

NOTICE OF FILING

Details of Filing

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File Number: VID622/2021
File Title: PABAI PABAI & ANOR v COMMONWEALTH OF AUSTRALIA
Registry: VICTORIA REGISTRY - FEDERAL COURT OF AUSTRALIA



Sia Lagos

Registrar

Important Information

This Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

The date of the filing of the document is determined pursuant to the Court's Rules.

Outline of supplementary evidence of Laurie Nona

(Filed pursuant to orders made by the Honourable Chief Justice Mortimer dated 20 April 2023)

No. VID622 of 2021

Federal Court of Australia

District Registry: Victoria

Division: General

PABAI PABAI AND GUY PAUL KABAI

Applicants

COMMONWEALTH OF AUSTRALIA

Respondent

Witness: **Laurie Nona**

Address: [REDACTED]

Occupation: Art Centre Manager, Artist, Councillor

Date: 21 April 2023

LAURIE NONA is expected to give evidence of the following matters in this proceeding:

1. His observations of changes in tidal patterns on Warraber and Badu. These changing tidal patterns have resulted in flooding of land and infrastructure on those islands, including flooding of the wharf on Badu which was approximately 2 metres under water on or around 31 March 2023.
2. His observations of severe erosion on Warraber caused by strong tides on or around 31 March 2023.
3. His observations of changing patterns of precipitation in the Torres Strait, including increased rainfall during seasons that are traditionally much drier than they now are.
4. His observations of changes in the migratory behaviour of Biru Biru. Traditionally, Biru Biru migrate during February, however, during the final two weeks of March 2023, he observed large numbers of Biru Biru feeding on Badu and appearing not to migrate.

Filed on behalf of	Pabai Pabai and Guy Paul Kabai (Applicants)
Prepared by	Brett Spiegel, Phi Finney McDonald
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5. The importance of burial and maintenance of grave sites in the cultural practices of Torres Strait Islanders. Such burial practices are important for the maintenance of connection and respect for ancestors. He will also give evidence in respect of the placement of grave sites, and in particular, that they are often placed close to the ocean out of respect for ancestors and so that ancestors will look after people.