

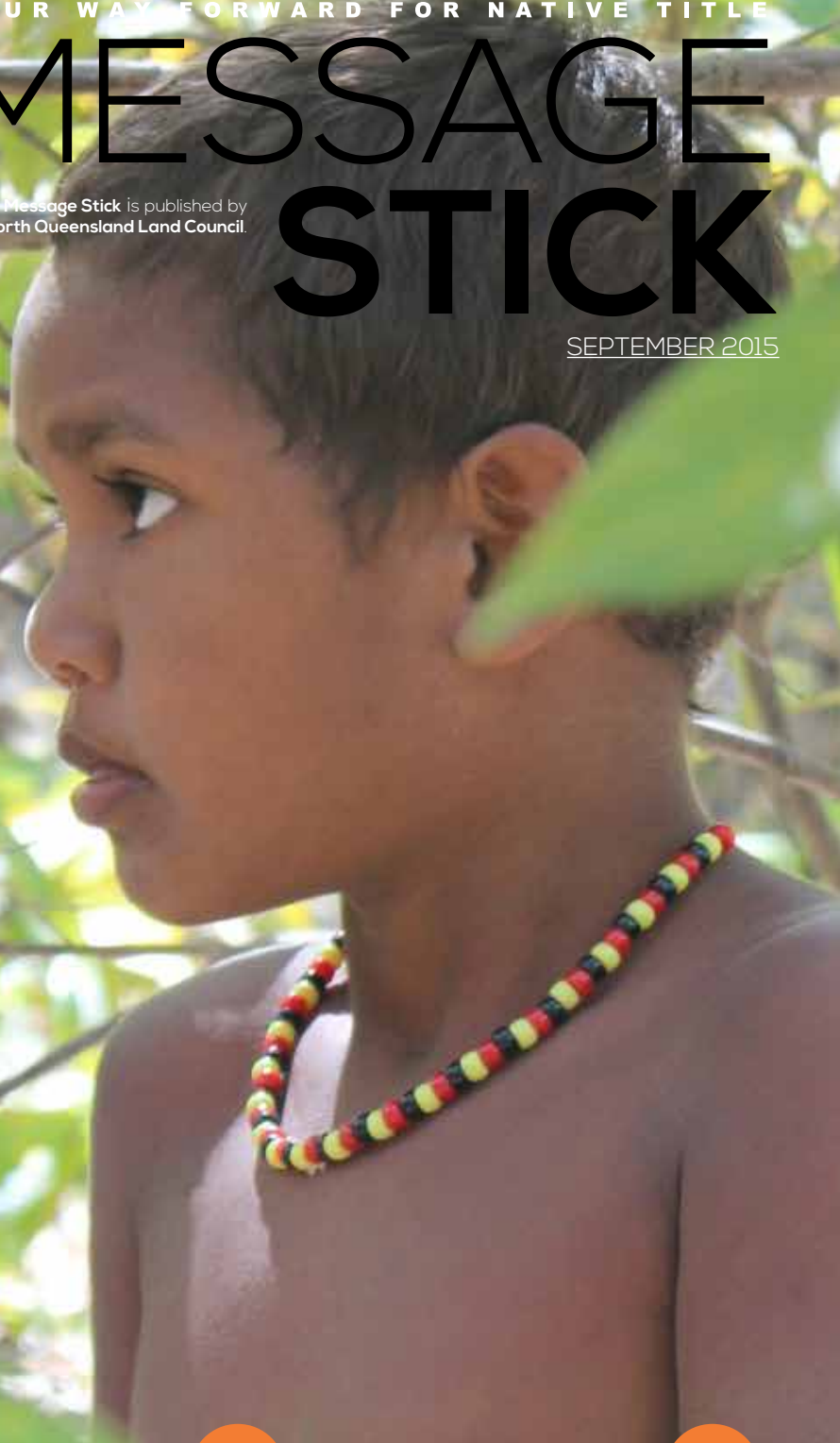


YOUR WAY FORWARD FOR NATIVE TITLE

MESSAGE STICK

Message Stick is published by
North Queensland Land Council.

SEPTEMBER 2015



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Yalanji Aboriginal Corporation**



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

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

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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 also wish to acknowledge the hard work, dedication and passion of the staff and constituents of the North Queensland Land Council who are continuing to fight for the rights and interests of our people.

It's hard to believe we are already three quarters through the calendar year. I find myself looking back at all the challenges and successes we have had so far as an NTRB and how far we have come. With 39 consent determinations under our belt, including most recently Juru #2 Part B (see page #8), the staff at NQLC are busy researching and lodging new claims. Claims recently lodged include:

- Nywaigi, in the Ingham area
- Djabugay-Bulway-Yirrgay-Ngakali-Guluy, in the Cairns / Kuranda area
- Wakaman, in the Crystalbrook area

It is with these successes in mind that I would like to extend my gratitude to the hard work and dedication of Mr Ian Kuch, who has resigned from his position at the Land Council in August after three years leading the



charge. On behalf of the staff and Board of North Queensland Land Council, I wish Ian all the very best with his future aspirations and personal goals.

I would also like to welcome aboard Mr Steve Dicksbury, who is stepping into the Chief Executive Officer role for the next three months until the official recruitment process is finalised. Mr Dicksbury brings with him a wealth of experience within the native title sector, having worked in the sector for almost 20 years across State and Commonwealth Agencies and within the Native Title Representative Body. Our PBCs will also know Steve well from his role within our PBC Support unit. I have every confidence that Steve will continue to lead the team to success.

ERROL 'MALA' NEAL

Chair, North Queensland Land Council

MESSAGE FROM THE

ACTING CEO



As the Chair has pointed out in his report, the NQLC's Chief Executive Officer, Mr Ian Kuch, recently resigned from his position in order to take time to work on some personal goals. The NQLC is very grateful for the hard work put in by Ian and the positive outcomes achieved under his leadership. The NQLC wishes Ian the very best in his future endeavours and trusts that he enjoys this more relaxed phase of his life.

The NQLC's Board of Directors has appointed me as interim CEO for a period of three months, whilst the process for appointing a permanent replacement is undertaken. The Board is currently reviewing applications, with the outcome expected to be known shortly. The Board is very keen to ensure that leadership stability is maintained at the NQLC and the organisation can continue on its sound footing.

The NQLC has recently received confirmation from the Department of Prime Minister and Cabinet of our funding amount for this financial year and unfortunately we have received a substantial reduction over 2014-15 funds. It appears that this scenario is common to all (bar one) Native Title Representative Bodies and Service Providers across the country. As a result of the cut (in excess of \$1M) the NQLC will be forced to review its operations and staffing levels to meet our reduced funds. There may be some difficult times ahead as we struggle to match outcomes to available resources and I would greatly appreciate the understanding of our clients and stakeholders when we are required to make difficult decisions.

In addition to the funding cut we continue to encounter long delays in getting decisions from the Department. This is of great concern to the NQLC and is in many ways hampering our effectiveness. We are in continuing discussions with the Department about improving its service delivery to NTRBs.

In June, the Minister for Indigenous Affairs, Nigel Scullion approved our submission for continued Representative status. All NTRBs nationally were re-recognised, however only for 2015/16. The arrangement for subsequent years remains unclear.

Another issue of great concern to the NQLC is the increase in non-claimant applications being lodged by leaseholders in the region (such as pastoralists) seeking to secure an upgrade to their tenure. The only suitable way for traditional owners to protect their native title rights and interests is to lodge a counter claim over the area, which unfortunately is virtually impossible to do within the three month timeframe allowed by the non-claimant process. The NQLC, as a member of the Queensland Representative Body Alliance is meeting with State Government Ministers about reversing the use of non-claimant applications for tenure upgrade purposes (a process instituted by the Newman LNP government) and we will continue to lobby

hard to protect our clients' native title.

Members will be aware, having received notices, that Ward Elections are scheduled for Friday 11th of September. Please refer to the article on the back page of this edition of Message Stick for more information. I encourage all members to attend their Ward booth and cast their vote at these Elections, in order to get the outcomes that you want for the NQLC.

I am finding my time as Interim CEO very fulfilling and would like to thank the Board for the opportunity. If you have any queries at all about the NQLC's operations or if I can assist you in any way please feel free to contact me.

STEVE DUCKSBURY

Acting Chief Executive Officer
North Queensland Land Council



NQLC Townsville has moved....

In August, the North Queensland Land Council held their quarterly Board of Directors Meeting in the new NQLC Townsville office, located at Suncorp Tower, Level 10/61-73 Sturt Street Townsville. To mark the occasion, a morning tea was held which included a Welcome to Country by Ms Angie Akee, the member for Townsville/Ayr ward, who also thanked the staff for their dedication and hard work. The Chair, Errol Neal welcomed everyone and thanked NQLC staff for their hard work, also noting the hard work done by many Aboriginal and Torres Strait Islanders in order to establish essential native title organisations such as NQLC. A tour of the new premises was given before official business commenced.

The Townsville office can be contacted on (07) 4421 5700 or (freecall) 1800 814 779.



Angie Akee and Errol Neal at the August Board Meeting in Townsville



Specially made NQLC logo cake to welcome all to the new Townsville premises.

National Native Title Conference

PORT DOUGLAS

In June of this year, over 800 people came together on Kuku Yalanji country in Port Douglas for the 2015 National Native Title Conference to discuss the successes, failures and the future of native title.

Amongst the 800 attendees (the largest number of conference attendees to date) were native title holders and claimants, traditional owners, government agencies and native title representative bodies and service providers.

North Queensland Land Council staff gave four presentations during the three-day conference. Martin Dore, Principal Legal Officer and Jennifer Jude, Senior Legal Officer, gave a session on the unfairness of non-claimant applications. During the session they spoke about how the system in relation to non-claimant applications is arguably unconstitutional, with Aboriginal people suffering racial discrimination at the hands of our own government. Any possible native title holder over the claimed land only has three months to lodge a claim. The time restriction is particularly unfair given all of the anthropological and legal rigmarole associated with lodging a native title claim. Processes that should be the subject of careful planning and research are being rushed into three months. Filing a rushed claim runs the risk of being under prepared and failing the registration test. On the other hand failure to lodge a claim could result in Future Acts including those that extinguish native title (such as an upgrade of a lease to freehold) being done.

NQLC is lobbying to have this law changed. The system disadvantages both those opposing non-claimant applications, and other

Aboriginals, because those with legitimate claims may have their recognition of Native Title delayed if NQLC (for example) has diverted the efforts of its anthropologists and lawyers to opposing non-claimant applications.

Former NQLC CEO Ian Kuch, PBC Coordinator Brad Foster and AIATSIS' Claire Stacey gave a presentation on a PBC Toolkit that NQLC is developing with the assistance of AIATSIS.

NQLC supports PBCs in a number of ways, including assisting with ORIC compliance, funding grants, running capacity building workshops, providing advice on governance, strategic planning and business development to name a few. Through NQLC's work with PBCs, it has been repeatedly identified that PBCs face a complex range of issues when managing native title business. There is currently no comprehensive source of advice or information for PBCs – and in many cases there is no specific advice that suits PBC's needs. NQLC's solution to this was to develop a comprehensive information resource for PBC directors, members and staff. A document that can be a "go to guide" for a broad range of PBC business that is written in plain English, which brings together all the things PBCs need to know.

NQLC is also collaborating with a registered training organisation about incorporating some modules into a Certificate in Business Administration qualification.

Jim Hackett, NQLC Legal Officer, and Tim Wishart, Senior Legal Officer of Queensland South NTS, gave a presentation on the future

of Aboriginal pastoralism. Until recently, the Prescribed Body Corporate (PBC) could apply for a pastoral lease when it expired, and might have succeeded. 'Heritage' was seen as important. However, in 2014, Queensland changed the law to allow existing pastoralists to 'roll over' leases indefinitely, thus shutting out PBCs forever. Also, Queensland encourages pastoralists to turn leases into freehold, suggesting that the pastoralists 'buy out' native title rights. We think this is unconstitutional.

NQLCDirector, Phil Rist also gave a presentation along with Professor Allan Dale, Robyn Bellafquih, Bruce Prideaux, Jim Turnour, Sonya Jeffrey and Joann Schmider on the cultural values of Australia's Wet Tropics Queensland World Heritage Area (WTQWHA).

Tourism has been the Rainforest Region's fastest growing industry in the last 30 years, now involving 20% of the region's jobs and 2.1 million visitors spending equivalent to \$11,000 per resident annually. However, a generation after the Bicentenary 1988 inscription, resident Rainforest Aboriginal people (RAP) are able to name less than half a dozen Traditional Owner tourism enterprises or tour bus guides (2010-2014). Tourism use of the area was intended to contribute to understanding Aboriginal cultural heritage for all, and social and economic benefit to RAP (Wet Tropics Management Authority, 2002).

Eighteen PBCs within the region's 20 tribal

groups hold native title over 70% of the WTQWHA. In 2012, after more than seven years effort by RAP and partners, this rainforest region was inscribed on Australia's National Heritage Listing for unique Aboriginal cultural values (CV) and the upcoming year 2020 milestone focuses attention on realising benefits for Traditional Owners and legacy for all.

The conference also featured speeches from many high profile figures including Aboriginal and Torres Strait Islander Social Justice Commissioner, Mick Gooda, Chief Executive Officer of Kimberley Region Economic Development (KRED) Enterprises, Wayne Bergmann, Founder of Cape York Partnership Noel Pearson, Chairman of the Australian Government's Indigenous Advisory Council, Warren Mundine and the Minister for Indigenous Affairs Nigel Scullion, who used the conference as a forum to announce the government's additional 20 million dollar funding for the native title sector.

For more information on the topics covered at the National Native Title Conference, visit the News and Events section of the AIATSIS website: www.aiatsis.gov.au.

By Michelle Liddy, Media Officer



JURU DETERMINATION

(PART B)



(L-R) Paula Power, Peter Gore, Mariah Power, Pamela Hegarty, Emily Nicol, Lenora Aldridge, Iris Glenbar, Justice Rares, Tanya Chatfield, Angelina Akee, Raylene Ooi, Colleen Power, Sarah Svensson, Susan Phillips.
(Image courtesy of Susan Phillips)

On 22 June 2015, the Federal Court of Australia made a consent determination recognising the Juru People's non-exclusive and exclusive native title rights over about 200 parcels of land around the townships of Bowen, Merinda and Homehill and a number of parcels of rural land outside of the township areas.

The determination area for Part B is approximately 75.8207 square kilometres.

The Juru People negotiated with the State of Queensland, the Commonwealth of Australia, Whitsunday Regional Council, Burdekin Shire Council, Ergon Energy Corporation, Aurizon, Hancock Coal Infrastructure Pty Ltd, Telstra Corporation Limited and other parties to reach agreement about native title rights and the rights of others with interests in the area.

Under the determination, the Juru People will exercise their rights to carry out their traditional customs and activities. The Kyburra Munda Yalga Aboriginal Corporation (Kyburra) is the Prescribed Body Corporate that holds the native title on trust on behalf of all native title holders.

As part of negotiations towards a consent determination, the Juru People agreed to suspend the exercise of their rights and interests for a period of 12 months from the date of the determination over a select few parcels of land which contain "squatters" (people without any lawful authority or legal tenure) and a select few parcels of land that two rifle clubs wish to acquire. The select parcels of land are areas where the Juru People have been recognised to hold exclusive native title and non-exclusive native title. Kyburra will now

The Juru People can now move forward with a strategic plan for the management of our land and sea country. This highlights the importance of recognition of the our people's land and sea.

- Angelina Akee (Kyburra Chairperson and NQLC Director)

determine whether the squatters remain or whether they be removed and consider what to do about the other parcels of land when it enters into discussions with the State of Queensland.

The Part B determination was the third occasion on which the Federal Court made a consent determination of some of the Juru People's native title rights over land and waters. The first consent determination was over the land and waters at Cape Upstart National Park (determined 26 July 2011). The second was over the Part A area which comprised of the Juru People's core country less the Part B

areas (determined 11 July 2014).

Rares J at paragraph 6 to the reasons for judgment stated *"The scattered parcels of land and waters that are covered in the present consent determination can now be combined with the land and waters in the two earlier ones. The Juru People once again will be able to exercise their native title rights and interest over all of them with the full authority of the law of our nation through the orders of this Court"*.

By **Ricardo Martinez, Senior Legal Officer**



(L-R) Raylene Oui, Lenora Aldridge, Angelina Akee, Colleen Power, Iris Glenbar, Susan Phillips, Tanya Chatfield, Emily Nicol, Paula Power.
(Image courtesy of Susan Phillips)

Yarn with an Elder

For this edition of Message Stick, I had the honour of yarning with Djabugay Elder, Rhonda Brim.

Rhonda Brim is from a big family, born in Mareeba and grew up on the Mission in Mona Mona before moving to Mantaka, Kuranda in 1962. Her mind is filled with fond memories of growing up in the old days, before things like welfare and technology started to hinder her culture, and when tradition and respect for elders was of ultimate importance.

You can hear the passion in Rhonda's voice as she talks of her culture and her deep desires of keeping her culture alive and strong. To pass on all that she has learnt from her elders, particularly

her grandmother, Kuku Yalanji Elder Wilma Walker, her idol. Despite her passing on many years ago Rhonda still feels her spirit within her. It is this passion that has kept Rhonda fighting the government on behalf of her people, to build more houses for the people in her community, for funding to run programs such as the Keeping our Culture Alive (KOCA) program, and most recently the Work for the Dole (WFTD) program, which she helps run in Kuranda. The WFTD program in Kuranda incorporates basket weaving, which Rhonda runs, along with horticulture and artifact making sections. "I'm just grateful to Jobfind for this program which is helping us to keep our culture alive".

Rhonda uses the WFTD program as a way to teach the young ones to be happy with who they are and where they come from.

Rhonda talks of the struggles her elders have gone through, and speaks of the formal education her generation was able to receive, which helped give them the knowledge and strength to tackle the issues their elders had faced for too long. She,



Weaving done by the ladies at the Work for the Dole program.

... I can't teach them about computers, but I can teach them about their culture and help them be proud of themselves....

and others like her, use their English Education and cultural Education to communicate and strive in both worlds. Something she is very passionate about and hopes the youth of today will continue to do.



Narrissa Hobbler mixes traditional style weaving with modern designs.

This constant battle has been hard, but Rhonda gets her strength and energy from being out on Country in Mona Mona. "When the stress gets too much, we go out on Country. We fish, we have a fire and we sit and talk about our troubles. We get our energy from our people and go back, ready to tackle the next challenge".

...Many times we have got knocked down, but we always get back up.....

Rhonda dreams of the day that her people are able to return to the ways of her ancestors. For Native Title to give them more power than it currently does. Back to when her people were



Andrea Brim shows us how it's done.

able to live off the land without the modern day 'necessities'. "Our people had happy and healthy lives, they didn't have the sicknesses around today. They fished, they hunted, they cooked with fire and they walked the land. They looked after the land, only taking what they needed to live". She urges people to look to the future and plan to become self reliant for when government handouts come to a halt. "Now is the time to plan. Set up your farms, start to bulk buy, build your shelters, work together and help each other".



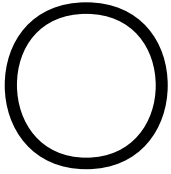
(L-R) Delvene Richards, Andrea Brim, Rhonda Brim, Monica Brim, Narrissa Hobbler and Penny.



(L-R) David Turpin, Uncle Ron Richards, Anthony Riley, Eddie Haines and Errol Hunter from the WFTD's artifact making program.

By **Michelle Liddy, Media Officer**

NATIVE TITLE APPEAL FAILS



On 13 August 2015 three judges of the Federal Court handed down their decision in the matter of Wyman on behalf of Bidjara People v Qld.

In December 2013 a single judge had ruled that neither the Brown River People, the Karingbal people nor the Bidjara people had native title over an area [Carnarvon National Park and Carnarvon Gorge] where all three groups were claiming against each other, indeed the Court went further and made a determination that no native title existed in the area, meaning no further claims could be brought regardless of who was asserting it was their country.

The Bidjara people and the Brown River People appealed.

There were various grounds of appeal.

At commencement of the original trial a representative of the Bidjara People asked for the trial to be delayed as they had had a falling out with their solicitor and were now without legal representation. The delay was not granted and this formed one of the grounds of appeal.

An analysis of the evidence showed that the Bidjara people knew their solicitor was withdrawing as they themselves had terminated his retainer and were aware in advance of his withdrawal.

Other factors taken into account were that the trial had been set down six months earlier for four weeks, had been delayed twice before and a delay would affect all other parties. This ground of appeal was thus rejected.

Other grounds concerned whether the trial judge had made correct findings on the evidence. The appeal court found that the trial judge had applied correct principles. Applying well known and established law to the effect that an appeal court is to be very reluctant to interfere with a trial judge's conclusions as long as the trial judge followed correct procedure; the appeal court was not prepared to say that any conclusions were wrong.

The trial judge had refused to allow into evidence an affidavit from a witness that was produced at a very late stage and well past the date when according to earlier court orders all affidavit material should have been produced and exchanged. A ground of appeal that the judge had erred in refusing the affidavit was rejected.

Another ground of appeal was the judge's decision not to proceed to hear evidence on country. On the day on-country evidence was due to commence and whilst the court and other parties had gathered at Roma, the Court received word that Mr Robinson, the representative of the Bidjara had been admitted to hospital.

The judge decided to abandon on-country evidence taking notwithstanding the Brown River people wanting to continue as it would have meant Mr Robinson would have to cross examine from transcript rather than having heard the Brown River people's evidence direct. All evidence was subsequently heard in Brisbane. The court ruled that they would not interfere with the judge's discretion not to continue with on-country hearings.

Perhaps the most important ruling for Native Title was the ruling on the power to make a negative native title finding, that is to say a finding that native title did not exist in the claim area at all.

The Native Title Act provides that there should only be one trial of native title per area. Thus if there is a claim for native title set down for trial which is overlapped by other claims all the claims go to trial together. The Court looked at the wording of the Act and focused on the provisions of section 225 of the Native Title Act which provides :

A determination of Native Title is a determination whether or not native title exists in relation to a particular area.

A Court could have simply made a ruling that a particular applicant group had not made out

their case and dismiss the application. This would leave the way open for a further claim down the track.

However the ruling in this matter was that due to the words underlined previously, it was open to the Court to rule that no native title existed in a claim area [regardless of who was asserting its existence] meaning there could never be any future native title over that area.

Lessons to be learned:

- On country hearings are in the discretion of the Court
- Where a judge has followed correct procedure appeal courts are highly reluctant to interfere with the Trial Judges findings
- Adjournments are unlikely due to lack of representation
- Courts can make findings that no native title exists with respect to a claim area- not just that a particular case has not been made out.

YOU DON'T HAVE TO PHYSICALLY CHASE THEM OFF

In *Banjima v WA*, 12 June 2015, the Court has accepted that to show exclusive possession applies you do not have to have evidence of chasing people off of your country when they enter without permission.

Of course if there is such evidence, especially going back to the early days of white invasion, then that is good evidence.

The Court has however accepted in the case of the Banjama People that evidence of their traditional laws and beliefs showing that there was not just an expectation to be asked for permission to come onto country but a need to be asked established an exclusive possession right in this sense.

Evidence had been given that there was a need to be asked so that the Native Title holders could ensure that by introducing the on-comers to the old people they would be spared from the punishment that might otherwise befall those entering without permission.

This also gave the opportunity to warn on-comers of areas they should stay away from.

Without this introduction then the on-comers might stray into areas they should not and without introduction to the old people it was likely the old people would punish the trespassers by making them sick or ensuring they were injured in some way.

The Court accepted that the Native Title holders had no capacity to enforce their law against the invading white peoples and that the conduct of Europeans in not seeking permission nor heeding the spiritual dangers of entering without permission and the dangers of failing to respect sites said nothing about the acknowledgement and observance of traditional law and custom by the Banjama people.

If followed that the Banjima people's strong adherence to their laws and customs made a good claim to have exclusive possession [in areas where this was possible].

Where the law is strong your claim will be strong!



FAME Update

The Future Acts Mining and Exploration (FAME) Unit of the NQLC has primary carriage of all future act matters affecting the native title groups within the NQLC boundary.

The Native Title Act defines certain categories of 'future acts' and the rights that native title groups can exercise varies depending on the nature of the future act – and the impact of the future act on native title rights and interests varies depending on the nature of the future act.

The work that the FAME Unit undertakes includes:

- the issuing of future act notices;
- assisting native title groups respond to the future act notices (including the conduct of negotiations); and
- assisting groups implement future act ILUAs and ancillary/related agreements.

In the course of assisting native title groups deal with future acts affecting their country, the FAME Unit recognised that there are common concerns and issues that the native title

groups face – particularly in their dealings with mining and related infrastructure industry and activities.

To supplement the one-on-one assistance we provide, we designed a series of three Workshops that were focused on addressing these common issues and present an opportunity for the groups to share their experiences and knowledge in the structured format of the Workshop and the informal settings that the Workshops afford.

Thirteen native title groups affected by mining and related infrastructure were invited to attend the Workshop Series, which were conducted in the 2013-2015 period.

One initiative that arose from the Workshops was the development of a 'NQLC Template Negotiation Process Document'. The Document is intended to set out the standards/ principles for the negotiation process – it does not address the actual content or terms to be negotiated. The initiative was proposed by the participants at Workshop One and the concept was endorsed

at Workshop Two, at which six persons were nominated to comprise the Reference Group to guide the development of the Document.

A comprehensive consultation process was undertaken to broaden the opportunities to participate in developing the Document. That process included notifying the individuals (approximately 2,200 people) on the NQLC records who are a member of one or more of the 13 native title groups affected by mining and related infrastructure of the Document and inviting them to attend two rounds of Regional Meetings held in Mareeba, Townsville and Mackay (December 2014 and May 2015) and completing a Questionnaire.

The Document was presented at Workshop Three and was unanimously endorsed by the participants. The FAME Unit will now be meeting with those groups affected by mining and exploration to consider adopting the Document as their process for negotiations. Other groups that are interested in considering the Document for their dealings should contact Jasmine Clubb, Project Officer on 1800 814 779.

By **Rhonda 'Jake' Jacobsen**
Senior Legal Officer – Manager
FAME



PBC PAGES





PBC Support Unit

Update

It's been a busy few months in the PBC Support Unit with the roll out of key workshops to build PBC capacity and develop real relationships with our PBCs to learn and understand some of the tools required to operate more effectively in their communities. The NQLC are committed to providing an ongoing service to PBCs so relationships are maintained and new relationships built.

PBC Compliance

We have reached the end of the 2014/15 financial year so it is important for PBCs to get all their record keeping and compliance in order. All government grants will need to be acquitted so a little time and energy will need to be spent working with your bookkeeper to get all PBC records in order before submitting to your funding organisation.

Business and Economic Development Forum

The NQLC see the importance in

assisting PBCs in securing their future through acquiring strong Native Title Agreements, so benefits can flow back through the PBC to develop sustainable businesses. Awareness of these opportunities needs to be captured so strategies can be developed to secure training, employment and business opportunities.

For the NQLC to better support the PBCs in the post determination space, we engaged the services of PricewaterhouseCoopers (PwC) Indigenous Consulting. The first stage of the NQLC Economic Development Project was to facilitate a two day workshop in Cairns.

Day 1 of the workshop was attended by 20 PBCs, which provided the opportunity to come together and listen and learn about what tools are required to get into business. The PBCs broke up into groups of four and each group had their own business specialist to assist

them to see what economic opportunities are available within each region. This exercise also gave the business specialist the opportunity to engage with the PBCs and work with them to thoroughly research their business ideas and put down on paper. Further business research is essential for each of the PBCs to progress through to the next stage to increase their chances of success. Day 2 of the workshop was focused on the PBCs who are at the next stage of commercial negotiations and included special guest Warren Mundine, Chair of the Prime Minister's Indigenous Advisory Council.

PwC Business Specialists will be doing further research on whether the ideas discussed are commercially viable and will be working very closely with the NQLC and the PBCs identified over the coming months to finalise the business proposals. Watch this space!

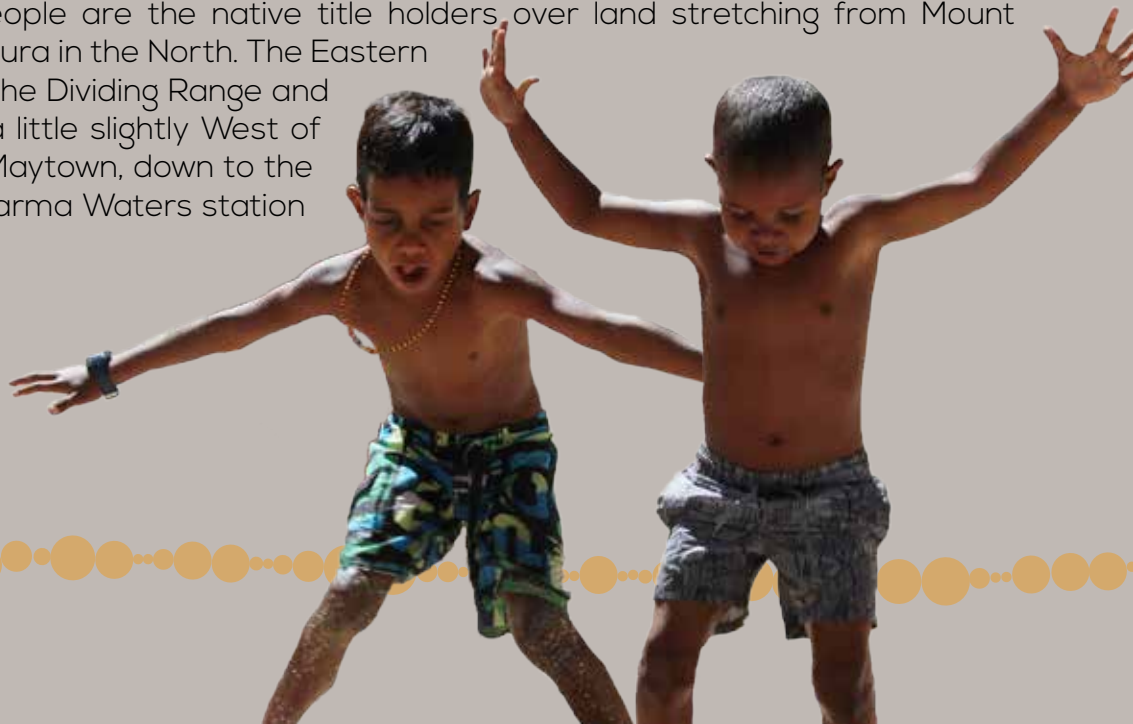
By **Brad Foster**
PBC Support Coordinator



YOUR PBC

Western Yalanji Aboriginal Corporation

The Western Yalanji Aboriginal Corporation RNTBC was incorporated in 1998 after their inaugural successful native title determination, with four successful determinations following. The Western Yalanji People are the native title holders over land stretching from Mount Molloy in the south to Laura in the North. The Eastern boundary is the top of the Dividing Range and the Western extent is a little slightly West of Laura, slightly West of Maytown, down to the Western extremity of Karma Waters station on the Mitchell River.



18 Message Stick

In 2011, Alwyn Lyall, Chair of the Western Yalanji Aboriginal Corporation (WYAC), was attending a conference where he saw South Queanbeyan Public School students singing in language, and had an idea. Ever since then he has sought funding to run a language program, lead by his niece and fellow WYAC Director, Neesha Williams. Neesha is their youngest Board member and fluent in language, having been taught by her grandparents.

....My vision is to ensure that our language is passed on to our young people. - Alwyn Lyall

Alwyn has been running the Western Yalanji Language Culture Camp for the past couple of years out on Country, which meant not only were the kids being taught language and the



Pictured: Alwyn Lyall, Chair of Western Yalanji Aboriginal Corporation RNTBC



traditional laws and customs practised by the Western Yalanji people for generations, but it created the opportunity to get the parents back on Country as well.

Due to changes in funding, WYAC will now be running Language Learning Circle classes twice a week at the Community Church in Mareeba. Getting people back on Country is still a priority for the WYAC people and they will continue to seek funding in order to have these culture camps back up and running.

.....It's just good to see that there are young people learning, and wanting to learn language..... - Alwyn Lyall

WYAC is passionate about keeping the Yalanji culture thriving and ensuring the conservation of their land. They were recently involved in the translocation of the critically endangered Armoured Mistfrog from their native title lands through James Cook University (JCU), to not only ensure protection of the species from extinction but to keep the natural ecosystems in their area intact. WYAC hopes to continue their relationship with JCU, not only assisting with the translocation of the species but through monitoring and surveying the lands.

Alwyn has also developed a relationship with Dimbulah State School, where he often gives talks to the science students

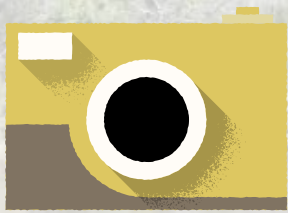
about the negative impacts that mining has on the environment. Currently, there are approximately 200 mining leases and 86 exploration permits on Western Yalanji Country. In his words, Alwyn "wants to leave something for the young ones".

To register your interest in attending the Language Learning Circles in Mareeba, or if you too have set up a Language Program and wish to collaborate with WYAC, please contact their office on 07 4092 6712.

Although currently only running the Language Circles in Mareeba, if there is sufficient interest in other areas WYAC will look to increasing the locations.

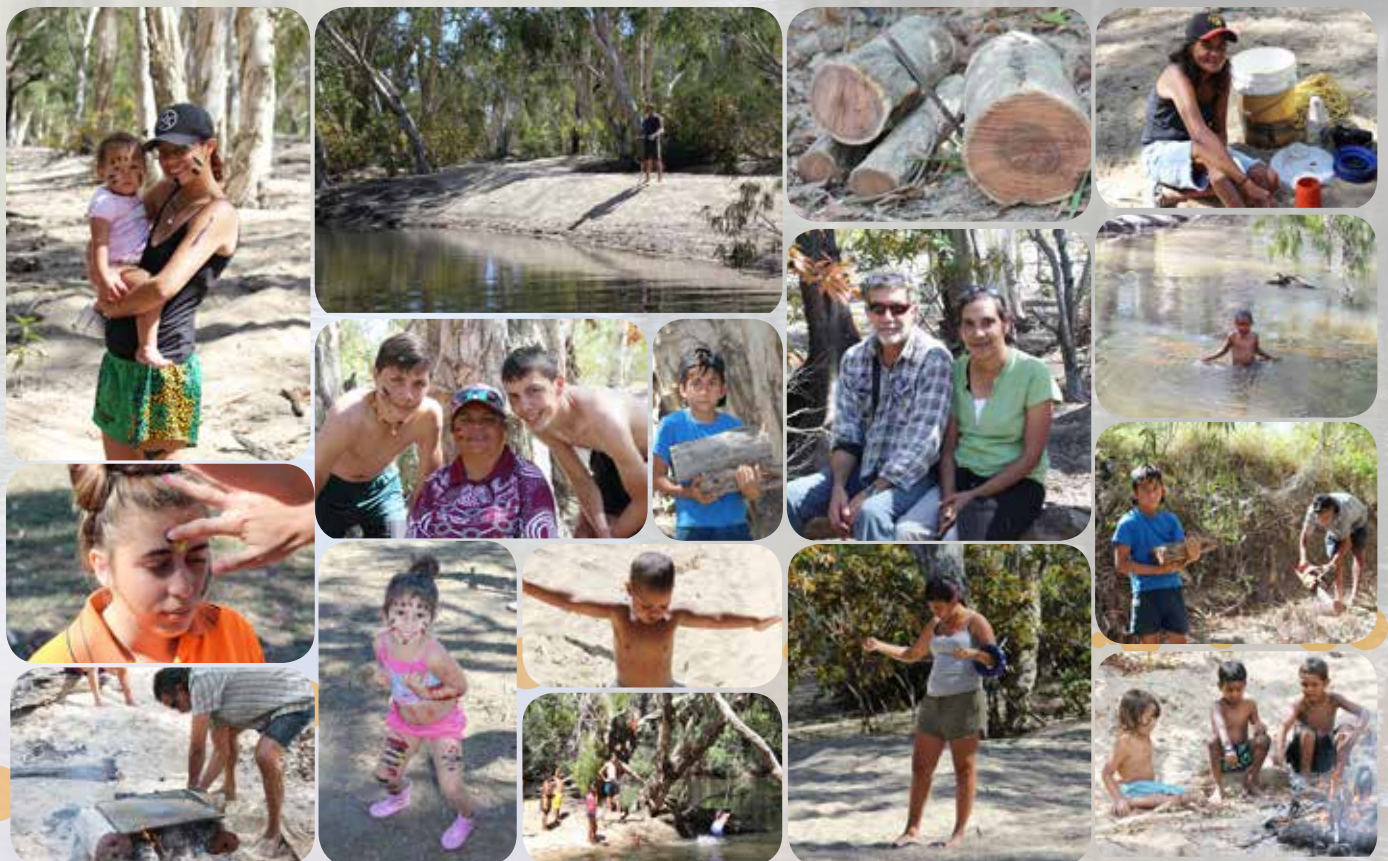


Pictured: Neesha Williams, Western Yalanji Aboriginal Corporation Director and Language Teacher and her son at the June 2015 camp.



Snapshots

Past Language Culture Camps have been held at Mount Carbine, about 70kms north of Mareeba, along the banks of the Mitchell River. Through the warmer months the river thrives with black bream, catfish, red claw and turtles.



WARD ELECTIONS NOTICE



It is that time again when you get to have your say on who you believe should sit on the Board of the North Queensland Land Council.

The Ward Elections occur every two years, this year taking place at 6pm on the 11th of September in each of our respective ward areas (refer to our website for venue information).

WHAT HAPPENS AT THE WARD ELECTIONS?

On the day of election, members will need to sign the attendance record upon arrival and check their address to ensure that they are eligible to vote or stand for election. If eligible, they will be given a voting card.

As soon as there is a quorum (20 persons or 20% of the eligible electors whichever is the highest) and the appointed start time has been reached, the meeting will be opened by the Ward Chair (NQLC representative).

NB: There is no requirement to wait any period of time past the appointed time if all present have signed in and a quorum is present.

If there is no quorum by 30 minutes after the start time, under Rule 12(6) the Ward Chair will declare the meeting adjourned to the same location and time the following week. NB: There is no discretion about this, if the time is up the meeting will be adjourned even if people are potentially on their way.

If the meeting has been adjourned to the following week, no minimum quorum is required for that following week's Ward Election. The election will proceed based on who ever is in attendance.

Provided there is a quorum present on the 11th of September, the meeting will proceed with the Ward Chair or current Director giving an overview of the procedures and rules.

The process for conducting the election is as follows:-

1. The returning officer shall advise the meeting of the number of Directors to be elected for that Ward.
2. The returning officer shall advise the meeting that any member who is disqualified is not entitled to stand, and will read out the disqualification rules
3. The returning officer shall call for nominations. Any nomination should be seconded by a member other than the member nominating.
4. The person nominated shall be asked if they accept the nomination.
5. If the person nominated accepts, they will be asked to sign a Consent to Act as Director form, giving their consent and declaring they are not disqualified.
6. The process set out above is repeated until there are no more nominations.
7. If there are no more members nominated and accepting than the number of Directors to be elected, then they shall be declared elected unopposed. NB: Consent to act as Director forms must be signed first).
8. If there are more members nominated and accepting than the number of Directors to be elected, a secret ballot shall be held to determine the Directors elected.
9. On a secret ballot, each eligible Ward member present shall write on his ballot paper the names of the nominees he votes for up to a maximum equivalent to the number of Directors to be elected.
10. Directors to be elected will be those nominees (up to the maximum to be elected) who receive the greatest number of votes.

NOTE – the CATSI Act requires that the consent to act as a Director must be signed before the person is elected. It is therefore necessary that these forms be signed before a Ballot is held or, where there are no more candidates than positions available, before an announcement that the candidates have been elected unopposed is made.

The successful candidates for that ward become Board members at the conclusion of the next Annual General Meeting, which is to be held no sooner than two weeks after the date set for the last of the ward elections. Their term expires at the conclusion of the second Annual General Meeting after that (i.e. approx two years).

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