



YOUR WAY FORWARD FOR NATIVE TITLE

MESSAGE STICK

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March 2016

YOUR PBC

Mamu



Meet the new deadly mob leading the Mamu Aboriginal Corporation RNTBC



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Take a look at benefits of doing an Anthropology Internship with NQLC

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MESSAGE FROM THE CHAIR

I would like to acknowledge and pay my respects to the custodians of the land within the NQLC footprint, both past and present. And give my condolences to the families of people who have recently passed on this year. We have lost some strong people in each of our communities the last few months, and they will be dearly missed by us all.

NQLC is back and ready for what this year 2016 will present. There is refreshed leadership with our newly elected Board and Steve Ducksbury sitting in the CEO position. With our renewed sense of empowerment and focus, we have kicked off the year reviewing the policies and procedures of the Corporation, as well as strategic planning for the coming years. As politics around native title issues change from time to time NQLC needs to be aligned with these changes to bring the best service to you, our constituents.

In early February, the Board and I joined fellow PBC representatives for Governance training with Shane Carroll, a Melbourne Barrister who for many years has been contracted by the Australian government to provide governance and contract management services to Indigenous organisations. Mr Carroll focused on our obligations and legal duties as directors of PBCs/NTRBs, running through the basis of separation of powers, conflicts of interest and strategies of how best to manage these responsibilities. Shane also spoke of the need for all organisations to be compliant under the ORIC rules. PBC representatives expressed that the training with Shane was both informative and beneficial, and gave them an opportunity to meet the NQLC Board and learn about other Native Title Representative Bodies, such as how many are operating in the country, what their native title services are and the differences between each of them. It also gave the Board a chance to spend some time with our PBCs face to face.

I have also extended an invitation to the PBC representatives who were present an opportunity to meet with their Ward representative and myself. Choorechillum (Ngadjon Jii PBC) Aboriginal Corporation accepted, inviting me to their Annual General Meeting to introduce myself and have a yarn.

For my first full year as Chair of NQLC, I have chosen to take a year of absence from my occupational role, to focus on the members and traditional owners within the NQLC footprint. I hope to visit each of our nine wards to introduce myself and hear your voices and concerns on native title matters. Our dedicated team are currently researching and filing several native title claims and we're confident that many traditional owner groups will gain their well-deserved native title recognition in 2016.

I hope your start to the year hasn't been too challenging and that you enjoy our March edition of Message Stick. I look forward to spending time in each of your communities and helping you achieve your native title goals. I have an open door policy and I very much hope that if there is anything you would like to raise with me, that you contact our office. I am here to represent our people on the ground and for that to be successful I want to hear your voice.

KAYLENE MALTHOUSE, Chairperson



MESSAGE FROM THE CEO

It gives me great pleasure to welcome you to the first edition of Message Stick for 2016. I hope you all enjoyed a well-deserved rest over the Christmas period, spending time with those close to you.

Although we are only in March, I'm happy to report that four of the Bar Barrum People's claims (#2, #3, #4 and #6) were authorised last month and are progressing toward consent determination scheduled for the 10th of June. It's a long time coming for the Bar Barrum people, who lost several years progress whilst the issue of Military Orders made during World War II was resolved. Fortunately last year the High Court ruled that the Military Orders did not extinguish native title, which consequently allowed the NQLC to recommence progress with the Bar Barrum native title claims.

The Widi #2 claim is also progressing very well and has been scheduled for consent determination on the 29th of June 2016. This will be the first determination for the Widi People and more claims will follow.

As mentioned by the Chair, our PBC Support Unit has been hard at work arranging the Governance Workshop, facilitated by Barrister Shane Carroll who I have had the pleasure of knowing for many years. We received very positive feedback on the workshop (particularly Shane's session) which you can read all about in the PBC Support Unit Update on page 14.

The Future Act Mining and Exploration (FAME) Unit continues to assist native title groups deal with future acts affecting their country. So far this year we have received 164 future act notices, of which 12 were notices of proposed grants of mining or exploration tenements. With the slow down in the mining industry we expect that the number of proposed grants of mining and exploration tenements will decrease and some existing tenements surrendered. This is discussed more fully in the article 'The Australian Resources Sector - The Impact of The Downturn On Native Title Parties' on page 8. The FAME Unit is also currently designing its 'ILUA Implementation – Capacity Development Workshop' to be held in the coming months and notices will be issued



to the groups affected by mining and exploration when the arrangements are settled.

As a way to further strengthen community awareness and understanding of native title processes, we are currently developing a new range of information brochures set to hit the shelves by the middle of the year. The brochures will cover topics for PBCs such as governance, submission writing and bookkeeping, as well as overviews of each Section 24 and 29 of the *Native Title Act 1993 (Cth)*. Later in the year we'll be releasing another suite of information brochures detailing the process of obtaining native title, every step of the way. Keep an eye out for these on our website and in our reception foyer if you're popping in.

I hope you enjoy our March edition of Message Stick and we welcome any feedback you may have. Not only is this newsletter a tool for us to provide you with information throughout the year, but it is also a way for you yourselves to get information out to the public. Feel free to contact our Media Officer Michelle Liddy, if you would like to contribute an article or wish to share any news stories from within your community.

As always if I can assist you in any way or if you have any queries about the NQLC's operations, please feel free to contact me at our office.

PS: In the December issue I reported that I had another grandchild on the way. I can now proudly announce that #3 grandson, beautiful Xavier James Dicksbury, was born at 7.20 a.m. on Boxing Day – great timing!

STEVE DICKSBURY

Chief Executive Officer
North Queensland Land Council

STAFF PROFILES



WENDY BUTLER, ACCOUNTANT

After spending many years in public practice, Wendy joined the NQLC team in 2014 as an accountant in our Corporate Services Unit. She has a background in bookkeeping and holds a Degree in Commerce, majoring in Accounting and Finance from the University of Southern Queensland. Wendy is also currently completing her final course for membership into the Institute of Public Accountants.

Wendy was born in Ayr, living in and around the Atherton Tablelands and Cairns all her life. She has four beautiful daughters, Alex, Ellie, Maggie and Tara. Two adorable grandchildren, Boyd (2) and Billie (4 months), and a wonderfully, supportive husband of many years, Dave.

Wendy is a passionate follower of the Cowboys, admiring the absolute legend that is Jonathan Thurston. She's keen to cheer, scream and yell them to their second NRL premiership victory in 2016.

Wendy thoroughly enjoys her role at NQLC and being able to contribute to the realisation of Indigenous land rights, fulfilment of aspirations and long held dreams of traditional owners. She also values the friendships she has formed whilst at NQLC, appreciating her colleagues' welcoming and obliging nature. What a great bunch of people.



TAMARA BULCOCK, ANTHROPOLOGIST

Tamara has recently joined the Research Unit, filling in for Anthropologist Kara Dunn whilst she is away on maternity leave. Tamara was born and grew up around Perth, WA, and completed her Bachelor of Arts and Honours in Anthropology at the University of Western Australia.

Between stints of overseas travel, Tamara has been lucky enough to have always loved the work that she does. Most recently, she has worked as a social researcher on a project for the WA Sports Federation that sought to understand the relationship between sport and alcohol (yes, that meant fieldwork typically involved having a yarn about sport over a beer!) and as a tutor providing study assistance to Indigenous university students.

After her first Aurora internship at Yamatji Marlpa Aboriginal Corporation in Perth, Tamara was hooked on the people and the work in native title anthropology, leading her to make the move interstate to come work at the NQLC.

Tamara is looking forward to developing her skills in native title anthropology as part of the NQLC team and is grateful for the opportunity to get to know, understand and support the traditional owners of the region.

What is Aboriginal

A boriginal Cultural Heritage in Queensland is provided for under the *Aboriginal Cultural Heritage Act 2003* and the *Torres Strait Islander Cultural Heritage Act 2003* ('the Acts'). Prior to 2003, Aboriginal Cultural Heritage came under the *Cultural Record (Landscapes Queensland and Queensland Estate) Act 1987*. After some time however, it became clear that the 'Landscapes Act' failed to adequately protect Aboriginal Cultural Heritage. Its focus was archaeological evidence of human occupation and it failed to protect areas, significant solely due to Aboriginal tradition or history.

Today, the Department of Aboriginal and Torres Strait Islander Partnerships ('DATSIP') is the government department responsible for administering the Acts.

'Aboriginal Cultural heritage' is defined, by the Acts, as anything that is:

- A **significant** Aboriginal or Torres Strait Islander area in Queensland;
- A **significant** Aboriginal or Torres Strait Islander object in Queensland; or
- Evidence of archaeological or historic **significance**, of Aboriginal or Torres Strait Islander occupation of an area of Queensland.

The Acts state that an area or object is of particular **significance** because of:

- Aboriginal or Torres Strait Islander tradition; and/or
- The history, including modern history, of any Aboriginal or Torres Strait Islander party for the area.

Examples of significant areas or objects include; Aboriginal or Torres Strait Islander burial sites, ceremonial/initiation areas or sites of rock art or paintings.

These definitions seek to remedying the deficiencies of the previous legislative regime.

Cultural heritage register vs database?

DATSIP maintain a **register** and **database** of Aboriginal cultural heritage within Queensland.

The Aboriginal Cultural Heritage **Register** is able to be accessed by any member of the public and contains information about cultural heritage studies, whether an area has subject to a cultural heritage management plan and information on cultural heritage bodies (for example). In order to have something placed on the Register, an Aboriginal Cultural Heritage study is required.

Currently, the Register contains only three entries.

The Aboriginal Cultural Heritage **Database** is a database of all the significant areas or objects which have been recorded with DATSIP by Traditional Owners. The information contained on the database is not publicly available but is available on request to Aboriginal and Torres Strait Islander Parties (if the information relates to their areas of responsibility) and land users (if it is necessary for them).

Cultural Heritage?

How can we protect our culturally significant areas or objects?

The North Queensland Land Council strongly encourages Traditional Owners to register their significant areas or objects in order for them to be included on the Aboriginal Cultural Heritage Database.

The Acts require that anyone carrying out activities on land in Queensland must exercise a duty of care. That means that land users must take all reasonable and practicable measures to ensure that their activity does not harm Aboriginal or Torres Strait Islander Cultural Heritage.

This duty of care exists regardless of whether or not the cultural heritage has been recorded in a database. However, registering your significant sites or objects provides an additional record and safeguard which alerts a land user to their duty of care. Furthermore, if a land user causes damage to cultural heritage, they could argue that their duty of care was met if they conducted

a search of the database and the search found that no sites or objects had been recorded.

There are fines imposed on an individual (up to \$117,800) or a corporation (up to \$1,178,000) for causing unlawful harm to Aboriginal and Torres Strait Islander Cultural Heritage or breaching the duty of care.

In 2011 a Central Queensland company, MCG Quarries Pty Ltd was fined \$80,000 by Moranbah Magistrates Court for disturbing culturally significant Aboriginal artefacts. The company disturbed between 30 and 35 artefacts when constructing a gravel track at the company's quarry in August 2010. The Magistrate found that the company had 'failed to take **reasonable and practical** measures to ensure that the activities did not cause harm to Aboriginal Cultural Heritage.'

What are reasonable and practicable measures for meeting the duty of care?

DATSIP have developed guidelines which seek to assist land users in assessing what reasonable and practicable measures are required for meeting the duty of care.

These guidelines outline that some activities are unlikely to harm cultural heritage and that the nature and extent of past activity may mean that

any further activity is unlikely to harm Aboriginal or Torres Strait Islander cultural heritage.

If you are unsure of whether an activity is likely to impact your cultural heritage, we recommend accessing the *Aboriginal Cultural Heritage Act 2003 – Duty of Care Guidelines*.

For further information, including the links to the relevant Acts and guidelines, please visit the Department of Aboriginal and Torres Strait Islander Partnerships website: <https://www.datsip.qld.gov.au/people-communities/aboriginal-and-torres-strait-islander-cultural-heritage>.

By Chris Harriss, Senior Legal Officer & Shanti Fatchen, Legal Officer

THE AUSTRALIAN RESOURCES SECTOR:

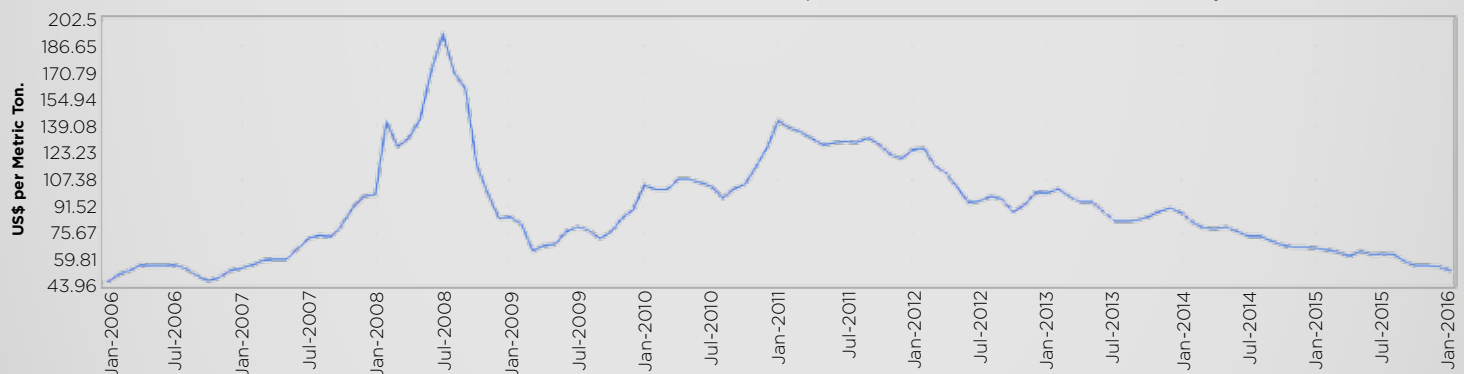
THE IMPACT OF THE DOWNTURN ON NATIVE TITLE PARTIES

It is common knowledge to Queenslanders that the resources industry is currently experiencing a downturn – we read about mines cutting back staff or in some cases closing mines down and many of us know people who have lost their jobs in the industry.

Coal is a significant commodity to Queensland and a Report recently released by the Queensland Resources Council estimates that expenditure by the coal sector in the 2014/15 period was approximately \$15.8 billion – being 49.6% of the total industry spend of \$31.9 billion. However, the fluctuations in the price of coal (see Table 1) has significantly affected the rates of operation and has contributed to the overall fall in royalty revenue to the State. The Queensland government collected \$2.3 billion in royalties the 2013-14 financial year which decreased to \$2.01 billion in the 2014-15 financial year.

Table 1: Coal, Australian thermal coal Monthly Price - US Dollars per Metric Ton.

Sourced from: <http://www.indexmundi.com/commodities/?commodity=coal-australian&months=120>



As industry grapples with price fluctuations, many resource companies are 'paring back' their operations not only through reductions in staff but also through reviewing the economic viability of their tenements. During the period of the global financial crisis of 2009, NQLC witnessed: a decrease in the number of tenements being applied for; and, an increase in applications being withdrawn and tenements being surrendered – this is particularly the case with exploration tenements.

Notably, the activities of small scale miners appear to be rarely affected by wider industry downturns.

How does the downturn in the resources sector affect you, the native title holder?

The answer is 'significantly' if you are one of the native title groups who have mining and exploration on your country and rely on the income derived from those activities.

The industry downturn means that as tenements are surrendered some groups may be feeling the financial pressure as monies linked to those tenements are withdrawn. Monies are commonly

payable under the Native Title Protection Conditions (NTPCs) for exploration tenements and Ancillary Agreements and/or ILUAs they may have arising from mining and exploration negotiations.

Annual Payments under the NTPCs

Most of the exploration tenements in our region are granted with the NTPCs applying where there is a registered native title claim or determination. One of the obligations under the NTPCs is for the explorer to pay the native title group an annual administration payment (the 2015/16 rate is \$1,253.00 per tenement).

The annual fee is payable from the date of grant for the term of the tenement, including renewals. The term of the tenement varies but some have been around for more than 10 years. The NTPC rates are 'CPI adjusted' annually, but as an example of a tenement that was granted in 2006 and is still current, the total fees over that 10 year period is \$10,869.16.

When the native title group has several exploration tenements (some have as many as 40 or 50) that can amount to a substantial income.

Invoicing

Whether it is under the NTPCs, Ancillary Agreement or (most) ILUA – the native title group has to invoice the proponent in order to get the payments. Invoices should be issued by the 'Nominated Body' which is a corporation authorised by the group to act as their nominated body – and in the case of determined lands, it will usually be the PBC.

With the early surrender of exploration tenements on the increase, it is vital that Nominated Bodies ensure that they are up to date with their invoicing under the NTPCs. Once an explorer has surrendered a tenement it is very difficult to get any outstanding monies paid.

To maximise income streams, Nominated Bodies should ensure they are issuing invoices on a monthly basis and following up if those invoices have not been paid. This can be an overwhelming task for already busy, resource-poor Nominated Bodies/PBCs. If the invoices for the tenements have not been issued for the last few years there is the added burden of getting up to date, trying to invoice for the current year and recover previous years' payments.

FAME Unit Assistance

NQLC, through the FAME Unit can provide assistance to Nominated Bodies/PBCs to get their invoicing up to date. Assistance is provided by working with the group:

- developing and implementing tailored systems and processes for invoicing;
- providing training and follow up support to the person responsible for the invoicing;
- reporting to the Board of Directors of the Nominated Body regarding the current status of exploration and mining on country;
- follow up on unpaid invoices by writing to explorers, noting the consequences of failing to comply with their obligations under the NTPCs; and
- monitoring payments.

If you require assistance with NTPC invoicing, or would like further information about how we can assist, please contact the NQLC FAME Unit on (freecall) 1800 814 779.

By **Trish Holding**
Senior Legal Officer, FAME Unit

Anthropology Internships at NQLC



Internships are a tried and tested way for people, usually with qualifications but little or no experience in their chosen field, to get into the workplace and put the theory they have learnt into practice.

For Anthropologists wanting to work in Native Title, one of the few avenues to gain experience in the field is through internship programs, such as the one run by the Aurora Project.

NQLC has been accepting and working with interns in both the Cairns and Townsville office for several years now, and since I started working here in May 2013 we have been lucky enough to have had a number of interns from all over Australia wanting to come work with us at the NQLC. They do so to find out what the working environment is like in a Native Title Representative Body and they do so

for the love of their field of study, and their desire to know more about it. We try to expose them to as much as possible (claimant and staff meetings, claim evidence, politics, policies and procedures for example), so they are equipped to decide if this is the kind of work they want to do.

I've been a fan of the Aurora Internship Program since 2008 when I discovered it as I was finishing my undergraduate degree at Monash University in Melbourne, and applied for a placement in a remote community. Consequently, in June of 2008 I was sent to assist for six weeks at the Goldfields Land and Sea Council, based in Kalgoorlie.

For the first time I was exposed to native title issues, in particular to the people it affects and the lives it has the power to change, for good and for bad. I was so welcomed in Kalgoorlie by

What is an Aurora Internship?

A volunteer position for a set period (usually four to six weeks) with either the Research or Legal Units at a Native Title Representative Body

Who can do one?

Anthropology and Legal (and other Social Sciences) students and graduates

What do they do?

Listen, learn and assist the regular staff as much as possible.

Traditional Owners and staff, and so engaged with the problems faced by the local claimants that when I went back to Melbourne I wrote my Honours research thesis on the Wongatha People and their fight for recognition as the rightful owners of their country.

Ultimately, I think internships provide exposure. They provide a small window into the world of working in native title, and give us a chance to see if we want to spend more time in it. Most of us chose to do so.

Our Intern



Tamara Bulcock
Anthropologist

Tamara Bulcock came to us from Perth in November last year on a five week internship. We are so busy in the Research Unit at the moment, we were able to offer a few extra weeks work to assist with requests for family information from traditional owners across the region. Tamara tells us she is loving her role.

Tamara is fitting in wonderfully at the NQLC and we'll be sad to see her go when the time comes.

“

You gain lots of knowledge in a short period of time, so the internship is a great way to learn about native title – we get to apply the theory to the practice. We get to see the practical application of anthropology. It feels good; inspiring, I wanted to do something with all I'd learnt in my degree and I got to do so here. I'm lucky because I've had two internship experiences, so I've been able to compare how things work in different native title rep bodies. How they do the same things differently, I guess.

”

Weekly Updates

Interns are required to provide weekly reports to Aurora and the NQLC. They can be as long or short as needs be, and while some interns wax lyrical,

others are short and to the point. Either way, they give us an idea of how the intern is finding the whole experience.

At the beginning of this week I managed to go on another field trip, this time to Mt Garnet to collect affidavits. I went out with a NQLC lawyer, anthropologist and the Aurora legal intern. I'm very glad I was given the opportunity to go along and learnt lots, particularly about the juncture between legal and anthropological expectations of interviews.

For the rest of the week I finished off a number of location tables for a particular claim and compiled all these tables with an easy to use contents page. I then worked on a separate table extracting quotes from a particular individual claimant.

Later in the week I was taken out for lunch with two NQLC anthropologists and an anthropology consultant, which was highly entertaining and today I drew up my first genealogy from information provided from the Brisbane archive.

Next week is the last of my placement and I can't believe how quickly the time has passed.

Aaron, Anthropology Intern (Winter 2013)

My week started out with finishing up on the annotated bibliography work I was assigned last week. This followed with learning the basics about The Master Genealogist program (TMG), getting a run down on the best practice for inputting basic family and descent information into the program. The Research Unit is keen to build up the family history and line of ascent information for all claimants in this program so that it can be used regularly in the future to easily locate individuals and determine how they fit into a claim based on descent. I was taught how to enter basic information such as names and name variations, births, deaths, partnerships and of course how to cite sources for this information. Hopefully at some point the data in TMG can be used to assist family history research used to create and provide lines of ascent to apical ancestors for individuals who request this information from NQLC. I have also begun some of this work this week.

I was given a rundown on the best way to begin researching family history for individuals who have put in a request for family history information based on NQLC records. I was shown best practice for keeping track of my progress on this research and my findings within a file note, and the protocol and procedures for this research and contacting the individual who has requested this information.

I've also been referring to file notes compiled by other anthropologists conducting family history research to make sure that my work is up to the same standard.

I am really enjoying this research work; I enjoy the research process of trying to track down names and places in lots of different kinds of reports and documents, but also it is satisfying knowing that this work will hopefully help someone to determine which country and group they belong to and if they can be part of a Native Title claim. I've been able to look at a variety of documents, and am becoming more and more familiar with the organisation's filing system and database to locate these documents.

Tamara, Anthropology Intern (Summer 2015/16)

My first week and a half at NQLC has been really good. It's been great to get an understanding of how the Land Council and the native title process works.

Last week I was working on a review of a Connection Report, which was really interesting to read.

I have also been working on a table showing a geographical description of each claim group's Country. This week I am continuing to read other reports relevant to the group I've been asked to look at, work on genealogies and assist with updating the filing system.

Over the weekend I explored Cairns and went to the market and the Esplanade. I hung out with the other Aurora interns as well on Saturday. My accommodation has been really good, I'm living in a flat with other interns and students doing placements at the hospital.

Josephine, Anthropology Intern (Winter 2015)

Regional laws and customs/rights and interests comparative table
 Review of research materials
 CULTURAL MAPPING
 FIELD INTERVIEWS
 ATTEND STAFF MEETING
 TARGETED RESEARCH INTO EXISTING EVIDENCE
 Compactus and Library Audit
 CLAIM DETAIL FORMS
 Attend Field Interviews
 Organise Maps
 Data Entry in The Master Genealogist (TMG) Program
 Regional recruitment principles comparative table
 IN-HOUSE REGISTER OF APICAL ANCESTORS
 SORT THROUGH HISTORICAL FILES

**Anthropology
Intern
Tasks**

NB: Interns all sign a confidentiality agreement upon starting work with NQLC.

Written By **Di O'Rorke**
 Coordinating Anthropologist
 Research Unit

PBC SUPPORT UNIT UPDATE

2016 has kicked off with a flurry of activity from the PBC Support Unit and it doesn't look like it will ease up any time soon. So here's a quick summary of what's been happening so far and what is still to come. We highly recommend having a planning diary handy!

PBC Compliance

Mid-year financials were due on 19th January.

Congratulations to all those PBCs who have submitted their Profit and Loss Statements and their Acquittals. The standard in this regard has been improving and this year is no different. If you haven't submitted your financials yet or if you're experiencing any issues in this regard, we'd be happy to help in any way we can.

Business and Economic Development Forum Update

The forum was held in 2015 and since then there have been a number of updates about the work that PricewaterhouseCoopers has been commissioned to do for the NQLC. After extensive research and additional consultation we are now very close to finishing this project and we hope to be able to let PBCs know about the result of all this work well before mid-2016. The first products of this research into economic development opportunities in the respective regions will represent pilot projects. Once we have received feedback from PBCs we hope to be able to refine the process and then roll-out the initiative to as many PBCs as possible.

Training and capacity building

Some PBCs have taken advantage of training in basic bookkeeping and the use of MYOB as the accounting software. The training was provided by ABC Bookkeeping here in Cairns and has been very successful. It is aimed at assisting those persons who might have the responsibility for managing the books for their organisations. Whilst the training commenced here in Cairns, steps are being taken to implement the same program to be based in Townsville. If your PBC is based in the Townsville catchment area then we will keep you posted with regard to when this next stage will kick off.

The PBC governance training and workshop forum was held here in Cairns on February 2nd and 3rd. The governance portion on day 1 was delivered by experienced barrister and consultant, Shane Carroll. The session was very well attended and a number of very in-depth discussions were held that covered the full range of PBC governance issues and concerns. The second day was devoted to a PBC workshop where one of the guest speakers was Jennifer Ruben from ORIC. She spoke to a very large group about the role of ORIC and about the obligations and responsibilities that come with being PBC directors. It was clear that the majority of directors were learning about some aspects of their elected roles that they had not previously clearly understood. However, with the assistance of a mini-quiz, Jennifer was able to test everyone on their level of knowledge afterwards. It was fantastic to see that all the directors were able to answer most of the questions correctly.

By **GARY LUI**
PBC Support Officer



Be on the lookout for our new range of info products from the PBC Support Unit. The new products will provide plain English advice on the role of our unit, as well as pointers to other resources. These new info products will be available before mid-2016 if not sooner. Also.. be on the lookout for information about submission writing workshops. We hope to have as many PBCs as possible participate in an excellent training program that helps not only to put better grant applications together, but will also equip participants with the skills needed to track down those elusive funding opportunities.

Mamu



MAMU ABORIGINAL CORPORATION RNTBC

On the 1st of November 2013, the Mamu People were legally recognised as the Traditional Owners of approximately 71,546 hectares of land, stretching from Cooper Point in the north to North Maria Creek in the south, in North Queensland. The recognition of their rights and interests over this land was a long time in the making for the Mamu People, who first lodged their native title claim in 2001.

Like all PBCs, Mamu Aboriginal Corporation RNTBC (MAC) have had their fair share of hiccups whilst finding their feet as a corporation. It's easy to assume that after the very long and rough road to achieving native title recognition, that managing a PBC would be a walk in the park - not the case at all. Yarning with Director Jenny Joyce-Daley and Mamu Administrator and Reserve Director Lorraine Maund, I learnt about the trials and tribulations that most PBCs have to endure before becoming a fine-tuned machine.

After spending a brief time under special administration, MAC are back with a refreshed Board of Directors who are motivated to achieve great things for their people. The Board is made up of five (5) directors: Nathaneal Edwards, Michael Brown, Bradley Appo, Jenny Joyce-Daley and Frank Conway; with a reserve director for each.

Some of the things MAC recommend for a strong board is to ensure that all directors are committed to their positions, and that they have the best interests of the whole mob at heart. Growing up in the community and knowing all the families in the mob can have its benefits as well as its negatives, but as a director you need to put any negative history aside in order to fulfil your responsibilities. All PBC Directors are there completely voluntarily and unpaid, so it takes a determined and passionate individual to fulfil their responsibilities as a director, and determination and passion is what I see from the new MAC.

The number one priority of MAC is to develop strong, positive relationships with the people of the community, local Indigenous organisations and local government. Mamu's land extends across three (3) regional councils: Cairns, Tablelands and Cassowary Coast, so building a strong connection with these councils in particular is really important to the PBC. Mamu are also hoping to strengthen their relationship with Mamu Health Service and Chjowai Housing Co-operative Society Ltd.

Mamu have already developed a good relationship with Jilbay Bin and through them, hope to establish





an official Mamu dance group, made up of Dancers from the other clan dance groups, for performances at ceremonies and dignitary visits.

Mamu have an open door and welcome any feedback, ideas or collaborations from the community. As a way of keeping their members updated with everything happening with the Mamu PBC, they are in the process of developing a regular newsletter - so watch this space.

If there is one thing the MAC have learnt is that for every challenge encountered there is an opportunity for growth, and every road (even the bumpy ones) lead to your destination.

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Mamu
COUNTRY CULTURE COMMUNITY



Director List

- Nathaneal Edwards (Chair)
- Michael Brown (Deputy Chair)
- Bradley Appo (Treasurer)
- Jenny Joyce-Daley (Contact Person)
- Frank Conway
- Sherdean Edwards (Reserve Director)
- Leroy Brown (Reserve Director)
- Renee Wood-Brown (Reserve Director)
- Lorraine Maund (Reserve Director)

MAC Contact Details:

- ☎ 07 4043 8050
- ✉ mamurntbc@gmail.com
- 🏠 2 Stitt Street (PO Box 50)
Innisfail QLD 4860

Acknowledgement and thanks are given to Christine Howes for the use of her photos taken at the 2013 Mamu Native Title Determination.

MAMU APICAL ANCESTRY *Register Extract (pursuant to s. 193 of the Native Title Act 1993)*

COMMON LAW HOLDER(S) OF NATIVE TITLE:

The native title holders are those Aboriginal People who are Mamu People on the basis of descent from:-

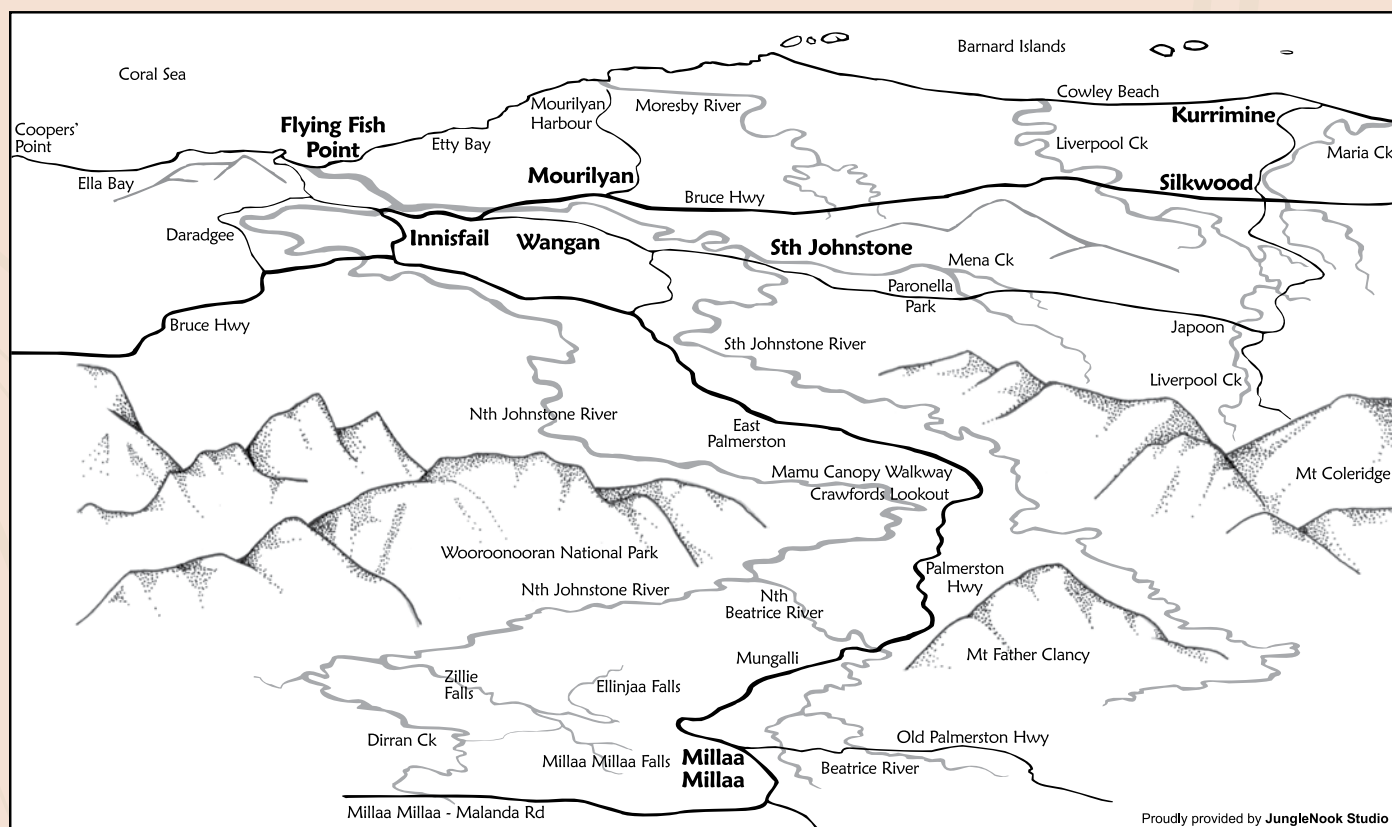
(a) one of the following persons:

1. Bambun; or
2. Paddy Brooks (Dungginyu) (including descendants of his relationship with Maggie); or
3. Bombetta Wa-Way (aka Bombita, Bumbida, Betsy, Betty); or
4. Emily Purcell/Deagon; or
5. Nellie Deagon; or
6. Polly Watson; or
7. Kitty Christmas; or
8. Annie Innisfail; or
9. Polly Armie (Armi); or
10. Lizzie Romelo; or
11. William Weare; or
12. Sandy Millay Millay; or

(b) a relationship between the following persons:

1. Charlie Deagon and Kitty; or
2. Charlie Deagon and Jinny (aka Jenny, Jeanie).

MAMU COUNTRY



MAKING HEADLINES



Photo Source: YouTube (The Ethics Centre)

STAN GRANT'S SPEECH ON RACISM AND THE AUSTRALIAN DREAM

A powerful speech by Indigenous journalist Stan Grant at the IQ2 Debate, in which he says the “Australian dream is rooted in racism”, went viral in January of this year. In the debate, Grant was asked to argue for or against the topic ‘Racism is destroying the Australian Dream’, and his response was both powerful and filled with honest accounts of his experiences living the so called Australian dream.

Referring to the much debated boo-ing of AFL legend Adam Goodes, Grant said “When we heard those boos, we heard a sound that was very familiar to us...we heard a howl of humiliation that echoes across two centuries of dispossession, injustice, suffering and survival, we heard the howl of the Australian dream, and it said to us again, you’re not welcome”. Grant counteracted quotes from famous Australian poetry and the national anthem, with Australia’s Indigenous people’s experiences, “I love a sunburned country, a

land of sweeping plains, of rugged mountain ranges.... It reminds me that my people were killed on those plains. We were shot on those plains, diseases ravaged us on those plains”. “Australians all let us rejoice for we are young and free. My people die young in this country, we die 10 years younger than the average Australian, and we are far from free. We are fewer than 3 per cent of the Australian population and yet we are 25 per cent — a quarter of those Australians locked up in our prisons. And if you’re a juvenile it is worse, it is 50 per cent. An Indigenous child is more likely to be locked up in prison than they are to finish high school”.

Grant believes he had succeeded in life not because of the Australian dream, but in spite of it.

Stan Grant’s powerful speech can be viewed under ‘IQ2 Racism Debate: Stan Grant’ on YouTube.

LEONARDO DICAPRIO'S SHOUT OUT TO FIRST NATIONS

At the 2016 Golden Globe Awards in January, Leonardo DiCaprio won a Golden Globe for his role in the film, *The Revenant*, and he chose to share his award with the First Nations people represented in the film, the Arikara People, and all the indigenous communities around the world. “I want to share this award with all the First Nations people represented in this film and all the indigenous communities around the world, it is time that we recognise your history and that we protect your indigenous lands from corporate interests and people that are out there to exploit them....It is time that we heard your voice and protect this planet for future generations”. Not only was this appreciated by the First Nations people of the United States, but also by Indigenous people across the globe. “When a Hollywood celebrity like that reaches out to the world and acknowledges us First Nations people like that, that means something,” said First Nations actor Duane Howard. Hear hear Leo!



Photo Source: ET Online

STAY IN THE LOOP

If you would like to post something in our Stay in the Loop section of Message Stick, email our Media Officer, Michelle Liddy on: mliddy@nqlc.com.au.



SURVIVALDAY: YIRRGANYDJI ELDER GEORGE SKEENE AMONG 69 QUEENSLANDERS HONOURED

In our last edition we featured an article on Dr George Skeene, who we were honoured to have visit our office to give us a talk on the history of the local Cairns region. It gave us great pleasure to hear that the Yirrganydji Elder was given a Medal of the Order of Australia (OAM) at the recent Survival Day Awards on 26 January 2016. Dr Skeene has worked with the Cairns Historical Society Museum for more than 20 years researching Indigenous artefacts, volunteers with a range of local landcare groups and also works with schools to promote education among Indigenous youth. "I didn't know anyone was taking any notice of what I was doing ... my family are very happy for me, the Yirrganydji people are very happy to see one of their own receive this prestigious award," Dr Skeene told ABC News. "Most rewarding over the many years has been getting the positive message across to the younger generation ... to keep going forward". Congratulations Uncle George, from all of us at the North Queensland Land Council.

1-3 June National Native Title Conference

Co-convened by AIATSIS and the Northern Land Council (NLC), hosted by the Larrakia people, in Darwin, NT

***'strong culture,
strong country,
strong future'***



Songlines:

The living narrative
of our nation

03-10 JULY 2016

**17
March**

**NATIONAL
CLOSE
THE GAP
DAY**

**26
May**

National
Sorry Day

**03
June**

Mabo Day
24 year
anniversary

YOUR DUTIES

as a

PBC DIRECTOR

Directors of Aboriginal corporations need to be aware of the duties they have as directors.

All directors have a duty to act honestly, in good faith and for proper purposes.

Failure to act properly may expose directors to being criminally prosecuted and being the subject of an application by the Registrar for Civil Penalties.

If you are a director on a PBC that is holding native title as an agent, or trustee for the native title holders, you need to be aware of additional requirements concerning any 'native title decisions'.

¹A **native title decision** means a decision:

- a) to surrender native title rights and interests in relation to land or waters; or
- b) to do, or agree to, any other act that would affect the native title rights or interests of the common law holder.

The regulations provide the processes to follow prior to making a native title decision.

Essentially the requirement is to consult with and obtain the **consent** of the native title holders to the proposed decision.

In addition the PBC is required to consider the views of the representative body for the area and if it considers it practicable to give notice of those views to the common law holders.

Adhering to these requirements requires diligence by the directors and is hard work.

What happens if you don't do it right?

The regulations provide that an agreement that gives effect to a native title decision of a PBC has **no effect** to the extent that it applies to the decision, if the PBC does not comply with these requirements.

This means that benefits and monies that might be payable to the PBC under the agreement may not have to be paid. Monies paid may be recoverable from the PBC by the other party.

If deadlines have passed such that the other party has now no opportunity to do things but is left with an invalid consent they could seek for damages.

The Directors may be in breach of their general obligations as directors leaving them exposed to the sorts of legal processes mentioned earlier.

The key to avoiding complaints

NQLC receives many complaints from native title holders about their PBCs and the most common is that they get no information, even when they ask.

People then think the worst and start to question if secret deals and secret pocketing of monies is going on. It may well be that it is not but by being secretive people think the worst.

The key is keeping people informed – you are supposed to be doing that for native title decisions anyway.

Of course directors should always be keeping in mind that they are there to benefit the mob and not themselves personally.

FIND-A-WORD

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THEME: FUTURE ACT MINING & EXPLORATION

Q Y R N D B N O N V G C L Y F Q H M F K S C M G Y Z Z N N M
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- Future Act
- Land
- Freehold
- Agreement
- Grantee
- Prescribed Body Corporate
- Parties
- Mining
- Right to Negotiate
- Proposal
- Exploration
- Prospecting
- Licenses
- Grant
- In Good Faith
- Tenement

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