



YOUR WAY FORWARD FOR NATIVE TITLE

MESSAGE STICK

Message Stick is published by
North Queensland Land Council

MAY 2016

YOUR PBC

FEATURING:

Dulabed Malanbarra
& Yidinji
Aboriginal
Corporation



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STAY IN THE LOOP

Key event dates you need to mark in your calendars.

MESSAGE FROM THE ACTING CEO

Now that the Christmas, Easter and Anzac Day breaks are but a distant memory we are well back into the swing of native title work and I can hardly believe we are now in the May edition of Message Stick.

I have had the pleasure of being acting CEO during Steve's well earned holidays. Fortunately due to Steve's planning not too many matters had to be dealt with in his absence.

On the claims front there have been three major achievements.

The first is that the tenure issues in Bar Barrum #5 have settled during mediations with the Federal Court. Although a lot of hard work will still need to be done to draft and settle a series of ILUAs that will embody the matters agreed, it means that Bar Barrum #5 can join the other Bar Barrum claims in going to determination, but at a later date. Bar Barrum #2, #3, #4 and #6 will be going to consent determination on the 10th of June 2016.

The second is that, again through Federal Court mediation, the processes and procedures to join the Yirrigandji and Djabugay-Bulway-Yirrgay-Nyakali-Guluy Peoples together in a claim over Central Cairns has been planned out. The process is complex with changes to existing claims planned strategically in order to protect rights that are currently dependant on the existing claims

The third is that the Widi #2 claim is set for determination on 29 June and all consents are in place. The consent determination will be in Moranbah.

Of course that does not mean any rest for the traditional owners or the NQLC team as we will be back headfirst into sorting out the Widi #1 claim.

Research has been completed in the Bindal and the Wulgurukaba claims and they are about to be authorised for lodgement.

Brad Foster and his PBC Support Unit have been kept busy putting together budgets for the PBC funding



and organising another of their highly successful PBC workshops.

The Future Act Mining and Exploration (FAME) Unit continues to assist native title groups deal with future acts affecting their country. Between 1 January and 31 March 2016 the FAME Unit received a total of 326 future act notices, of which 303 were notices where the 'right to comment' mostly applies. We refer to these notices as 'FANS' and we always receive more of these notices than those related to mining and exploration. The FAME Unit article in this Message Stick discusses those notices more fully and provides a summary chart of the kinds of future acts notices received and your rights under the Native Title Act (see page 8).

One of the challenges we have faced over the last few weeks has been trying to get next year's budget application organised. We are now being placed on the outcomes based funding model under the Indigenous Advancement Strategy which has changed the way we seek funding.

NTRB funding will now be based on achieving outcomes and set milestones – which unfortunately don't take account of the ease or difficulty of achieving a specified outcome, which can differ dramatically from claim to claim.

Fortunately it appears that the funding body is taking a pragmatic approach to implementing the new model, appreciating that there will be teething difficulties, and is working closely with NTRBs to minimise any "pain" caused by the new system.

On a brighter note, our fabulous Media Officer Michelle Liddy is now on maternity leave expecting her first bub. We wish her all the best.

MARTIN DORE

Acting Chief Executive Officer
North Queensland Land Council

MESSAGE FROM THE CHAIR

THE IMPORTANCE OF LEADERSHIP IN OUR MOBS

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.

Leadership comes in many forms and we don't recognise that we are displaying these qualities ourselves. All too often we look at these qualities in others and recognise and respect those skills, eventually, negotiating belief and respect for that person and looking unto them to bring our collective goals and achievements to fruition.

It is said from US president Barack Obama *"Change will not come if we wait for some other person or some other time to come. We are the ones we've been waiting for. We are the change that we seek"*.

In our history as Aboriginal & Torres Strait Islander people in Australia, we have seen our elders from the past stand up for our rights just to be recognised as human beings and that debate still reigns today in the 'recognition process', with Australia's Constitution to include us as human beings not "flora and fauna".

Elders stood up with burning in their bellies to make a difference to be the change not because they were brave, because they were driven by the injustices that were dealt out readily to our people. The life they lived was not what they wanted for us, their children and future generations.

We look back throughout our history as told to us by our old people and see the atrocities that were inflicted upon our forefathers, in those stories, reflections of resilience; determination and hope for the betterment of our lives, were always present pressing on towards goals that at times seemed unattainable.

These weren't scholars, these weren't politicians, these people were our family members, our mums, our dads, our uncles, our aunties, brothers, sisters and grandparents. Every day people in everyday life. Possessing everyday skills, stepping up into roles that needed to be filled, because they caught the vision and wanted our people to become equal in the fight for our own autonomy.

We lead in our own families; we see it as our responsibilities. Our natural leadership qualities are recognised by our family members and others as we conduct daily living in our homes. We are all leaders, displaying leadership qualities. Daily we act as Hotel Managers, organising our family household; Chefs, setting the family's weekly menu; Bankers, managing the family's budgets; Mentors, Researchers and Planners, encouraging from the heart the goals and aspirations of those who want to take a path of a different nature. I see daily in our mobs, within our organisations and our PBCs that we've achieved through native title, qualities of leadership. Native title which was embraced by our elders, the leaders who had the foresight to leave us with a legacy that they had the strength and burning desire to endure the trauma for those of us to come.

I have been attending over the past eight months, leadership programs to assist with leading in my community. I am currently in Perth doing my Certificate IV in Leadership, having completed my Certificate II in Canberra in 2015.

I encourage each one of you to strengthen your leadership role by formalising your skills and strengths as leaders.



If you would like more information to assist you in your leadership journey then please contact the:

Australian Indigenous leadership Centre

Postal Address: PO Box 186 Curtin ACT 2605

Location: 245 Lady Denman Drive Yarramundi Reach ACT 2601 Australia

Phone: 02 6251 5770 or free call 1800 284 087

Fax: 02 6251 6312

Email: ailc@ailc.org.au

Applications are now open for the Certificate II in Indigenous Leadership in Cairns (Block 1: 16th - 20th May 2016 and Block 2: 20th - 24th June 2016). Those eligible for ABSTUDY are able to access the course without a fee.

KAYLENE MALTHOUSE, Chairperson

Understanding the Role of Anthropologists and Connection Reports in Native Title

You will not find any reference to connection reports in the *Native Title Act*.

A practice has developed in native title matters where an expert anthropologist prepares a 'connection report' to show how your mob has connection to Country and has all the things necessary to demonstrate that your mob has native title.

The connection report is used in negotiation with the State in an effort to persuade them to accept that you do indeed have native title.

Here the role of the anthropologist is as an expert in packaging information. By this I mean they take all the information they can find – statements from traditional owners, research material from archives, Tindale Genealogies etc, and put all of that together in a comprehensive way that shows how each piece of evidence (hopefully) supports other pieces of evidence, to show a full and complete picture.

If a matter cannot be settled and a consent determination is not possible the connection report will usually form the basis of a more detailed report that is presented to the Court as expert evidence.

Sometimes the various pieces of evidence do not all fit together neatly. Sometimes pieces of evidence directly contradict each other.

Here the anthropologist will have to look at all the evidence and ultimately will be required to express a view as to which version is correct. In doing so the anthropologist must act purely on the evidence available and in a logical way devoid of emotion.

The anthropologist, acting as an expert, may need to take into account the same sort of information as a judge would in trial which would include such things as: the source of the information and the reliability of that source, the number of pieces of evidence that point one way or another.

A small example: Information on death certificates may be inaccurate as often the informant is not known or well acquainted with the deceased, whereas as a general rule information about a bride and groom on a marriage certificate is usually supplied by the bride and groom themselves. Thus where there

is little else to say whether competing evidence in a death certificate versus contradictory competing evidence from a marriage certificate it is likely that the marriage certificate information would be preferred.

Native title trials are civil trials so the burden of proof is not *beyond reasonable doubt* as in criminal matters, but on the *balance of probabilities*. Where a matter is disputed the anthropologist will need to base their finding in the same way a judge is likely to base their conclusions in a trial. Crudely put the expression “51% beats 49%” is appropriate and sometimes matters have to be decided on such thin margins.

Crucially whether preparing a connection report or an expert report and giving evidence in court, that anthropologist must avoid becoming an advocate for one party or group.

In a recent speech given by Justice Rangiah to the ‘Future of Native Title Anthropology’ conference in Brisbane on the 4th of February 2016, the judge said:

“



Occasionally, an expert giving evidence can be seen as having a different agenda. That agenda can be taking up the cause of a client and becoming an advocate for them. The job of an expert witness is to remain objective. When an expert is no longer objective and has become an advocate, it quickly becomes apparent to the judge. There is nothing that more readily undermines a judge as confidence in the expert. Again, I think this is a matter of having to adopt a different mindset as an expert witness. It is one thing to passionately argue a cause in academic publications, but that is not what you are engaged to do as an expert witness.

”

If an expert becomes an advocate for you, only arguing to support your view of a matter rather than looking dispassionately at the evidence and expressing a view, their evidence will count for very little if anything.

Sometimes people are unhappy with a view expressed by an expert witness – they want to shop around for one that will support them. This is a trap. Any such witness will usually be quickly shown to be an advocate and of little use.

By **Martin Dore, Principal Legal Officer**

F A M E OVERVIEW

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mining &
xploration

The *Native Title Act (1993)* (NTA) states that before certain activities can be undertaken, the native title parties must be notified. The Future Act Mining and Exploration (FAME) Unit of NQLC fulfils the ‘notification’ functions and assists native title groups deal with the various future act notices they may receive.

Future acts affect every native title group in NQLC’s boundary and every future act has the potential to affect your native title rights and interests.

The ‘simple’ definition of a future act is:

- the making, amendment or repeal of legislation after 1 July 1993; or
- any other act done after the 1 January 1994 (the commencement of the NTA) that either affects native title – provided it is the kind of act that has been specifically recognised as a ‘future act’

Some points to note about future acts:

- the future ‘act’ is not always the activity that is undertaken, say for example the taking of timber, but the *grant* of the permit that allows the activity is the future act
- acts that are done on lands or waters where native title has been extinguished (eg freehold lands) are not future acts because it does not affect native title, so notices will not be issued
- not all activities carried on lands and waters are ‘future acts’ under the NTA - only certain kinds of activities are ‘future acts’ that have to be notified.

Written by

Rhonda 'Jake' Jacobsen

Senior Legal Officer – FAME Manager

Procedural Rights of Future Acts

'Procedural rights' are the rights that a native title party has upon registration of the native title claim – and it means those rights that you are able to exercise under the NTA. Those rights continue post determination.

Importantly, native title groups do not have the right of veto, that is to say 'no', to a future act, but they have other rights – depending on the category of future act - which include:

- A. The right to be notified
- B. The right to comment
- C. Right to be consulted
- D. Rights of an ordinary title holder
- E. Right to have objection heard
- F. Right to negotiate future acts with other parties who have interests or want to undertake projects within the native title claim area
- G. Right to object to the use of the expedited procedure regime (limited to exploration activities)
- H. Right to compensation

As a general rule of thumb, in the NQLC region, coastal groups will be most heavily affected by future act notices issued by the Great Barrier Reef Marine Park Authority (GBRMPA) which primarily afford the 'right to comment'.

Those groups whose native title lands and water are inland, are more likely to be affected by exploration under the expedited procedure regime and high impact exploration and mining which affords the 'right to negotiate'. Both exploration and mining have the potential to bring monies – but in the case of mining in particular, if the native

title party does not respond to the Notice within certain time frames, there is the potential for the miner to take the matter to arbitration and the native title group miss out on any benefits it may have been able to negotiate.

Irrespective of the kind of notice that a group receives, it is important that there is an agreed way of dealing with them in a way that meets the very tight time frames in order to protect your native title rights and interests and your cultural heritage.

As noted above, not all activities conducted on lands and waters are a 'future act' under the NTA. The chart provides an overview of the most common kinds of future acts in NQLC's boundary that are notified and the procedural rights of the native title group.

How the FAME Unit can Assist

Apart from sending the notices out to affect native title groups, the FAME Unit has developed a series of services that assists native title groups build their capacity to deal with future act notices, including:

- conduct information sessions on what the notices mean and your rights to respond;
- administrative assistance to maintain electronic and hard copy records;
- assistance with invoicing systems;
- provide 'pro forma' letters of response;
- take instructions to respond to notices – which may include negotiations with the proponent; and
- drafting agreements between the native title party and proponents.

Types of Future Acts and Procedural Rights

	FUTURE ACT CATAGORY	EXAMPLES OF WHAT CAN BE DONE
SECTION 24G	PRIMARY PRODUCTION	
SECTION 24GB	NON-EXCLUSIVE AGRICULTURE & PASTORAL LEASES	CULTIVATING LAND, AGISTING ANIMALS, FOREST OPERATIONS, HORTICULTURE
SECTION 24GD	OFF-FARM ACTIVITIES	GRAZING, ACCESSING AND TAKING WATER ON AREAS ADJACENT TO PASTORAL LEASES
SECTION 24GE	3RD PARTY RIGHTS ON NON EXCLUSIVE AGRICULTURAL OR PASTORAL LEASES	REMOVE TIMBER OR SAND, GRAVEL, ROCKS ETC. (BUT NOT MINING)
SECTION 24H	MANAGEMENT OF WATER & AIRSPACE	MOST COMMON IN NQLC REGION ARE ACTIVITIES RELATED TO PERMITS ISSUED BY THE GREAT BARRIER REEF MARINE PARK AUTHORITY (GBRMPA) - TOURISM, RESEARCH, TAKING STOCK
SECTION 24I	RENEWALS & EXTENTIONS (OF CERTAIN LEASES, LICENCES, PERMITS & AUTHORITIES)	THE SPECIFIC KIND OF FUTURE ACT WILL DETERMINE WHAT RIGHTS APPLY IN THAT PARTICULAR CIRCUMSTANCE - IT COULD BE ANY OF THE FOLLOWING:
SECTION 24JAA	PUBLIC HOUSING	CONSTRUCTION OF PUBLIC HOUSING OR FACILITIES ON ABORIGINAL LANDS
SECTION 24JA	RESERVATIONS, LEASES ETC	CREATION OF NATIONAL PARK MANAGEMENT PLANS, PUBLIC WORKS
SECTION 24KA	FACILITIES FOR SERVICES TO THE PUBLIC	CONSTRUCTION OF ROADS, RAILWAYS, PIPELINES, TELECOMMUNICATION FACILITIES ETC
SECTION 24MD	ACTS THAT PASS THE FREEHOLD TEST	FOR CERTAIN ACTIVITIES THAT COULD BE BE DONE ON FREEHOLD LANDS. SOME OF THOSE ACTIVITIES MAY TRIGGER S29
SUBDIVISION P (SECTION 29)	RIGHT TO NEGOTIATE	HIGH IMPACT EXPLORATION AND MINING

PROCEDURAL RIGHTS

RIGHT TO COMMENT	RIGHT TO BE CONSULTED	RIGHTS OF ORDINARY TITLE HOLDER	RIGHT TO HAVE OBJECTION HEARD	RIGHT TO NEGOTIATE	NON EXTINGUISHMENT PRINCIPLE APPLIES
✓					✓
✓					✓
✓					✓
✓					✓
✓	✓		✓		✓
✓	✓				✓
✓					✓ (except for public works)
		✓			✓
	✓	✓	✓		✓
				✓	✓

If you would like to know further about our services, please contact one of our staff who can help:

- Danny O'Shane – Mining Coordinator, Cairns Office
- Jasmine Clubb – Project Officer, Cairns Office
- Natalie Harrison – Project Officer, Mackay Office

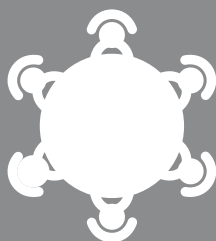
PBC SUPPORT UNIT UPDATE



2016/2017 Funding Applications

It's been one very hectic period over the last month. All PBCs were required to finalise applications for basic support funding. This time around though the pressure was a little more intense because there were very tight timeframes. Thankfully, most of our PBCs were able to convene meetings and/or obtain the necessary approvals to finalise their applications and to have them submitted by the deadline. Congratulations to all that were able to do so! From the current batch of applications we are very pleased to say that we are able to recommend 19 PBCs for support funding. This is an increase on last year's number of 18.

For any PBCs still working on applications ... don't fret ... we are here to help. Please contact us if any assistance is needed in this regard so that we can have your application submitted as soon as possible.



Capacity Building and Compliance Workshop

On the capacity building front, many directors will have received an email or phone call from us regarding our next workshop from the 3rd to the 6th of May. The workshop will be held in Cairns and it will focus on capacity and compliance. We have also developed a theme for the workshop which is about the engagement of youth PBC members in PBC business. To that end, we've invited PBCs to nominate 2 youth delegates for the workshop. As a general rule we are classifying anyone between the ages of 18 and 30 as youth.

The rationale for this theme of youth engagement arises out of feedback from many PBCs that they're finding it difficult to get the youth of their communities involved in PBC business. Many feel that this is an important issue because all PBCs need some kind of succession plan. It's important to them that there be a plan for members of the next generation to eventually take over PBC business. We couldn't agree more. So one of the aims of our next workshop is to expose youth members to the issues and responsibilities that directors must deal with.

If your PBC hasn't already been contacted about the workshop then please contact us immediately. It will be held at the Novatel Cairns Oasis Resort here in Cairns. More details are available via the PBC Support Team so please contact our Cairns office for more information.



Submission Writing Skill Training

The promised submission writing training is going to be provided. The training will actually be delivered at the PBC Capacity Building and Compliance Workshop previously referred to in the first full week of May. This training opportunity will not only equip PBCs with the ability to write an application more effectively, but it will train PBCs in how to maximise the chances for success and where to source funding opportunities in addition to the current, more well-known sources of PBC funding.

IAS

Indigenous Advancement Strategy

On the 21st of March the revised guidelines for submissions to this funding source became available. The NQLC is going to make a submission to the fund for the benefit of PBCs in our region. Our submission will address the need for services and technology to support PBC functions. Some of the proposals in our submission will address the need for additional resources to help with meeting PBC needs in a much more timely and effective manner. This could result in the centralisation of a broader range of services for PBCs in the region. Stay tuned in this regard as we develop our submission and await the results.

If you have any questions about any of the above matters or anything of a PBC nature at all then please don't hesitate to contact us.

By **GARY LUI**
PBC Support Officer

Dulabed Malanbarra & Yidinji Aboriginal Corporation

On the 17th of December 2009, the Federal Court of Australia recognised the Dulabed Malanbarra and Yidinji People as the Traditional Owners of 16,460ha of land and waters over the Goldsborough Valley region, 37 kms south of Cairns in Far North Queensland.

The Dulabed Malanbarra and Yidinji Aboriginal Corporation (DMYAC) have 11 Board of Directors (plus one vacancy): Lillian Clubb – Chairperson, Emma Asburton – Deputy Chairperson, Linda Farrington – Treasurer, Lorraine Muckan, Janet Freeman, Brodie Clubb, Erin Jia, Reginald Jia, Saunders Ambyrum, Ursula Morgan and Veronica Mays, with Jasmine Clubb as the Contact Person.

For the May edition of Message Stick, I had the pleasure of yarning with Allison Halliday who has been long involved in native title, cultural heritage and land management. Allison has served as Chair Person, Contact Person and Administration Officer for DMYAC, and recently led their Caring for Country group based activity - a Work for the Dole (WFD) program that was jointly funded by the Department of Environment and Heritage Protection Queensland.

The 26 week program kicked off in September 2015 with the training phase, preparing the 10 program participants for the main activity phase by providing them with necessary training in remote first aid and safe chemical use. Next came the activity phase which saw the participants take part in a cultural heritage survey, environmental assessment and primary restoration work inside 60 acres of Dulabed Malanbarra and Yidinji's freehold land. The work included six (6) key responsibilities including identifying and mapping significant cultural sites; identifying and mapping environmental issues and areas for priority management; identifying and procuring necessary equipment; conducting a minimum of four (4) primary restoration activities; developing a site management plan with follow-up priority actions and the collection of existing cultural

heritage and historical information from known repositories for use in the development of a Cultural Heritage Database. Another outcome of the program was a Certificate III qualification in Conservation & Land Management for the program participants. The DMYAC's goal is to develop a ranger program and to roll out a similar activity across their other freehold blocks.

Something Allison learnt whilst arranging this program and wants to pass on to other Prescribed Bodies Corporate (PBCs) is that the standard public liability insurance does not cover you for when you are out on Country and to be mindful of this. DMYAC had to purchase addition cover, which saw their premiums skyrocket. After some investigating Allison came across Queensland Water and Land Carers (QWaLC). QWaLC is the peak body for natural resource management volunteers and their roles include representation, advocacy, promotion, networking and insurance administration. Groups that are incorporated may be eligible for insurance coverage through their membership with QWaLC so if you're planning on running any programs based on Country, look into becoming a member with QWaLC. It could potentially save your PBC several thousands of dollars.



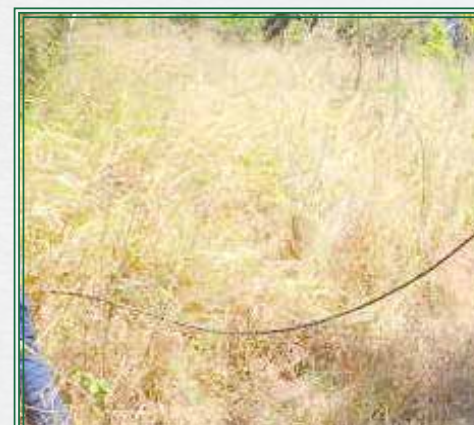
The DMYAC office is based out in Gordonvale and employs a part-time administration officer with the help of the Department of Employment's Restart Program, a program that encourages businesses to employ workers over the age of 50 and includes a possible wage subsidy payment of up to \$10,000 if you employ eligible mature age job seekers for 12 months or more.

As part of their Caring for Country initiative, DMYAC are in the final stages of developing a five (5) year Country Based/Strategic Plan from a small grant that DMYAC was successful in obtaining from Wet Tropics Management Authority (WTMA). As Rainforest Aboriginal People, they are very active in the ongoing care of the Wet Tropics Region, as they have done so since time immemorial and play an active role in its natural resource management. DMYAC are actively involved with Wet Tropics World Heritage management agencies and

non-government organisations such as WTMA, Queensland Parks and Wildlife Services, Department of Natural Resources, Terrain NRM and other State and Commonwealth agencies. DMYAC hope to strengthen partnerships with their local councils, Cairns Regional Council and Tableland Regional Council.

In addition to setting up their own ranger program, they are also planning to work with their neighbouring groups to develop ecotourism in their region and to link up all the Yidinji walking tracks.

Further exciting news from DMYAC is that Mulong Productions, an Indigenous owned company combining film making and digital visual arts with its community and environmental based consultancy services, have received a grant through the Cairns Regional Council's Regional Arts Development Fund (RADF) to do a short documentary showcasing the Dulabed



Malanbarra and Yidinji and Wanyurr Majay Yidinji Countries. I will be sure to keep you updated on the documentary once it has been completed.

The DMYAC was incorporated in late 2009 and as you can tell from the above, have been unstoppable ever since. They're determined to see not only their own people succeed, but for other traditional owner groups to succeed as well. They have not let a lack of funding or ever-changing government policies stop them, but instead adapt to the endlessly changing circumstances with ease, continuously seeking out any opportunities they can find that will benefit their people, their culture and their Country.

By **MICHELLE LIDDY**
Media Officer



Celebrating our Longest Serving Staff Members

The North Queensland Land Council was incorporated in 1994 and in that time we have not only seen a lot of changes within the native title space, but we've accomplished so much for the traditional owners within our region. Getting recognition for traditional owners and helping them to go on and succeed in their PBCs is the reason why we are all here, and on a hard day it is what gets us all through. NQLC are lucky in that not only is it built on hard work and dedication, but we're also a family. This section is dedicated to the immensely dedicated staff we have here at NQLC, in particular our 'decaders' including Uncle Danny O'Shane, Martin Dore, Brian Cahill, Jasmine Clubb, Janelle Levers, Suzanne Lane... and our camera shy girls Lotu Kimiia and Joanne Chapman.

.....

Martin Dore, Principal Legal Officer



When did you join the North Queensland Land Council and in what role?

I joined the North Queensland Land Council in 2000 as the Principal Legal Officer and have been in the same role ever since.

What are your top three most memorable moments?

There are many but one I remember came about when the late George Davis took myself and a few other out on his Country.

At the time Dulabed were having differences of opinion with the other groups involved in the Dulabed Malanburra Yidinji claim and I am sure that at least initially I was seen with suspicion as I worked for the Land Council. I observe two things on our walk on country. The First was how alive Mr Davis seemed to become when he was on country and the second was his change of attitude to me in the sense that he seemed to begin to no longer treat me with the same suspicion but gradually accepted that I was fighting for the recognition of Native Title and doing my best to see it come about.

Of Course it is always memorable to achieve consent determinations for groups and it always delightful to see the young kids painted up and performing traditional dance



Perhaps the most memorable was being instructing solicitor in the Congoo [military orders] matter all the way to the High Court and getting a win with aruling that military orders did not extinguish Native Title

What is the best thing about working for NQLC?

Prior to working in native title I worked in a small country legal practice which I eventually took over. I always acted for the mum and Dad end of town and the underdogs. I see native title as an extension of that - working for the down to earth people and trying to secure their rights - not the high flying corporate types ! We also have a good bunch of people on staff and the work means that we can strive for a worthwhile goal and not the profit line of some greedy international corporation.



Uncle Danny O'Shane, Mining Coordinator FAME Unit

15
YEARS



When did you join the North Queensland Land Council and in what role?

I joined NQLC in April 2001. Previous to working with NQLC I was an electrician with QR working mainly on diesel electric locomotives. I worked at this job from 1971 to 1999. I enjoyed the challenge of trouble shooting problems on complex machinery so I had a great deal of job satisfaction there. Before that I dived commercially for crayfish in the Torres Strait. Again this was something I really enjoyed, the underwater world is a special experience and one I would encourage anyone to have a go at. Previous to this I travelled around on jobs from Mt Isa to Sydney to Gladstone after I finished my apprenticeship at Mulgrave Mill in Gordonvale.

What are your most memorable moments?

There are a lot of memorable experiences with NQLC. Two events stand out for me. One was the Western Yalanji determination at Mount Carbine. Lots of good memories of working with other Western Yalanji people and NQLC staff to make it happen. The Djabugay determination in Kuranda where I was involved with the organisation of the event is also a standout.

What is the best thing about working for NQLC?

First and foremost is our wonderful staff. Lots of good decent respectable people doing their best to advance native title outcomes for traditional owners. Right up there with that is working with the many traditional owner groups. It is always a pleasure.

Brian Cahill, Corporate Services Officer

12
YEARS



When did you join the North Queensland Land Council and in what role?

Prior to working with NQLC, I spent 12 years in the banking sector at various branches throughout Queensland. I then moved into commercial finance, credit, hospitality & accounts where I worked in Tasmania and New South Wales before moving back to Cairns. I was working with CBC Staff Selection when the position came up. I joined NQLC on the 10th of February 2004 as a Finance Officer. I have since relieved and filled in as Chief Financial Officer and I am now filling the position of Corporate Services Officer.

What are your top three most memorable moments?

1. Consent determinations – it is great to see the mob finally get recognised as traditional owners over their land. These are both happy and sad events. Sad because some of the elders that started the process may no longer be with us to see this historic event.
2. Native title conferences - it is a great avenue for Indigenous people to meet and exchange views and ideas.
3. Being part of NQLC who have assisted in obtaining in excess of 30 consent determinations.

What is the best thing about working for NQLC?

Working with a committed team in advancing the recognition of Indigenous peoples. Consent determinations can take 10 years plus to come to a decision and takes a lot of work to get there. All staff are part of the team and work together for the same objective.

Trish Holding, Senior Legal Officer FAME Unit

21!
YEARS



When did you join the North Queensland Land Council and in what role?

I joined NQLC in the role of Senior Legal Officer with the FAME Unit, in 2008 following the resumption of the NTRB area of the former CQLC. Before starting with NQLC I had worked for CQLC since 1995 in the roles of Principal Legal Officer, Corporate Legal Officer and then Compliance Officer. A total of 20 years in the native title field. My early career was in private practice in Mackay where I worked for 10 years in the areas of family law and personal injuries litigation, commercial leasing and wills and estates. I was also a mediator for Legal Aid Office Qld. 10 years in family law had been exhausting and I resigned from my position to take 12 months away from the law. During that period I was approached by the CEO of CQLC who offered me a position. I remember being very reluctant, I was only 6 weeks into my 12 months sabbatical. However, native title was a very new area of the law at that time and the opportunity to be involved in something new and different appealed to me. I decided to "give it a go", and over 20 years later I am still here.

What are you top three most memorable moments?

There have been many memorable moments over the last 20 years. The first that comes to mind would have to be the Girramay Determination. Even though I was unable to be present for the consent determination, I took great joy in seeing the first claim I had assisted finally achieve consent determination. The Gugu Badhun and Gudjala Determinations were also memorable and of great significance to me. Other memorable moments have centred

around the relationships I have had, rather than legal outcomes. I have fond memories of a road trip through Cairns, Tully and Townsville with a group of Gugu Badhun Applicants. The purpose of the road trip was to provide information about an ILUA negotiated with a mining company. I was suffering with a cold/flu but had to continue. I can still recall one Gugu Badhun lady gathering some lemons from a family member down the street and making me hot lemon drinks during the meeting whilst I continued with my presentations. We spent many hours on that trip sharing meals, stories and laughter.

What is the best thing about working for NQLC?

The best thing about working for NQLC is the people. Both the indigenous groups I work for and my colleagues I work with. The staff at NQLC, particularly in the FAME Unit, are a warm and caring group of people with a quick laugh and a friendly smile. I consider myself fortunate to work with them. The traditional owners I have worked for over the years have had a profound affect on me. I admire their passion and determination, and strength in adversity.

Janelle Levers, Senior Legal Administration Officer

11
YEARS



When did you join the North Queensland Land Council and in what role?

I first worked for NQLC in 1987 as a Relief Receptionist for 1 month when the office was located on the corner of McLeod and Florence Streets. I came back in 2005, again as a Relief Receptionist and was supposed to relieve for 2 weeks. I have been here ever since! I remained in Reception for about 9 months and when a position for admin support came up in the legal unit I applied for that and have been working in this unit since then. I had previously worked at the Cape York Land Council as Legal Admin and Anthro Admin so had experience in both of those areas.

What are you top three most memorable moments?

I can't pinpoint three memorable moments but having the opportunity to attend and help out at consent determinations is always a memorable occasion. You get to see the satisfaction and sheer joy on the faces of traditional owners and know that their dedication to their claim, persistence and patience and never giving up has paid off for them. It really is a good feeling to be a part of.

What is the best thing about working for NQLC?

I like attending traditional meetings, you get to meet the many traditional owners and generally form a rapport with them, you also get to listen to their stories of struggle and past experiences. I also like working with my fellow staff at NQLC. We have

strong working relationships and try to support each other whenever needed to ensure successful outcomes are reached in the interests of our traditional owners.



Jasmine Clubb, Project Officer FAME Unit



When did you join the North Queensland Land Council and in what role?

After completing a Business Administration Traineeship at an engineering company in Innisfail, I wondered what next. I knew I wanted to work for my People and I always heard my grandfather, who was very passionate about his country and culture, speak about native title and often wondered what it was. Just at the time, NQLC was advertising for a receptionist so I applied and was fortunate enough to get the job. I commenced working at NQLC in 2005 as the Receptionist, then to Admin Finance Officer which I thoroughly enjoyed, after my stint in our Finance department I carried onto Administration Transition Officer assisting with the transition of NQLC and CQLC, then Corporate Resource Officer, and now I'm currently working within our FAME Unit as a Project Officer.

What are your top three most memorable moments?

I have witnessed and also been a part of many memorable moments here at NQLC which include.

1. Witnessing a number of consent determinations within our region.
2. Being invited and shown around on Country by traditional owners in particular my recent visit to Western Yalanji Country
3. Being a part of various negotiations and seeing good outcomes for our traditional owners.

What is the best thing about working for NQLC?

NQLC is a great place to work, we have a great bunch working here and I'm very fortunate of the many friendships I've made over the years. I would also have to say my drive to turn up to work every day would have to be our traditional owners within our region. The drive, passion and commitment our traditional owner groups have is such an inspiration and to see how far our traditional owner groups have come from the time I started at NQLC to now, is just beyond deadly!

11
YEARS

Suzanne Lane, Executive Assistant to the CEO



When did you join the North Queensland Land Council and in what role?

My first day of employment with NQLC began on 13 March 2006 as the Executive Assistant to the CEO.

Prior to that I had been employed for 9 years at Tharpuntoo Legal Service Aboriginal Corp (TLS) as Office/Finance Manager. I found it to be a most enjoyable place to work. TLS was amalgamated with Njika Jowan Legal Service in 2005 whereby the head office was moved to Townsville. To me it was time for a change. I enjoyed a 4 month 'sabbatical' then applied for the EA position at NQLC - the rest of course is history (10 years).

What are your most memorable moments?

Attending/working at the Mamu Determination in Innisfail on 1 November 2013. It was my first experience being present at such an emotional and uplifting event. Native title over this land had been 12 years in the making so it was great to be part of that wonderful celebration. The Celebration Luncheon was held at Warrina Lakes Park and during the speeches I turned and looked down through the picnic area passageway and saw a large number of ducks/geese starting to waddle off the lawn, over the little road and towards the passageway. I remember thinking how was I going to stop them from coming in without creating a fuss! Without any sound they all stopped at the entrance, did not move for at least 5 minutes then all turned around and waddled away, to me it was a most extraordinary sight!

Our Land Summit of 24 - 26 Oct 2014 was an outstanding event. It was held on Djuru Country at Clump Mountain, Mission Beach a very beautiful piece of country. The food and hospitality of the Djuru people was fantastic and enjoyed by all. We had approx. 18 guest panellists (including various NQLC staff) presenting and interacting with traditional owners over those few days. Feedback confirmed it was our best Land Summit to date. Part of the second day NQLC conducted an AGM for our membership thanks to reaching a quorum.

What is the best thing about working for NQLC?

I love working at the Land Council. One of my primary functions/responsibility is working with our wonderful Board of Directors. NQLC is very fortunate in that it has a large number of 'long-timers'. I think this shows a general affection from the staff for the NQLC. We are after all one big family.

10
YEARS

STAY IN THE LOOP

10 June

Widi #2 Native
Title Consent
Determination

**26
May**

National
Sorry Day

**03
June**

Mabo Day
24 year
anniversary



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

Martin Dore, Principal Legal Officer will be sitting on the panel for the NTRB Agreements Precedents Database, along with representatives from NTSCORP, Kimberley Land Council, Central Desert Native Title Services and AIATSIS. The NTRB Legal Precedents Database is a part of the NTRB Knowledge Management Project and was established in 2010 following an initial pilot with support from five Native Title Representative Bodies/Service Providers. The project is focused on developing information resources, and coordinating approaches to the development and dissemination of agreement-making information, native title law and practice and other resources through a knowledge management system in the form of a database.

3-6 May

NQLC PBC
Capacity Building
and Compliance
Workshop

29 June

Bar Barrum #2,
#3, #4 & #6 Native
Title Consent
Determination

12 July

**ABORIGINAL FLAG FIRST FLOWN
45YR ANNIVERSARY**



The Aboriginal Flag was designed by artist Harold Thomas and first flown at Victoria Square in Adelaide, South Australia, on National Aborigines Day, 12 July 1971.

03-10
JULY
2016



Songlines:

The living narrative
of our nation

Come yarn with the staff of NQLC at:

Cairns NAIDOC Friday in the Park 8 July 2016

This year our stall will be even bigger and better! Gone is our pokey tent of the past, we've doubled the size this year and will have a spot for you to come on in and have a cuppa and a yarn with our friendly staff of the NQLC. There will be representatives from each of our units: Legal, Anthropology, Future Acts Mining & Exploration and PBC Support to answer any questions you may have.



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