



YOUR WAY FORWARD FOR NATIVE TITLE

MESSAGE STICK

Message Stick is published by
North Queensland Land Council.

December 2015

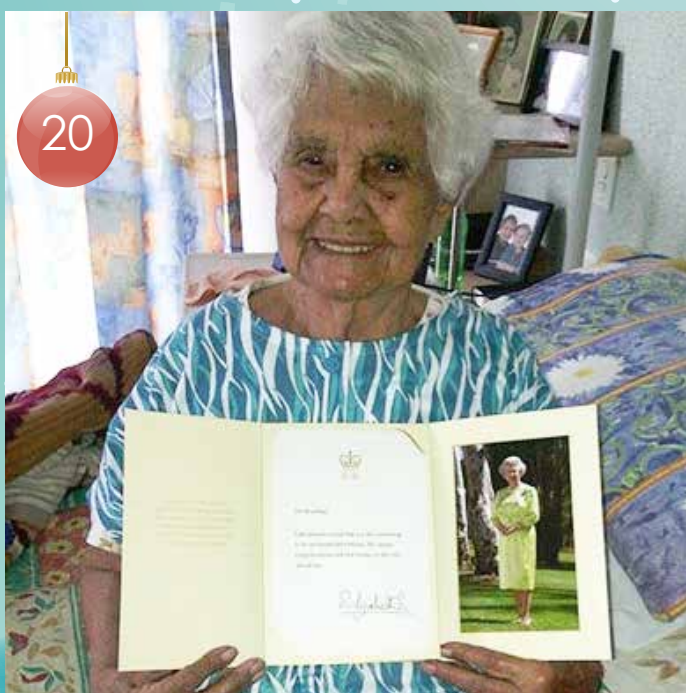
Christmas Edition

YOUR PBC

In this edition we profile the deadly Gudjula mob of Ngrragoonda Aboriginal Corporation



20



GRANNY FLORA CELEBRATES 100TH BIRTHDAY

Read about the amazing history of the Illin family, as told by Dr Ernie Hoolihan

14



WARRGAMAY CLAIM **AUTHORISED**

16



HOW THE NATIVE TITLE ACT **DISCRIMINATES AGAINST TRADITIONAL OWNERS**

Looking at the unfair aspects of the Non-claimant Application from the eyes of a Traditional Owner



MessageStick is published by the North Queensland Land Council Native Title Representative Body Aboriginal Corporation (ICN 1996)

The contents of Message Stick are copyright to NQLC and should not be reproduced in whole, or part, without the written consent of the NQLC CEO.

Original design provided by ingenious studios.
Reporting and layout by Michelle Liddy.

Message Stick is not for resale. Any information is correct at time of writing.

The publisher apologises for any images used that contain deceased individuals or cultural sites of significance.

Message Stick is made possible from funding provided by the Department of Prime Minister and Cabinet.

CONTACT US



mliddy@nqlc.com.au



61 Anderson Street, Manunda QLD 4870



(07) 4042 7000 (freecall:1800 814 779)



www.nqlc.com.au

CONTENTS

- 03 **WELCOME TO THE NEW NQLC BOARD**
Meet the new 2015-2017 Board of Directors
- 04 **MESSAGE FROM THE CHAIR**
An update from our outgoing and incoming Chairs, Errol Neal and Kaylene Malthouse.
- 06 **MESSAGE FROM THE CEO**
An update from Steve Ducksbury, Chief Executive Officer.
- 08 **STAFF PROFILES**
Put a face to the names you already know, and get to know some of our new staff.
- 10 **MEET THE CEO**
Get to know another side to our recently recruited CEO
- 12 **THANKS UNCLE GEORGE!**
Dr George dropped in to the NQLC Cairns office history of Aboriginal camps and reserves in Cairns from the 1930s to the 1960s.
- 14 **WARRGAMAY CORE COUNTRY AUTHORISATION**
Warrgamay Core Country's native title claim was authorised on the 28th of May 2015.
- 16 **MY TRAINEESHIP WITH NQLC**
Tahanni Jerrett writes about her experiences as an Administration Trainee with in the NQLC.
- 19 **COMMON MISCONCEPTIONS**
Our legal guru Martin Dore discusses the common misconceptions with native title claims.
- 20 **GRANNY FLORA CELEBRATES 100TH BIRTHDAY**
Dr Ernie Hoolihan talks about the interesting life of Flora Hoolihan (nee Illin) and her family.
- 24 **INNOVATIVE RESOURCES TENURE FRAMEWORK**
DNRM has released the Innovative Resources Tenure Framework position paper and Shanti Fatchen has created a comparison of the current system, the framework proposal and NQLC's submission.
- 26 **HOW THE NTA DISCRIMINATES AGAINST TOs**
Western Yalanji Traditional Owner Danny O'Shane discusses how the Non-claimant Application discriminates against Traditional Owners
- 28 **PBC SUPPORT UNIT UPDATE**
Brad Foster provides an update on the PBC Support Unit.
- 30 **PBC PROFILE NGRRAGOONDA AC**
For this edition we profile the deadly mob, Ngrragoonda Aboriginal Corporation in Charters Towers.
- 34 **POETS CORNER**
This new section of Message Stick features a poem on traditional lands by Tahanni Jerrett.
- 35 **FIND-A-WORD**
Native Title themed find-a-word

Welcome to the New NQLC Board of Directors



Chairperson
Kaylene Malthouse
Tableland Ward



Deputy Chairperson
Phil Rist
Tully/Palm Island Ward



Treasurer
Angelina Akee
Townsville/Ayr Ward



Correspondence Secretary
Gary Mooney
Proserpine/Mackay Ward



Terry O'Shane
Cairns Ward



Vana O'Shane
Cairns Ward



Patricia Dallachy
Hughenden/Charters Towers



Victor Maund
Innisfail Ward



Annette Hooligan
Mount Garnet Ward



Tracey Heenan
Tableland Ward



Errol (Mala) Neal
Yarrabah Ward



Les Murgha
Yarrabah Ward

MESSAGE FROM THE CHAIR



First of all I would like to acknowledge and pay my respects to the custodians of the land within the NQLC footprint. To the traditional owners, past and present, who fought for the rights and interests of the Aboriginal people, some of which never lived to see the day their people gained native title and received the recognition and respect they deserved. To our people who were forcibly removed from their land. My fellow countrymen and dearly respected elders, I acknowledge you.

I have a long-standing history with the North Queensland Land Council, having served on the Board of Directors for over 14 years. The last four years of which I served as Chair. During the four years I sat as Chair of the North Queensland Land Council I witnessed the organisation achieve many

successes, including 24 out of our total 38 native title consent determinations. I have seen many of our native title holders go on to achieve great things through their Prescribed Bodies Corporate (PBCs) and the North Queensland Land Council has been able to broaden their focus to include the post-determination phase to better support the PBCs. It's an exciting time for our people and I am honoured to have played a part in seeing the traditional owners fighting and achieving so much for their people. The passion, courage and determination I have witnessed is what gives me the strength to get back up each time we get knocked down.

I will remain sitting on the Board of Directors for NQLC but will be handing the reigns of Chair over to Kaylene Malthouse. Kaylene has also had a long standing relationship with the NQLC, having served on the Board herself for 11 years. I wish Kaylene every success in her role as NQLC Chairperson. I also wish to acknowledge and thank my fellow Board Members, the staff and the constituents of the North Queensland Land Council for their continued hard work and dedication in the fight for the acknowledgement of rights

and interests of our people. I look forward to continuing the journey with NQLC for many more years to come.

In closing, I would like to wish you and your families a very Merry Christmas and a happy, healthy and successful 2016. May you all enjoy your hard earned break over the festive period and I look forward to continuing the fight in the New Year.

ERROL 'MALA' NEAL
Outgoing Chair, NQLC



Hello all, I would like to acknowledge the traditional owners and custodians within the boundary of the NQLC footprint, past, present and future.

My people are from the MalanbarraYidinjiclan/tribe. My great great grandfather's estate is from the commencement of

the Toohey Creek waterways on the Atherton Tablelands, which runs through Gadgarra into the Mulgrave River in the Goldsborough Valley.

I have been a Director of the NQLC for the past eleven years, and have been a party to the many achievements, challenges and developments throughout this time. I have seen the hard work and passion of our dedicated directors and staff and their unwavering determination of our traditional owners and I am very much looking forward to the next two years as Chairperson.

In the short time that I have been Chair of the NQLC, I have had the pleasure of attending the Jirrbal Annual General Meeting and mini summit. The event took place at Lake Tinaroo, on Tableland Yidinji Country. I would like to thank the then Chair of Jirrbal, Marita Budden, for inviting me. It was a very informative event that included talks by Wet Tropics Management Authority CEO, Scott Buchanan, along with an anthropological presentation, which included many interesting facts, most favourably about the Scarred Trees in their region. Scarred Trees are among the clearest identifiable archaeological sites

and show visual evidence of how our ancestors made a lot of their canoes, shelters and shields.

Fellow Director Patricia Dallachy and I also completed our Certificate II in the Indigenous Leadership in Canberra, where Patricia also managed to squeeze in time to rub shoulders with royalty during Prince Charles and Camilla, Duchess of Cornwall's recent tour.

We have a big year ahead with several consent determinations being scheduled for 2016, those being Widi #2, Gudjula Part B and the Bar Barrum People's #2, #3, #4 and #6 claims. It is also the year of our biennial NQLC Land Summit, and after the success of the 2014 Land Summit I am very much looking forward to the 2016 program.

I would like to finish off by wishing you all a very Merry Christmas and happy and safe New Year. I look forward to working with all of you in 2016.

KAYLENE MALTHOUSE
Incoming Chair, NQLC



Directors Patricia Dallachy and Kaylene Malthouse after completing their Certificate II in Indigenous Leadership in Canberra.



Directors Patricia Dallachy and Kaylene Malthouse with Senator Nova Peris and their Certificate II in Indigenous Leadership class.



Director Patricia Dallachy, talking with His Royal Highness, Prince Charles in Canberra.

MESSAGE FROM THE CEO

As most of you will be aware, I was appointed by the Board as interim CEO in August this year, with my full appointment confirmed in October. Well, what a busy four months it's been! Being the CEO of the NQLC is certainly a full time occupation – and more – but I'm enjoying it thoroughly and relishing the work. We have a great bunch of people here at the NQLC and they make coming to work an absolute pleasure for me.

At its meeting on 7th November the Board appointed new Executive Officers and accordingly I would like to congratulate Ms Kaylene Malthouse on becoming NQLC Chairperson; Ms Angie Akee on becoming Treasurer; and Mr Phil Rist and Mr Gary Mooney in retaining their respective Deputy Chair and Correspondence Secretary positions. I look forward to supporting and working closely with the new Executive. I would also like to extend my gratitude to Ms Patricia Dallachy and Mr Errol Neal for their service to the Executive, noting that both chose not to nominate for re-election to the Executive this year.

In light of the funding cuts that I explained in the last Message Stick, the NQLC has had a small reduction in staff numbers over the preceding months. Happily this reduction has come about through natural attrition and voluntary redundancies, meaning that no one has been aggrieved by the process. I'm confident that staffing numbers are now at a manageable level with our reduced funding but am also mindful that expenditure may need to reduce further in future should we suffer more budget cuts.



In the three months since the last Message Stick the NQLC's Legal Unit has filed three new claims in the Federal Court, being Bar Barrum People #8, Bar Barrum #9, and Warrgamay People.

Good progress has also been made on a number of others, particularly the Widi #2 claim which was listed for trial, but has since had the trial dates vacated and is now moving toward a consent determination on a date to be fixed - but anticipated to be in the first half of the New Year. Other claims scheduled for consent determination in 2016 are Part B of the Gudjula People's claim (Part A of which was determined in March 2014] along with the Bar Barrum People's #2, #3, #4 and #6 claims.

In the Gulngay People's claim the only Indigenous respondent party has withdrawn and we are pressing the State to provide a full response to the previously provided full anthropology report. The Bindal and Gia/Ngaro areas have anthropology reports pending; the Nywaigi People's claim is about to go into public notification; and the Cairns Cluster of claims remain in Court facilitated mediation, with all discussions confidential.

Finally a further claim has been authorised over some river areas in the Bar Barrum People's country. The Bar Barrum claims are lot specific

and it was discovered that whilst in some areas various rivers are included within a lot, in some areas they do not technically form part of the lots and will be claimed separately in this new claim – Bar Barrum Rivers - and then consolidated with the existing claims.

The Future Act, Mining and Exploration (FAME) Unit continues to assist native title groups deal with future acts affecting their country. In the period September to December, more than 150 future act notices were received, which includes 20+ notices of proposed grants of mining or exploration tenements. In addition to its ongoing work in negotiations the Unit is also progressively meeting with groups to roll out the 'NQLC Template Negotiation Process Document' as reported in September's Message Stick. Recently the State issued a position paper regarding proposed mining tenure reforms which the Unit has responded to and is reported more fully in the article "Innovative Resources Tenure Framework" in this Message Stick.

Also as reported in the last Message Stick, the issue of non-claimant applications being lodged by leaseholders in the region (such as pastoralists) seeking to secure an upgrade to their tenure remains of great concern to the NQLC. I'm pleased to advise that as part of a Queensland Representative Body Alliance (QRBA) delegation both the PLO and I met with the responsible Minister, The Hon Anthony Lynham, and officers of his Department in Brisbane in October, and we were able to impress upon the Minister the impact this process is having on Traditional Owner's native title rights in our region. The Minister was very receptive to our concerns and advised that he would fix the problem. We are currently working very closely with his Department to identify a workable solution and put the remedies in place and prospects for a satisfactory solution are good. The Minister

also advised that he had personally raised the issue of non-claimant applications with the responsible Federal Government Ministers - so we are hopeful that we will see some action on this at a Federal level as well.

Also as part of a QRBA delegation, the PLO and I met with Minister Curtis Pitt's (Minister for Aboriginal and Torres Strait Islander Partnerships) senior Advisers and Departmental officers in Brisbane in November where we discussed, amongst a range of issues, the NQLC's concerns about the Department's policy when assessing applications for registration on the State's Cultural Heritage register. There are further discussions to be held on this matter but initial signs are positive that the Department is willing to work with us in resolving our concerns.

As you can see, we sure have a lot on our plate at the moment!

In closing I would like to say that if you have any queries at all about the NQLC's operations or I can assist you in any way please feel free to contact me. May you and your loved ones have a very merry Christmas and a happy & safe New Year.

STEVE DUCKSBURY

Chief Executive Officer
North Queensland Land Council

STAFF PROFILES

PUT A FACE TO THE NAMES YOU ALREADY KNOW, AND GET TO KNOW SOME OF OUR NEW STAFF AT THE NQLC.



GARY LUI
PBC SUPPORT OFFICER

I'm Gary Lui and I'm the new PBC Support Officer here at the NQLC. I am both Meriam Le and Erubam Le (Erub & Mer – Torres Strait) with extended family both on Erub and here in Cairns. I was born here in Cairns but grew up in Mackay and went to University, and trained as a lawyer in Brisbane. My mother's family name is Guivarra and my maternal grandfather was TJ (Joe) Guivarra. So that's a little about me and where I come from.

On the professional side of things, I'd simply say that I have a pretty wide and varied set of skills having been trained as a lawyer, and then as a senior officer with the commonwealth public service. I also work sometimes as a consultant and I have also done some work in the sea country management area in Torres Strait and on the mainland.

My time with the National Native Title Tribunal here in Cairns gave me many insights into the impact of native title in the community. This included an awareness of some of the issues that impact upon native title holders once a determination of native title has been made. Commonly referred to as the 'post-determination' environment, I often thought that I would like to do more in this area to assist PBCs to come to grips with some of those issues. At the time however, my role at the NNTT didn't allow me to branch out into this area. I'm really pleased that I now have an opportunity to do so in this new role.



JASMIN PHILLIPS
PARALEGAL/SENIOR LEGAL ADMINISTRATION OFFICER

Jasmin is a Ngaro and Gia woman who has completed her Honours Degree in Law from James Cook University. Jasmin was recently admitted as a lawyer in the Supreme Court of Queensland. She is an advocate for her Elders in all work relating to her Country which was what led her to complete many of her tertiary qualifications.

Jasmin joins us with 16 years of experience with the Department of Human Services within various roles including Team Leader, Project Officer, Cultural Awareness Facilitator and Trainer and as an internal Indigenous Mentor for other Indigenous staff.

Jasmin is an Australian Indigenous Leadership alumni member with a vast number of networks across Australia. She has a vested interest in the work undertaken by the North Queensland Land Council as she is a member of the NQLC and a Traditional Owner within the NQLC footprint.

Congratulations Jas!

This proud Ngaro and Gia woman has just been admitted as a lawyer in the Supreme Court of Queensland.





JANINE BANKS
FINANCE ADMINISTRATION OFFICER

Janine is from Perth and moved to Cairns 11 years ago after a week visiting her nephew who was the first but not the last member of her family to set up home here. The tropical climate and her passion for nature made Cairns the perfect home for her. She is a keen traveller both within Australia and overseas and has recently equipped herself with a 4WD Ute and a teardrop camper to go with her many tents. Her camping companions always include her miniature Schnauzers, Lulu, Mitch and Harry.

Janine joined NQLC in 2009 as a member of the Finance team. Over the years she has had the privilege of meeting many of you and witnessing a number of Consent Determinations and values these experiences dearly. In April this year Janine graduated from the University of Southern Queensland and received her Bachelor of Commerce with a major in Accounting. Janine is looking forward to being a part of the NQLCs future success and meeting many more of you.



**Congratulations
 Janine!**

Our Finance guru has just completed her Bachelor Degree of Commerce.



JACQUI FITZSIMMONS
LEGAL ADMINISTRATION OFFICER

Jacqui Fitzsimmons was born and raised in Newcastle, NSW and moved to Cairns in May 2012 due to her husband's posting with the Royal Australian Navy (RAN).

Jacqui loves travelling and has seen much of Australia as well as travelled to many European and Asian countries. Her most recent overseas holiday was a trip to Hawaii in June 2014, before the arrival of her first child in October 2014.

Jacqui has worked in business development, customer service and administrative roles over the past 12 years across several areas such as real estate, property and financial services. Jacqui has been with North Queensland Land Council since July 2012 and enjoys meeting and working with the Traditional Owners of Far North Queensland.



COWBOYS NRL GRAND FINAL TROPHY VISITS THE TOWNSVILLE OFFICE



(Staff: L-R) Jasmin Phillips, Sharon Charger, Ricardo Martinez, Robert Saltner, Solange Williams and Aisha Sayuro



MEET THE CEO.

What motivated you to get into native title?

I don't know that initially I was motivated to get in to native title – I sort of fell into it by accident when I was working with the Environmental Protection Agency in 1995. The State Government had released a new set of native title policies, someone in the office had to get their head around them, and the job fell to me. Thing was, although I didn't realise it then, I had found a niche that I really enjoyed. Through the role I met a lot of wonderful Indigenous people across FNQ and the Torres Strait and developed a greater awareness of the issues facing them, particularly those in remote areas. It was from learning about these issues, and the realisation of the crucial importance of land to Indigenous Australians in resolving them, that my motivation to continue working in native title developed.

What motivated you to apply for the position of Chief Executive Officer at the North Queensland Land Council?

I've now had twenty years working in native title in North Queensland and to be the CEO of a Land Council I see as the pinnacle of my career. I have long regarded the NQLC as the strongest performing NTRB in Australia and I consider being appointed its CEO as a privilege and an honour.

What are NQLC's best strengths?

A couple spring to mind. Firstly it's the staff. We have a great team of highly skilled people across our 3 offices who are enthusiastically working together to achieve strong native title outcomes for the region's Traditional Owners. Secondly it's the positive working relationship between the Board and Executive. There are great people on the NQLC Board, all highly committed to their task and I appreciate the high level of support they provide the organisation.

Give me one word that describes you the best?

Practical.

What are your 3 biggest accomplishments?

1. Marrying my beautiful wife of 34 years;
2. Raising our two wonderful children; and
3. Being Poppy to my three (soon to be four) gorgeous grandchildren.

Life doesn't get any better than that.

Who inspires you and why?

People with the courage of their convictions. I'm inspired by those who have an ideal or a vision that they

Meet Steve Ducksbury, the recently recruited Chief Executive Officer of NQLC. Steve has been around the native title traps for several decades and is a long-time supporter of the NQLC and its mission of having the native title rights of every native title holder legally recognised and for Aboriginal people to benefit economically, socially and culturally from the secure possession of their traditional land and waters.

Before Steve took over the reins of leading our busy team at NQLC, Steve worked in our PBC Support Unit where I am sure a lot of you had the pleasure of meeting him. In was in this role that the staff at NQLC got to see not only his passion for native title rights and interests, but his personable and kind nature. On behalf of all the staff at NQLC, we warmly welcome Steve to the top job and look forward to the coming years of hard work and dedication toward achieving native title rights for the traditional owners of our region.

are prepared to actually do something about.

When you were a child, what did you hope to be when you grew up?

Like most small boys I wanted to be a racing car driver and a part time fireman! Come to think of it, I'd still like to be a racing car driver!

What's your favourite movie and album?

Movie(s): The Wizard of Oz (with Judy Garland) and Pulp Fiction (I have eclectic tastes).

Album: Definitely "Greetings from LA" by Tim Buckley. I bought my first copy in 1974 and I still just love it!

In a year's time, if you were to celebrate what a great year it has been, what did you achieve?

With the Board and staff I want us to be able to celebrate a great year for the NQLC. One where we have continued to go from strength to strength achieving more consent determinations, securing strong agreements and building the capacity of our PBCs in to independent organisations. I want to celebrate an enjoyable working environment at the NQLC, where we all feel happy in our roles and rewarded by our work. And I want to celebrate the relationships we have built and maintained with our

clients, North Queensland's Traditional Owners, where they are satisfied with the services we provide and enthusiastic about working together with us. Of course, as CEO, it's up to me to make these things happen.

I also intend to have my EK Holden Station Sedan finished (see photo's). It's been a long term project – 6 years and counting - and it will be great to finally get it on the road. Last but by no means least, my fourth grandchild will have been born – and perhaps there might even be another on the way. Let's face it, you can never have enough grantees!





THANKS UNCLE GEORGE, WE NEVER KNEW OUR CITY SO WELL...

How many people know the history of the town where they live? A lot, you say? Ok then, how many of them would know the aboriginal history of the place they live? Sounds like a silly question to ask aboriginal people, but it's not as strange as it sounds. While a lot of us probably know bits and pieces, have read books or heard stories, not many of us have had that history put into context. This is what Dr George Skeene was able to do for us when he gave the staff here his presentation on the history of Aboriginal camps and reserves in Cairns from the 1930s to the 1960s.

George gave me my first introduction to Cairns in 2010 when I came to do some native title training with JCU, and one of the first things on the agenda was an introduction to Cairns by Dr George Skeene. Having travelled somewhat extensively, I was expecting the usual city tour – you know, things like the town hall, the post office, main beaches, big hotels and tourist traps, but I was very happily surprised when George shared his knowledge of the aboriginal history of Cairns instead. Finally! Someone who didn't start a story half way through it. Finally, someone who is willing to talk about Aboriginal people's history and heritage. Finally, someone who could describe these things from his own experience; who can say what it was like for him to live in Cairns during those years that required intense adaptation from the local traditional owners of country.

Those of you from around Cairns will know of George, that is, if you don't know him personally. He is a local personality who has been a fixture in Cairns all of his life, and we were lucky enough to have him come and talk with us about what it

was like growing up here back in the day. George's grace and gentleness set the tone for the presentation, which was the basis for an engaging, funny, informative conversation with us about how life was when he was young. He knew the parents, grandparents, aunties and uncles of some of us, and was able to show photos of them in his book

We came away having learnt that for George, the 1940s, 50s and 60s, were characterised by racism and poverty that was tempered with family love and community support. He shared his childhood memories of growing up at the missions and reserves around town, explaining that while the cityscape has changed over the years, the people have not changed so much. They are still friendly, the community is still strong, even if the camps are gone and many friends from the past are seen only in old photographs. He tells us how his passion for local history led to recognition by JCU and an honorary doctorate, and how he now has the chance to share his story with others. We thank him for bringing his stories to us.

By **Di O'Rorke, Coordinating Anthropologist**



"It was really surprising and good to hear about the landmarks in Cairns and discovering the meaning and history behind them. Even just up here near work where the English Street camp was, you walk past it, but wouldn't know it now – it's all just an overgrown block. But walking past it now means a lot. When George talked about everyone using the well there, I thought about how we take so many things for granted, like electricity and running water. It really made me realise that this wasn't so long ago. My dad was a boy then and is from Gordonvale, so I have to ask him now, and my Grandad, who is over 90, I wish I had asked him about it years ago."

"This is the second time I've seen George's presentation. The first time I was just visiting Cairns, and it was great, but now that I'm living here and working with so many local Traditional Owners from the region, I found it much more interesting, and gave me a more personal understanding of the history of Cairns."

"I didn't know most of my family elders grew up here in Cairns. I thought they were either from Laura or Cooktown way, or maybe Ingham. I never knew, because lots of people don't know the family name here in Cairns, so when George mentioned them, I was really surprised to find out that many of them had lived in Cairns. He knew my aunts and uncles, which was really nice to know, and interesting to find out they were here. I found out lots of stuff about other family connections from him. It turns out we're related through marriage."

"I really enjoyed it. George is so personable he made the topic relevant and interesting. It was surprising to see how close some of the camps were to where we work and travel every day."



Warrgamay Core Country

Native Title Claim Authorisation

After a number of false starts under the former Central Queensland Land Council, the Warrgamay People have finally authorised their core country native title claim, which has been filed on their behalf by the NQLC.

The Warrgamay Authorisation Meeting was held in Ingham over two days, the 27th and 28th of May, and was attended by a total of 73 Warrgamay People as well as NQLC staff members, including myself.

At the meeting, the Warrgamay people authorised the making of an application for a determination of native title over Warrgamay core country, which includes the Herbert River in the north, Sea View Range in the west, Mt Fox in the south and the coastal area around the mouth of the Herbert River and Seymour Creek in the east, as well as the townships of Macknade, Abergowrie and Trebonne.

Over a period of about 18 months in the lead up to the authorisation, the NQLC convened a series of community meetings and meetings with a working group authorised by the Warrgamay People to work with NQLC to prepare for authorisation.

The NQLC would like to sincerely thank the Warrgamay community members who worked closely with the working group. The NQLC would like to also thank the working group members for their dedication and patience in working with NQLC to ensure the authorisation was a success.

Wednesday the 27th of May was set aside as an information session, during which the Warrgamay claimants were informed of the authorisation process and the resolutions they would need to consider the following day.

A Welcome to Country performed by Warrgamay Elder Bill Morganson kicked off proceedings and was followed by a presentation by Legal Officer, Greg Bell, outlining the agenda, the purpose of the meeting, the background to the claim, and the proposed resolutions for consideration.

A robust discussion regarding the research process and proposed claim boundaries ensued, with many claimants asking informed and detailed questions of the NQLC staff.

After a short break for lunch, Greg continued with his presentation, encouraging discussion on the first two resolutions - meeting protocols and the Warrgamay People's decision making process - which were in turn agreed to and passed in accordance with an effective adopted decision-making process. Before finishing for the day, the meeting discussed the claim group description as the first order of business the following day.

Thursday the 28th of May - Authorisation Day - again commenced with a Welcome to Country this time by Warrgamay Elders Bill Morganson and Virginia Wyles, who also acknowledged how long the native title process has taken so far. Then it was straight into the business of authorising the claim. The first resolution of the day to be agreed to and passed was the claim group description as discussed the previous day, followed by the Applicant, the Applicant succession plan, members of the working group, the core country claim area, the claim name, and NQLC as the Warrgamay people's representative.

Finally, at the conclusion of the business portion of the meeting, we were all thrilled by some brilliant didge skills and the talent of the Wulgurukaba Walkabout Dancers to celebrate the successful authorisation of the claim. The performers even inspired Di O'Rorke, NQLC Coordinating Anthropologist, and Greg Bell to get up and shake a leg!

The Authorisation Meeting was filled with impassioned discussion but was truly characterised by a strong sense of fairness, and observance of traditional laws and customs as was evidenced by the way the Warrgamay People employed a representative approach in electing their Applicant.

Congratulations to the Warrgamay People on authorising their core country native title claim!

If you are a Warrgamay Person and would like further information on your claim, please contact the NQLC who can give you an update and put you in contact with a member of the Warrgamay People's native title working group.

By Sarah Thomson
Anthropologist



My Traineeship with NQLC

Getting Started

I started my full time business administration traineeship at the North Queensland Land Council on the 5th of January 2015 and it was the best decision I have ever made.

When I first received the offer of an interview for the position at the NQLC office in Cairns I had no idea what the Land Council was, I didn't even know we had one in Cairns. So my mentor from Skill360 had to give me the quick rundown in the car while

we were sitting outside of the work place waiting for the clock to hit eleven. But from that first interview on the balcony and discovering what the NQLC was really about I knew that I wanted to work there.

Luckily for me they seemed to think so as well and about a week later I got told by my Skill360 mentor that I had sealed the deal and got the traineeship.

The first day walking into the reception area I was anxious, nervous and, all in all, scared that I was going to mess up somehow. Fortunately once I had been introduced to everyone the nerves had gone and I was keen to start learning all about the business side. The first thing I was taught sitting at the reception desk was the ropes of the administration office. Figuring out the phone lines, taking messages, learning the computer software, registering the mail. It was all very overwhelming that first week but once I got the routine down I was more than ready to move onto bigger projects.



Tahanni, assisting the Legal Department with their claim filing.

... amazing people who have taught me life lessons and strong work ethics I can now take with me everywhere I travel, whether they know it or not....

A few weeks passed and soon I was working in the other departments of the NQLC which consists of the finance, anthropology, FAME, Legal and the Native Title Service Unit. All of which house amazing people who have taught me life lessons and strong work ethics I can now take with me everywhere I travel whether they know it or not. There are so many people who work at the land council that have such a wide-range of backgrounds, lifestyles, nationalities, opinions, and work styles and yet they all work toward the main goal. In my eyes as a trainee here at the NQLC office all of the staff work hard as hell to assist the multiple claim groups they look after. Making sure that the right people/ group are supported in any way that the NQLC staff can do for them.



Tahanni Jerrett, Di O'Rorke, Vanessa Tongs, Chris Richardson and Darryl Murgha manning the stall at the Cairns 2015 NAIDOC Day

Working with the community

I have always been more of an outside person than an inside person so when I got the opportunity to go off site and see how other claim groups work I snatched it up as quick as I could, eager to gain more knowledge and experience in that area.

I remember the first ever community meeting I attended was up in Kuranda with the Djabugay people.



Lotu Kimiia, Tahanni Jerrett, Melony Philpot and Jasmine Clubb marching against the forced closure of Aboriginal communities.

After setting up the hall for the meeting and seeing how many people turned up to have their say it was just another reminder to myself that I wanted to be working in and around the local communities and help in any way that I could even if I was just a trainee. I wanted to sit down and listen to what people had to share with us about their land and culture, about their family roots and getting an insight to the way it all works and is set out first-hand was a huge eye opener for me.

The second time I went out of the office was for a FAME workshop that was being held at Rydges. From there I learnt about how claim groups need support, how they can gain it and use it to their advantage and yet also how they support each other as well. Hearing others talk about the ideas on how to better their claim groups only made me even more determined to keep going with my traineeship here at the NQLC.

However the most memorable moment for me here as a trainee was being able to see the amazing work Mr Alwyn Lyall put into the Western Yalanji Language Program up in Mount Carbine. Surrounded by open spaces, bush land, over hanging trees and stunning rivers, it was an amazing sight to grasp. No wonder the children loved going there for the program and I am proud to have been able to be a part of that involvement.

...if I ever doubt myself again I can reflect back on these moments to give me that extra drive to push myself forwards and achieve whatever comes next.....

... The people I have met here have become my mentors and role models for what I should strive for when working in any workplace.....

All of these experiences given to me by the NQLC and Skill360 is an amazing opportunity for me to have and it will always be a strong point in my life because if I ever doubt myself again I can reflect back on these moments to give me that extra drive to push myself forwards and achieve whatever comes next.



Tahanni Jerrett working the NQLC Reception Desk.

What I achieved out of this traineeship

I achieved so many things whilst training here at the Land Council such as learning how to manage an administration office, how to lodge a Court document online, auditing FAME claims that need updating, working out which claim groups hold rights and which are still working hard towards obtaining theirs. Sending out letters for important meetings, holding important meetings. Getting to know the way of accounts payable and receivable. Understanding not just the system of how things get done but also how the people/claim groups feel and appreciate the effort that someone has stepped up and helped them get



A self-confessed book worm, Tahanni enjoys the NQLC Library.

into a better position for their sake.

Yes, to some it is not much but I will take those achievements with me everywhere I go and they are the things that push me to finish my Certificate three in Business Administration and lock down a possible course in aboriginal history.

Where I see myself in 2 years time

Before studying at the North Queensland Land Council I had absolutely no idea what I was going to do with my life. I had repeated year 11 twice at Cairns State High School because my family moved around so much, eventually I decided to drop out. In doing that I lost what could have been me setting myself up for the future, but then again I am glad the way things have turned out otherwise I wouldn't be on the path I am on now. Plus I have gained more knowledge here at the Land Council and Skill360 combined then I ever did in high school. The people I have met here have become my mentors and role models for what I should strive for when working in an Indigenous workplace or any workplace in general.

And in a few years' time I am hoping that I will be employed in an indigenous community working with the youths down in NSW and praying by then I will have my course of Aboriginal History safely tucked under my belt as well. I know that working my way up is going to be hard, especially for a young indigenous person, but with the training I have acquired here at the North Queensland Land Council and Skill360 business, I believe that I can handle anything that life decides to throw my way next.

By **Tahanni Jerrett, Administration Trainee**

COMMON MISCONCEPTIONS

CLAIM GROUP DESCRIPTION – “I CANNOT SEE ALL OF MY ANCESTORS ON THE LIST”

The claim group description has a legal purpose. That purpose is to develop a way of describing the group in such a way that every member of the group can trace their descent back to at least one of the named ancestors.

It is not a substitute for a genealogy [although of course it relies on genealogical information].

Where clear information is available it is usually appropriate to name the oldest ancestor in a family line although there may be a whole range of reasons to depart from that – maybe information about a person’s children is in some doubt. Maybe they re-married and the children of that second union are, under traditional law, not to be included. The solution may lie in coming down a generation or two to a point where information is clear.

At the end of the day as long as everybody in the group can trace their history to at least one named ancestor that is legally sufficient. Some may be able to trace to more than one. It doesn’t matter whether you can trace to one or to more than one. Nothing turns on this. It is not a contest to see who can show the most named ancestors.

CONSULTANT ANTHROPOLOGIST – “THEY DIDN’T TALK TO ME OR SOME MEMBERS OF MY FAMILY”

The job of the consultant anthropologist in compiling a Connection report is to compile sufficient evidence to show that the group does, according to the requirements of the law developed by the Courts, have native title over a defined area.

There are two types of evidence:

Primary – the evidence that comes from the people themselves. The type of evidence you would give if you were in the witness box; and

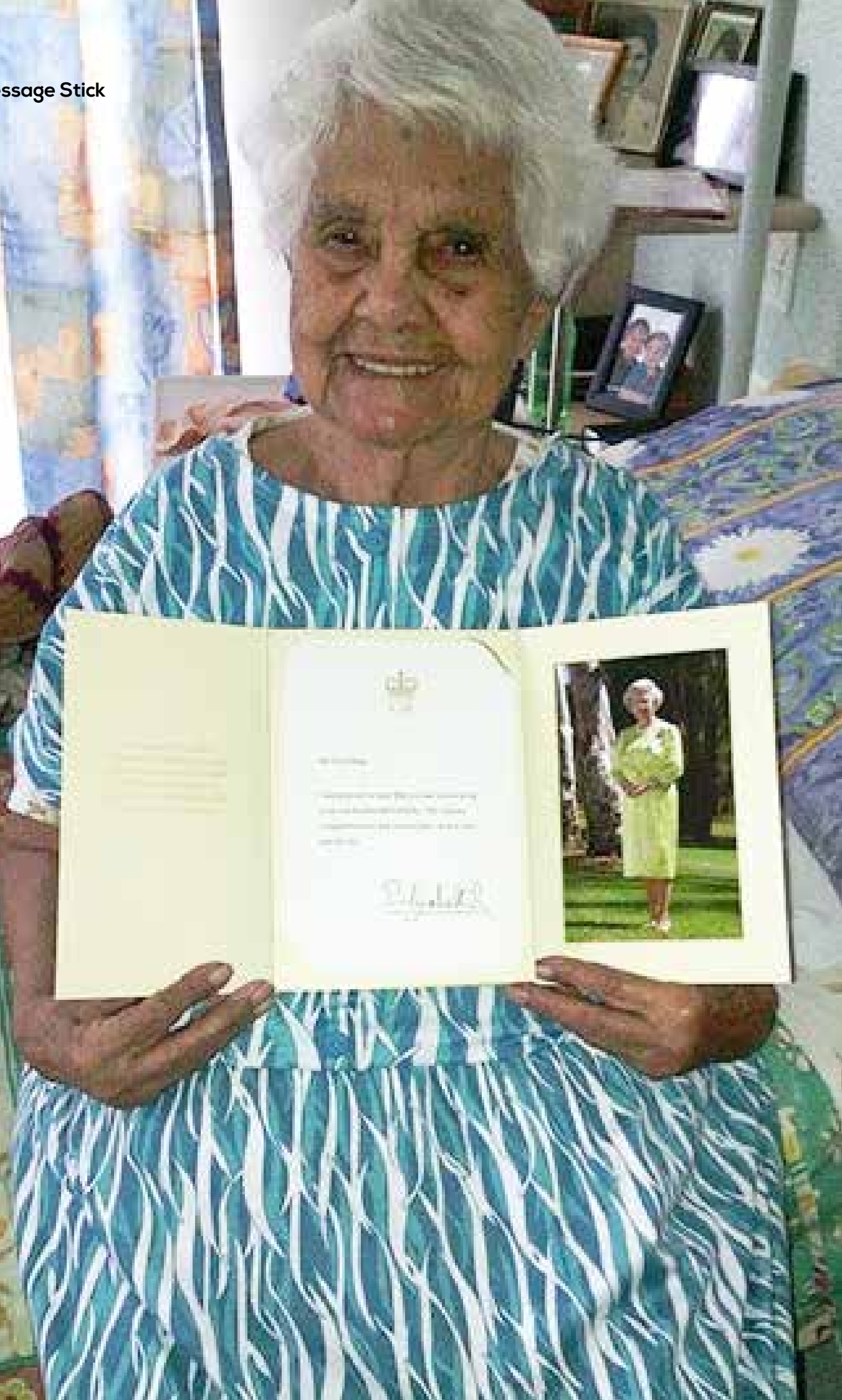
Secondary – the type of evidence that comes from archives, written accounts and photos and other records.

Consultants have limited time and NQLC has limited resources. Whilst we wish we had unlimited funds so that everybody in the group could have lengthy time to spend with the Consultant this is just not practicable.

If the consultant has obtained information about your family from some members of the group and particularly where this information might be supported from secondary sources it may be that this is sufficient for proving the certain points that are necessary to prove the groups native title. We simply don’t have the luxury of time or money to ensure every single member of the group is interviewed.

By **Martin Dore, Principal Legal Officer**

Flora Hoolihan (nee Illin) with a congratulatory message from Her Majesty the Queen. Image courtesy of Glenda Illin.



Granny Flora celebrates 100th Birthday

by Dr Ernie Hoolihan

Flora Hoolihan (nee Illin), was born on the 20th October 1915 in Peeramon, Atherton Tablelands in the heart of Ngadjon-jii country has a story to tell. Flora is the daughter of Leandro Illin, a Russian man who fled from Russia before the 1917 revolution, and Kitty Clarke, a Ngadjon-jii woman of Atherton Tablelands, North Queensland.

The Illin family first settled in Argentina, South America before coming to Australia and settling on the Atherton Tablelands with many other Russian migrants.

This story is told by the author Elena Govor in her book 'My Dark Brother', and in the film documentary by Richard Dennison and Julie Nimmo "Pioneers of Love".

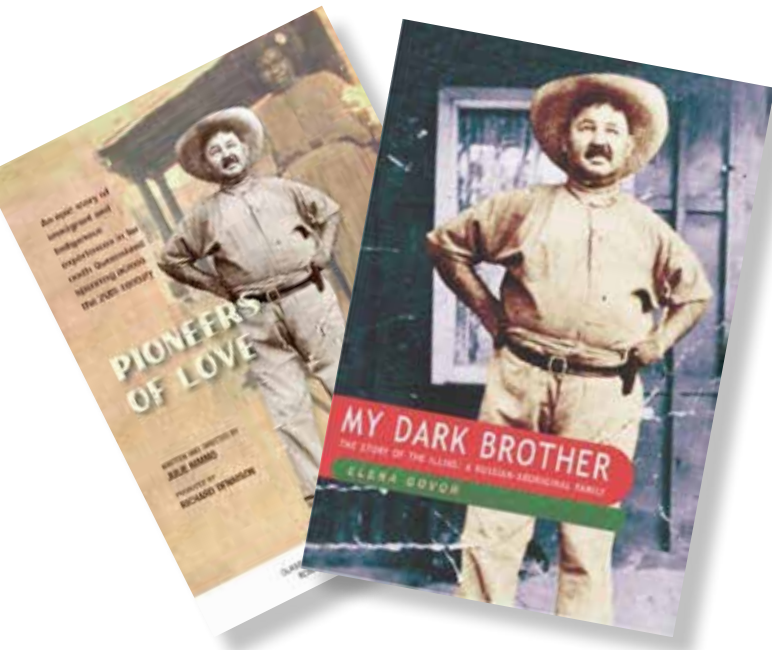


Image: Film documentary by Richard Dennison and Julie Nimmo 'Pioneers of Love' and book written by Elena Govor 'My Dark Brother', both based on the powerful story of the Illin Family.

Flora has seen first hand the policies that effected Aboriginal people at this time. In the early stages of her parent's relationship it was considered illegal for a white man to marry an Aboriginal person. They defied authorities and were married anyway.

The Chief Protector of Aborigines at the time, John Bleakley was against it no matter what Illin requested, which was to do the right thing by his Ngadjon-jii partner. They were eventually given permission by the then Minister of the Labor Government. They went on to have five children in this marriage.

Illins' family went back to South America and settled in Honduras. There are still descendants of Illin family living in America, South America and Australia. Leandro was going to join them at the time but due to past policies and practices of the Australian government he was not allowed to take Flora's brother out of the country. He remained in

Australia where he eventually ended up working for the Aitkinson family on the Upper Burdekin River area where he brought his five children up after his wife Kitty died in childbirth.

Whilst living in this area Flora met Gugu Badhun man Richard Hoolihan, who she eventually married.

This again was another fight for her personal life to marry someone of her own choosing because Richard Hoolihan was under the Protection Act and was considered property of the State and was not allowed to make these important decisions without government interference and permission.

Leandro, Flora's father, was a very active man in standing up to authorities in concern to Aboriginal people and a lot of the migrant community such as Chinese, Italians, Greeks and anyone that was not given a fair go. He again lobbied to authorities for Richard to be exempted from the Act to be able to marry his daughter. He felt that if Richard was under the Act, then his children would also be under the Act and he did not want this for his grandchildren.

Richard eventually, after three attempts, was exempted from the Act and married Flora in Ingham in 1932. They celebrated at the Central Hotel.

Flora became the mother of four children; she stayed in the Stone River district for many years where she was a leaseholder of a property.

Her son Ernest remembers growing potatoes, watermelons, and corn to supplement their income and this became one of their livelihoods. Richard at this time was working on Stoneleigh Station, as he was a well-known horse breaker in what today's terms they call a horse whisperer. Richard was a stock worker and wages for workers at this time was either non-existent or very poor.

Richard Hoolihan, Flora's husband, eventually found freedom from the Act and was able to pursue many occupations.

He eventually found his passion in being an Australian Workers' Union activist and this was one of the reasons why his exemption from under the Protection Act was delayed, because authorities at that time said he would be a troublemaker and would only be

a smart arse to them.

Richard and Flora's battle is very similar to many other Aboriginal people at this time in history.

Flora eventually separated from Richard and lived on her own and ended up in Townsville where her eldest son, Ernest was working.

Flora came to Townsville in the late 1950s. Richard also moved to Townsville at this time and though still separated they still functioned as a family. Seeing many of their grandchildren born here in Townsville, Mount Isa, and Atherton Tablelands area. Richard became involved in many of the early stages of Aboriginal people's self-determination in lobbying with government on better living conditions for all Aboriginal people. He was a member of:

- FCATSI, the Federal Council of Aboriginal and Torres Strait Islanders (who played a role in the 1967 referendum);
- The Aboriginal Advancement League;
- Trades and Labour Council; and
- The Communist Party (who he believed would be of assistance to his fight).

His influence rubbed off on his son, Ernest Hoolihan and many of Townsville's Aboriginal community organisations were founded by Hoolihan, along with his late wife's and Flora's support both morally and financially.

The organisations with Flora's influence are:

- Yumba-Meta Housing Association, where Flora House is named in her honour. Founding and original board member;
- TAIHS, Townsville Aboriginal and Islander Health Service. Founding member and original board member; and
- Townsville Aboriginal Legal Service. Founding and original board member.

Flora celebrated her 100th birthday with many of her family and friends. Her influence is seen all over this country through her many descendants. The family had a private function, celebrating her many achievements with her.

We are proud to acknowledge that this Ngadjon-jii woman, the oldest living Ngadjon-jii Elder, has seen a lot in her 100 years and shows a positive outlook on life and still influences her many descendants.

This article written by Dr Ernie Hoolihan was also featured in the 16 October 2015 edition of First Nations Telegraph and was printed with the permission of Dr Ernie Hoolihan.

As seen in the 27 October 2015 edition of the Townsville Bulliten...



"On behalf of the North Queensland Land Council I would like to thank Dr Ernie Hoolihan for sharing this remarkable story and wish Granny Flora the happiest of birthdays. Granny Flora was married to a Gugu Badhun man and a few years ago I had the pleasure of meeting her to take a statement for the Gugu Badhun native title claim. There are not many traditional owners who had the honour of knowing and observing the apical ancestors when living on country, so meeting Granny Flora was a great privilege for me."

- David Saylor, **Senior Legal Officer**

INNOVATIVE RESOURCES

TENURE FRAMEWORK

In August 2015, the Department of Natural Resources and Mines (DNRM) released the Innovative Resources Tenures Framework ('the Framework') policy position paper. The Framework is part of a broader legislative reform package which aims to streamline the regulation of Queensland's resource industry.

In September 2015, the NQLC and Cape York Land Council met jointly with the Tenure Reform Taskforce and raised concerns about the Framework and its potential impacts on the rights and interests of native title holders. Following that meeting, the NQLC provided a written submission in October 2015.

A comparison of the current system and Framework proposal as well as NQLC's submissions are shown in Table 1. **Note that the Framework proposes to change the name from 'permit/lease/licence' to 'authority'.*

The specific details of the below authorities are yet to be developed and released. NQLC has requested further information and consultation.

• Mining Lease	<i>will change to</i>	Resource Production Authority
• Information Permit	<i>will change to</i>	Resource Information Authority
• Mining Infrastructure Facility	<i>will change to</i>	Resource Infrastructure Authority

In addition to the submissions noted in Table 1, the NQLC has also submitted:

Acknowledgement of Native Title holders: All written materials and in consultation-related activities recognise native title and native title holders.

Right to Negotiate: Further information in relation to how the Right to Negotiate may be affected by the Framework.

Prescribed Bodies Corporate: The NQLC invited the Taskforce to consult with PBCs within its region.

Native Title Protection Conditions: A review of the NTPCs in consultation with the NQLC.

The NQLC will continue to seek that the above concerns are addressed. There will be future opportunities to provide further feedback, including:

- in response to a regulatory impact statement due to be released in early 2016;
- before its introduction into Parliament, there will be consultations on the Bill (containing the Framework); and
- as part of the Parliamentary Committee process.

If you would like a copy of the Framework policy paper, it can be accessed via the DNRM website (www.dnrm.qld.gov.au). Alternatively, please contact Shanti Fatchen on (07) 4042 7000.

	Current System	Framework Proposal	NQLC Submission
	EXPLORATION PERMIT	RESOURCE EXPLORATION AUTHORITY	
TERMS	Minerals = 5 years Coal = 5 years Petroleum = 12 years Geothermal & Greenhouse gas = 5 years	Minerals = 8 years max Coal = 10 years max Petroleum, Geothermal & Greenhouse gas = 12 years max	Acknowledges that introducing maximum terms may address the instance of 'land banking'
RENEWALS	5 year term renewals	No renewals (Above terms are maximum)	
MAXIMUM PERMIT AREA (per tenement)	Minerals = 100 sub-blocks Coal = 300 sub-blocks Petroleum = 100 sub-blocks Geothermal = 50 sub-blocks Greenhouse gas = 100 sub-blocks	No statutory maximums	<ul style="list-style-type: none"> Introducing no maximums areas has a negative economic impact on native title holders and the NQLC does not support it. <p><i>Where an exploration permit for minerals ('EPM') is subject to the expedited procedure, the Native Title Protection Conditions ('the NTPCs') apply and an annual admin fee is payable to the native title holders for the term of the tenement.</i></p> <p><i>Eg: Under the current system, if an explorer wanted an EPM for an area of 500 sub-blocks they would apply for five permits – resulting in five annual admin fees (one per application) payable to the native title holders under the NTPCs (if the expedited procedure applied).</i></p> <p><i>Under the Framework, the explorer would only lodge one application and pay one annual admin fee.</i></p>
WORK PLANS	Prescriptive work program	Work plan outlines proposed objective and geological model to be used	<ul style="list-style-type: none"> The current system of providing work plans to native title parties should remain unchanged. A review of the 'quality of the content' be conducted.
ASSESSMENTS	Annual performance reports	Annual self-assessment Mid-term check in by Department (Cancellation/penalties or both apply to under-performing)	<ul style="list-style-type: none"> The proposed assessment regime should actively invite comments from the affected native title parties in the mid-term assessment process.
RELINQUISHMENT	Minerals & coal = 40% at end of Year 3 then further 50% at end of Year 5 Petroleum & Greenhouse gas = 8.33% annually Geothermal = 33.33% every 5 years Voluntary relinquishment available	50% at mid-term mark (with variations based on performance) Greenfields areas able to negotiate % up-front	<ul style="list-style-type: none"> Approval be given to a voluntary relinquishment request for the purpose of protecting Aboriginal cultural heritage and/or at the express wishes of the native title holders. Voluntary relinquishment, on this basis, should be drafted into the Framework.
	MINERAL DEVELOPMENT LICENSE	RESOURCE DEVELOPMENT AUTHORITY	
TERMS	Minerals = 5 years	Minerals = 10 years max Petroleum, Geothermal & Greenhouse gas = 15 years max	Acknowledges that introducing maximum terms may address the instance of 'land banking'
RENEWALS	Minerals = 5 years Petroleum = up to a max total term of 30 years	Possible when authority is in retention status	

How the Native Title Act 1993 DISCRIMINATES AGAINST Traditional Owners

As I recall it, it was probably the year of 1968 that I first met Mr Koiki (Eddie) Mabo. I had accompanied a wonderful family friend, the late Joe McGinness, on a trip to Townsville to catch up with members of the Townsville branch of the Aboriginal and Torres Strait Islanders Advancement League. Koiki Mabo (as I like to call him because I was introduced to him that way), was a member of this organisation. Joe was a member of the Cairns branch of the Aboriginal and Torres Strait Islanders Advancement League. Both the Cairns and Townsville branches were affiliated with the national body, the Federal Council for the Advancement of Aborigines and Torres Strait Islanders. Joe was president of the national body for 17 years. He dedicated much of his life to the struggle against injustice and the advancement of indigenous Australians.

Although I was young at the time, Koiki was glad to meet me because he had known my mother - (who had passed away three years previously) - through her involvement with the League. They had campaigned together, with many others of course, to bring about the 1967 referendum. Another person prominent in this campaign in the North Queensland region was former chairperson of the National Council for Aboriginal Reconciliation, Evelyn Scott, mother of Warrgamay traditional owner and former Queensland and Australian rugby league player, Sam Backo.

It didn't take Koiki long to explain to me what he intended to do. He had been denied the right to travel to his home island of Mer (Murray Island). He had grown up on the island, spoke the Miriam language, but was not allowed back on the island because of his involvement in progressive indigenous politics in North Queensland. Such was the oppressive nature of State politics of the time. Koiki told me then, as he no doubt told many other people, he would prove to everyone, that Mer belonged to the Miriam people. On subsequent, infrequent meetings over the years, he would remind me of his campaign and the progress he was making.

It is history now, the Mabo High Court decision was handed down on the 3rd June 1992 and it found that the Miriam people owned their island home as against the whole world. I remember the news like it was yesterday. I didn't know whether to laugh or cry I was filled with happiness and sadness at the same time. The great man had won his life's battle to have his people recognised as the rightful owners of Murray Island but he had lost his battle for life, succumbing to cancer almost 5 months earlier on the 21st January 1992 and did not see the realisation of his dream.

As a consequence of the Mabo High Court decision the Keating Federal Government legislated the *Native Title Act in 1993*. It was the first time anywhere in the

world that such legislation had been enacted. The Native Title Act was new to everyone, politicians, traditional owners, farmers, graziers and, of course, lawyers. Traditional owners were cheering excitedly, other land holders were anxious, others, including politicians, were unashamedly scare mongering. We all eventually settled down to the process of making applications for determinations of native title. Slowly, we began to understand the process.

Native title representative bodies like the North Queensland Land Council had to apply to the Federal Government for funding to progress the native title claims in their regions. The Queensland State Government, in order to have certainty they were dealing with the right native title claimants, requested connection reports to be produced for each claim, indicating the apical ancestors of the native title holding group and the area of land to which they have traditional connection. The path from an application for a determination of native title to its registration with the National Native Title Tribunal as a native title claim, as any experienced native title claimant can tell you, became arduous and time consuming. It also became very expensive with professional people such as anthropologists and lawyers required to provide their professional expertise for the Court and other parties. Because of funding and personnel restraints Native Title Representative Bodies have a process of prioritising claims, with the result being some groups have to wait years sometimes before their claims can be processed.

This situation leads us to a very significant problem with the *Native Title Act 1993*.

It is not just the native title parties who can make applications for determinations of native title. A person who has a non-native title interest, such as a leaseholder, can apply to the Court for a determination that native title does not exist.

Such an application is widely known as a Non-Claimant Application and is for the purpose of securing an upgrade of tenure for the particular area without negotiating with traditional owners, developing an Indigenous Land Use Agreement or consenting to native title.

When such an application is made, any group which asserts native title interests in the area has three (3) months to make its response by way of a claimant application and a further month for the registration of that claim. With so many claims waiting to be processed and the time it takes to do the necessary legal and anthropological work along with the unavailability of funding it is almost impossible to lodge a claim in response to a non-claimant application.

If no claim has been registered in such a case the judge can make a determination that native title does not exist within the area of the non-claimant application. The native title of the traditional owners of the area is thereby extinguished forever by the decision of the judge and is therefore blatantly unfair to the traditional owners. The *Native Title Act 1993* which is the act by which a native title holding group can have their native title recognised is also the act by which their native title can be extinguished.

There are some 13 non-claimant applications in the North Queensland Land Council region alone. I have no doubt those applications are driven by the ill-will some people have towards Indigenous Australians and native title. The *Native Title Act 1993* needs to be amended in recognition of the fact that traditional owners are losing the opportunity to have their native title recognised through the very act legislated to right the historical wrong brought about by the legal lie of terra nullius.

If our Federal Government is to be seen to govern for all Australians, then it ought to amend the *Native Title Act 1993* in order that traditional owners are not disadvantaged by time limits or funding restrictions in pursuit of the recognition of the native title rights and interests that inhere within them.

By **Danny O'Shane**
Traditional Owner , Western Yalanji Country

PBC

SUPPORT UNIT

UPDATE

Since the last edition of Message Stick, the PBC Support Unit has been busy working very closely with Pricewaterhouse Coopers (PwC) around the consultations across the five PBCs that were identified from our June workshop, to gather more information for potential viable economic projects to submit into their pre-feasibility studies. We were hoping to finalise this project by December this year, however due to the technical format that pre-feasibility studies are presented in, January is looking to be a more realistic deadline. We will spend more time with PwC to simplify the pre-feasibility study so our PBC clients can read, understand and make an informed decision of the content. We have not forgotten about our other PBCs, and are currently working closely with PwC on workshopping the economic development opportunities within those regions. We will be arranging another workshop early in the year inviting State and Federal organisations that can provide awareness on the new economic development programs that are available in the next financial year.

Don't forget, the Indigenous Advancement Strategy's 'Jobs, Land and Economy Programme' is now open so our PBCs can apply for funds. Please go to the Department of Prime and Cabinet to access the Indigenous Advancement Strategy fact sheets, which will provide more information on funding.

In relation to the PBC Toolkit, which the NQLC is developing with the assistance AIATSIS, it is in its final stages of editing and we will be arranging a workshop with all our PBCs to discuss the modules in its current format. From those consultations further editing and graphics will need to be finalised with the modules before we complete the project and roll out to PBCs. Another key feature of developing the modules will be working closely with a registered training organisation to assist in developing the training materials for the modules so a PBC training course can be developed for our PBCs in the NQLC region.

I would also like to take this opportunity to welcome Gary Lui to the PBC Support Unit team. Gary is a Meriam Le and Erubam Le (Erub & Mer – Torres Strait) man who has an extensive and varied professional background having trained as a lawyer, and then as a senior officer with the commonwealth public service. Gary's time with the National Native Title Tribunal exposed him to the post-determination space of native title and we are all looking forward to having Gary on board. To learn more about Gary, flick to the Staff Profile section of this edition of Message Stick.

By **BRAD FOSTER**
PBC Support Coordinator





Directors from the Ngrragoonda Aboriginal Corporation: (L-R) Alice Fischer, Gloria Santo, Sharon Reid and Steven Harris

YOUR PBC

NGRRAGOONDA ABORIGINAL CORPORATION

The Ngrragoonda Aboriginal Corporation RNTBC was established as a result of the two native title consent determinations of the Gudjul People in March of 2014. The Gudjul People are the recognised traditional owners of approximately 10,617 square kilometres of land across the Regional Shire Councils of Etheridge, Flinders and Charters Towers.

For the December edition of Message Stick I was privileged to interview several directors from the Ngrragoonda Aboriginal Corporation as well as visit their new office in Charters Towers.

The road to native title was a long one for the Gudjul People, battling for two decades for the recognition of their rights and interests over country in which they have cared for, for centuries. The applicants, Elizabeth Santo-Dodd, Christine Hero, Priscilla Huen, Gloria Santo and Andrew Anderson dedicated an immense amount of time working with the North Queensland Land Council toward the fight for native title. It was an important day for all Gudjul people, past and present, on the 18th of March 2014 when Justice Logan handed down the Court's decision in the Arthur Titley Centre in Charters Towers. "The fight was all for them, that's who I'm thinking about today. Those who couldn't be here and always stood proud and never gave up" said applicant and traditional owner Elizabeth Santo-Dodd.

Fast forward to December 2015 and the Gudjul People and their PBC, Ngrragoonda Aboriginal Corporation (NAC) are going strong. NAC have now signed a lease for an official office in Church Street, Charters Towers and the directors of NAC are busy setting up their new premises with equipment and hope to open it to the public in January 2016.

The office will work as an information hub and venue for the ongoing talks and negotiations the NAC has with their stakeholders, including local council, mining companies and the Australian

....As time goes on and more elders are passing on, we need a way to capture and preserve their knowledge for future generations.

- Valerie Alberts

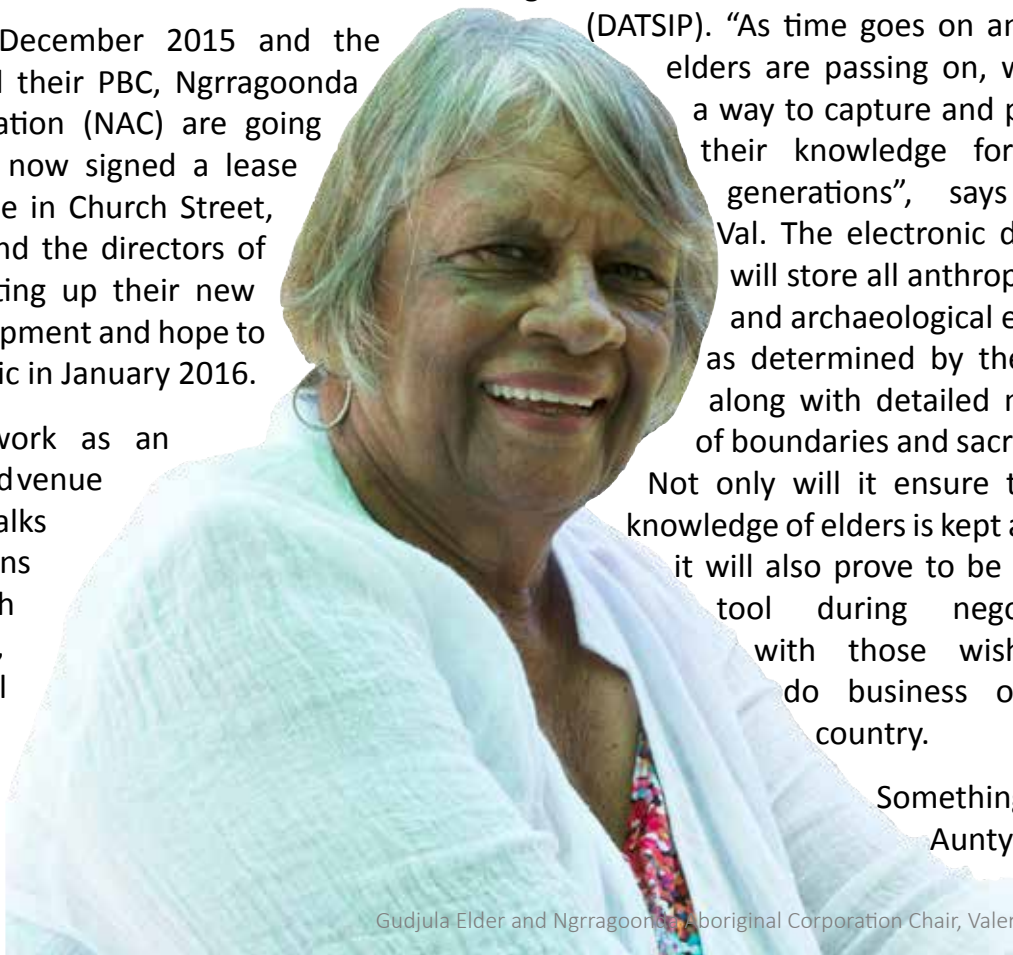
Army, amongst others. Business of which would previously have to be done at local libraries, hired venues or even their own homes, so the office comes as a welcome resource to the PBC. The office will also be a site to display their culture and language, with hopes of one day expanding into the eco-tourism industry.

Yarning with Elder and Chair of the PBC Aunty Valerie Alberts, she talks of the Cultural Heritage Database that the PBC are in the process of implementing through the Department of Aboriginal and Torres Strait Islander Partnership (DATSIP). "As time goes on and more

elders are passing on, we need a way to capture and preserve their knowledge for future generations", says Aunty Val. The electronic database will store all anthropological and archaeological evidence as determined by the Court, along with detailed mapping of boundaries and sacred sites.

Not only will it ensure that the knowledge of elders is kept alive but it will also prove to be a useful tool during negotiations with those wishing to do business on their country.

Something that
Aunty Val



Gudjula Elder and Ngrragoonda Aboriginal Corporation Chair, Valerie Alberts.

and fellow directors Gloria Santo, Alice Fischer, Sharon Reid and Steven Harris are passionate about is the revegetation of lands after mining has been completed. This is generally written into the contract during negotiations with miners, however there have been times where these terms were not met. The NAC are willing to work with mining organisations to the benefit of their people however their priority will always be the longevity and preservation of their country and they want it to have the respect it deserves.

Years before the 2014 consent determination, Valerie Alberts and fellow Gudjula woman and NQLC Director Patricia Dallachy were already working on ways of recording the stories that had been passed down for generations. When award winning anthropologist Sally Babidge chose to do her PhD thesis on the history of the Aboriginal people of Charters Towers, they approached her to use her research to develop a book. Through funding from the Aboriginal and Torres Strait Islander Studies (AIATSIS) and Newmont Mining they were able to do just

that. 'Written True, Not Gammon!' is a written history of the Gudjula people of Charters Towers as told through interviews and conversations of its people. The authors of the book by no means profess to have all the history covered within its pages, but believe it is a good start and also opens the possibility of future publications. Along with producing written materials, Aunty Val also maintains a strong interest in social welfare issues in education, health and wellbeing.

Fellow Director, Christine Hero has also had a strong involvement in the ongoing success of NAC. Being Company Secretary, she has dedicated a lot of time toward attending meetings and training across North Queensland, as well as coordinating logistics on the ground. A key aspect of her role is the ongoing updates for exploration permits for mining (EPMs) and she is passionate about the ongoing success of the PBC.

The NAC are coming up to their Annual General Meeting, where the roles of directors are up for re-nomination. The directors of NAC sit for a one year term, something they hope to extend to two years in the future in order to get the most benefit from the time invested into the training of their directors. There is currently an even spread of older



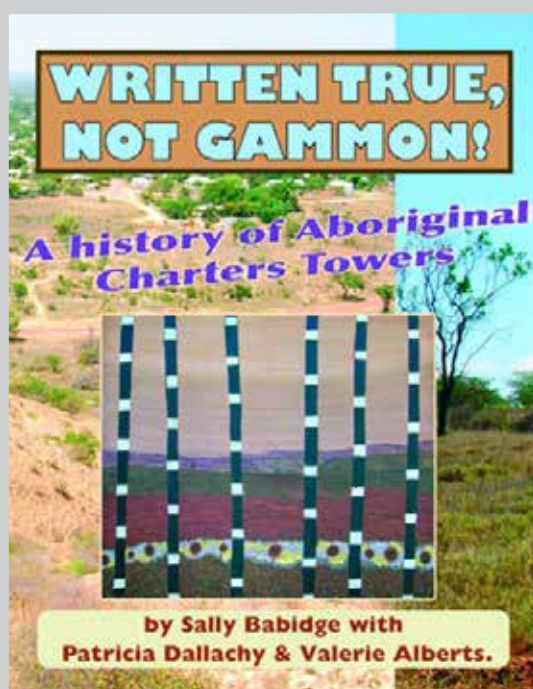


and younger generations on the board, which is a great benefit to the PBC as they have the advantage of the elders' life experiences, along with the younger generations knowledge of modern day processes and technologies.

The directors of NAC, along with other PBCs, volunteer their time to do these things in the hope that it will benefit their people and future generations. They're juggling work, study and family responsibilities at the same time, which

takes a lot of passion and hard work, and we should all acknowledge this. The hard work does not stop once native title has been determined; it is just the beginning of the possibilities that are to be had.

By **Michelle Liddy, Media Officer**



Written True, Not Gammon! is a book by award winning anthropologist Sally Babidge and Gudjul elders Valerie Alberts and Patricia Dallachy. The book focuses on the Aboriginal history of Charters Towers as told through interviews by Gudjula People.

Poet's Corner



For any indigenous people in the world the land is our most sacred living being. We thrive off the land to provide us with the necessities to live. Flora and Fauna above all are to be respected just like everything else because without those we have no food to give to our families and other communities. We have no plants to make medicine to care for the sick, elderly or injured. And just as we take from them so we can rebuild stronger we give back just as much so they can rebuild as well.



We are the People of this Land

We are the people of this land.

We are the ones who walk miles and miles across grains of sands to find the one sacred place where it has not been touched by the government's demands.

Where it is still pure, whether it be a secluded beach front that is constantly blowing the sweet salt water breeze over the tall sturdy trees that wave and whisper as though they are singing and dancing with the sea.

Or the beauty of the rainforest that is the heart of the NQ. Where life's creatures big and small play in the branches and live among the forest floor. Listening to the many rivers flowing through and watching the cassowaries hunt at the centre of its core.

But let's not forget the desert plains.

Even there surrounded by the dry and brittle landscape it is a striking sight to bear, with the deep red sand and the ever changing colour of the skies I am thankful that this is my country and I have seen it with my own two eyes.

We are the people of this land.

We have cared, nurtured and respected Mother Nature. In return she blesses us with her beauty in which none can compare.

We are the people of this land.

Making sure that it will not shrivel up and fade away, no, we will pass along the lessons and teachings learnt from our Mother's, Father's, Grandmother's, Grandfather's, Aunties and Uncle's we will fight for it and keep fighting for it. Because that is the way of our people.

Have no doubt.
Our land will expand.



By **Tahanni Steele Jerrett**

FIND-A-WORD

35

THEME: NATIVE TITLE

Y I K O H H A J I L U A Y N Q V C K C S L L N W I X S T Z Y
O C C G P Y U P O W A G E O W O P V Y L M Q O R V Q V T D S
Z S H O A S P A P N O X U I C O M C I U T O I F L Q S D H S
D D M E T A G C B L S M O T C N E O V V X L T U Q O T T Q G
Q N X I O I G K O Y I P I A Y L Q U B P F P A S T V P I L R
K H C Q H E B P D K Z C H G T W G N N W V L N D U V X K Z D
G E A B V Y O X B L Y T A I Y M P T P J T T I N N C P I S N
S G R I P R O E P U L L T T J W X R W U T F M H R W D V W R
V U M L H R E T S X M D Y I I K U Y Y M Z N R N T R L N E D
S F X T X V T Q D M K K Y L U O H L E O Z N E P K N D C A F
N B N J O U I T B R E T R F T K N G B R C U T Z R M O D V S
L A N O I T I D A R T V J M V H E C Z A W P E A K G E M W F
H D J L K M L C L X Y N I R C A M M R I T A D M N U X D N V
L A E P P A Q A Y O X Z J T B L X D P Q C H I I A I P L I E
F E D E R A L C O U R T V B A T U Z I T P J T D M R B O R A
H I G H C O U R T M C E J S Y N Q W Z F Z I X B T N X U G U
R P W U W P R E S C R I B E D B O D Y C O R P O R A T E J Z
G K J L S D C Q J T S U B K V D Z Y L N V L D M E U K M S U
H A J E R X W I L H E F F R B X V G F A Z N L I F G I Q F J
K D A A E B L L I W S Y A W L A S A W S Y A W L A O E S C J

- ALWAYS WAS ALWAYS WILL BE
- ANTHROPOLOGY
- APPEAL
- APPLICATION
- COUNTRY
- DETERMINATION
- FEDERAL COURT
- FUTURE ACT
- HIGH COURT
- ILUA
- JUSTICE
- LAND RIGHTS
- LAWS AND CUSTOMS
- LEGISLATION
- LITIGATION
- LORE
- MAPS
- MEDIATION
- NATIVE TITLE ACT
- PRESCRIBED BODY CORPORATE
- RECOGNITION
- TRADITIONAL
- TREATY



MERRY CHRISTMAS

& Happy New Year



On behalf of the Board of Directors and staff at the North Queensland Land Council, we would like to wish all a Merry Christmas and a safe and prosperous New Year.

We would also like to take the opportunity to thank you all for your support throughout 2015 and we look forward to working with you in 2016 to continue to bring about change for our people.

Cairns – Head Office

61 Anderson Street Cairns Qld 4870
PO Box 679 Cairns North Qld 4870
Tel: 07 4042 7000 / Fax: 07 4042 7070
DX 41271 Cairns Qld 4870

Branch Office – Townsville

Suncorp Tower, 61-73 Sturt St Townsville Qld 4810
PO Box 5296 Townsville Qld 4810
Tel: 07 4421 5700 / Fax: 07 4724 2801
DX 42727 Townsville Qld 4810

Branch Office – Mackay

Suite 2 Level 1, 38 Macalister Street
Mackay Qld 4740
Tel: 07 4898 6700 / Fax: 07 4898 6777
DX 41357 Mackay Qld 4740