs_A4.pdf
CONTACT DETAILS ORIC HYPERLINK	http://www.orac.gov.au/Search.aspx?Search=erubam&Type=Name

RNTBC ADMINISTRATION

INDIGENOUS CORPORATION NUMBER	3860
DATE OF INCORPORATION	19/09/2001
CERTIFICATE OF INCORPORATION ORIC HYPERLINK	http://www.orac.gov.au/document.aspx?concernID=103860
CORPORATION OBJECTS & RULES ORIC HYPERLINK	http://www.orac.gov.au/document.aspx?concernID=103860
LIST & NAMES OF MEMBERS ORIC HYPERLINK	http://www.orac.gov.au/document.aspx?concernID=103860

NATIVE TITLE DETERMINATION INFORMATION

NNTT SHORT NAME NNTT HYPERLINK	ERUBAM LE (DARNLEY ISLANDERS) #1
CASE LAW AUSTLII HYPERLINK	Mye on behalf of the Erubam Le v State of Queensland [2004] FCA 1573
DATE OF DETERMINATION	24/05/2005
TYPE OF DETERMINATION ATNS HYPERLINK	CONSENT DETERMINATION
DETERMINATION OUTCOME	NATIVE TITLE EXISTS IN THE DETERMINATION AREA.
NNTT FILE NO	QC01/20
FEDERAL COURT FILE NO	QUD6036/98
NATIVE TITLE RIGHTS AND INTERESTS ¹	The native title in relations to land is a right to possession, occupation, use and enjoyment of the Determination Area to the exclusion of all others. The native title in relation to Water is a non-exclusive right to: (a) hunt and fish in or on, and gather from, the Water for the purpose of satisfying personal, domestic or non-commercial communal needs; and (b) take, use and enjoy the Water for the purpose of satisfying personal, domestic or non-commercial communal needs.
AREA OF LAND	6.1 SqKm
GENERAL LOCATION OF DETERMINATION AREA	DARNLEY ISLAND IN THE TORRES STRAIT
NTRB REGION NTRB HYPERLINK	TORRES STRAIT REGIONAL AUTHORITY

¹ These native title rights and interests are subject to the laws of the Commonwealth and the State of Queensland. They may also be subject to particular interests specified in the determination.

AGREEMENTS

AGREEMENT NAME ATNS HYPERLINK	NNTT FILE NO. NNTT HYPERLINK	TYPE OF AGREEMENT	SUBJECT MATTER (NNTT)	SUBJECT MATTER (ATNS) ATNS HYPERLINK
DARNLEY ISLAND - ERGON ENERGY INDIGENOUS LAND USE AGREEMENT (ILUA)	QI2004/057	Area Agreement	Access	Future Act Native Title Native Title Recognition of Traditional Rights and Interests Housing, Construction and Infrastructure Land Use
TELSTRA DARNLEY INDIGENOUS LAND USE AGREEMENT (ILUA)	QI2004/060	Area Agreement	Infrastructure	Infrastructure Recognition of Native Title or Traditional Ownership Native Title Future Act Recognition of Traditional Rights and Interests Land Use

ADDITIONAL ELECTRONIC RESOURCES

Media releases	National Native Title Tribunal, <i>Native title agreements double with Torres Strait determinations</i> (07/07/00) http://www.nntt.gov.au/News-and-Communications/Media-Releases/Pages/Torres Strait Islanders native title re.aspx
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