



North Queensland Land Council
Annual Report 2013-2014



North Queensland Land Council
Native Title Representative Body
Aboriginal Corporation

Annual Report 2013-2014

Warning: While the North Queensland Land Council Native Title Representative Body Aboriginal Corporation (NQLC) has made every effort to ensure this Annual Report does not contain material of a culturally sensitive nature, Aboriginal people should be aware that there could be images of deceased people.

Preparation of this report is funded by the Department of Prime Minister and Cabinet.



North Queensland Land Council

Native Title Representative Body Aboriginal Corporation

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Reply to:

15 October 2014

Senator The Hon Nigel Scullion
Minister for Indigenous Affairs
Parliament House
CANBERRA ACT 2600

Dear Minister

Re: North Queensland Land Council Native Title Representative Body Aboriginal Corporation Annual Report 2013-14

In accordance with the "Terms and Conditions for Native Title Agreements" I am pleased to present to you the North Queensland Land Council Native Title Representative Body Aboriginal Corporation's Annual Report for the period 1 July 2013 to 30 June 2014.

The document includes the Corporation's report of operations and performance of functions, along with the audited financial statements for the period.

I trust you will read the Report with interest.

Yours sincerely

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Chief Executive Officer

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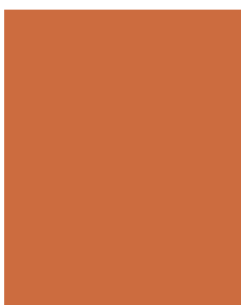
Glossary and Acronyms

ACHA	Aboriginal Cultural Heritage Act 2003 (Qld)
AgForce	AgForce Queensland
AGI	Activity Generated Income
AGM	Annual General Meeting
AIATSIS	Aboriginal Institute of Aboriginal and Torres Strait Islander Studies
ALA	Aboriginal Land Act 1991
ATSLIP	Aboriginal Torres Strait Islander Implementation Program
Aurora	The Aurora Project is the collective name for a number of programs that work with Australia's Indigenous communities and organisations to facilitate prosperity through capacity building. Aurora Project was established in 2006 following the Report into professional development needs of the Native Title Representative Body lawyers in April 2005.
AWAs	Australian Workplace Agreements
the Board	The Board of Directors of NQLC
CATSI Act	Corporations (Aboriginal and Torres Strait Islander) Act 2006
Chairperson	Chairperson (of NQLC)
the Court	The Federal Court of Australia
Cth	The Commonwealth of Australia
CQLCAC	Central Queensland Land Council Aboriginal Corporation
DERM	Department of Environment and Resource Management
DOGIT	Deed of Grant in Trust
EO	Executive Officer (of NQLC)
Ergon	Ergon Energy Corporation Limited
FaHCSIA	Department of Families, Housing, Community Services and Indigenous Affairs
FAME	Future Act, Mining and Exploration (FAME) Unit
FANs	Future Act Notices
FCA	Federal Court of Australia
Hon.	Honourable
ILUA	Indigenous Land Use Agreement
MoU	Memorandum of Understanding
MP	Minister of Parliament
NNTT	National Native Title Tribunal
the NQLC	North Queensland Land Council Native Title Representative Body Aboriginal Corporation
NQMA	North Queensland Miners Association
NTA	Native Title Act 1993 (Cth)
NTRB	Native Title Representative Body
NTSU	Native Title Services Unit (of NQLC)
PBC	Prescribed Bodies Corporate
s.	section of an Act
SSM	Small Scale Mining
the State	The State Government of Queensland
USL	Unallocated State land

Board of Directors



Board of Directors (to 19 October 2013)



Top left to right:
Chairperson, Errol Neal
Deputy Chairperson, Terry O'Shane

Chairperson Errol Neal (Chairperson since February 2012) Yarrabah Ward

I'm a traditional owner from Yarrabah, I think my strength has always been around having good relationships across my family and community and true cultural interactions are my base.

I've grown up in a family who struggled for many years with issues around self-determination and natural justice and who were trying to achieve change for our people.

I also had a lot of mentors, Mick Miller, Aunty Rose, Clarry Grogan and even my own Dad, Alfred Neal, who was a bush lawyer. All these people have heavily influenced the way I am, as did my mother, who is a very spiritual woman.

I think all these influences have helped me find a balance between cultural ways and the new ways.

So what I bring to the NQLC is the will to move forward and for us to survive and progress in terms of a whole future for our people.

Land issues are very important, especially management and caring for country.

Native title is one step, but a holistic approach lies in furthering economic development and sustainability.

Personally speaking, I have a family and I'm also the Mayor of Yarrabah at this point in time.

I value the time I have to spend with family and connecting with friends and that's where my strength comes from too.

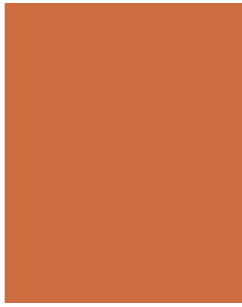
Director Terry O'Shane (Deputy Chairperson since August 2012) Cairns Ward

I'm a seafarer by profession, I've been around Aboriginal organisations since I was 14 years of age. I'm 66 this year, born and bred in Cairns and spent all my life up here.

I've had a long involvement with the Land Council, I was the Chair for ten or eleven years. I've got plenty of experience, I suppose I work on the issues of governance mainly.

The future is a hard question because of the political dynamics. I imagine if we are still a Land Council we will morph into a central Prescribed Body Corporate (PBC) because there's an enormous amount of work to be done across the region. I think Traditional Owners will be better served by having one central regional body addressing all those things - places like Mt Garnet are not the centre of activity in administration, but they are at the centre of mineral exploration so they actually need a fair bit of back-up. I think there's a necessity for it.

I like playing golf, riding my bike, swimming, reading newspapers and I like to keep count of the political happenings in the world.



Top left to right:
Patricia Dallachy
Danny Hooligan
Vana O'Shane

Correspondence Secretary Patricia Dallachy
(since February 2012)
Charters Towers/Hughenden Ward

I was born in Charters Towers and taken to Palm Island where I grew up.

My country is Gudjal.

I've travelled around Queensland and I lived in Victoria and New South Wales for a while. I started doing cultural heritage and did a course with the top archaeologists and anthropologists.

I'm fighting for rights. I'd like to see the NQLC expand across everything to help all Indigenous people.

I like to do gardening and am trying to reintroduce rainforest plants and all our native fruits I grew up with.

Treasurer Danny Hooligan
(since February 2012)
Mount Garnet Ward

I'm a Police Liaison Officer at the Mount Garnet Police Station.

I grew up in Mount Garnet and I'm Warrungu.

I was a founding member of the NQLC and have watched it grow to what it is now.

In five years time I'd like to see us expand a lot to be bigger as a Land Council. I like a variety of sports: Soccer, Australian Rules, Rugby League and Union.

Danny was elected for the Mount Garnet Ward on 24 October 2011.

Director Vana O'Shane
Cairns Ward

Vana O'Shane is a Western Yalanji woman.

She has been a member of the Board of Directors since 2009.



Top left to right:
Dawn Hart
Gary Mooney
Kaylene Malthouse

Director Gary Mooney
Proserpine/Mackay Ward

I come from Mackay and my tribal group is the Yuibera people.

I've had about eighteen years in Murri Watch and I've done two-and-a-half years as a Police Liaison Officer. I've also worked in a housing co-operative for twenty years and as a bar manager. As a bar manager, I had a lot of Indigenous bands play; that broke barriers down. A lot of our people relate to their songs and music.

I'd like to see the Land Council still running in five years, bringing all the native title claims together and working to better themselves, their claims and our standards of living, so we all can move forward.

I live on country, I like lying down relaxing on the beach, fishing and seeing my grandkids. I live out on the beach, I don't have any TV or electricity or nothing like that.

Director Kaylene Malthouse
Tablelands Ward

I am a Traditional Owner of the Upper Malanburra clan, Yidinji tribe in the Goldsborough Valley, Tablelands region.

I've been on the NQLC board for three terms and I've enjoyed contributing.

I've worked for the Department of Communities for four years and bring communication and people skills to the board here, as well as a woman's perspective.

In five years time I'd like to see the NQLC operating to full capacity for Indigenous people, covering all areas of community involvement - I'd like to see life after native title for us.

I also like to go on country, swimming and spending time with my grandkids.

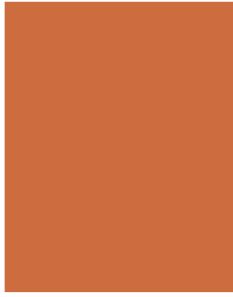
Director Dawn Hart
Innisfail Ward

I was born and bred in Innisfail and I'm a Djiru woman from my mother's side. I was one of the ones that initiated our claim.

I've been part of a few community organisations in housing, legal aid and health and I've been on the NQLC board since 2002.

I hope the NQLC is still here in five years time, I want to give it up before then and let some of the young ones come in. I'd like to see us stronger, I've enjoyed every minute of my time here.

Other than that I just stay at home and my grandchildren and great grandchildren I've got now, come to see me.



Top left to right:
Coralie Cassady
Phil Rist
Catherine Joseph

Director Coralie Cassady Townsville/Ayr Ward

Coralie Cassady was invited to be a member of the Board of Directors after the available position in Townsville/Ayr Ward was not filled when the Ward election was conducted. Coralie was appointed on 20 April 2012.

Director Phil Rist Tully/Palm Island Ward

My mob is Nywaigi from the Ingham area, that's my mother's country, I grew up there. In the early stages, we lived in very basic accommodation; lived in a tin shack, ground floor with a fireplace in the middle. My mother, her sisters and brothers were removed from that area pretty early, sent to Palm Island and lived on Palm Island for many years as a penal colony as we all know.

I was with Queensland Parks and Wildlife Service for many years and I was the first Indigenous Marine Park Inspector, this was before native title legislation.

Then I was a founding member of the Girringun Aboriginal Corporation, we've been in existence for about sixteen years now and represent nine tribal groups.

So I have some governance and cultural expertise and a bit of leadership, I suppose. We are bound by legislation but it will be interesting to see how, as a Land Council, we'll evolve into picking up other long-term issues like natural resource management and cultural heritage. I see the need for a peak organisation that can do a whole range of things.

I love footy and time with family.

Director Catherine Joseph Tablelands Ward

I'm from Atherton and I grew up on the Tablelands. Our background is Yidinji and I grew up knowing and being with most of my old people. I was fortunate enough to spend time with my Elders and learn about my culture, the Yidinji culture. My mum was very good at taking me with them hunting and gathering and learning, I used to prefer to do that rather than go to school.

I bring support for our people in our struggle and trying to get what we deserve, but even now the Government makes it hard. I'd like to see the Land Council still here in five years, helping our people and getting the determinations.

I like to camp and fish if I can, but I lost my husband and I'm on my own and it's hard for me to get around and do the things I used to do.

So I garden mainly now and look after my children and my great grandchildren.

Chairperson Errol Neal
(Chairperson since February 2012)
Yarrabah Ward

- Resides in Yarrabah Qld
- Indigenous Cultural Educator and Performer. Singer and Dancer for the Gunggandji Traditional Dance Group
- 30 Years Activist on the issues of Social Justice and Land Rights
- TAFE Certificate IV in Governance Training 2010/2011
- Attended Corporate Governance Training run by FaHCSIA / Barrister Shane Carroll 2010, 2012 and February 2014
- Mayor of Yarrabah Qld (Second two year term)
- Chairperson of NQLC Board (Second two year term)

Deputy Chairperson Philip Rist
Tully/Palm Island Ward

- Resides in Cardwell Qld
- TAFE Certificate IV in Governance Training
- Attended Corporate Governance Training run by FaHCSIA / Barrister Shane Carroll 2010, 2012 and Feb 2014
- First Indigenous Marine Park Inspector (before Native Title Legislation)
- Founding member of Girringun Aboriginal Corporation
- Currently CEO of Girringun Aboriginal Corporation
- Currently Deputy Chairperson NQLC Board. Two year term 2013-2015

Treasurer Patricia Dallachy
Charters Towers/Hughenden Ward

- Resides in Charters Towers Qld
- TAFE Certificate IV in Governance Training
- Attended Corporate Governance Training run by FaHCSIA / Barrister Shane Carroll 2010, 2012 and Feb 2014
- Attended short courses in Archaeology and Anthropology
- Past Secretary NQLC Board
- Currently Treasurer NQLC Board. Two year term 2013-2015

Correspondence Secretary Gary Mooney
Proserpine/Mackay Ward

- Resides in Mackay Qld
- TAFE Certificate IV in Governance Training
- Attended Corporate Governance Training run by FaHCSIA / Barrister Shane Carroll 2010, 2012 and Feb 2014
- Murri Watch 18 years. 2 ½ years as a Police Liaison officer
- Currently Correspondence Secretary NQLC Board. Two year term 2013-2015

Director Prunella Harris
Yarrabah Ward

- Has lived in both Yarrabah and Charters Towers Qld
- First time on an Aboriginal Corporation Board
- Gurubana Gunggandji Group/Part of the Native Title Determination
- Attended Corporate Governance Training run by FaHCSIA / Barrister Shane Carroll February 2014
- Current Director NQLC Board. Two year term 2013-2015

Director Annette Hooligan
Mount Garnet Ward

- Resides in Mt Garnet Qld
- Social Worker for Home & Community Care (HACC) for Aged, Frail and Disabled Persons
- Community Justice Representative for the Magistrates' Court in Mt Garnet & Atherton areas
- Chairperson -Mt Garnet/Gunbil-Badan Aboriginal Land Trust
- Community Involvement in Mt Garnet region
- Attended Corporate Governance Training run by FaHCSIA / Barrister Shane Carroll February 2014
- Current Director on NQLC Board. Two year term 2013-2015

Director Tracey Heenan Tableland Ward

- Resides in Atherton Qld
- Previous Board of Director 2008-2010
- Attended Corporate Governance Training run by FaHCSIA / Barrister Shane Carroll 2008
- Secretary- Bididi Community Advancement Co-operative Society Ltd, Atherton
- Current Director NQLC Board. Two year term 2013-2015

Director Kaylene Malthouse Tableland Ward

- Resides in Atherton Qld
- Previously gained Certificate IV in Governance Training 2011
- Attended Corporate Governance Training run by FaHCSIA / Barrister Shane Carroll 2010, 2012 and Feb 2014
- Past Representative for the Standing Independent Selection Panel (SISP)
- Currently employed with the Dept of Communities Tablelands
- Current Director NQLC Board. Two year term 2013-2015

Director Hilton Noble Cairns Ward

- Resides in Cairns Qld
- Board of Director 2004
- Past Employee of NQLC as Project Officer
- Director NQLC Board from 2013-2014

Director Colin Enoch Cairns Ward

- Resides in Cairns Qld
- A Founding Member of NQLC 1994- served to 2002 in the capacity as a Director, Treasurer and Deputy Chairperson
- Past Director of Njiku Jowan Legal Service - 25 years involvement
- Chairperson –Wangetti Trust
- As past NQLC Director -Portfolio Holder for the National Native Title Working Group (NNTWG) at the National level and the Queensland Indigenous Working Group (QIWG) at the State level
- Current Director NQLC Board. Two year term 2013-2015

Director Henry Epong Innisfail Ward

- Resides in Innisfail Qld
- President - Mandubarra Land & Sea Corporation
- Monitor & Maintenance of Mandubarra Turtle Rehab (Funded by Prime Minister & Cabinet)
- Member of the Local Marine Advisory Committee (Funded by Innisfail Council and Great Barrier Reef Marine Park Authority)
- Current Director NQLC Board. Two year term 2013-2015

Director Angelina Akee Townsville Ward

- Resides in Townsville Qld
- Chairperson – ATSI Cultural Centre Trust
- Chairperson - Townsville ATSI Corporation for Women
- Chairperson – Kyburra Munda Yalga Prescribed Body Corporate (PBC)
- Director- Townsville ATSI Women's Legal Service NQ
- Current Director NQLC Board. Two year term 2013-2015

Elected Term

Elected Board Member	Ward	From	To
Errol Neal (Chairperson)	Yarrabah	October 2013	Current
Prunella Harris		October 2013	Current
Terry O'Shane (Deputy Chairperson)	Cairns	August 2012	October 2013
Colin Enoch		October 2013	Current
Hilton Noble		October 2013	September 2014
Vana O'Shane		November 2011	October 2013
Patricia Dallachy (Treasurer)	Hughenden/Charters Towers	October 2013	Current
Angelina Akee	Townsville/Ayr Ward	January 2014	Current
Coralie Cassady		April 2012	October 2013
Philip Rist (Deputy Chairperson)	Tully/Palm Island Ward	October 2013	Current
Kaylene Malthouse	Tableland	October 2013	Current
Catherine Joseph		November 2011	October 2013
Tracey Heenan		October 2013	Current
Henry Epong	Innisfail	October 2013	Current
Dawn Hart		November 2011	October 2013
Gary Mooney	Proserpine/Mackay	October 2013	Current
Annette Hooligan	Mount Garnet	April 2014	Current
Danny Hooligan		February 2012	October 2013

Two year term

1. Report by the Chairperson







NQLC Chairperson, Errol Neal with members of the Western Yalanji People following their Native Title Determination.

The 2013-14 year has seen steady progress in achieving the recognition of Native Title in the North Queensland Land Council (NQLC) Region.

My Board has strived to strengthen our relations with our membership and client groups.

This year saw the election of a new Board, with many old faces retiring, including Catherine (Nola) Joseph (Tablelands Ward), Dawn Hart (Innisfail Ward) and former Chair & Deputy Chair Terry O'Shane (Cairns Ward).

New members were elected to the Board. They are Annette Hooligan (Mt Garnet Ward), Tracey Heenan (Tablelands Ward), Colin Enoch and Hilton Noble (Cairns Ward), Henry Epong (Innisfail Ward), and Angie Akee (Townsville Ward). As a result there has been a renewal of leadership at the Board level who are focussed on achieving results for Native Title Holders on the ground.

With the outcome of the review into the Roles and Functions of Native Title Representative Bodies (NTRB) and Service Providers conducted by Deloitte Access Economics still uncertain, my Board urges the Minister to end this uncertainty by announcing the government's future intentions around the Native Title system.

As the NQLC's current recognition period expires on the 30th June 2015, it is critical to the delivery of the Native Title Program that the NQLC, as one of the country's most successful NTRB's, has clarity about its future operations.

Whilst the NQLC has achieved 10 successful determinations and the registration of 17 ILUA's in the last year my Board is disappointed that the State's attitude towards native title seems to be hardening. In the last year we have seen the State adopt a policy of requiring extra evidence in relation to Township Blocks, which we believe is contrary to Court decisions.

In addition the State has introduced or announced its intention to introduce legislation in relation to mining and pastoral matters, none of which is native title friendly and some of which is pointedly harmful to Native Title Rights and Interests.

With the threat of trial hanging over many groups I urge groups to remain united to maximise their likelihood of successful Native Title outcomes.

Nevertheless my congratulations go to Tableland Yidinji #3 and Tableland Yidinji People (26/03/13) [only became final upon registration of ILUA], Warrungnu #2 (23/09/13), Western Yalanji #4 plus #5 & #7 (24/09/13), Mamu (01/11/13), Ewamian #2 plus #3 (26/11/13) and Gudjala Peoples #1 plus #2 (18/03/14) for the determinations of Native Title by consent during 2013/14 and the NQLC looks forward to continuing a productive relationship with their Prescribed Bodies Corporate (PBCs) into the future.

I also wish to extend my congratulations to the excellent staff of the NQLC on their great work, resulting in a highly successful year. My Board & I look forward to working together with them in 2014-15



Mr Errol (Mala) Neal
Chairperson, NQLC
15 October 2014

2. Report by the Executive Officer



Maori
Tahi
2013

2.1 Summary of Significant Issues and Developments

The 2013/14 year has been a pivotal year for the North Queensland Land Council (NQLC). Large numbers of Native Title (NT) claims in our area have now been determined by consent, including all of the older claims, excepting the Bar Barrum Cluster.

The NQLC's success in proving and gaining recognition of NT in the region has been based on a solid strategy of negotiation and agreement making with all parties to native title claims. This year the NQLC and Claimant groups have observed a more hostile attitude from the Queensland Government (the State) on a range of fronts, including proof of connection, attitude to Native Title on 'Town Lots', Military Hiring's under the National Security Regulations potentially extinguishing Native Title, and many legislative changes some of which in our view negatively impact on Native Title rights. This unfortunately has meant an undesirable, but necessary, change in focus for the NQLC - from negotiation with the State, to litigation. In the Bar Barrum and Juru matters detailed below the NQLC faces trial in the High and Federal Courts respectively - entirely in our opinion at the State's instigation.

In the NQLC's view the State's Land Act Amendment and Other Bill 2014 represents a direct attack on Native Title rights over pastoral lease holdings, on principles determined in Wik (1996) and affirmed in more recent court decisions. This legislation has created an opportunity for pastoralists to freehold their leases as well as gaining upgraded 'rolling leases' over current pastoral holdings, without adequate provisions for notification of an intention by the State to grant pastoralists an upgraded tenure. Further the legislative provisions contained in the bill for compensation for the acquisition of Native Title are inadequate. The NQLC, in partnership with other Queensland representative bodies, is currently examining the potential to challenge this legislation passed by the Queensland Parliament earlier this year.



Members of the Warrungnu people celebrate follow their Native Title Determination in 2013.

On the litigation front the State is also challenging in the High Court the NQLC's Federal Court majority decision earlier in the year in the Bar Barrum #4 claim confirming the non extinguishing effect of Military Hiring's over parcels of land hired by the Commonwealth Government during World War Two. There were thousands of these hiring's made nationally so this is can be construed as an attempt by the State to extinguish Native Title over large areas of claimable land that were once subject to these hirings, including Unallocated State Land (USL) where exclusive native title rights are usually recognised. It is interesting to note that the argument about the extinguishing effect of these military hirings was first raised by squatters on USL in one of the other Bar Barrum claims and that the Commonwealth has supported the NQLC's position.

In the Juru #2 matter the State refused to consent to connection over a large number of 'Town Lots' when the balance of the claim was substantially determined in July 2014. The State is in effect demanding a higher standard of proof for town or urban parcels of land than is required for the rest of the claim area, in this case within artificially constructed town boundaries in Bowen, Home Hill and Merinda. This matter is listed for trial in the Federal Court in January 2015 over seven sitting days. Again we are witnessing an attack on the recognition of Native Title by the State of Queensland in the courts

It is worth highlighting that the conduct of these trials in the High Court and Federal Court have to be funded from NQLC's ordinary operational funding, which diverts significant resources to litigation instead of negotiation and agreement making. This in turn impacts on the efficient conduct of existing claims and the NQLC's forward lodgement of new claims.



Ewamian People determination.

This year has also witnessed a continuing trend of the lodgement of non-claimant applications, as well as a stream of compulsory acquisitions, mainly from Local Government Authorities. The former are difficult to respond to within the timeframes allowed while compulsory acquisitions present a 'fait accompli' to Native Title holders. Certain private legal firms seem to be promoting this approach with local government authorities instead of negotiating with the traditional owners about the future use of largely urban lots of land.

As indicated earlier in this report the NQLC has achieved eighteen consent determinations since July 2012 and all historical claims (exc Bar Barrum) have been determined. During the 2013/14 year the NQLC achieved eight new consent determinations of Native Title, taking the overall total in the region to thirty seven. Accordingly the NQLC has moved into a phase of lodging new claims, particularly for groups who have not had a successful claim to date or a Native Title claim lodged on their behalf in the past at all.

The NQLC has undertaken a large amount of research in 2013/14 to enable the lodgement of new claims in 2014/15. Yuwibarra and Gulnay claims were lodged in late 2013/14 while the following nine claims have research largely complete or substantially in progress, which should see their lodgement in 2014/15:

- Warragmay
- Bindal
- Girramay #2
- Nwaigi
- Gia
- Sea Test claim
- Wulgurukabba
- Ngaro
- Djabugay #2

This period has also witnessed an increase in resourcing to the NQLC's Anthropology Unit. A new Co-ordinating Anthropologist, Dianne O'Rorke has been recruited, as well as a staff anthropologist for the Townsville office and a replacement staff anthropologist for the Cairns office. This has improved the NQLC's productivity in research and review of anthropological material and the ability to effectively manage consultant research projects. There has also been more effective interaction with Traditional Owners by our anthropology staff under Ms O'Rorke's stewardship, which I believe will continue to improve in the future.

It is also worth observing that over the past two years the NQLC has broadened the number of anthropologists working on connection reports. When I commenced as CEO only one or two consultant anthropologists were engaged by the NQLC to complete all forward work. Currently six consultants are contracted to prepare connection reports for groups in the NQLC region.

New claims lodged will be processed by the Court in much shorter time frames than before. For instance the Juru #2 Claim took 3 years from lodgement to determination while many of our claims in the past have taken over 10

years to negotiate successful outcomes. It is therefore now critical that research undertaken by the NQLC in the preparation of these claims is comprehensive and that all new claims filed have a strong evidentiary basis and are free of inter/intra indigenous issues. In those circumstances it is not unreasonable to expect that most of these new NT applications either recently lodged or targeted to be lodged by the NQLC in 2014/15 will be determined in approximately three years. This is an obviously positive trend.

There have been major changes made to Indigenous service delivery arrangements by the Federal Government. One hundred & fifty Indigenous programmes previously administered by a range of Federal Departments have been consolidated in to five Programme Streams administered by the Department of the Prime Minister and Cabinet, as the Department now responsible for Indigenous affairs. The five Programme Streams are:

- Jobs, Land and Economy
- Children and Schooling
- Safety and Wellbeing
- Culture and Capability
- Remote Australia Strategies

The Government has developed an Indigenous Advancement Strategy (IAS) (to be released in mid 2014) around these Streams, the objective of which is to improve the lives of Indigenous Australians through a particular focus on:

- Getting Indigenous Australians into work, fostering Indigenous business and ensuring economic and social benefits from native title;
- Ensuring children go to school;
- Increasing Year 12 attainment and pathways to further training and education;
- Making communities safer;
- Increasing participation and acceptance of Indigenous Australians in the economic and social life of the nation; and
- Addressing the disproportionate disadvantage in remote Australia.

The NQLC supports the goals of the IAS and we look forward to working closely with the Government in implementing its objectives in our region. This was recently communicated to Minister Scullion where all Representative Bodies supported a “Statement of Commitment” to work constructively with new arrangements.

In 2014-15 the NQLC will be making application under the IAS for additional funding to support business development and employment opportunities flowing from native title agreements and determinations in the region. The streamlining of Government programme delivery under the Strategy and the opportunity to receive funding for multiple programmes under a single Head Agreement is welcomed by the NQLC.

To some extent however the future of the NTRB system remains unclear, with the Government yet to respond formally to the findings of the Review of the Roles and Functions of Native Title Organisations, completed by Deloitte Access Economics in March 2014. The Review found that NTRB’s continue to be heavily involved in supporting native title holders with native title claim resolution and associated activities relating to future acts and

agreements prior to the determination of native title, and for many NTRBs/NTSPs including the NQLC, this work is not expected to slow down in the next five to ten years. The Review also placed a heavy emphasis on the growing role of RNTBC's in the native title system and the improvements in capacity support that will be required, principally delivered through NTRB's.

In its final report, Deloitte provided the Government with a number of options for improving RNTBC capacity (on the understanding that current levels of funding for RNTBC's will be maintained but not necessarily increased); streamlining or abolishing the NTRB recognition processes in the Native Title Act; improving the accountability and transparency of private agents (noting that they are an integral part of the system); and supporting NTRB roles and functions in a changing native title environment. It is understood that the Government is still considering the Deloitte report, with any changes to the system not expected to be announced before the end of 2014. It is the NQLC's contention that the Government should settle future arrangements in Native Title as soon as possible. In the interim though, the NQLC has not sat on its hands and during 2013-14 increased the level and type of support provided to RNTBC's via regional capacity building initiatives such as workshops, book keeping support, and a partnership with AIATSIS to develop a PBC toolkit resource and training programme.

In summary the NQLC has continued to achieve strong results in the recognition of Native Title despite some current obstacles.

2.2 Overview of Performance and Financial Results

During 2013/2014 the NQLC has continued to perform strongly in achieving native title outcomes for groups in our region. The NQLC had 8 consent determinations, being

- Gudjala People and Gudjala People #2 over the Charters Towers area.
- Ewamian People #2 and #3 in the Gulf Savannah area
- Mamu People over the Innisfail area
- Western Yalanji People #4 and combined #5 and #7 over the Maytown Palmerville area
- Warrungnu People #2 in the Herbert River catchment area.

(Note that in addition, the two Tableland Yidinji determinations made in 2012-13 also took effect this year on the registration of ILUA's)

With these positive results achieved during 2013/2014 the North Queensland Land Council has achieved a total of 37 Consent Determinations in our representative region. The NQLC understands that this is the largest number of claims determined of any representative body in Australia. With the successful processing of so many native title claims the NQLC is now focusing on researching and lodging new claims of which two were lodged during 2013/2014 they were the Yuwibara People claim over the Mackay area and adjacent islands and the Gulnay People in the vicinity of Tully. A significant number of other claims are in advanced state of research and preparation for lodgement during the next financial year. These have been noted earlier in my report.

The NQLC has also performed strongly in the agreement making area both in relation to ILUA's negotiated as part of consent native title determinations and ILUA's negotiated in relation to Future Act notices. Seventeen ILUA's negotiated by NQLC on instruction from traditional owner groups were registered during 2013-14.

The level of future acts notices has not varied by any significant degree in this reporting period compared with the 2012-13 period and the Future Act Mining and Exploration (FAME) Unit continues to fulfil our notification functions. Similarly, the types of future acts has not varied significantly and whilst the bulk of the FAME Unit work is related to mining activities, it is the larger projects that attract considerable attention, such as the proposed Abbott Point and other related infrastructure facilities such as rail. The other core work of the FAME Unit is assisting the native title groups build their capacity to deal with mining and infrastructure proponents and continue to provide assistance on a group by group basis. The FAME Unit has developed this work further by providing Community Planning activities and Financial Advisory Workshops with selected groups, and those activities have been welcomed by the groups participating. It is anticipated that these activities will continue in the future. Also, the Unit has conducted two capacity building workshops where all the groups affected by mining and infrastructure were invited, and achieved a high level of participation of our clients. These activities are reported more fully in section 4.2.

In relation to our financial performance the NQLC achieved an unqualified audit for the 2013/4 financial year. Our operational expenditure was in line with approved budgets. A number of matters emerged during the year which required the NQLC to make provisions within our operational budgets for claims entering litigation against the State of Queensland and the NQLC submitted applications for contested litigation to DPM&C. An amount of approximately \$137,000 has been approved by DPM&C to be carried forward to the 2014/15 financial year to service the Bar Barrum #4 High Court trial. The NQLC has also made an application to DPM&C for \$280,000 to be carried forward from 2013/14 funding to 2014/15 to provide for a trial in the Juru #2 matter. The NQLC only became aware of the States intention to seek a trial in this claim over town or urban lots at the end of April 2014. Recent experience with DPM&C is that it is generally requiring the NQLC to make provisions for trial funding from NQLC's existing Operational budgets. At the time of writing this report DPM&C is yet to respond formally to our application. A further amount of \$50,000 of unreleased PBC Basic Support funding has also been approved by DPM&C to carry forward to the 2014/15 financial year.

A pleasing aspect of our financial performance this year was the increased amount of funding made available for PBC support and capacity building. Accordingly NQLC was able to provide much needed financial support to thirteen PBC's (up from 7 in 2012/2013) and we expect funding to continue to increase in this area during 2014/2015. 18 applications for PBC support was submitted as part of our 2014/2015 submission process.

A financial trend evident this year has been a downturn in the number of mining and infrastructure projects in our region resulting in a less than anticipated activity generated income being received by the NQLC. Despite this NQLC still achieved its planned operational outputs.

The NQLC continued its strict adherence to all funding conditions including those conditions concerning procurement and variations to operational plans and budgets.

2.3 Outlook for the following Year

As noted earlier in my report the NQLC has processed virtually all of our current claim load and has entered a phase of researching and lodging new native title applications. Pending the outcome of the State's High Court appeal in Bar Barrum NQLC may achieve a further six native title determinations in 2014/2015. A number of outstanding issues relating to ILUA's negotiated by the NQLC are expected to be resolved during 2014/15. The NQLC has been negotiating with the Palm Island Aboriginal Shire Council to issue a lease to the Manbara People over a large portion of Great Palm Island. Further the NQLC expects the transfer of large portions the Yarrabah DOGIT as a Queensland Aboriginal Land Act freehold to the two PBC's, with determinations over the DOGIT. This transfer will conclude twenty years of negotiations over native title claims and associated matters in Yarrabah. The transfer of these lands to the traditional owners in the two most populous Aboriginal communities in Queensland will be milestone achievements and create new opportunities for traditional owners to derive considerable financial and social benefits from their lands.

As noted elsewhere in my report the NQLC will be engaged in a number of trials during 2014/15. Some of those matters have been covered in my report however there is a possibility of a challenge by the NQLC (in co-operation with other Queensland NTRB's) in relation to provisions contained in the Land and Other Amendment Bill 2014 which may possibly contravene Commonwealth legislation. It appears that the NQLC is facing an increasingly recalcitrant State Government that appears intent upon minimising recognition of native title and reducing the content of native title rights.

There also remains some uncertainty over the future of Native Title Representative Bodies following the Deloitte review into the roles and functions of native title organisations. The NQLC believes the native title system is best served by the early settlement by the Commonwealth Government of the outcomes of that review.



Ian Kuch
Chief Executive Officer



3. The NQLC Overview



3.1 Overview Description of the NQLC

The North Queensland Land Council (NQLC) is a recognised Native Title Representative Body (NTRB) under section 203AD of the Native Title Act 1993 (NTA) for the Northern Queensland representative region. The NQLC receives the majority of its funding from the Department of the Prime Minister and Cabinet's Native Title Programme.

The land area of the NQLC extends from the Daintree and Bloomfield Rivers in the north to just south-east of Sarina in the south and west to beyond Richmond and Croydon (see Figure 1). The region includes the local government authorities of Bowen Shire Council, Burdekin Shire Council, Cairns Regional Council, Cassowary Coast Regional Council, Charters Towers Regional Council, Croydon Shire Council, Etheridge Shire Council, Flinders Shire Council, Hinchinbrook Shire Council, Isaac Regional Council, Mackay Regional Council, McKinlay Shire Council, Palm Island Aboriginal Shire Council, Richmond Shire Council, Tablelands Regional Council, Townsville City Council and Yarrabah Aboriginal Shire Council.

The region of the NQLC extends east to include the waters that are within the Exclusive Economic Zone of Australia. The land and waters covered by the NQLC are approximately 943,300 km², of which approximately 411,164 km² is land.

The region is as diverse in its landscapes as it is in its culture, from the marine environment of the Great Barrier Reef to the coastal and upland to the western areas which covers seven bioregions on land. These bioregions include the Central Queensland Coast, Brigalow Belt and Wet Tropics of the coastal and upland areas, then the Einasleigh Uplands and Desert Uplands to out west to the Mitchell Grass Downs and the Savannah Gulf Plains.

There is a major concentration of Indigenous population on the coast that becomes less dense as you move westwards. The region contains two large Deed of Grant in Trust (DOGIT) communities governed by Yarrabah and Palm Island Aboriginal Shire Councils. There are also major Indigenous populations in Townsville/Thuringowa, Cairns, Mackay, Innisfail, Mareeba, Burdekin, Charters Towers, Mossman, Bowen, Atherton, Sarina, Ingham, Tully, Cardwell, Richmond, Nebo/Mirani, Herberton, Ravenshoe, Kuranda, Mount Garnet, Croydon, and the Jumbun Community.

3.2 Roles and Functions

3.2.1 Legislation

The primary legislation which the NQLC is concerned with is the Commonwealth Native Title Act 1993 (NTA) which defines the statutory functions of an NTRB. The NQLC, in the context of representing native title claims also deals with the Native Title (Queensland) Act 1993 and other relevant federal and state legislation.

The NQLC was incorporated on 28 March 1994 under the then Aboriginal Councils and Associations Act 1976 and is now registered under the Corporations (Aboriginal and Torres Strait Islander) Act 2006 (CATSI Act). The NQLC is required to comply with various conditions of the CATSI Act and Corporations Law which cover such matters as the setting up and functioning of the corporate governance of the organisation, holding of the Annual General Meetings (AGM) and the provision of the yearly financial statements.

The NQLC, like all other organisations is subject to a raft of general legislation, examples being:

- Commonwealth Authorities and Companies Act 1997;
- Taxation and Superannuation Laws; and
- Industrial Relations and Workplace Legislation.

3.2.2 Legislative Functions

As a recognised NTRB, the NQLC has the following statutory functions under section 203B of the NTA:

- facilitation and assistance functions;
- certification functions;
- dispute resolution functions;
- notification functions;
- agreement making functions; and
- internal review functions.

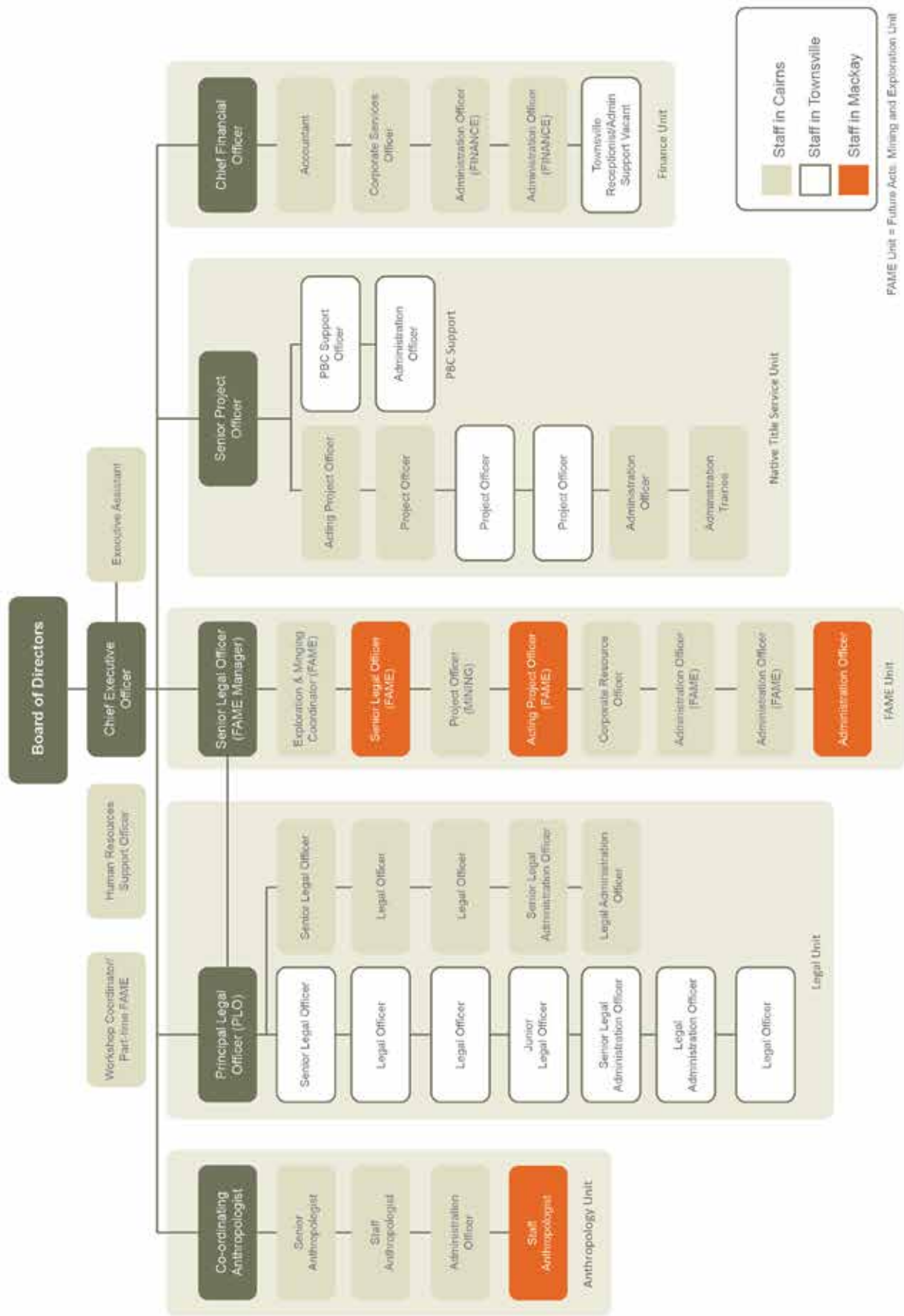
Other functions arising out of section 203BJ of the NTA:

- enter written arrangements with neighbouring NTRB's regarding facilitation and assistance functions;
- identification of native title holders;
- promotion of understanding of native title;
- informing native title holders and Bodies Corporate of matters impacting native title;
- consult with Aboriginal communities; and
- cooperate with other NTRB's to maximise efficiencies.

Figure 1: The Area of Responsibility of the NQLC Representative Body



Figure 2: Organisational Structure



3.2.3 Corporate Governance Policies

The function of the Board of Directors (Board) is to set the broad policies and directions of the organisation. The rules provide for a separation of powers which keeps the Board at arm's length from the day to day management of the organisation - the responsibility of the Chief Executive Officer (CEO). For more details see section 5 Corporate Governance.

3.3 Organisational Structure

Figure 2 outlines the organisational structure of the NQLC.

Table 1 lists all Board Members as at 30 June 2012, whereas Table 2 lists the Board Members as at 30 June 2013. Table 3 lists all Office Bearers as at 30 June 2012, whereas Table 4 lists those individuals as at 30 June 2013. The NQLC Rules have for a long period, referred to the four office bearers positions (see Table 3 and 4), which included the position of 'Secretary'. With the

change to the CATSI Act this reference was changed to refer to it as the 'Correspondence Secretary' to distinguish this position from the position of 'Secretary' referred to in the CATSI Act. Under the CATSI Act 'large' corporations are required to have a 'Secretary'. This position is the equivalent of a 'Company Secretary' under the Corporation Law. The NQLC is classified as a 'large' sized corporation for CATSI Act purposes, therefore the NQLC has both a CATSI Act Secretary and a Correspondence Secretary.

3.4 Outcome and Output Structure

The NQLC has detailed objectives and outcome statements along with key performance indicators to measure outcome targets in its Strategic Plan. The NQLC has continued to implement the output groups reporting structure, including the development of electronic record keeping and reporting on output groups. The NQLC provides performance and financial reports to DPM&C bi-annually.

Table 1: Elected Board of Directors as at 30 June 2013

Ward	Elected Board Member
Cairns	Mr Terry O'Shane
	Ms Vana O'Shane
Hughenden/ Charters Towers	Ms Patricia Dallachy
Innisfail	Ms Dawn Hart
Mount Garnet	Mr Danny Holligan
Proserpine/Mackay	Mr Gary Mooney
Tablelands	Ms Catherine Joseph
	Ms Kaylene Malthouse
Townsville/Ayr	Ms Coralie Cassidy
Tully/Palm Island	Mr Philip Rist
Yarrabah	Mr Errol Neal
	Mr Vince Mundraby

Table 2: Elected Board of Directors as at Ward Elections on 30 June 2014

Ward	Elected Board Member
Cairns	Mr Clayton Enoch
	Mr Hilton Noble
Hughenden/ Charters Towers	Ms Patricia Dallachy
Innisfail	Ms Henry Epong
Mount Garnet	Mr Annette Hooligan
Proserpine/Mackay	Mr Gary Mooney
Tablelands	Ms Tracey Heenan
	Ms Kaylene Malthouse
Townsville/Ayr	Ms Angela Akee
Tully/Palm Island	Mr Philip Rist
Yarrabah	Mr Errol Neal
	Ms Prunella Harris

Table 3: Office Bearers of the Board of Directors as of 30 June 2013

Office Held	Elected Office Bearers
Chairperson	Mr Errol Neal
Deputy Chair	Mr Terry O'Shane
Correspondence Secretary	Ms Patricia Dallachy
Treasurer	Mr Danny Hooligan

Table 4: Office Bearers of the Board of Directors as of Office Bearers Election as at June 2014

Office Held	Elected Office Bearers
Chairperson	Mr Errol Neal
Deputy Chair	Mr Phillip Rist
Correspondence Secretary	Ms Gary Mooney
Treasurer	Mr Patricia Dallachy

The NQLC has continued to utilise appropriate internal systems to record achievements against the output group structure. These include outcomes database, meetings database and output group timecards for the time costing of Native Title Services, Legal and Anthropological Units' staff against these outputs and a modification of our accounting system to record financial transactions in the various output groups.

The NQLC continues to achieve and deliver a high standard of service provided to native title holders. This is evidenced by the fact that in the financial year to 30 June 2014 there were ten determinations in the NQLC area (two of which were subject to the registration of Indigenous Land Use Agreements (ILUAs), see section 4.1 for further information). The NQLC aims to have at least four meetings per year for each native title working group. In priority claims and intensive negotiations (for example to settle the claim, develop ILUAs or negotiate mining agreements) there are often many more meetings than the minimum requirement. This ensures that native title holders are informed about progress and developments in the negotiation of their claims, as well as providing the maximum opportunity for traditional owners to make a direct contribution towards the conduct of their claims.

3.5 Key Features-Strategic Plan, Operational Plan

Strategic Plan

As an Aboriginal Community based organisation the NQLC has its global goals set out in its vision statement contained within the approved Strategic Plan.

Our Vision Statement

The vision of the NQLC is for a region in which the native title rights of every native title holder is legally recognised and in which Aboriginal people benefit economically, socially and culturally from the secure possession of their traditional land and waters. To ensure the continuance of an organisation with good governance as a fundamental and which gives traditional owners a representative Board through the Ward election process

Our Goal Statement

Our goal is to assist Aboriginal people in the NQLC region to maximise native title and the benefits that flow from native title outcomes and ensure that their native title rights and interests are recognised, protected, maintained and developed.

Our Values

The NQLC adheres to the following values:

- Respect for elders and the traditional laws and customs they hold.
- Servicing the native title community in a professional and accountable manner.
- Maintaining our commitment to securing the traditional land, waters and sea country of native title holders in an efficient, transparent and diligent manner.
- Providing a suitable workplace to progress native title claims that is safe, harmonious and productive.

The Strategic Plan also deals with:

- the NQLC relationship with stakeholders and other non-government organisations;
- governance;
- Prescribed Bodies Corporate;
- key functions of the NQLC; and
- training and capacity building.

Operational Plan

The annual Operational Plan, approved by both the Board and FaHCSIA, outlines the activities that the NQLC intend to undertake (native title claims and special projects) over the following year.

4. Report on Performance



4.1 Review of Performance during the Year in relation to Strategic and Operational Plan and by Functions

The performance of the North Queensland Land Council Native Title Representative Body Aboriginal Corporation (NQLC) for the year ending 30 June 2014 according to statutory function is summarised in Table 5.

In 2013-14, NQLC achieved ten consent determinations of native title, and three new claimant applications were filed (one a combination). The new applications filed during the year were on behalf of groups who have not had a viable native title claim previously, the Gulgnay and Yuibera People's in particular.

The NQLC has now achieved a total of 37 consent native title determinations within our region overall. During the reporting period twenty two ILUA's were registered in the region and two thousand seven hundred & thirty Future Act Notifications were assessed and actioned.

A PBC Support Unit was established within NQLC which provided administrative, legal and capacity building support to thirteen PBC's, as well as assistance to claim groups with PBC development.

NQLC received a favourable judgment in the Bar Barrum People "Military Area Extinguishment" trial (a matter of national significance), however the decision is now subject of a special leave application seeking permission for the State to appeal to the High Court. It is anticipated that the special leave application will be dealt with by the High Court in September 2014.

Other matters in which the Federal Court/NNTT upheld the practises of NQLC include:

- Widi & Juru - attack on the authorisation process conducted by NQLC was dismissed by the Court.
- Mamu - the State seeking to withdraw its consent to a determination was not allowed by the Court after a 2 day hearing.
- Juru - the acceptance by the Court of the NQLC's position in relation to a number of indigenous respondent parties led to their party status being withdrawn.
- Juru - objections to ILUAs based on the NQLC's certification process was dismissed by the NNTT.

The NQLC's ILUA Implementation Project has also led to improved outcomes for native title holders. Under the project, the NQLC is currently finalising a lease for the Manbara People of Palm Island over the north-west bay area of Great Palm for business, residential and cultural

purposes. When finalised, this lease will provide the Manbara People with significant opportunities to secure their long term future.

In addition, the NQLC assisted the Dulabed Malanbara Yidinji People to obtain an Aboriginal Land Act freehold title over 6,000 hectares of land in the Goldsborough Valley area. Both of these land grants were detailed in ILUAs negotiated as part of the native title determination process and registered some time ago. These outcomes would not have been possible without the resource allocation within our current operational plan to these types of activities.

Our FAME unit has also conducted significant work in this area during 2013/14 ensuring that the benefits to native title holders negotiated in ILUAs actually flow to the native title holders over the life of the ILUA. The NQLC has also been working with the State government to transfer significant portions of the current Yarrabah DOGIT to the two PBCs associated with the DOGIT area. This transfer is expected to be effected during 2014/15.

Due to our outstanding record in the successful prosecution of native title claims, the NQLC is now entering a new phase of claim construction throughout the region, particularly in areas where claims have been withdrawn in the past i.e. the former CQLC region. The Court has a stated expectation that new claims should be finalised within eighteen months of lodgment so it is crucial that comprehensive research is completed prior to filing.

Table 5: Performance according to Functions and Outputs

Facilitation and Assistance	Number
1. The Claims Experience	
Claimant Applications	
Active claims represented at 30 June 2013	22 (see note 1 below)
Plus Claims filed this year by the NQLC	3
Less Claims Determined 2013.14	10 (see note 1 below)
Less Claims Dismissed 2013.14	0
Less Claims Withdrawn 2013-14	2
Less non native title outcome 2013-14	0
Active Claims represented at 30 June 2014	13
Number of these registered by National Native Title Tribunal (NNTT)	12
Claims in Development	6 (see note 2 below)
Non-Claimant Applications (as relevant)	2
Compensation Claims (as relevant)	1
2. The Agreements Experience	
Future Act Notices (FANs) received	2,730
Response to Future Acts	7,565 (see note 3 below)
Agreements (a) concluded, (b) in development	(a) 2 (b) Numerous
Indigenous Land Use Agreements (ILUA) (a) concluded and registered, (b) in development	(a) 17 (b) Numerous
Complaints and Disputes:	
Complaints (a) received, (b) resolved, (c) pending	(a) 1 (b) 1 (c) 0
Disputes relating to native title applications	Numerous
Disputes relating to ILUAs, rights of access and other matters	Numerous
Requests for Review of decisions not to assist- (a) received, (b) completed	(a) 1 (b) 0

Note 1 Tableland Yidinji People (QUD6030/1999) and Tableland Yidinji People #3 (QUD208/2004) claims are still active claim as the consent determinations which occurred on 14 December 2012 and 26 March 2013 respectively (Tableland Yidinji People #3 claim was delayed due to last minute issues concerning exclusive native) are subject to registration of ILUAs, which come out of notification on 26 October 2013.

Note 2 There are in excess of twenty native title claims which may be lodged in the future. Given the new Federal Court of Australia (the Court) approach, that is, once a native title application public notification has closed, the claim has eighteen months in the mediation list and will only remain there if the Court is convinced that the claim will be settled within two years. If the Court is not convinced, the claim will be put on the trial list. This means that more research needs to be done up-front prior to lodgment of claims. The NQLC expects a lull in claims between finishing current claims and before new claims are lodged after research.

Note 3 The NQLC responds to FANs received by:
 (a) Sending out copies of the notices to the persons appointed by each claim group for the receipt of FANs;
 (b) Providing strategic advice to groups about the impact of Future Acts;
 (c) Where instructed, formulating submissions on behalf of claimants to Future Acts; and
 (d) Where a Future Act consists of a notification pursuant to the Mineral Resources Act 1989, that an Exploration Permit is intended for issue with the Native Title Protection Conditions attached, advising claimants about the effect of those Native Title Protection Conditions and post issue of the permit assisting groups to implement the Native Title Protection Conditions.
 (e) Where appropriate, assist native title groups with mining agreements.

Improved administration practices and the increase in the number of Prescribed Bodies Corporate's (PBCs) receiving the notices on behalf of the native title party rather than the individual applicants has seen a reduction in the required number of responses to FANs by the NQLC..

4.2 Actual Performance in relation to Performance Targets and Reasons for Differences

Bar Barrum Cluster - Bar Barrum #2 to #7

The six Bar Barrum claims making up the Bar Barrum cluster cover a very large area generally to the west of Mareeba and Herberton and extending west to encompass Mount Garnet and Almaden. The historic township of Irvinebank is approximately in the centre of the claim areas. The six claims are Bar Barrum People #2 (QUD6015/01), Bar Barrum People #3 (QUD6017/01), Bar Barrum People #4 (QUD6030/01), Bar Barrum People #5 (QUD6031/01), Bar Barrum People #6 (QUD6032/01) and Bar Barrum People #7 (QUD6033/01).

The original Bar Barrum native title claim was determined in 2001. This claim was not an 'area claim' and consisted of a number of discrete parcels spread out over a large area of Bar Barrum lands. All of the Bar Barrum lands are now within the cluster and were filed in 2001.

Drawing upon the connection material collected for the original determination, a further detailed connection report was commissioned and submitted to the State in June 2009.

The State of Queensland responded to the consolidated connection material in December 2009. This led to the Applicant and the State agreeing to a connection mediation process to be chaired by the National Native Title Tribunal (NNTT). The parties consequently agreed

in mediation that the connection material of the Applicant would be supplemented by further specific anthropology work and in the collection of direct evidence from the contemporary claim group.

A supplementary report was provided to the State in May 2011 and the direct evidence was provided to the State in July 2011. Following a review of the material, the State advised the NQLC that it is willing to enter into substantive negotiations towards a consent determination following resolution of some further issues.

On 3 February 2012 the State advised that it accepted connection for the purposes of negotiations towards a consent determination. In the meantime the Jirrbal people made a late assertion that some of the country claimed was actually theirs which has resulted in an agreement to temporarily pull back the Bar Barrum claims whilst more anthropological research is done. The issue of the effect of Military Hiring's orders on Native Title has arisen. These orders were made under regulation 54 of the National Security Regulations dating to World War II.

A case stated was referred by the Docket Judge to the Full bench of the Federal Court.

The result was a majority judgment in favour of the Native Title Applicants to the effect that the orders did not extinguish native title.

The State has sought leave to appeal to the high Court. As a result all Bar Barrum Claims have been delayed.



Mamu people celebrating following their Native Title Determination.

Barada Barna People

The Barada Barna People (QUD380/2008) filed on 12 November 2008, a claim over part of the former Wiri#2 (QUD6251/1998) native title claim area. The Applicant is privately represented. NQLC maintains a watching brief and also represents the Widi of the Nebo Estate claim which covers the area of the former Wirri #2 claim. On 10 April 2013 the claim was dismissed by Justice Collier after hearing argument from the Wiri legal representatives and the State. The Barada Barna Applicant was however successful on an appeal and an application to stay the dismissal order.

As a result of the successful appeal the Barada Barna claim was re-instated on the Register of Native Title claims.

The result was that the Barada Barna claim overlapped NQLC's Widi of the Nebo Estate claim in the north and the QSNTS's BKY claim to the South. We understand that the BKY claim has or is to be amended to remove the overlap in the South.

The Court has set the Barada Barna claim down for trial which means that the Widi claim is also in trial.

Currently negotiations between the two claim groups, focused on trying to get some agreed common ground as to anthropological evidence, are occurring.

Birri Gubba Research Project

The aim of the project was to assist claims and potential claims which make up the Birri Gubba regional society. NQLC held two meetings with Birri Gubba traditional owners to introduce the consultant anthropologist, Dr Kingsley Palmer, and report back to the groups the initial anthropological findings. A Traditional Owner Focus Group was set up to provide advice and direction to NQLC and Dr Palmer.

According to the Terms of Reference agreed to with Dr Palmer, after his initial collection of evidence and engagement with the wider claim group Dr Palmer advised the NQLC that claims in the region would have a better chance of success if focus was directed at those which had yet to be progressed through the native title system.

Accordingly anthropological research is currently being undertaken with a view to lodging claims for the Yuwibara, Ngaro and Gia and Bindal Peoples, four of the groups which form part of the Birri Gubba regional society.

Birriah People

The Birriah (Birri) People's (QUD6244/98) claim was lodged on 2 April 1998. The claim south-west of Townsville is over land and waters and centers around the township of Collinsville boundaries, from as far east as Mount Anerdeeb south to Glenden, and west to Mingela and the base of the Kirk River.



Warrungnu Native Title Determination in Cardwell.

The Birri People were privately represented until 13 February 2009 when the NQLC filed a Notice of Change of Solicitor for the Applicant. Little connection research was undertaken until the NQLC filed the Notice of Change of Solicitor for the Applicant. The Applicant provided connection material to the State for review as part of the mediation process. The Applicant has now terminated the services of the NQLC and has engaged a private lawyer to assist them with prosecuting the claim. The NQLC keeps a watching brief over this matter.

Djiru #4 (Proposed Claim)

The proposed Djiru #4 claim is to be located over Dunk Island. Research on this area has been incorporated into current research into a possible Sea Country Claim. This research area includes all claims and possible claims in the NQLC region which have a sea country component. The Research has been slowed due to resources being urgently required to issues arising in other claims set for trial. Research is ongoing.

Sea Country Research

This project was envisaged as a way to understand traditional connection to sea country in relation to native title claims. To that end, traditional owners were invited to a forum on this issue in Mackay in May 2014, at which time the Consultant Anthropologist provided an overview of the requirements for a native title sea claim, and traditional owners requested that NQLC progress the strongest possible sea claim in due course. The Research is ongoing and we anticipate advice from

the consultant on where the strongest evidence may lie so that the NQLC can identify and progress the best supported claim.

Ewamian Cluster- Ewamian People #2 & #3

Ewamian people already have in place a number of ILUAs that were developed over a number of years. Intensive negotiations took place regarding public works resulting in agreement on these issues.

An alternative to having Pastoral ILUAs was developed in terms of a clause to go into the determination.

The Ewamian claims were the subject of consent determinations on 26 November 2013

Gudjala People and Gudjala People #2

Gudjala People (QUD80/2005) and Gudjala People #2 (QUD147/2006) claims were filed by the Central Queensland Land Council Aboriginal Corporation (CQLCAC) in 2005 and 2006 respectfully. They include the town of Charters Towers and comprise approximately 19,1681 km² mainly to the north-west of that town.

A number of ILUA's were developed and authorized by the Group.

Save and except for some areas affected by Military Hirings orders the Claims were determined by consent on 18th March 2014.



Eslyn Wargent and Elma Lingard at the Ewamian Native Title Determination.

The areas affected by the Military Hirings orders [see entry on Bar Barrum above] have been held over awaiting the final outcome of the High Court as to whether such orders extinguish native title

Gulngay (Proposed Claim)

Located in the Kennedy District, Gulngay is traditionally closely aligned with its neighbours, in particular with Jirrbal, Girramay and Warrgamay. These land-owning groups have a long association and today are still linked through the networks of kinship that twists and twines between families and groups in the region.

This has been a busy year for the Gulngay people, as they have been involved in the collection of ethnographic evidence by a consultant anthropologist who has written and submitted her Gulngay People's connection report. Early in the new year, the Gulngay People and other interested parties were invited to attend an Information Session where the consultant presented her findings and opinions back to the group, and moved to immediately authorize the Gulngay claim. The Gulngay claim has passed the Registration Test and is currently in notification. The NQLC expect that that the claim will move forward to a consent determination in due course.

Implementation of ILUAs

ILUAs often provide for ongoing activities that occur post determination, these matters can range from land exchange agreements to heritage clearance matters, other areas of ongoing co-operation between Indigenous groups developing mining proponents

and State Government. Where the ILUA concerns companies that can pay for the matters outlined in the ILUA, like development proponents and mining companies, the ILUA will normally provide for payments by that proponent or mining company. However, where the ILUA involves other benefits to the traditional owners, such as land exchange where in exchange of releasing land from native title claims the native title holders gain other land (freehold) these arrangements are inevitably with the State, which does not pay anything towards the cost of implementation (other than possible stamp duty and transfer fee reductions). The NQLC therefore needs to provide a supporting role to these groups to carry out the implementation of the ILUA to achieve the on the ground results.

The Future Act Mining and Exploration (FAME) Unit has undertaken extensive work to develop a database of ILUA's and other Agreements related to mining, exploration and infrastructure and designed a spreadsheet to assist native title parties identify key terms and monitor implementation and compliance. This work has taken some time to build and it is expected that the FAME Unit will progressively meet with groups in the 2014-15 period to work with them in their implementation.

The FAME Unit is also undertaking 'project' based activities to address broader issues related to implementation. The activities identified in the 2012-13 period include: Community Planning; Financial Advisory Workshops and design of two Capacity Building Workshops addressing the themes of 'Identifying and Managing Community Development Opportunities and Assets' and 'Engagement with (mining and infrastructure) Industries'.



Lillian Clump at the Combine Dulabed Malanbarra Yidinji Handover Meeting.

Activities against each of these projects were achieved in the 2013-14 period. The Community Planning Project is designed to assist native title parties improve their strategic management of assets to meet community aspirations and needs. The Project was undertaken with three groups affected by mining and infrastructure and each of these community plans are expected to be finalised in the 2014-15 period. The Financial Advisory Workshops were 2 day information workshops that covered such topics as regulatory responsibilities of a corporation; a 'health check' on current reporting and governance frameworks and designing a roadmap for the corporations to identify options and alternatives to ensure compliance with financial and reporting requirements. Three groups affected by mining and infrastructure participated in this Project.

Representatives of twelve native title groups affected by mining and infrastructure attended one or both of the Capacity Development Workshops that were conducted in the 2013-14 period. The first, held in Cairns in October 2013 was 'Identifying and Managing Community Development Opportunities and Assets' and included a number of guest speakers who addressed strategies for ILUA/agreement implementation; asset ownership and management models. The participants also canvassed effective negotiation strategies and tools. Outcomes of this Workshop were addressed further in the 'NQLC Forum: Engagement Between Native Title Parties, Industry and the State' held in Townsville in June 2014. A significant outcome of that workshop was the nomination of 6 people to represent the wider group to draft a 'Negotiation Document' which will set out standards and principles for the conduct of negotiations (not the actual terms to be negotiated).

Work on the Negotiation Document will be progress in the 2014-15 with the expectation that it will be presented to the wider group at a further Workshop to be held in the latter part of the 2014-15 period.

Juru People and Juru People #2

The Juru People (QUD554/10) claim was filed on 15 December 2010 and was registered on 27 May 2011. The claim covers the Abbot Point Port Area and a State Development Area. The State of Queensland and other respondent parties have accepted connection for the purposes of entering into substantive negotiations towards a consent determination.

The Juru People #2 (QUD7/12) claim was filed 5 January 2012 and registered 11 April 2012. The claim covers the rest of Juru core country. The State of Queensland and other respondent parties, except Indigenous respondents, have accepted connection for the purposes of entering into substantive negotiations towards a consent determination.

Timetable to progress both these matters towards consent determination was finalised in June 2013. The two claims were consolidated into one. The claim was affected by certain internal disputes with one of the applicants being removed under section 66B of the Native Title act shortly before determination as that person sought to block the agreed determination.

At times there were disputes over the make- up of the group with additional anthropological evidence having to be obtained. That evidence saw a number of persons found not to be within the claim group.



Mamu dancers opening the official proceedings of their Native Title Determination.

A number of ILUA's were developed and authorized with objections to registration being successfully defeated. The majority of the claim was determined by consent in Bowen on Friday, 11 July 2014.

A number of "Township" blocks and areas where section 47 A of the Native Title Act should apply were excluded from the determination and continue as part B of the claim.

The State has developed an [illogical] policy regarding blocks of land near what it describes as Townships and loosely based on areas of population density and is arguing that for those areas greater evidence is required than is otherwise the case. The approach of the State appears to ignore settle case law on what is required. These part B areas have been set for Trial in January 2015.

Mamu People

The Mamu People (QUD6014/01) registered native title application was lodged on 6 April 2001 and is located in the Innisfail region.

The State of Queensland has accepted the anthropological material provided by the Applicant and executed a section 87 agreement. However a last minute revision to remove an apical ancestor saw the State seek to review its consent and to withdraw from the section 87 agreement.

This led to a two day hearing in the Federal Court with the Court ruling that once signed The State could not renege from its consent.

A number of ILUAs to compliment the determination have been registered.

The matter was subject of consent determination on 1 November 2013

National Native Title Council Support

The NQLC was a member of the National Native Title Council in 2013-14.

Nawaygi (Proposed Claim)

The Nywaigi Peoples neighbours are the Warrgamay to the north, the Gudjala and Gugu Badhun Peoples to the east, to the south is the country of the Wulgurkaba People, while to the east is the coast, the islands and the waters around them. The consultant anthropologist has prepared a Nywaigi connection report, and has presented his findings and opinions back to the Nywaigi people and was able to discuss with the claimants why and how he has come to his conclusions. We anticipate the lodgment of this claim in the next financial period and look forward to the claim progressing at a steady pace.

Northern Yidinji Cluster

Some years ago the Gimuy Yidinji People were offered assistance for a claim consistent with anthropological evidence commissioned by NQLC and prepared by an experience anthropologist.



Justice Logan with the Gudjala People at their Native Title Determination in Charters Towers.

The Gimuy Yidinji People declined that offer and on 6 November 2012 lodged their own claim via a private lawyer without any reference to or consultation with NQLC.

This claim extends well beyond the area verified by the NQLC retained anthropologist.

Not surprisingly, it has drawn widespread respondents especially other Indigenous persons and groups who complain the claim goes beyond the proper area and intrudes into the country of others.

NQLC itself has become a respondent in its capacity as a Native Title Representative Body.

The claim has passed the Registration test.

The Gimuy have made application for the NQLC to fund their claim and retrospectively pay their expenses. That request was denied and an internal review did not result in any different outcome.

The Gimuy then proceeded to seek external review of that decision and that external review is underway.

In the course of that external review the NQLC commissioned another experienced anthropologist to review certain material put forward by an anthropologist retained by the Gimuy and that reviewer has supported the original assessment by NQLC's retained anthropologist and rejected the material put forward by Gimuy.

The Court has directed parties to file full statements as to their interests and it is likely to set this matter down for trial.

Notifications, Future Acts and Mining Agreements Implementation and Dispute Resolution

Processing future act notifications is the core work of the FAME Unit and comprises a significant proportion of the work unit. This includes notifying native title parties of proposed future acts affecting their lands and waters and assisting the native title parties respond to those notices.

Where the notifications relate to future acts involving exploration under the expedited procedure regime, the FAME Unit works closely with the native title parties to ensure that they are aware of and monitor compliance with the Native Title Protection Conditions (NTPC's). The NTPC's provide primarily for the protection of cultural heritage and an annual administration fee payable to the native title parties.

Other exploration and mining notifications may trigger the 'right to negotiate' provisions of the NTA and the FAME Unit actively represents ten native title party groups. There are a number of tenements currently subject to the right to negotiate, and at various stages in the process. These tenements primarily affect native title parties in the northern area of our boundary and are mainly small size operations.



Lorraine Muckan, Kaylene Malthouse and Lillian Clubb at the Combined Dulabed Malanbarra Yidinji handover meeting.

- *Attending to statutory obligation to handle Future Acts Notification where there is no registered claim*

Of the total mining and exploration Notices received (265) in the period, fifty affected lands that were not subject to a native title determination application. In circumstances where a section 29 notice is issued affecting lands not subject to a current claim, the NQLC writes to proponents advising them of their obligations under the Aboriginal Cultural Heritage Act 2003 (Qld) (ACHA), which requires persons to take all reasonable and practicable measures to ensure that the activity does not harm Aboriginal cultural heritage. Further, we encourage the proponent to contact the NQLC for assistance in identifying the relevant 'Aboriginal Party', being the person recognised in accordance with tradition or law as having responsibility for the area or object, as required by the ACHA.

- *Galilee Basin Gas Exploration Project*

Arrow Energy proposes to conduct a program of exploration for coal seam gas in the Galilee Basin. The proposed area of the tenement impacts upon the native title application areas of the Gudjala People #1 (QUD80/2005) and Gudjala People #2 (QUD147/2006), as well as those of the Ewamian, Ngawun Mbara and Yirendali Peoples. The NQLC assisted the Gudjala People in their negotiations with Arrow Energy which were conducted under the right to negotiate provisions of the NTA throughout 2012 and 2013 culminating in

a series of 'Information Meetings' with the Gudjala People in May 2013 held in Charters Towers (14th), Palm Island (15th) and Townsville (16th). A subsequent Community Meeting was held in Charters Towers on 29 May whereat the Gudjala People accepted the terms of the section 31 Deed and Ancillary Agreement. The Gudjala People and Arrow Energy executed the Deed and Ancillary Agreement in August and the State subsequently executed the Deed on 3 September 2013. Implementation of the terms of the Ancillary Agreement commenced in the 2013-14 period and will be monitored as required in following periods.

- *National Native Title Tribunal Arbitration of Future Act Determination Application*

This is an ongoing activity. Of the 265 section 29 Notices received in the 2012-13 period, 250 were subject to the expedited procedure regime and 15 were subject to the right to negotiate provisions. No proponent has triggered the section 35 provision in this period.

- *Small Scale Mining Agreements*

Djungan People - Small Scale Mining ILUA

The Djungan People Small Scale Mining (SSM) ILUA expired in 2009. In July 2010, the Djungan People (jointly with the Ewamian and Western Yalanji Peoples) commenced negotiations between the native title parties, the North Queensland Miners Association (NQMA) and the State with the view of developing a new SSM ILUA. In March 2011 the NQMA requested



Western Yalanji Native Title Determination in Cairns on 24 September 2013.

the NNTT assist in the negotiations. Substantive negotiations concluded in September 2011, however drafting of the ILUA was not settled until late 2012. In that intervening period that Djungan Peoples' native title claims were determined and authorisation of the ILUA was postponed whilst the Prescribed Bodies Corporations (PBC) settled into its role. It was anticipated that authorisation would proceed in the 2013-14 period however it was not achieved in this period and will be scheduled for the 2014-15 period.

Ewamian People - Small Scale Mining ILUA

The Ewamian People SSM ILUA expired in 2008. In July 2010 the Ewamian People (jointly with the Western Yalanji and Djungan Peoples) commenced negotiations between the native title parties, the NQMA and the State with the view of developing a new SSM ILUA. In March 2011 the NQMA requested the NNTT assist in the negotiations. Substantive negotiations concluded in September 2011 and drafting was settled in late 2013.

Following the authorisation of the ILUA by the Ewamian People in May 2013, the NQMA and State executed and filed the ILUA with the NNTT for registration in December 2013. The Ewamian People SSM ILUA (QI2013/087) was registered on 24 April 2014.

Western Yalanji People- Small Scale Mining ILUA

The Western Yalanji People SSM ILUA expired in June 2011. In July 2010, the Western Yalanji People (jointly with the Ewamian and Djungan Peoples) commenced negotiations between the native title parties, the NQMA and the State with the view of developing a new SSM ILUA. In March 2011 the NQMA requested the NNTT

assist in the negotiations. Substantive negotiations concluded in September 2011 and final drafting of the ILUA was settled in late 2012.

Following the authorisation of ILUA by the Western Yalanji People in December 2012, the NQMA and State executed and filed the ILUA with the NNTT for registration in December 2013. The Western Yalanji People SSM ILUA (QI2013/080) was registered on 23 April 2014.

Tagalaka People and Tagalaka People #2

A consent determination of the Tagalaka People and Tagalaka People #2 (Part A) claims occurred on 10 December 2012.

The Tagalaka People #2 (Part B), Stanbroke [the proprietors of Stanbroke Pastoral Company who hold Stanbroke Station] did not agree to a determination and wanted to proceed to trial, claiming that native title does not exist.

Further research was undertaken by a consultant anthropologist and the Tagalaka People considered the outcome of this research.

The Part B claim was withdrawn on 3rd July 2013 Townsville (Proposed Claim)

The Bindal & Wulgurukaba People's country is from the mouth of the Burdekin River north to Rolling Stone, south-west to the Harvey Range, south east along the Harvey Range to the Haughton River, east to the Burdekin River and north east back up to the mouth of



Mamu elders gather following the Mamu Native Title Determination.

the Burdekin. Their neighbours to the south are the Juru People, to the north are the Nywaigi and to the west is the traditional country of the Birri and Gudjala People.

Formerly represented by the CQLAC, research in this area was identified and begun in 2011 but due to unforeseeable circumstances, work was paused until emergent issues were resolved. Now, with a full assessment of existing literature and documentation complete, a consultant anthropologist is being contracted to undertake fieldwork in the region with the goal of finalising connection material for both Bindal and Wulgurukaba claim groups. On completion of the report in the first half of 2015, the claimants and other interested parties will be invited to information meetings, where the consultant anthropologist will present their findings and opinions back to the group.

Warrgamay (Proposed Claim)

The Warrgamay People are located in the Kennedy District, including Ingham region, historically, a major centre of the burgeoning colonial cane industry. The Warrgamay People were traditionally predominantly involved (traded, married and celebrated with) the Southern Rainforest Aboriginal Culture to their north. Their neighbours are the Nywaigi to their south, Gugu Badhun to the west, Girramay to the north and north east, with the coast, islands and sea country off to the east.

Research has been completed by the consultant anthropologist with her findings and opinions were presented to the claim group and interested parties on 15 September 2013, at Ingham. The next step for the

claim group was to meet as a whole, with the lawyers and plan out a strategy to progress the claim, based on the evidence at hand. Strategy was devised, and is being followed, which would promote the steady progress towards determination over core country areas.

Girramay People #2 (proposed claim)

Girramay People obtained a consent order of Native Title in December 2009 over a number of discrete blocks of land and entered into a number of ILUA's dealing with land necessary for the re-alignment of the Bruce Highway.

It is proposed that, building on the research work done in that matter, research be extended to cover all of Girramay country and the same external anthropologist who did the work for the 2009 determination has been engaged to carry out the necessary work.

It is hoped that the claim will be ready to lodge by the end of the 14/15 reporting period.

Warrungu People #2

The Warrungu #2 Application was determined on 23 September 2013 at Cardwell by the Federal Court presided over by His Honour, Justice Logan. The lands and waters where native title was determined to exist are in the Herbert/Burdekin region over a total area of approximately 2,644 square kilometres. The native title rights and interests determined were non exclusive apart from Lot 2 on Plan USL3944 where the native title rights and interests were determined to be exclusive. A celebration of the memorable occasion was held



Members of the Warrungu people celebrate following their Native Title Determination in 2013.

after the determination at Cardwell attended by most members of the claim group, the North Queensland Land Council, the Federal Court, the National Native Title Tribunal, the State of Queensland and many visitors.

Subsequent to the determination of native title by the Federal Court the Goondaloo Aboriginal Corporation was registered and is now a registered native title body corporate and holds the native title as agent for the Warrungnu People. A Protected Areas Body Corporate ILUA was registered on 7 January 2014 and the land involved is part of Lot 18 on Plan NPW936 (Girringun National Park). Five Pastoral ILUAs were registered on 16 September 2014 over Oak Hill pastoral station, Lamonds Lagoon pastoral station, Kent pastoral station, Glendhu pastoral station and Yourka pastoral station. An additional 4 pastoral ILUAs are being progressed.

Western Yalanji People Cluster

The Western Yalanji People cluster is made up of two registered native title claims and a third combined registered native title application:

- Western Yalanji People #4 (QUD6008/99) filed on 18 March 1999;
- Western Yalanji People #6 (QUD6037/01) filed on 5 September 2001; and
- Western Yalanji Combined #5 and #7 (QUD6003/01) filed on 23 April 2007.

The Western Yalanji People's claims are located west of the Great Dividing Range and inland from the Daintree River in the Cape York region. Inter Indigenous disputes have delayed the matters.

The parties to Western Yalanji People #4 and Western Yalanji Combined #5 & #7 have conducted intensive negotiations with the assistance of the Federal Court. On 24 September 2013, a consent determination, for these matters was heard in Cairns.

The Muluridji People assert interests in the claim area of the Western Yalanji People #6 claim (QUD 6037/01); the land is located around Mount Carbine. A Federal Court Case Management Conference resulted in agreement between the groups to work together in good faith to pursue a native title claim over the area. Successful prosecution of this matter will require negotiations with families who have primary connections to the area. The NQLC invoked the mediation function of the NNTT under section 203BK of the NTA. As a result, between August and November 2013, Dr Valerie Coombs successfully mediated a series of meetings with the groups. Despite strong opposition from members of both groups, the Muluridji and Western Yalanji, at separate authorisation meetings, have authorised a joint application. In August 2014, the two groups will meet together in order to jointly authorise the Applicant for a joint application.

Wiri People Core Country Claim

Widi People of the Nebo Estate Country (QUD372/06) claim was lodged in the Federal Court of Australia on 29 September 2006 and is currently not in mediation. The claim area is over land and waters, and centers around the township of Nebo, south-west of Mackay. The boundaries are from as far west as Lenton Downs Station, north to Sandy Creek and east to Mount Nice.

Connection material has been prepared and provided to the State for ongoing negotiations. The State has reviewed this material and at their request the Applicant provides further material in the form of witness statements from a cross-section of the claim group. Disputes over the inclusion and exclusion of some people in the claim group description has been heard by the courts and addressed, so we now anticipate that connection will be accepted and the claim will proceed to a consent determination.

Yuwibara People

A saltwater people, the Yuwibara traditionally consisted of four estate, or 'barra' groups with connection to the land and sea in the area. Today, expressed as 'family groups' or 'descent groups', Yuwibara People assert their right to speak for the country from the O'Connell River to Cape Palmerston, west to the Connors and Clarke Ranges and over the adjacent islands. Yuwibara country is bounded in the north by their neighbours, the Gia and Ngaro, over the ranges to the west are the Wiri People, with the Barada and Bana groups to the south, with the islands and sea country to the east.

The previous claim was discontinued on instructions from the Applicant.

The consultant anthropologist has completed her research into this area and presented her findings and opinions back to the claim group and other interested parties at an information meeting on the 26 June 2013 and a new Yuwibara claim was authorised the following day over land and waters in and around Mackay and Sarina. The consultant has prepared the registration report.

The claim passed the registration test in January 2014, is currently being assessed by the State, and we anticipate a consent determination in due course.

Prescribed Bodies Corporate support

A dedicated PBC Support Unit was established in the NQLC during 2013/14. A full time PBC Support Officer was appointed and an additional administration position created to assist with the administration of the PBC Support Funding Program.

The PBC Support Unit administered direct funding to thirteen PBCs during 2013/14, up from the seven assisted in 2012/13. The increase in the number of

PBC's receiving direct support funding is attributed to more effective engagement with PBCs by NQLC, with greater advice and assistance provided in the preparation of individual PBC submissions. Further work has also been completed with formal agreement and acquittal processes associated with this funding.

There were five corporations (PBCs) appointed by the Court under the provisions of sections 56/57 of the NTA to be the Registered Native Title Bodies Corporate in respect of eight determinations; one of which, the Western Yalanji Aboriginal Corporation, already existed due to previous determinations of native title (1997, 2006).

Led by the PBC Support Unit, this year has seen the introduction of further initiatives to support PBC operations and improve their organisational capacity:

- NQLC's inaugural Capacity Building Workshop for PBC's was held in Cairns from 4-6 March 2014 with broad attendance from PBC chair persons across the region and their nominated NQLC contact persons; forty one PBC participants in total. The three day Workshop featured a separate theme for each day: Day 1 focused on "Compliance", Day 2 on "Partnerships and Opportunities" (particularly funding opportunities), and Day 3 on "Governance" practices. Shane Carroll, a DPM&C consultant, conducted the governance training which was very well received by those attending. Equally successful sessions were conducted by representatives from ORIC, Commonwealth Dept of Environment, IBA, The Cairns Institute, Dept of State Development, Infrastructure & Planning, and AIATSIS, as well as numerous presentations by NQLC senior staff. The feedback from attendees was overwhelmingly positive, both in terms of the quality of the presentations and forums and the networking opportunities the Workshop provided. Accordingly this Workshop will be now an annual event.
- NQLC entered a partnership with AIATSIS to develop a "PBC Toolkit". Significant drafting work has been completed on the Toolkit, including sample financial policies and procedures, funding guides, governance information, compliance material and the like. The kit will be developed as 12 modules designed to become individual training and resource packages for use by PBCs. This Toolkit will be a useful reference guide to PBCs in most if not all areas of their operation.
- The Djungan, Western Yalanji and Gudjala People's PBCs benefited from a financial planning workshop conducted by the FAME unit to improve their organisational capacity to invoice, receive and expend funds associated with future act agreements.

These groups have a reasonably high level of future act activity as well as being in the position of managing benefits from existing native title agreements. The FAME unit also conducted a series of workshops with coastal PBCs on how to manage their future act workload which, in many cases, include notices where a "right to comment" exists. These workshops have increased those coastal PBC's capacity to manage and respond within appropriate timeframes to future act notices.

- In 2012/13 the FAME unit initiated a project to assist groups/PBCs with significant FAME activity to develop "community plans", to outline where existing and future financial benefits arising from native title agreements may be applied according to group priorities. Djungan and Western Yalanji PBC's benefited from this project during 2013/14, taking the total number of PBCs assisted to date via the project to four. The project will be ongoing during 2014/15.

In summary, the NQLC has greatly strengthened engagement mechanisms with PBCs during 2013/14 and expanded the range and the type of services provided to them, consistent with current DPM&C funding agreement priorities and requirements.

4.3 Narrative Discussion and Analysis of Performance

4.3.1 Trend Information

Township Blocks

A disturbing trend that emerged during the reporting period is the State's attitude to what it describes as "township blocks". Whilst the State has not provided a formal definition of what constitutes a township block, its application of the term appears to refer to USL blocks within townships or on the outskirts of urban areas. Often these blocks have no history which would prevent them being claimed under native title, however the State is now saying that it needs more evidence than is supplied in relation to the rest of a claim before it would concede that native title exists. In effect (although the State denies this), it is clear that it has adopted a policy of requiring greater evidence in respect of township blocks than would otherwise be necessary in remaining areas.

The NQLC is of the belief that the State is ignoring case law about the degree to which occupation of such blocks must be shown and is appearing to adopt a standard which would require substantial occupation on a block by block basis - when this is contrary to the decided case law. The NQLC has met with State Government Ministers and Departmental personnel, but the State remains insistent on implementing its view of the law. This position on township blocks is not confined to the

NQLC area and is being applied to claims in other NTRB regions within the State.

For one group represented by NQLC they have two successful determinations of Native Title and yet the State continues to refuse to accept there is sufficient evidence to consent to a determination of Native Title on blocks of land it classifies as "Township blocks". Given the previous determinations issues of group description and the question of the general area [including the area where the Township blocks exist] being the traditional are of the group can be eliminated. The Court has set the matter down for trial in January 2015. Our concern is that this represents a huge waste of public money by a government with an illogical and [in our opinion unsustainable] attitude.

Qld Government Legislation

Another disturbing trend is that the Qld government is introducing legislation in a number of areas which in our opinion seeks to minimise the existence of or effectiveness of Native Title Rights and interests.

Mining

On the mining front the state government is moving to create one simplified mining tenure and proposes to do away with the patter hitherto used in Qld and other states of having prospecting permits exploration licence and Mining licence categories.

Under the current system the proposed issue of each form of licence is a future act which gives rise to a right to negotiate.

Where there is one tenure which covers all aspects the future act will be the issue of that one tenure and lead to one right to negotiate.

Native Title parties [and indeed proponents] will be forced to negotiate at a time when it is not known if there is a viable project and no estimates of the value of the project can possibly be made.

Naturally the proponents will not be prepared to agree to much due to this uncertainty. When no agreement is made and the matter referred for arbitration there will still be a lack of detail as to whether the project is worth anything and will make the determination of suitable recompense virtually impossible.

Rolling Pastoral Leases

The State proposes to legislate for a process whereby pastoral leases are automatically renewed as they approach expiry. The State argues that such a renewal creates no further effect on native title and does not need a Future Act Notice. However in practice [if not as a matter of strict law] the leases effectively become Perpetual Leases and there may be some concerns as to the impact on Native Title where rights will remain suppressed indefinitely by this process. NQLC is seeking advice with a view to protecting constituents Native Title.

Conversion of a Term Lease to Freehold

The State is legislating to make provision for an easy way for persons holding a term lease to convert to Freehold and is proposing a standard form ILUA which will be an approved form under the Lands Act. Variation



Sharon Prior holds up the celebration plaque at the Ewamian Native Title Determination.

from the standard is not allowed and the only form of compensation for Native Title Holders is monetary.

The Government has developed this template without any input from Native Title Bodies and indeed it was released to the mining committee of the Law Society before it was released to Native Title Representative Bodies.

The Government asserts this will lower transaction costs for land holders but fails to mention that as a pre-determination ILUA authorisation will be needed [a costly process] or if post determination and by a RNTBC the process of seeking common law holders consent could be equally expensive.

The main difficulty of the proposal is that the free-holding will extinguish Native Title and thus do away with any future rights to negotiate.

It is likely to see an increase in non claimant applications.

Community and Personal History

The State has also flagged delays of up to 12 months in providing Community and Personal Histories. The lack of resources within the State's Community and Personal Histories Section is currently negatively impacting on the time it takes to construct new native title claims as well as potentially delaying our response to the Federal Court in matters where there are indigenous parties claiming connection to a particular claim group.

Attitude of the State

As the NTRB that has achieved the greatest number of consent determinations of any NTRB/SP in Australia, we find the current litigious and uncooperative attitude of the Qld Government counterproductive and not at all conducive to the timely resolution of claims, as required by the Court.

Funding

The Department of Prime Minister and Cabinet has advised that it will in future require NTRB's to fund litigated matters within their ordinary operational budgets. This is of great concern, as funding trials in this manner means a significant diversion of resources from other operational plan items and impacts negatively on our forward claim strategies and priorities. A specific contested litigation allocation needs to be maintained within the Dept's Native Title Programme budget (as done in previous years) especially where additional funding is required by a NTRB for a case that has State or nationwide implications.

We are now seeing the impact of this – for example NQLC is having to fund the Military orders case from existing budgets which severely impacts on the resources that can be utilized to progress other claims



Young members of the Western Yalanji all smiles following their successful Native Title Determination.

4.3.2 Factors, Events or Trends Influencing Performance

Military Hiring's Court Action

The NQLC has had to devote a lot of resources to the Bar Barrum Military Hiring's matter.

Whilst successful in a two to one majority judgement in the Full Federal Court the State applied for special leave to appeal to the High Court and the time and resources continued to be spent preparing to defend that application.

Regretfully the High Court allowed the special application and the matter will now go to a hearing in the High Court.

NTA external review process

Another factor influencing NQLC's performance is the processes of external review by DPM&C, contained in section 203FE of the NTA, which raises the following issues;

- The cost of compliance with internal and external review processes is high both for the NQLC and DPM&C. As external legal advice is often sought as part of these processes, it makes the processes quite slow and expensive.
- As the NTA does not provide any discretion for PM&C not to externally review a decision of a NTRB/SP not to assist, our belief is that many of the matters dealt with under 203FE are not meritorious. There should be the capacity in the NTA for the assessment of the merit of a request for external review before a decision is made to formally review a decision.
- Current case law provides that the review is a review de novo which means that material that was not before the decision maker, but supplied subsequent to the application for external review, can be taken into account. We believe that if the review proceeds, it should be a review based solely on the materials that were before the decision maker. The application of the de novo principle often means that the process is often circuitous delaying the timely resolution of these reviews, often at significant cost to the NTRB.

Table 6: Budgets/Actual by main heads of Expenditure and Revenue

NTRB Functions (Funds utilised under Native Title Funding Agreement)	(1) Actual 2012-13 \$'000	(2) Budget 2013-14 (Budget) \$'000	(3) Actual 2013-14 \$'000	(4) Variation (column 3 minus column 2)
Expenditure				
Capital	158,798	100,00	88,295	-11,705
Activities	5,546,335	6,383,564	6,109,720	-273,844
Corporate	3,373,470	2,596,852	2,495,930	-100,922
Total	9,078,604	9,080,416	8,693,945	-386,471
Income				
FaHCSIA Funding	8,601,000	9,027,000	9,027,000	0
Activity Generated Income	0	0	0	0
- Administration Fees	129,982	780	780	0
- Bank Interest	50,373	39,000	39,917	917
- Meeting Contributions	14,458	0	24,454	24,454
- Project Proponent Income	664,973	13,636	33,936	20,300
- Sales of Assets	38,364	0	23,539	23,539
Other Income	481,507	0	0	0
Total	9,980,657	9,080,416	9,149,626	69,210

Table 7: Comparison of Grant Funding between Financial Years 2011-12 to 2012-13

	2013-14 \$000	2012-13 \$000
Capital	100,000	150,000
Operations	8,927,000	8,451,000
Total	9,027,000	8,601,000

- Given that NTRB's are required to set priorities and have strategic plans in place about the order in which they intend to prosecute claims within their region, there should be a prima facie presumption against the granting of assistance to a proposed matter, and a prima facie presumption against overturning a decision on funding where that decision would require changes to the prioritisation and strategic planning for lodgement of claims.

Whilst it might perhaps be understandable that in the early days of NTRB's there may have been some [not necessarily warranted] concern as to whether the NTRB's were going to perform their jobs correctly those days have gone and the system needs to be changed.

Firstly, the ease with which an application for review can be made- a simple request with no cost or need to plead a case properly - lends itself to abuse; and secondly the ability to keep filing extra material needs to be removed – which unfortunately may require statutory reform – in which case we would suggest that the provisions for external review be removed from the NTA altogether. The ADJR Act could still apply but the rigours associated with that would deter those who simply seek to abuse the system.

The process is quite costly to the affected NTRB and every dollar expended in this process is a dollar not available to conduct the core business of securing Native Title for Traditional Owners

Areas of concern- Deloitte Review / Respondent Party and other matters

Another factor influencing NQLC's performance is the number of areas of the Native Title Act that require reform to allow a more streamlined approach to the resolution of native title claims. We note that there are a number of proposals currently being looked at by the Cwth in this regard, including the discussions raised in the Deloitte Access Economics Review of NTRBs/NTSPs, particularly around the proposed regulation of external agents in the native title system and recommendations made about greater support for RNTBCs.

One major aspect of the NTA that NQLC considers should be changed is the provisions concerning respondent parties. An enormous amount of public money is consumed in dealing with individual respondent parties. Not only is a lot of the funding provided to NTRBs/NTSPs consumed, but also monies through the Attorney General's respondent funding scheme.

In each of the ten determinations in the NQLC region during the reporting period, the Court when handing down the consent determination has been at pains to make it clear that they are not "granting" anything to the native title holders but simply recognising what is and has always been. Currently, respondent parties are admitted as parties to claims on the basis that they have an interest that will be affected by the determination of native title. That is a fallacy. If the native title has always existed then any interest held by a respondent is in fact already affected as the native title does not come into effect upon the determination, but already exists.

Unfortunately the current wording of the NTA talks in terms of a person's interest being affected, and there is a long line of case law giving an extremely wide interpretation to the nature of the interest which would qualify. NQLC would like to see DPM&C support amendments to the NTA which would remove these party status provisions - the effect of which would be to save a considerable amount of public monies.

The NQLC has highlighted the respondent party issue in a submission on native title amendments to the Australian Law Reform Commission and directly to the Commissioner following his consultations with the NQLC about our submission.

Although the Deloitte Review has been completed, the commonwealth has not made any decisions on it and the challenges and issues remain.

4.3.3 Significant changes in nature of Principal Functions/Services

The reporting period saw a transfer of responsibility for the commonwealth Native Title Programme from the Department of Families, Housing Community Services and Indigenous Affairs (FaHCSIA) to the Department of the Prime Minister and Cabinet. A new Federal Minister for Indigenous Affairs was appointed, in Senator the Hon Nigel Scullion. DPMC began implementing a raft of changes to the way the Native Title Programme is administered however the intent and effect of most of these will not become apparent until the 2014-15 funding year. Significant changes to the Programme are expected and at the very least it is anticipated that NTRB reporting and compliance obligations will dramatically reduce in line with the government stated aim of reducing the bureaucratic load on Indigenous organisations

4.3.4 Performance against Service Charter/ Standards, Complaints Data and the NQLC's response to Complaints

There was one formal complaint during the reporting period which was responded to by correspondence following which no further action was necessary.

4.4 Summary of Resources by Outputs, Budget/Actual by Main Heads of Expenditure and Revenue - Table 6

4.4.1 Discussion and Analysis of the NQLC's Financial Performance against Budget

The NQLC managed two separate Operational Plans during the 2013-2014 financial year due to the DPM&C (FaHCSIA) approving the use of 2012-2013 surplus funds.

Some of the planned 2013-2014 activities were delayed due to unforeseen mitigating circumstances which contributed to the year-end surplus.

The NQLC has received approval from the Department, in one contested litigation matter, to utilise some of the surplus funds and is currently awaiting approval to utilise the balance of the surplus in a second contested litigation matter.

Unbudgeted AGI from meeting contributions and sale of assets contributed to the 2013-2014 surplus.

4.4.2 Discussion of any significant changes from the prior Year or from Budget

The NQLC was principally funded by the DPM&C during 2013-2014. A comparison of funding received with the previous financial year is summarised below:-

Revenue from FaHCSIA increased by approximately 1.05%, and overall decreased by approximately 4% due to a higher AGI in 2012-2013.

The NQLC has achieved an 'unqualified audit opinion' from our auditors, Grant Thornton Audit Pty Ltd.

4.5 Developments since the end of the Financial Year that have affected or may significantly affect the NQLC's Operations in Future

NQLC's grant funding from DPM&C is guaranteed until 30 June 2015. Our NTRB recognition is for the same period. The future of both will depend on how the Commonwealth adopts the findings outlined in the Report into the Review of Native Title Organisations, recently completed by Deloitte Access Economics, and currently under consideration by the Federal Minister for Indigenous Affairs. The Commonwealth also announced its intention to streamline Indigenous funding arrangements from 2015, under a new Indigenous Advancement Strategy, to be released in the second half of 2014. It is understood that the strategy will see a reduction in bureaucratic red tape and a simplification of reporting processes, but there may well be other impacts on NQLC which are not as yet clear.

5. Corporate Governance



5.1 Statement of the Main Corporate Governance Practices in Place

Our main corporate governance practice starts with the clear statement in the North Queensland Land Council Native Title Representative Body Aboriginal Corporation (NQLC) Rule Book which provides for the roles of the Board of Directors (Board) and the Chief Executive Officer (CEO, or known also as the Executive Officer) in accordance with the 'separation of powers principle'. The formal adoption of this principle by the NQLC in 2001 set the platform for the continued good governance of the organisation over the ensuing years. Strong adherence to this principle has brought tangible benefits in the efficiency and capacity of the organisation to deliver native title services. Clause 15 (1) (i) of the Rule Book provides as follows:

The Board is responsible for:

- the setting of policy and of determining the priorities of the business or functions of the Corporation.
- the setting of and approvals of budget plans.
- strategic planning.
- statutory functions.
- any functions required to be carried out by the Corporation in accordance with conditions attached to any grant of monies.
- appointment of auditors.
- appointment of an Executive Officer.
- setting, running and keeping records of all Annual General Meetings, all General Meetings and all Ward Meetings of the Corporation.
- appointment of a Contact Person.
- representing the Corporation at political forums, seminars and meetings relevant to the functions or objects of the Corporation.
- general planning for the carrying out of the objects and goals of the Corporation.

Clause 15 (1) (ii) of the NQLC Rules also provides that the function of the CEO is as follows:

The Executive Officer is appointed by the Board to manage the affairs of the Corporation and is responsible for implementing the policies and general planning set by the Board and conducting the day to day business of the Corporation.

The NQLC also has a Policy and Procedures Manual containing Board approved policies and procedures and the role of the CEO is further defined in section 4.1 of the Manual as follows:

The CEO is responsible for:

- The day to day management and administration of the NQLC (in accordance with the policy guidance of the policy and guidelines of this

Manual);

- Implementing decisions of the Board;
- Managing the day to day financial resources of the organisation within DPM&C guidelines and in accordance with the approved budget and variations;
- Managing the staff of the organisation including appointments, disciplinary and grievance procedures and performance review;
- Providing advice and assistance to the Board to facilitate effective decision making processes for the functions of NTRB [Native Title Representative Body];
- Identifying funding sources and in kind support from the Government and non Government agencies;
- Ensuring that Aboriginal Groups within the gazetted area of the NQLC are aware of the functions and policy framework of the organisation;
- Ensuring that the operations within the organisation are integrated with and complimentary to the operation of other Indigenous organisations within the region;
- Promoting the role of the Land Council at a local, regional, state and national level;
- Developing advocacy positions and submissions on behalf of the NQLC.

In addition, NQLC policy dictates that the mode of communication between members of staff and the Board shall at all times be through the CEO.

5.2 Name of the Senior Executive and their Responsibilities

NQLC's Chief Executive Officer is Mr Ian Kuch.

The responsibilities of the CEO are as described in section 5.1.

5.3 Senior Management Committees and their Roles - Separation of Powers

NQLC's Separation of Powers principles are described in section 5.1.

The NQLC is controlled by a Board of Directors in accordance with the requirement of the Corporations (Aboriginal and Torres Strait Islander) Act 2006 (CATSI Act).

Members of the Board are elected on a Ward system which is designed to ensure that there is representation across the geographic area covered by the NQLC. Members elected have a term for approximately two years (holding office from the end of one Annual General Meeting (AGM) until the AGM following in

Table 8 : Number of Representatives on Board of Directors per Ward to be elected 2014

Name of Ward	Number of Representatives
Cairns Ward	2
Innisfail Ward	1
Tableland Ward	2
Mount Garnet Ward	1
Yarrabah Ward	2
Hughenden/Charters Towers	1
Proserpine/Mackay Ward	1
Townsville/Ayr Ward	1
Tully/Palm Island Ward	1

approximately two years). Ward elections last took place on 27 September 2013, with the next elections due in the latter half of 2015. The number of representatives elected to the Board from each Ward is shown in Table 8.

Members of the Board are elected on a Ward system which is designed to ensure that there is representation across the geographic area covered by the NQLC. Members elected have a term for approximately two years (holding office from the end of one Annual General Meeting (AGM) until the AGM following in approximately two years). Ward elections last took place on 24 October 2011, with the next elections is to occur in October 2013. The number of representatives elected to the Board from each Ward is seen in Table 8.

Policies of the NQLC require that the mode of communication between members of staff of the Association and the Board shall at all times be through the CEO.

The Rules provided that the Board from time to time, in their discretion, can create sub-committees to deal with such matters as the Board may direct. One formal sub-committee was created in the financial year.

In addition, the Rules provide as follows:

13 EXECUTIVE COMMITTEE & OTHER SUB COMMITTEES

- (1) There shall be a sub-committee known as the Executive Committee;
- (2) The Executive Committee shall be composed of those persons who from time to time hold the position of:-

Chairperson
Deputy Chairperson

Treasurer
Correspondence Secretary

and such other person or persons (if any) as the Board may from time to time determine.

- (3) The Executive Committee has the power to exercise the powers of the Board in the following circumstances:
 - (a) Where an urgent decision is required on a matter and there is either:-
 - (i) insufficient time to call a Board meeting for the purpose; or
 - (ii) the calling of a Board meeting would involve the incurring of expenses to the Corporation that in the reasonable opinion of the Chairperson is unwarranted in all the circumstances.
 - (b) In particular but without limiting the generality of sub rule (a) above, the Executive Committee has the power to bind the Corporation to funding or other agreements which are, in the reasonable opinion of the Chairperson, necessary for the on-going business of the Corporation.
- (4) The Executive Committee has the power to apply the Common Seal to agreements or other documents requiring the same where the Executive Committee has used its powers for matters set out in rule 3 (a) above.
- (5) A quorum for a meeting of the Executive Committee shall be four persons.
- (6) All actions of the Executive Committee shall be reported to the next Board meeting of the Corporation and all minutes of the Executive Committee meetings shall be supplied to the next Board meeting of the Corporation.

The Board may choose to ratify any actions of the Executive Committee

- (7) (a) Meetings of the Executive Committee may be called by:-
 - (i) the Chairperson;
 - (ii) two members of the Executive Committee
- (c) The amount of notice of an Executive Committee meeting shall be a reasonable amount taking into account the urgency of the need for a meeting but in any event, no less than 24 hours.
- (d) Notice of an Executive Committee meeting may be given by fax, email, telephone, mail or any other method that allows the recipient to actually receive the notice.
- (8) The Executive Committee shall have such other powers and responsibilities as the Board may from time to time determine.
- (9) The Board may at any time appoint other Sub Committees from its members and shall determine the responsibilities and powers of the Sub-Committee.
- (10) Unless otherwise decided by the Board, a Sub-Committee, other than the Executive Committee shall:-
 - (a) Have a quorum of three (3) at its meetings, unless the sub-committee resolves that a larger number shall be the quorum:
 - (b) Appoint one of its members to be responsible for calling meetings of the sub-committee and inform the Chief Executive Officer of the name of the responsible person.
- (11) Meetings of the Executive Committee or of a sub-committee may be held at two or more venues using any technology that gives the members of the Committee the ability to participate and to have discussion with their fellow members and to come to a collective decision on a matter. (example – telephone conference).

5.3.1 Number of Board of Directors meetings, attendance by Members

In this financial year there were eight Board meetings (see Table 9) and one meeting of the Office Bearers (see Table 10). Twenty nine additional meetings were attended by the Chair and/or other Directors (see Table 11).

5.3.2 Training etc Arrangements for Board of Director Members

The Board members attendance of training is shown in Table 12.

5.4 Corporate and Operational Planning and associated Performance Reporting and Review

The Board aims to have a minimum of four meetings plus a planning meeting each year. The number of meetings may increase subject to any extraordinary events or circumstances which arise during the subject year that require the attention and determination of issues by the Board.

The Board receives reports from:

- the CEO;
- the Principal Legal Officer (including claims report);
- Anthropology Unit;
- Operations Manager (including Project Officer's Activities);
- Chief Financial Officer (Financial Statements); and
- Future Acts Exploration and Mining Unit.

The NQLC has a Strategic Plan. In accordance with DPM&C requirements, the NQLC prepares on a yearly basis an Operational Plan for approval by DPM&C and attends to changes of that Operational Plan during the financial year as required. In accordance with DPM&C requirements, the NQLC reports on its operational and financial performance bi-annually.

Table 9: Number of Board Meetings

Number of Meetings/ Days	Type of Meeting	Dates	Number of Members who attended meetings	Location
1	in person	5 July 2013	9	Cairns
2a	Teleconference	25 July 2013	10	Cairns
2b	Face to Face	30 July 2013	8	Cairns
3	Face to Face	13 September 2013	9	Townsville
4	Face to Face	18 October 2013	8	Cairns
5	Face to Face	15 November 2013	9	Cairns
6	Face to Face	17 January 2014	11	Cairns
7a	Face to Face	28 April 2014	9	Cairns
7b	Face to Face	29 April 2014	6	Cairns
8	Face to Face	30 May 2014	9	Cairns

Table 10: Number of Office Bearers Meetings

Number of Meetings	Type of Meeting	Dates	Number of Members who attended	Location
1	Face to Face	12 September 2013	4	Townsville

Table 11: Number of Other Meetings attended by Directors

Number of Meetings/ Days	Type of Meeting (Meetings in Cairns unless stated otherwise)	Dates	Attendees	Location
1a	Sub Committee Deloitte's Review & CEO Vacancy Review/In person	6 July 2013	7	Cairns
1b	Sub Committee Deloitte's Review/ in person	8 July 2013	3	Cairns
1c	Sub Committee CEO Vacancy Review/inperson	9 July	3	Cairns
2	Inside Out Forum	10-11 July 2013	Chair	Canberra
3	Wirri Core Meeting	16 July 2013	Chair + 1 Director	Mackay
4	CEO Applicant Interview	18 July 2013	Directors	Cairns
5	National Congress Meeting	19-21 July 2013	Chair	Cairns
6	NNTC Board Meeting	30 July 2013	Chair	Adelaide
7	Garma Festival	11 August 2013	Chair	Gove
8	Sub Committee Review/In person	14 September 2014	4	Townsville
9	Warrungnu Determination	23 September 2013	Chair	Cardwell
10	Western Yalanji Determination	24 September 2013	Chair + 3 Directors	Cairns
11	Sub Committee Deloitte's/In Person	29 September 2013	3	Cairns

Number of Meetings/ Days	Type of Meeting (Meetings in Cairns unless stated otherwise)	Dates	Attendees	Location
Other	AGM	29 September 2013	Board + Members	Cairns
12	ATSI Land Service Meeting	30 October 2013	Chair	Brisbane
13	QSNTS opening of new Office	31 October 2013	Chair	Brisbane
14	Mamu Determination	1 November	Chair	Innisfail
15	Ewamian Determination	26 November	Chair	Georgetown
16	DNRM Handover Ceremony/ Girramay Land Holding	22 January 2014	Chair	Innisfail
17	QSNTS Meeting/Hon A.Cripps MP	3-4 March 2014	Chair	Brisbane
18	Gudjula Determination	18 March 2014	Chair	Charters Towers
19	Girramay MOU Discussion	2 May 2014	Chair + Deputy Chair	Cardwell
20	Sea Country Forum	13-14 May 2014	Chair + Corro Secretary	Mackay
21	CEO/Chair Forum	22 May 2014	Chair	Canberra
22	NT Conference	2-4 June 2014	Chair + 6	Coffs
23	Chair & Deputy Chair Business	17 June 2014	Chair + Deputy Chair	Cairns
24	NNTT Land Amendment Bill Meeting	24 June 2014	Deputy Chair	Cairns
25	Sea Country Meeting	27 June 2014	Chair	Brisbane

Table 12: Board of Directors Training

Number of Training Events	Type of Training	Dates	Number of Members who attended
1	Shane Carroll - Corporate Governance	5 February 2014	8
2	NQLC Board Governance Workshop	6 February 2014	8

5.5 Approach adopted to identifying areas of significant Financial or Operational Risk and arrangements in place to Manage Risks

The NQLC, as per the DPM&C's Terms and Conditions Native Title Agreement, for agreements commencing on or after 1 July 2013, employs an in-house Certified Practising Accountant. The NQLC has external auditors who undertake its' annual audit.

In so far as operational risk management is concerned, the NQLC has a long-standing policy of managing these types of risks by engaging in a number of internal processes. These include:

- regular planning meetings;
- internal strategic claim team meetings;
- the PLO and other lawyers maintaining a professional relationship with the Registrars of the Federal Court and when appropriate discussing prioritisation needs; and
- twelve monthly overview and forward strategic planning meetings.

5.6 Policy and Practices on the establishment and maintenance of appropriate Ethical Standards

The separation of powers has been incorporated in the NQLC's Rule Book and sets out clearly the delineation of the roles of the NQLC Board and Administration (see section 5.1).

The Board has voluntarily adopted a Code of Conduct in relation to its meetings and processes.

The legal professional staff are subject to and adhere to the ethics of the legal profession in Queensland.

The NQLC's policy manual covers:

- grievance procedures;
- process for travel allowance;
- procurement activities;
- use of motor vehicles;
- asset management;
- financial reporting;
- information management;
- computer and internet usage;
- staff disciplinary matters; and
- staff code of conduct.

5.7 Nature and amount of Remuneration for Senior Management and how it is determined

Subject to adequate funding from DPM&C, The Board of Directors determine the salary of the CEO. Remuneration for senior management is based on the salary scales contained in NQLC's current Enterprise Agreement 2011-14.

Current salary rates are based on previously negotiated Enterprise Agreement conditions, together with market and industry analysis.

NQLC consults DPM&C on all senior management appointments and remuneration as per the Terms and Conditions of the Program Funding Agreement.

6. External Scrutiny



6.1 Significant Developments in External Scrutiny

There have been no developments in external scrutiny from previous years. The NQLC continues to have its finances audited in accordance with the requirements of the Terms and Conditions Native Title Agreement, For agreements commencing on or after 1 July 2013 and received an unqualified audit report for the reporting period.

6.2 Judicial decisions and decisions of Administrative Tribunals

None of the actions or decisions of the NQLC have been subject to judicial review or review by administrative tribunals.

6.3 Evaluation and/or Audit Reports - Findings and Responses

The audit of the NQLC's finances was unqualified.

6.4 Other External Reviews

A review into NQLC's refusal to assist the Gimuy Yidinji People's Native Title Determination Application was commenced by DPM&C under Section 203FB of the NTA in the reporting period, but not completed.

7. Management of Human Resources



7.1 Workforce Planning, Staff Turnover and Retention

As of 30 June 2014 the North Queensland Land Council Native Title Representative Body Aboriginal Corporation (NQLC) had forty-seven (47) staff, of which 45% were Aboriginal people.

The Organisational Chart (see Figure 2) provides a detailed list of all positions.

During this reporting period there was a turnover of five staff, one a redundancy matter. Wherever possible, these staff have been replaced. NQLC has also employed two young indigenous trainees [school leavers] who are currently working in the administration section.

7.2 Training and Development undertaken and its impact

The NQLC 2011-14 Certified Agreement, shows the NQLC is committed to Indigenous staff through the Indigenous Recruitment and Career Development

Strategy. This commitment is also seen through the fact 45% of the staff at the NQLC are Indigenous and of this number, 50% of the Indigenous staff in the organisation have moved through the organisation into positions which require greater skills and/or remuneration than their starting position.

The NQLC seeks to take advantage of any appropriate training courses that are offered for minimal costs and tries to ensure that so far as is possible, staff have appropriate training available to them. Professional staff such as lawyers and accountants are obliged by their professional bodies to undertake a certain amount of compulsory training each year.

NQLC held a staff workshop in January 2014 where NQLC legal officers were able to acquire compulsory professional development points by attending. Additional training provided to NQLC staff included Legalwise Seminars and Aurora NTRB development courses, including the Legal Master Class held in November 2013. The CEO and PLO attended Achieving Informed Consent training in April 2014 and several NQLC legal staff attended the Native Title Land course in Cairns in May 2014. A number of staff also attended the National Native Title Conference at Coffs Harbour in June 2014.

Table 13: NQLC Staffing Structure

Position	No. of Staff 2013-14 (as at 30 June 2014)	No. Staff 2012-13 (as at 30 June 2013)
Chief Executive Officer	1	1
Principal Legal Officer	1	1
Chief Financial Officer	1	1
Operations Manager	Nil	1
Lawyers	10	8
Anthropologists	4	3
Project Officers	8	8
Administration & other Officers	22	20
Total Number of Staff	47	43

Additionally, Excel, Workplace Health & Safety, First Aid and Lexus Nexus training was provided to staff.

7.3 Impact and features of Enterprise Agreements

The remuneration scale prescribed in NQLC's Enterprise Agreement 2011-14 has enabled the NQLC to attract and retain experienced staff and provides security for these staff in relation to their rates of pay. The agreement also provides a number of protections for staff in relation to conditions of employment.

7.4 Occupational Health and Safety performance

The NQLC maintains a Workplace Health and Safety Committee. The elected WH&S Representatives hold regular meetings to ensure currency of and commitment to WH&S obligations within the workplace.

The NQLC maintains appropriate workers' compensation insurance with WorkCover Queensland. There were no WorkCover claims made in this financial year.

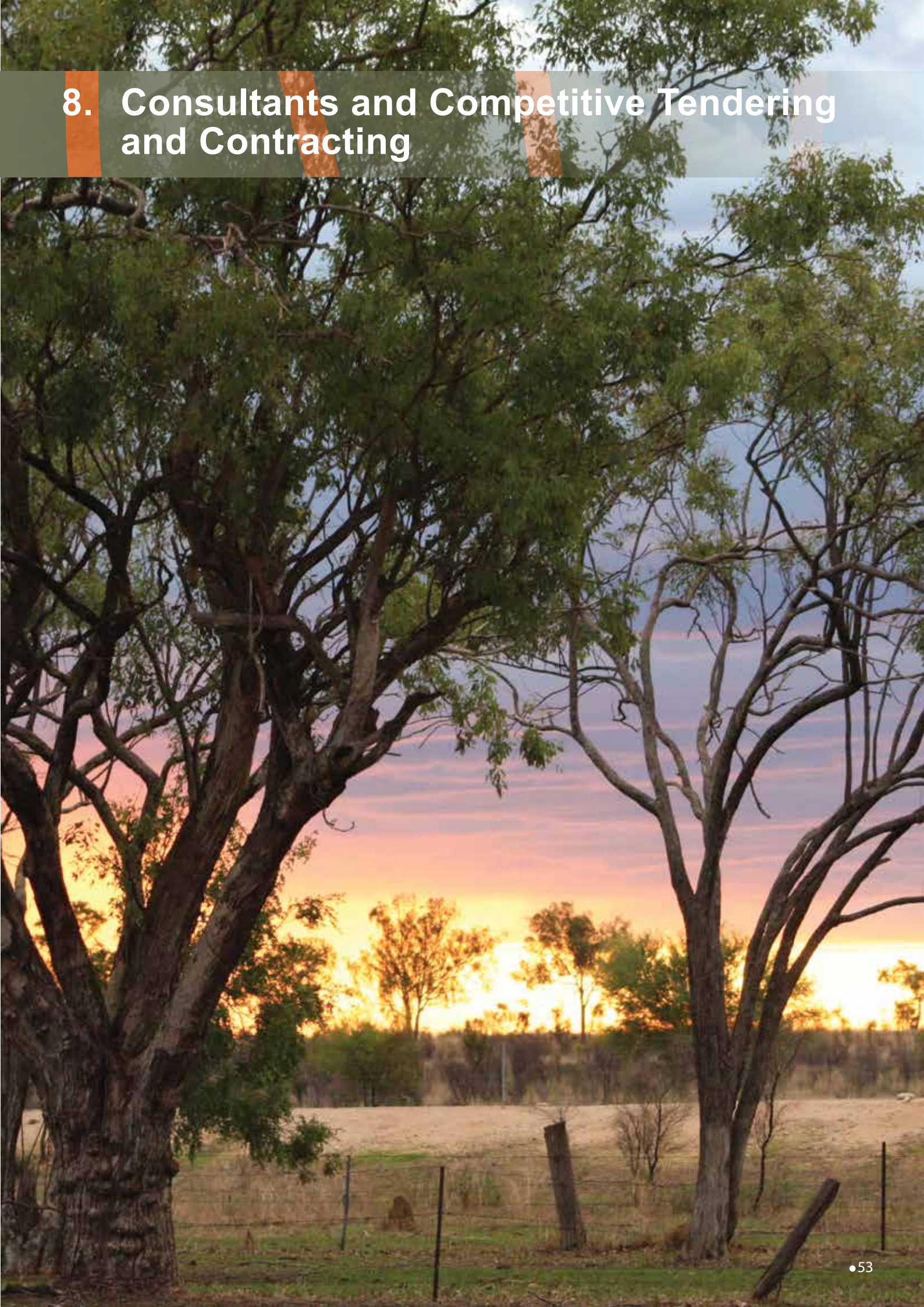
7.5 Statistics on Staffing

The organisational chart shows the NQLC's current staff structure at the 30 June 2014 (see Figure 2). See also section 7.1, Workforce Planning, Staff Turnover and Retention.

7.6 Indemnities and Insurance Premiums for Officers

The NQLC holds Professional Indemnity Insurance cover up to ten million dollars, at a premium of \$37,742 per annum. This insurance covers Directors and Officers. During this period there have been no claims made under this policy.

8. Consultants and Competitive Tendering and Contracting



8.1 Competitive Tendering and Contracting Practices

In addition to the services provided by North Queensland Land Council Native Title Representative Body Aboriginal Corporation's (NQLC) professional staff, external consultants are engaged to provide further expert services and advice on a range of matters relating to NQLC's functions as a Native Title Representative Body. These include legal opinion, anthropological research and other corporate matters.

The engagement of these consultants is undertaken within the procurement guidelines as set out in DPM&C's Terms and Conditions Native Title Agreement, For agreements commencing on or after 1 July 2013.

The NQLC, whilst no longer keeping a Register of Anthropological consultants formerly required under past terms and conditions of funding, maintains details through its Anthropology Unit of Anthropological and other consultants. The line manager of the Anthropology Unit keeps up to date with general trends and in particular fee scales in the profession.

Where appropriate, the NQLC encourages a competitive process by advertising for expressions of interest for the carrying out of new anthropological research. Often in relation to anthropological and other research consultants, it is necessary to retain the same consultant who has previously worked with the group in question or have provided previous reports, as for the sake of consistency, they are the person in the best position to provide further services.

8.2 Number of Consultancy Services Contracts and Total Expenditure on Consultancy Services

Contracts for production of research (anthropological, historical or cultural heritage) are written for services to be provided involving a specified number of days work for a fixed figure.

Contracts for legal consultants tend to be written for two purposes. Firstly, for the provision of specific advice on specific issues such as obtaining the opinion of Counsel on legal issues. Usually a fixed fee for such contracts can be negotiated, but on occasions the fee is based on an hourly rate. Secondly, contracts for legal consultants to act (generally on behalf of a claim group or in respect of an ongoing matter), tend to be written on the basis of payments in accordance with the relevant court scale of costs, or an agreed scale of costs, with the total value not to exceed an agreed cap.

Contracts for corporate/general services include areas involving Human Resources, Industrial Relations, audit and accounting.

During the reporting period, the NQLC's expenditure from DPM&C funds for these contract categories are listed in Table 14:

Table 14: Consultancy Information 2013-14 Financial Year

Contract Type	No. of Contracts let 2013 - 14	Total Expenditure (\$)
Corporate & General	24	441,893
Anthropological	17	675,178
Legal	20	428,499
Total	61	\$ 1,545,570

9. Financial Statements

For the Year Ended 30 June 2013

Directors' Report

Auditor's Independence Declaration under Section 339.5 of the Corporations
(Aboriginal and Torres Strait Islander) Act 2006

Statement of Profit or Loss and Other Comprehensive Income

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North Queensland Land Council Native Title Representative Body Aboriginal Corporation

ABN: 19 047 713 117

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North Queensland Land Council Native Title Representative Body Aboriginal Corporation

ABN: 19 047 713 117

Directors' Report

30 June 2014

The directors present their report on North Queensland Land Council Native Title Representative Body Aboriginal Corporation for the financial year ended 30 June 2014.

1. General information

Information on directors

The names of each person who has been a director during the year and to the date of this report are as follows. Directors have been in office since the start of the financial year to the date of this report unless otherwise stated.

Errol Neal	Chairperson
Qualifications	-Certificate IV in Business Governance -Indigenous Cultural Educator and Performer
Experience	-Current Mayor of Yarrabah Aboriginal Shire Council Qld -30 Years Activist on the issues of Social Justice and Land Rights -Second term served on NQLC Board
Ward	Yarrabah
Traditional Owner	Gunggandji/Djungan
Phil Rist	Deputy Chairperson
Qualifications	Certificate IV in Business Governance
Experience	-First Indigenous Marine Park Inspector for QLD Parks & Wildlife Service -Founding Member and current CEO of Giringun Aboriginal Corporation
Ward	Tully/Palm Island
Traditional Owner	Nywaigi
Patricia Dallachy	Treasurer
Qualifications	-TAFE Certificate IV in Business Governance -Completed a short course in Archaeology and Anthropology
Ward	Hughenden/Charters Towers
Traditional Owner	Gudjal
Kaylene Malthouse	Director
Qualifications	Certificate IV in Business Governance
Experience	-Past Representative for the Standing Independent Selection Panel -Employed by the Department of Communities
Ward	Tablelands
Traditional Owner	Upper Malamburra/Yidinji
Gary Mooney	Director
Qualifications	Certificate IV in Business Governance
Experience	-19 years of involvement with Murri Watch -3.5 years as a Police Liaison Officer as well as experience in the Housing Co-operative
Ward	Proserpine/Mackay
Traditional Owner	Yuibera

North Queensland Land Council Native Title Representative Body Aboriginal Corporation

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Directors' Report

30 June 2014

1. General information continued

Information on directors continued

Prunella Harris	Director - Elected 19 October 2013
Experience	Has lived in both Yarrabah and Charters Towers Qld
Ward	Yarrabah
Traditional Owner	Gurubana Gunggandji Descent Group Part of the Gunggandji Native Title Determinations
Annette Hooligan	Director - Elected 17 January 2014
Qualifications	Social Worker for Home & Community Care (HACC) for Aged, Frail and Disabled Persons
Experience	-Community Justice Representative for the Magistrates' Court in Mt Garnet and Atherton Areas -Chairperson - Mt Garnet/Gunbil-Badan Aboriginal Land Trust -Community involvement in My Garnet region
Ward	Mt Garnet
Tracey Heenan	Director - Elected 19 October 2013
Experience	-Previous Director of NQLC 2008-2010 -Secretary of Biddi Biddi Community Advancement Co-operative Society Ltd
Ward	Tablelands
Hilton Noble	Director - Elected 19 October 2013
Experience	-Past Director of NQLC 2004 -Past Project Officer for NQLC
Ward	Cairns
Colin Enoch	Director - Elected 19 October 2013
Experience	-Founding Member of NQLC -Served as a Director, Treasurer and Deputy Chairperson from 1994-2000 -Past Director of Njiki Jowan Legal Service 25 years of involvement -Current Chairperson of Wangetti Trust
Ward	Cairns
Henry Epong	Director - Elected 19 October 2013
Experience	-President of Mandubarra Land & Sea Corporation -Monitor & Maintenance of Mandubarra Turtle Rehab -Member of Local Marine Advisory Committee
Ward	Innisfail
Angie Akee	Director - Elected 19 October 2013
Experience	-Chairperson - ATSI Cultural Centre Trust -Chairperson - Townsville ATSI Corporation for Women -Chairperson - Kyburra Numda Yalga Prescribed Body Corporate -Director - Townsville ATSI Women's Legal Service NQ
Ward	Townsville/Ayr

North Queensland Land Council Native Title Representative Body Aboriginal Corporation

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Directors' Report

30 June 2014

1. General information continued

Information on directors continued

Terry O'Shane	Deputy Chairperson - Ceased 19 October 2013
Qualifications	Certificate IV in Business Governance
Experience	<ul style="list-style-type: none"> -Chair of FCAATSI -Chair National Coalition Aboriginal Organisation -Chair of Queensland Indigenous Working Group -Former Chairperson of North Queensland Land Council -Previous Deputy Chair of ATSIC -Past Commissioner for Native Title and Social Justice -Past ATSIC Regional Council Chair -Member National Indigenous Working Group -National Coalition of Aboriginal Organisation Representative in UN drafting the declaration of rights of interest ILN (International Labour Organisation)
Ward	Cairns
Traditional Owner	Western Yalanji
Danny Hooligan	Treasurer - Ceased 19 October 2013
Experience	<ul style="list-style-type: none"> -Founding Member of the NQLC -Employed as a Police Liaison Officer.
Ward	Mt Garnet
Traditional Owner	Warrungu
Catherine (Nola) Joseph	Director - Ceased 19 October 2013
Qualifications	Certificate IV in Business Governance
Experience	<ul style="list-style-type: none"> -Past Deputy Chair of NQLC -Former Director of Biddi Biddi Housing Cooperative Ltd -Has sat on numerous Boards of other Aboriginal Organisations
Ward	Tablelands
Traditional Owner	Yidinji
Dawn Hart	Director - Ceased 19 October 2013
Qualifications	Certificate IV in Business Governance
Experience	<ul style="list-style-type: none"> -Board Member of Clump Mountain Aboriginal Corporation -Past Director of Mamu Medical Centre -Past Director of Chjowai Housing Cooperative
Ward	Innisfail
Traditional Owner	Djiru
Coralie Cassady	Director - Ceased 19 October 2013
Qualifications	Attended Business Governance training
Experience	<ul style="list-style-type: none"> -Past Board Member of Giringun Aboriginal Corporation -Past Board Member of Badjuballa Corp -Board Member of Radio 4K1G -Board Member of Townsville Consumers and Carers Advisory Group -Board Member of Townsville and ATSI Health Service -Member of Townsville Community Justice Group
Ward	Townsville/Ayr
Traditional Owner	Jirrbal

North Queensland Land Council Native Title Representative Body Aboriginal Corporation

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Directors' Report

30 June 2014

1. General information continued

Information on directors continued

Vanna O'Shane	Director - Ceased 19 October 2013
Qualifications	Certificate IV in Business Governance
Experience	Director of North Queensland Land Council since 30 November 2009
Ward	Cairns
Traditional Owner	Western Yalanji

Corporation secretary

Mr Martin Dore was appointed to the position of Corporation Secretary on 3 November 2005. He holds the qualifications of Bachelor of Laws (LLB) and Graduate Diploma Legal Practice. He has over 30 years experience as a Practising Solicitor and has been Principal Legal Officer for the North Queensland Land Council since 2000.

Principal activities

The principal activity of North Queensland Land Council Native Title Representative Body Aboriginal Corporation during the financial year was to provide high quality Native Title services to traditional Owner groupings throughout the North Queensland Region.

No significant changes in the nature of the Corporation's activity occurred during the financial year.

Operating Results

The net deficit from ordinary activities after income tax amounted to \$ 910,205 (2013: Surplus \$ 388,175).

2. Other items

Significant changes in state of affairs

There have been no significant changes in the state of affairs of the Corporation during the year.

Distributions

The Corporation's constitution precludes it from distributing any surpluses to members. Accordingly, no distributions were paid, recommended or declared by the Corporation during the year.

North Queensland Land Council Native Title Representative Body Aboriginal Corporation

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Directors' Report

30 June 2014

2. Other items continued

Events after the reporting date

No matters or circumstances have arisen since the end of the financial year which significantly affected or may significantly affect the operations of the Corporation, the results of those operations or the state of affairs of the Corporation in future financial years.

Future developments and results

The directors envisage that the Corporation will continue its existing operations subject to the receipt of future funding from the government and other sources.

Environmental issues

The Corporation's operations are not regulated by any significant environmental regulations under a law of the Commonwealth or of a state or territory of Australia. However, the board of directors believes the Corporation has adequate systems in place for the management of its environmental requirements and is not aware of any breaches of those environmental requirements as they apply to the Corporation.

Meetings of directors

During the financial year, 9 meetings of directors (including committees of directors) were held. Attendances by each director during the year were as follows:

	Directors' Meetings	
	Number eligible to attend	Number attended
Errol Neal	9	8
Phil Rist	8	8
Patricia Dallachy	9	9
Kaylene Malthouse	8	6
Gary Mooney	8	8
Prunella Harris	4	2
Annette Hooligan	2	2
Tracey Heenan	4	3
Hilton Noble	4	2
Colin Enoch	4	3
Henry Epong	4	3
Angie Akee	3	3
Terry O'Shane	5	2
Danny Hooligan	5	3
Catherine (Nola) Joseph	4	4
Dawn Hart	4	4
Coralie Cassady	4	4
Vanna O'Shane	-	-

North Queensland Land Council Native Title Representative Body Aboriginal Corporation

ABN: 19 047 713 117

Directors' Report

30 June 2014

Indemnification and insurance of officers and auditors

No indemnities have been given or insurance premiums paid, during or since the end of the financial year, for any person who is or has been an officer or auditor of North Queensland Land Council Native Title Representative Body Aboriginal Corporation.

During or since the end of the financial year, the Corporation has paid insurance premiums to insure each of the directors and officers against liabilities for costs and expenses incurred by them in defending legal proceedings arising from their conduct while acting in the capacity of the directors and/or officers of the Corporation, other than conduct involving a wilful breach of duty in relation to the Corporation. The directors have not detailed the nature of the liabilities covered or the amount of the premium paid in respect of the directors and officers liability insurance as such disclosure is prohibited under the contract.

Proceedings on behalf of Corporation

No person has applied for leave of court to bring proceedings on behalf of the Corporation or intervene in any proceedings to which the Corporation is a party for the purpose of taking responsibility on behalf of the Corporation for all or any part of those proceedings. The Corporation was not a party to any such proceedings during the year.

Auditor's independence declaration

The lead auditor's independence declaration in accordance with section 339.5 of the Corporations (Aboriginal and Torres Strait Islander) Act 2006, for the year ended 30 June 2014 has been received and can be found on page 7 of the financial report.

Signed in accordance with a resolution of the Board of Directors:

Director: 

Director: 

12.09.14

Dated



Lead auditor's independence declaration

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Lead auditor's independence declaration to the directors of North Queensland Land Council Native Title Representative Body Aboriginal Corporation

In accordance with the requirements of section 339-50 of the *Corporations (Aboriginal and Torres Strait Islander) Act 2006*, as lead auditor for the audit of North Queensland Land Council Native Title Representative Body Aboriginal Corporation for the year ended 30 June 2014, I declare that, to the best of my knowledge and belief, there have been:

- a No contraventions of the auditor independence requirements as set out in the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* in relation to the audit; and
- b No contraventions of any applicable code of professional conduct in relation to the audit.


GRANT THORNTON AUDIT PTY LTD
Chartered Accountants


Gerry Mier
Partner – Audit & Assurance

Cairns, 12 September 2014

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North Queensland Land Council Native Title Representative Body Aboriginal Corporation

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**Statement of Profit or Loss and Other Comprehensive Income
For the Year Ended 30 June 2014**

		2014	2013
	Note	\$	\$
Revenue	2	8,589,165	9,460,786
Other income	2	23,539	38,364
Total revenue		8,612,704	9,499,150
Administration expenses		(763,204)	(666,427)
Catering expenses		(263,820)	(341,512)
Computer and software expenses		(82,182)	(69,378)
Consulting and professional fees		(1,571,945)	(1,708,716)
Depreciation and amortisation expense		(194,104)	(244,319)
Employee benefits expense		(4,042,349)	(3,844,659)
Finance costs		-	(2,100)
Insurance		(85,824)	(81,381)
Internet and email costs		(252,694)	(167,957)
Meeting expenses		(59,582)	(38,064)
Motor vehicle expenses		(47,950)	(97,849)
Native title expenses		(1,051,581)	(365,490)
Rent expenses		(325,281)	(330,639)
Travel expenses		(345,564)	(713,915)
Training expenses		(27,725)	(68,164)
Other expenses		(409,104)	(370,405)
Total expenses		(9,522,909)	(9,110,975)
Surplus (deficit) before income tax		(910,205)	388,175
Income tax expense	1(h)	-	-
Surplus (deficit) for the year		(910,205)	388,175
Other comprehensive income for the year, net of tax		-	-
Total comprehensive income for the year		(910,205)	388,175

The accompanying notes form part of these financial statements.

North Queensland Land Council Native Title Representative Body Aboriginal Corporation

19 047 713 117

Statement of Financial Position**As At 30 June 2014**

	Note	2014 \$	2013 \$
ASSETS			
CURRENT ASSETS			
Cash and cash equivalents	3	3,563,394	1,953,485
Trade and other receivables	4	79,416	84,686
Other assets	5	48,455	64,281
TOTAL CURRENT ASSETS		3,691,265	2,102,452
NON-CURRENT ASSETS			
Property, plant and equipment	6	1,027,956	1,128,850
TOTAL NON-CURRENT ASSETS		1,027,956	1,128,850
TOTAL ASSETS		4,719,221	3,231,302
LIABILITIES			
CURRENT LIABILITIES			
Trade and other payables	7	1,298,995	1,038,242
Employee benefits	8	259,186	279,313
Other liabilities	9	2,147,639	-
TOTAL CURRENT LIABILITIES		3,705,820	1,317,555
NON-CURRENT LIABILITIES			
Employee benefits	8	191,855	181,996
TOTAL NON-CURRENT LIABILITIES		191,855	181,996
TOTAL LIABILITIES		3,897,675	1,499,551
NET ASSETS		821,546	1,731,751
RETAINED SURPLUS			
Retained surplus	10	821,546	1,731,751
TOTAL RETAINED SURPLUS		821,546	1,731,751

The accompanying notes form part of these financial statements.

North Queensland Land Council Native Title Representative Body Aboriginal Corporation

ABN: 19 047 713 117

Statement of Changes in Equity

For the Year Ended 30 June 2014

2014

	Retained Earnings	Total
	\$	\$
Balance at 1 July 2013	1,731,751	1,731,751
Surplus (deficit) for the year attributable to members	(910,205)	(910,205)
Total other comprehensive income for the year	-	-
Balance at 30 June 2014	821,546	821,546

2013

	Retained Earnings	Total
	\$	\$
Balance at 1 July 2012	1,343,576	1,343,576
Surplus (deficit) for the year attributable to members	388,175	388,175
Total other comprehensive income for the period	-	-
Balance at 30 June 2013	1,731,751	1,731,751

The accompanying notes form part of these financial statements.

North Queensland Land Council Native Title Representative Body Aboriginal Corporation

19 047 713 117

Statement of Cash Flows
For the Year Ended 30 June 2014

	Note	2014 \$	2013 \$
CASH FLOWS FROM OPERATING ACTIVITIES:			
Receipts from government grants		11,348,140	9,461,100
Payments to suppliers and employees		(9,859,032)	(10,945,335)
Interest received		39,917	50,373
Interest paid		-	(2,100)
Other receipts		150,555	2,020,272
Net cash provided by operating activities	17	<u>1,679,580</u>	<u>584,310</u>
CASH FLOWS FROM INVESTING ACTIVITIES:			
Proceeds from sale of plant and equipment		24,087	38,364
Purchase of property, plant and equipment		(93,758)	(158,797)
Net cash used by investing activities		<u>(69,671)</u>	<u>(120,433)</u>
CASH FLOWS FROM FINANCING ACTIVITIES:			
Repayment of borrowings		-	(52,819)
Net cash used by financing activities		<u>-</u>	<u>(52,819)</u>
Net increase in cash and cash equivalents held		1,609,909	411,058
Cash and cash equivalents at beginning of year		<u>1,953,485</u>	<u>1,542,427</u>
Cash and cash equivalents at end of financial year	3	<u><u>3,563,394</u></u>	<u><u>1,953,485</u></u>

The accompanying notes form part of these financial statements.

North Queensland Land Council Native Title Representative Body Aboriginal Corporation

ABN: 19 047 713 117

Notes to the Financial Statements

For the Year Ended 30 June 2014

The financial statements cover North Queensland Land Council Native Title Representative Body Aboriginal Corporation as an individual entity. North Queensland Land Council Native Title Representative Body Aboriginal Corporation is a not-for-profit entity incorporated and domiciled in Australia.

1 Summary of Significant Accounting Policies

(a) Basis of Preparation

The financial statements are general purpose financial statements that have been prepared in accordance with Australian Accounting Standards - Reduced Disclosure Requirements and the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* and the *Native Title Act 1993*. Because the Corporation is a not-for-profit entity and AASBs include requirements for not-for-profit entities which are inconsistent with International Financial Reporting Standards (IFRSs), the financial statements of the Corporation do not comply with IFRSs and interpretations adopted by the International Accounting Standards Board.

Material accounting policies adopted in the preparation of these financial statements are presented below and have been consistently applied unless otherwise stated.

The financial statements have been prepared on an accruals basis and are based on historical costs modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and financial liabilities.

(b) Comparative Amounts

Comparative information has been restated where necessary to be consistent with disclosures in the current reporting period.

(c) Cash and cash equivalents

Cash and cash equivalents comprises cash on hand and demand deposits held at call with financial institutions.

(d) Property, Plant and Equipment

Property, plant and equipment are carried at cost. All assets excluding freehold land are depreciated over their useful lives to the Corporation.

Where the cost model is used, the asset is carried at its cost less any accumulated depreciation and any impairment losses. Costs include purchase price, other directly attributable costs and the initial estimate of the costs of dismantling and restoring the asset, where applicable.

Depreciation

The depreciable amount of all property, plant and equipment, except for freehold land is depreciated on a straight-line method from the date that management determine that the asset is available for use.

Assets held under a finance lease and leasehold improvements are depreciated over the shorter of the term of the lease and the assets useful life.

North Queensland Land Council Native Title Representative Body Aboriginal Corporation

ABN: 19 047 713 117

Notes to the Financial Statements

For the Year Ended 30 June 2014

1 Summary of Significant Accounting Policies continued

(d) Property, Plant and Equipment continued

Depreciation continued

(i) Depreciation Rates

The depreciation rates used for each class of depreciable asset are shown below:

Fixed asset class	Depreciation rate
Buildings	2.5% - 5%
Furniture, Fixtures and Fittings	10% - 33.33%
Motor Vehicles	10% - 25%
Office Equipment	10% - 33.33%
Leasehold improvements	20%

At the end of each annual reporting period, the depreciation method, useful life and residual value of each asset is reviewed. Any revisions are accounted for prospectively as a change in estimate.

When an asset is disposed, the gain or loss is calculated by comparing proceeds received with its carrying amount and is taken to profit or loss.

(e) Trade and other payables

These amounts represent liabilities for goods and services provided to the Corporation prior to the end of the financial year, which are unpaid. The amounts are unsecured and are usually paid within 30 days of recognition.

(f) Employee benefits

Provision is made for the Corporation's liability for employee benefits arising from services rendered by employees to the end of the reporting year. Employee benefits that are expected to be settled within one year have been measured at the amounts expected to be paid when the liability is settled.

Employee benefits payable later than one year have been measured at the present value of the estimated future cash outflows to be made for those benefits. In determining the liability, consideration is given to employee wage increases and the probability that the employee may satisfy vesting requirements. Those cash outflows are discounted using market yields on national government bonds with terms to maturity that match the expected timing of cashflows.

Contributions are made by the Corporation to an employee superannuation fund and are charged as expenses when incurred. The contributions made by the Corporation for the year ended 30 June 2014 were \$521,309.41 (2013: \$ 490,150).

North Queensland Land Council Native Title Representative Body Aboriginal Corporation

ABN: 19 047 713 117

Notes to the Financial Statements

For the Year Ended 30 June 2014

1 Summary of Significant Accounting Policies continued

(g) Financial instruments

Initial recognition and measurement

Financial assets and financial liabilities are recognised when the Corporation becomes a party to the contractual provisions of the instrument. For financial assets, this is the equivalent to the date that the Corporation commits itself to either the purchase or sale of the asset (i.e. trade date accounting is adopted).

Financial instruments are initially measured at cost on trade date, which includes transaction costs, when the related contractual rights or obligations exist. Subsequent to initial recognition these instruments are measured as set out below.

Classification and subsequent measurement

Financial instruments are subsequently measured at either fair value, amortised cost using the effective interest rate method, or cost. *Fair value* represents the amount for which an asset could be exchanged or a liability settled, between knowledgeable, willing parties in an arm's length transaction. Where available, quoted prices in an active market are used to determine fair value. In other circumstances, valuation techniques are adopted.

Amortised cost is calculated as:

- (a) the amount at which the financial asset or financial liability is measured at initial recognition;
- (b) less principal repayments;
- (c) plus or minus the cumulative amortisation of the difference, if any, between the amount initially recognised and the maturity amount calculated using the *effective interest method*; and
- (d) less any reduction for impairment.

The *effective interest method* is used to allocate interest income or interest expense over the relevant period and is equivalent to the rate that exactly discounts estimated future cash payments or receipts (including fees, transaction costs and other premiums or discounts) through the expected life (or when this cannot be reliably predicted, the contractual term) of the financial instrument to the net carrying amount of the financial asset or financial liability. Revisions to expected future net cash flows will necessitate an adjustment to the carrying value with a consequential recognition of an income or expense in profit or loss.

The classification of financial instruments depends on the purpose for which the investments were acquired. Management determines the classification of its investments at initial recognition and at the end of each reporting period for held-to-maturity assets.

The Corporation does not designate any interest as being subject to the requirements of accounting standards specifically applicable to financial instruments.

North Queensland Land Council Native Title Representative Body Aboriginal Corporation

ABN: 19 047 713 117

Notes to the Financial Statements For the Year Ended 30 June 2014

1 Summary of Significant Accounting Policies continued

(g) Financial instruments continued

(i) Loans and receivables

Loans and receivables are non-derivative financial assets with fixed or determinable payments that are not quoted in an active market and are subsequently measured at amortised cost.

Loans and receivables are included in current assets, except for those which are not expected to mature within 12 months after the end of the reporting year. Loans and receivables comprise cash and cash equivalents and trade and other receivables.

(ii) Financial liabilities

Non-derivative financial liabilities (excluding financial guarantees) are subsequently measured at amortised cost. Fees payable on the establishment of loan facilities are recognised as transaction costs of the loan. Other financial liabilities include loans and borrowings and trade and other payables.

(h) Income Tax

No provision for income tax has been raised as the Corporation is exempt from income tax under Div 50 of the *Income Tax Assessment Act 1997*.

(i) Revenue and other income

Revenue is recognised when the amount of the revenue can be measured reliably, it is probable that economic benefits associated with the transaction will flow to the entity and specific criteria relating to the type of revenue as noted below, has been satisfied.

Revenue is measured at the fair value of the consideration received or receivable and is presented net of returns, discounts and rebates.

(i) Grant revenue

Grant revenue is recognised in the statement of profit or loss and other comprehensive income when the Corporation obtains control of the grant, it is probable that the economic benefits gained from the grant will flow to the Corporation and the amount of the grant can be measured reliably.

When grant revenue is received whereby the Corporation incurs an obligation to deliver economic value directly back to the contributor, this is considered a reciprocal transaction and the grant revenue is recognised in the statement of financial position as a liability until the service has been delivered to the contributor, otherwise the grant is recognised as income on receipt.

The Corporation may receive non-reciprocal contributions of assets from the government and other parties for zero or a nominal value. These assets are recognised at fair value on the date of acquisition in the statement of financial position, with a corresponding amount of income recognised in the statement of profit or loss and other comprehensive income.

North Queensland Land Council Native Title Representative Body Aboriginal Corporation

ABN: 19 047 713 117

Notes to the Financial Statements

For the Year Ended 30 June 2014

1 Summary of Significant Accounting Policies continued

(i) Revenue and other income continued

(ii) Interest revenue

Interest is recognised using the effective interest method.

(iii) Rendering of services

Revenue in relation to rendering of services is recognised dependant upon whether the outcome of the services can be measured reliably. If this is the case then the stage of completion of the services is used to determine the appropriate level of revenue to be recognised in the period.

If the outcome cannot be reliably measured then revenue is recognised to the extent of expenses recognised that are recoverable.

(j) Goods and Services Tax (GST)

Revenue, expenses and assets are recognised net of the amount of goods and services tax (GST), except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO).

Receivables and payables are stated inclusive of the amount of GST payable or receivable. The net amount of GST recoverable from, or payable to, the ATO is included as part of receivables or payables in the statement of financial position.

Cash flows are presented on a gross basis. The GST component of cash flows arising from investing and financing activities which is recoverable from, or payable to, the taxation authority are presented as operating cash flows included in receipts from customers or payments to suppliers.

(k) Critical accounting estimates and judgments

The directors make estimates and judgments during the preparation of these financial statements regarding assumptions about current and future events affecting transactions and balances.

These estimates and judgments are based on the best information available at the time of preparing the financial statements, however as additional information is known then the actual results may differ from the estimates.

The significant estimates and judgment made have been described below.

(i) Key estimates - impairment of plant and equipment

The Corporation assesses impairment at the end of the reporting year by evaluating conditions specific to the Corporation that may be indicative of impairment triggers. Recoverable amounts of relevant assets are reassessed using estimates of the fair value of the assets which incorporate various key assumptions.

North Queensland Land Council Native Title Representative Body Aboriginal Corporation

ABN: 19 047 713 117

Notes to the Financial Statements For the Year Ended 30 June 2014

1 Summary of Significant Accounting Policies continued

(k) Critical accounting estimates and judgments continued

(ii) Key judgments - provision for impairment of receivables

The value of the provision for impairment of receivables is estimated by considering the ageing of receivables, communication with the debtors and prior history.

(iii) Key estimates - provision for employee benefits

As described in the accounting policies, provisions are measured at management's best estimate of the expenditure required to settle the obligation at the end of the reporting period. These estimates are made taking into account a range of possible outcomes.

(iv) Key estimates - property, plant and equipment residual values and useful lives

These assets are written down to their estimated residual value over their anticipated useful lives using the straight-line basis. Management reviews residual values annually considering market conditions and disposal values.

(l) Economic dependence and going concern

The financial statements have been prepared on a going concern basis, which contemplates continuity of normal business activities and the realisation of assets and settlement of liabilities in the ordinary course of business.

The Corporation is a not-for-profit entity and is reliant on government funding in order to continue its operations. The directors have no reason to believe the required funding will not be forthcoming for the foreseeable future. However, should future government funding be significantly reduced or curtailed, the Corporation would be unlikely to be able to continue its operations at current levels.

(m) Adoption of new and revised accounting standards

During the current year, the Corporation adopted all of the new and revised Australian Accounting Standards and Interpretations applicable to its operations which became mandatory.

(n) New Accounting Standards and Interpretations

A number of new standards, amendments to standards and interpretations are effective for annual reporting periods beginning after 1 July 2014 and have not been applied in preparing these financial statements. None of these standards are expected to have a significant effect on the financial statements of the Corporation, except for AASB9 *Financial Instruments*, which becomes mandatory for annual periods beginning on or after 1 January 2018 and could change the classification and measurement requirements of financial assets and financial liabilities. The Corporation does not plan to adopt this standard early and the extent of the impact has not been determined.

North Queensland Land Council Native Title Representative Body Aboriginal Corporation

ABN: 19 047 713 117

Notes to the Financial Statements

For the Year Ended 30 June 2014

2 Revenue and Other Income

	2014 \$	2013 \$
Grants received		
Operating grants	10,637,716	8,601,000
Grant balances at 1 July	-	-
Grant repaid/repayable	(81,242)	-
Grants received in advance	(1,610,716)	-
Grant balances at 30 June	(455,681)	-
	<u>8,490,077</u>	<u>8,601,000</u>
Fee income	59,171	809,413
Finance income	39,917	50,373
Total revenue	<u>8,589,165</u>	<u>9,460,786</u>
Other Income		
- gain on sale of plant and equipment	23,539	38,364
Total other income	<u>23,539</u>	<u>38,364</u>

3 Cash and cash equivalents

Cash on hand	6,926	7,194
Cash at bank	3,556,468	1,946,291
Cash at bank and in hand	<u>3,563,394</u>	<u>1,953,485</u>

4 Trade and other receivables

CURRENT		
Trade receivables	3,540	2,697
Trust - Ebsworth	-	31,748
Deposits	51,185	50,241
GST receivable	24,691	-
Total current trade and other receivables	<u>79,416</u>	<u>84,686</u>

Credit risk

The Corporation has no significant concentration of credit risk with respect to any single counterparty or group of counterparties. The class of assets described as 'trade and other receivables' is considered to be the main source of credit risk related to the Corporation. The carrying value of trade and other receivables is considered a reasonable approximation of fair value due to the short-term nature of the balances. The maximum exposure to credit risk at the reporting date is the fair value of each class of receivable in the financial statements.

5 Other assets

CURRENT		
Prepayments	48,455	64,281
	<u>48,455</u>	<u>64,281</u>

North Queensland Land Council Native Title Representative Body Aboriginal Corporation

ABN: 19 047 713 117

Notes to the Financial Statements For the Year Ended 30 June 2014

6 Property, plant and equipment

	2014 \$	2013 \$
LAND AND BUILDINGS		
Freehold land		
At cost	290,000	290,000
Total land	<u>290,000</u>	<u>290,000</u>
Buildings		
At cost	448,372	448,372
Accumulated depreciation	(150,483)	(175,231)
Total buildings	<u>297,889</u>	<u>273,141</u>
Total land and buildings	<u>587,889</u>	<u>563,141</u>
 PLANT AND EQUIPMENT		
Furniture, fixtures and fittings		
At cost	127,855	143,404
Accumulated depreciation	(104,213)	(117,476)
Total furniture, fixtures and fittings	<u>23,642</u>	<u>25,928</u>
Motor vehicles		
At cost	495,764	695,998
Accumulated depreciation	(344,435)	(535,458)
Total motor vehicles	<u>151,329</u>	<u>160,540</u>
Office equipment		
At cost	703,056	799,853
Accumulated depreciation	(544,644)	(571,722)
Total office equipment	<u>158,412</u>	<u>228,131</u>
Leasehold improvements		
At cost	222,133	222,133
Accumulated depreciation	(115,449)	(71,023)
Total improvements	<u>106,684</u>	<u>151,110</u>
Total plant and equipment	<u>440,067</u>	<u>565,709</u>
 Total property, plant and equipment	<u><u>1,027,956</u></u>	<u><u>1,128,850</u></u>

North Queensland Land Council Native Title Representative Body Aboriginal Corporation

ABN: 19 047 713 117

**Notes to the Financial Statements
For the Year Ended 30 June 2014**

6 Property, plant and equipment continued

(a) Movements in carrying amounts of property, plant and equipment

Movement in the carrying amounts for each class of property, plant and equipment between the beginning and the end of the current financial year:

	Land \$	Buildings 6(b) \$	Furniture, Fixtures and Fittings \$	Motor Vehicles \$	Office Equipment \$	Leasehold Improvements \$	Total \$
Year ended 30 June 2014							
Balance at the beginning of the year	290,000	273,141	25,928	160,540	228,131	151,110	1,128,850
Additions	-	-	7,178	60,574	26,007	-	93,759
Disposals - written down value	-	-	-	(548)	-	-	(548)
Depreciation expense	-	(13,348)	(9,464)	(69,237)	(95,726)	(44,426)	(232,201)
Depreciation adjustment	-	38,096	-	-	-	-	38,096
Balance at the end of the year	290,000	297,889	23,642	151,329	158,412	106,684	1,027,956

North Queensland Land Council Native Title Representative Body Aboriginal Corporation

ABN: 19 047 713 117

Notes to the Financial Statements For the Year Ended 30 June 2014

6 Property, plant and equipment continued

(b) Building depreciation

The depreciation expense recognised in prior years for the building situated at 61 Anderson Street, Cairns, was overstated due to the inclusion of the cost of the land component in the depreciation calculation for the building. This resulted in the over-depreciation of the building by \$38,096.

The calculation of depreciation has been revised in the current year to correct the carrying value of the building as at 30 June 2014. The effect of the revised depreciation calculation, recognised in the Statement of Profit or Loss and Other Comprehensive Income in the current year, is to adjust accumulated depreciation on the building by \$38,096.

(c) Caveats

The title of the land and building owned by the Corporation, which has a carrying value of \$587,889 (2013: \$563,141), is subject to a caveat in favour of the Commonwealth Government (via ATSIC, a former statutory body of the Commonwealth Government).

(d) Cost decrease

Obsolete assets with a written down value of nil have been written off thereby reducing the cost of the following asset classes: office equipment, furniture, fixtures and fittings, and motor vehicles.

7 Trade and other payables

	Note	2014 \$	2013 \$
CURRENT			
Trade payables		715,249	389,833
Annual leave entitlements		266,995	370,430
Payroll liabilities		262,438	166,943
Revenue received in advance		54,313	54,681
GST payable		-	56,355
Total trade and other payables		1,298,995	1,038,242

(a) Financial liabilities at amortised cost classified as trade and other payables

Trade and other payables:

- total current

1,298,995 1,038,242

Less:

Annual leave

(266,995) (370,430)

Revenue received in advance

(54,313) (54,681)

Financial liabilities as trade and other payables

13 **977,687 613,131**

North Queensland Land Council Native Title Representative Body Aboriginal Corporation

ABN: 19 047 713 117

**Notes to the Financial Statements
For the Year Ended 30 June 2014****8 Employee Benefits**

	2014 \$	2013 \$
CURRENT		
Long service leave	259,186	279,313
	<u>259,186</u>	<u>279,313</u>
NON-CURRENT		
Long service leave	191,855	181,996
	<u>191,855</u>	<u>181,996</u>
(a) Reconciliations		
Balance as at 1 July	461,309	448,461
Provisions made during the year	80,573	124,360
Provisions used during the year	(90,841)	(111,512)
Balance as at 30 June	<u>451,041</u>	<u>461,309</u>

9 Other liabilities

Grants unexpended, repayable or received in advance

2,147,639	-
<u>2,147,639</u>	<u>-</u>

10 Retained SurplusRetained surplus at the beginning of the year
Net surplus (deficit) for the year

1,731,751	1,343,576
(910,205)	388,175

Retained surplus at end of the year

<u>821,546</u>	<u>1,731,751</u>
----------------	------------------

11 Leases as lessee

The Corporation leases three buildings under operating leases. The leases range from a period of three to five years, two with an option to renew the lease and one with no further option to renew. Lease payments are increased each year. Two of the leases are based on CPI and one has a fixed percentage increase. None of the leases include contingent rentals. During the year ended 30 June 2014, \$313,706 was recognized as an expense in respect of operating leases (2013: \$311,384).

12 Capital management

The Corporation's policy is to maintain a strong capital base so as to maintain creditor and funding body confidence and to sustain future development of the business. Capital consists of retained surpluses. Management monitors the Corporation's operating surplus.

North Queensland Land Council Native Title Representative Body Aboriginal Corporation

ABN: 19 047 713 117

Notes to the Financial Statements

For the Year Ended 30 June 2014

12 Capital management continued

The Corporation's net debt to equity ratio at the reporting date was as follows; -

	2014	2013
	\$	\$
Total liabilities	3,897,675	1,499,551
Less: Cash and cash equivalents	3,563,394	1,953,485
Net debt	334,281	(453,934)
Equity	821,546	1,731,751
Net debt to equity ratio at 30 June	0.40	(0.30)

There were no changes in the Corporation's approach to capital management during the year. The Corporation is not subject to externally imposed capital requirements.

13 Financial Risk Management

The Corporation is exposed to a variety of financial risks through its use of financial instruments. The main risks the Corporation faces through its use of financial instruments are credit risk, liquidity risk and market risk (interest rate risk).

Fair value estimation

For trade and other receivables/payables with a remaining useful life of less than one year, the notional amount is deemed to reflect the fair value. All other receivables/payables are discounted to determine the fair value. At 30 June 2014, no financial instruments required discounting.

(a) Credit risk

Credit risk refers to the risk that a counterparty will default on its contractual obligations resulting in a financial loss to the Corporation. Credit risk arises from cash and cash equivalents and trade and other receivables.

(b) Liquidity risk

Liquidity risk arises from the Corporation's management of working capital and the finance charges and principal repayments on its debt instruments. It is the risk that the Corporation will encounter difficulty in meeting its financial obligations as they fall due.

(c) Market risk

Market risk is the risk that changes in market prices, such as interest rates, will affect the Corporation's income. The objective of interest rate risk is to manage and control market risk exposures within accepted parameters while optimising the return. At the reporting date, the Corporation is exposed to changes in market interest rates through its cash and cash equivalents held with financial institutions which are subject to variable interest rates.

The Corporation's financial instruments consist mainly of cash and cash equivalents deposits with banks, accounts receivable and payable and bank loans.

North Queensland Land Council Native Title Representative Body Aboriginal Corporation

ABN: 19 047 713 117

Notes to the Financial Statements

For the Year Ended 30 June 2014

13 Financial Risk Management continued

The totals for each category of financial instruments, measured in accordance with AASB 139 as detailed in the accounting policies to these financial statements, are as follows:

	Note	2014 \$	2013 \$
Financial Assets			
Cash and cash equivalents	3	3,563,394	1,953,485
Trade and other receivables	4	79,416	84,686
Total financial assets		3,642,810	2,038,171
Financial Liabilities			
Financial liabilities at amortised cost			
Trade and other payables	7(a)	977,687	613,131
Total financial liabilities		977,687	613,131

14 Interests of Key Management Personnel

Any person(s) having authority and responsibility for planning, directing and controlling the activities of the Corporation, directly or indirectly, including any director (whether executive or otherwise) of the Corporation is considered key management personnel.

The totals of remuneration paid to the key management personnel of North Queensland Land Council Native Title Representative Body Aboriginal Corporation during the year are as follows:

Short-term employee benefits	513,340	582,594
Long-term benefits	6,481	9,321
Post-employment benefits	83,562	76,633
	603,383	668,548

15 Related Party Transactions

The Corporation's main related parties are the key management personnel and their related parties. For details of compensation paid to key management personnel, refer to Note 14 Interests of Key Management Personnel.

Transactions with related parties

Transactions between related parties are on normal commercial terms and conditions no more favourable than those available to other parties unless otherwise stated.

(i) Related party receivables

Loans to directors:

- beginning of the year	753	753
- debt waived - former director	(753)	-
- end of the year	-	753

These amounts represent the overpayment of travel allowances to directors in January 2008 which remain outstanding.

North Queensland Land Council Native Title Representative Body Aboriginal Corporation

ABN: 19 047 713 117

Notes to the Financial Statements**For the Year Ended 30 June 2014****16 Contingencies**

The Corporation did not have any contingencies at 30 June 2014 (30 June 2013: None).

17 Cash Flow Information**(a) Reconciliation of result for the year to cashflows from operating activities**

Reconciliation of net income to net cash provided by operating activities:

	2014	2013
	\$	\$
Net surplus (deficit) for the year	(910,205)	388,175
Cash flows excluded from profit attributable to operating activities		
Non-cash flows in profit:		
- depreciation	194,104	244,319
- net gain on disposal of property, plant and equipment	(23,539)	(38,364)
Changes in assets and liabilities:		
- (increase)/decrease in trade and other receivables	5,270	254,235
- (increase)/decrease in prepayments	15,826	(26,446)
- increase/(decrease) in income in advance	2,147,639	-
- increase/(decrease) in trade and other payables	260,753	(250,457)
- increase/(decrease) in employee benefits	(10,268)	12,848
Net cash provided by operating activities	<u>1,679,580</u>	<u>584,310</u>

18 Events Occurring After the Reporting Date

No matters or circumstances have arisen since the end of the financial year which significantly affected or may significantly affect the operations of the Corporation, the results of those operations or the state of affairs of the Corporation in future financial years.

19 Company Details

The registered office and principal place of business of the Corporation is:

61 Anderson Street
Cairns QLD 4870

North Queensland Land Council Native Title Representative Body Aboriginal Corporation

ABN: 19 047 713 117

Directors' Declaration

The directors of the Corporation declare that:

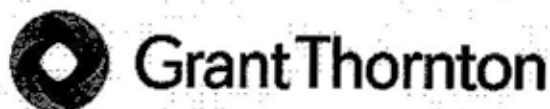
1. The financial statements and notes of North Queensland Land Council Native Title Representative Body Aboriginal Corporation are in accordance with the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* and:
 - a. comply with Australian Accounting Standards - Reduced Disclosure Requirements; and
 - b. give a true and fair view of the financial position as at 30 June 2014 and of the performance for the year ended on that date.
2. In the directors' opinion, there are reasonable grounds to believe that the Corporation will be able to pay its debts as and when they become due and payable.

This declaration is made in accordance with a resolution of the Board of Directors.

Director 

Director 

Dated 12.09.14



Independent auditor's report

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Independent auditor's report to the members of North Queensland Land Council Native Title Representative Body Aboriginal Corporation

We have audited the accompanying financial report of North Queensland Land Council Native Title Representative Body Aboriginal Corporation (the "Corporation"), which comprises the statement of financial position as at 30 June 2014, the statement of profit or loss and other comprehensive income, statement of changes in equity and statement of cash flows for the year then ended, notes comprising a summary of significant accounting policies and other explanatory information and the directors' declaration.

Directors' responsibility for the financial report

The directors of the Corporation are responsible for the preparation of the financial report that gives a true and fair view in accordance with Australian Accounting Standards – Reduced Disclosure Requirements and the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* and the *Native Title Act 1993*. The directors' responsibility also includes such internal control as the directors determine is necessary to enable the preparation of the financial report that gives a true and fair view and is free from material misstatement, whether due to fraud or error.

Auditor's responsibility

Our responsibility is to express an opinion on the financial report based on our audit. We conducted our audit in accordance with Australian Auditing Standards. Those standards require that we comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance whether the financial report is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial report. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial report, whether due to fraud or error.

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In making those risk assessments, the auditor considers internal control relevant to the entity's preparation of the financial report that gives a true and fair view in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the directors, as well as evaluating the overall presentation of the financial report.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Independence

In conducting our audit, we have complied with the independence requirements of the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* and the *Native Title Act 1993*.

Auditor's opinion

In our opinion, the financial report of North Queensland Land Council Native Title Representative Body Aboriginal Corporation is in accordance with the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* and the *Native Title Act 1993*, including:

- a giving a true and fair view of the Corporation's financial position as at 30 June 2014 and of its performance for the year ended on that date; and
- b complying with Australian Accounting Standards- Reduced Disclosure Requirements and the *Corporations (Aboriginal and Torres Strait Islander) Regulations 2007* and any applicable determinations made by the Registrar of Aboriginal Corporations under Division 336 of the Act.



GRANT THORNTON AUDIT PTY LTD
Chartered Accountants

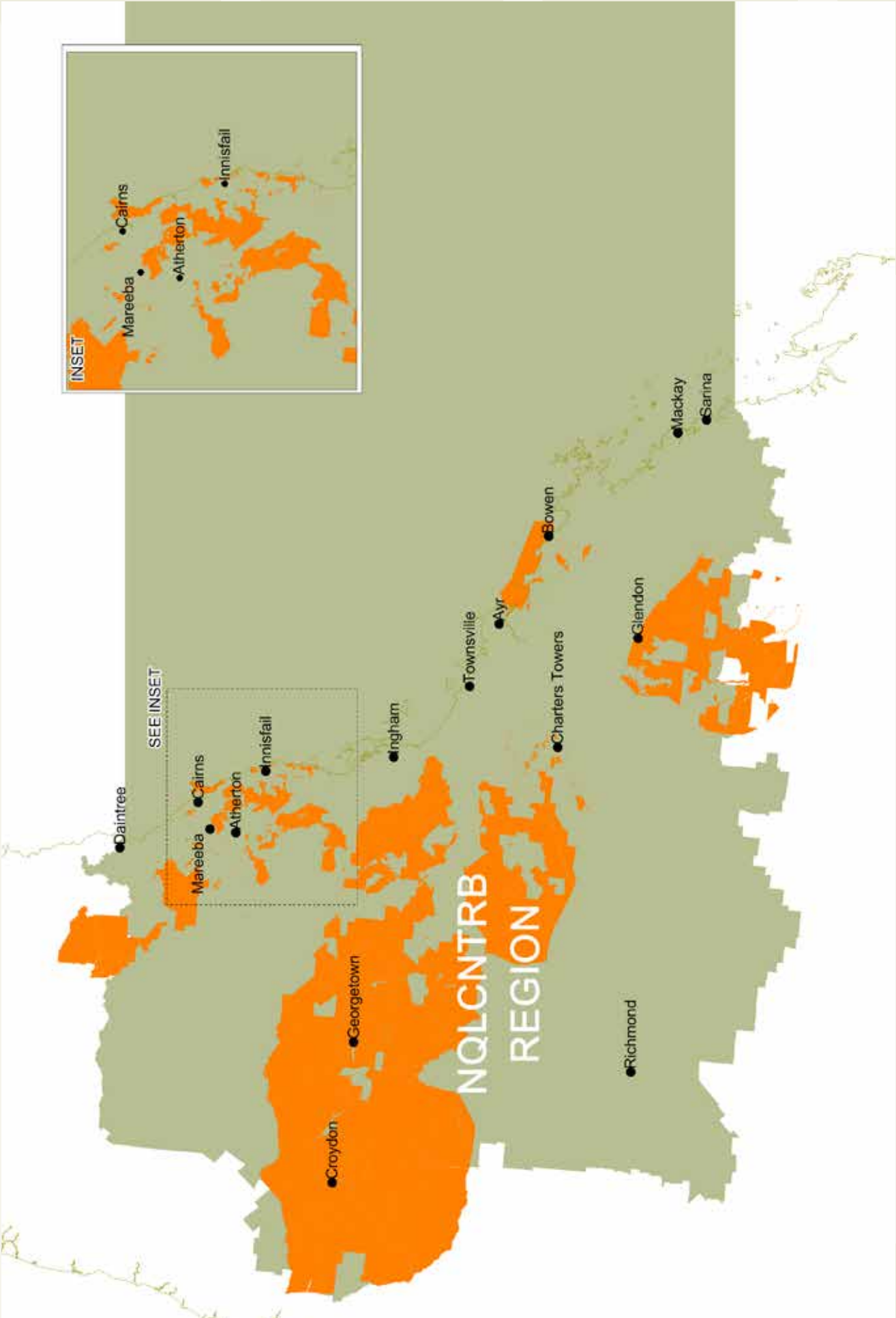


Gerry Mier
Partner - Audit & Assurance

Cairns, 12 September 2014

10. Other Information

Figure 3: Thirty seven Determinations to June 2014 that native title exists



10.1 Summary of Major Achievements for 2013-2014

NQLC Determinations for 2013-14 native title determinations

Table 15: NQLC's Native Title Determinations and the Registered Native Title Bodies Corporate

Date of Determination	Federal Court Number	Name	Registered Native Title Corporate
18 March 2014	QUD80/2005	Gudjala People	Ngrragoonda Aboriginal Corporation RNTBC
18 March 2014	QUD147/2006	Gudjala People #2	Ngrragoonda Aboriginal Corporation RNTBC
26 November 2013	QUD6009/1999	Ewamian People #2	Tatampi Puranga Aboriginal Corporation RNTBC
26 November 2013	QUD6018/2001	Ewamian People #3	Tatampi Puranga Aboriginal Corporation RNTBC
1 November 2013	QUD6014/2001	Mamu People	Mamu Aboriginal Corporation RNTBC
24 September 2013	QUD6008/1999	Western Yalanji #4	Western Yalanji Aboriginal Corporation RNTBC
24 September 2013	QUD6003/2001	Western Yalanji Combined #5 and #7	Western Yalanji Aboriginal Corporation RNTBC
23 September 2013	QUD111/2004	Warrungu People #2	Goondaloo Aboriginal Corporation RNTBC
26 March 2013	QUD208/2004	Tableland Yidinji People #3	Wadjanbarra Tableland Yidinji Aboriginal Corporation
14 December 2012	QUD6030/1999	Tableland Yidinji People	Wadjanbarra Tableland Yidinji Aboriginal Corporation
10 December 2012	QUD6109/1998	Tagalaka People	Tagalaka Aboriginal Corporation RNTBC
10 December 2012	QUD6020/2001	Tagalaka People #2	Tagalaka Aboriginal Corporation RNTBC
9 October 2012	QUD6230/1998	Jangga People	Bulganunna Aboriginal Corporation RNTBC
21 September 2012	QUD6016/2001	Combined Mandingalbay Yidinji - Gunggandji	Gunggandji-Mandingalbay Yidinji Peoples PBC Aboriginal Corporation RNTBC
2 August 2012	QUD208/1997	Djungan People #1	Nguddaboolgan Native Title Aboriginal Corporation RNTBC
2 August 2012	QUD6022/1998	Djungan People #2	Nguddaboolgan Native Title Aboriginal Corporation RNTBC
2 August 2012	QUD6116/1998	Djungan People #3	Nguddaboolgan Native Title Aboriginal Corporation RNTBC
2 August 2012	QUD6036/2001	Djungan People #4	Nguddaboolgan Native Title Aboriginal Corporation RNTBC
1 August 2012	QUD85/2005	Gugu Badhun People #2	Gugu Badhun Aboriginal Corporation RNTBC
19 December 2011	QUD6013/2001	Combined Gunggandji	Gunggandji PBC Aboriginal Corporation RNTBC
14 December 2011	QUD6035/2001	Muluridji People #2	Muluridji Tribal Aboriginal Corporation RNTBC
14 November 2011	QUD6208/1998	Muluridji People	Muluridji Tribal Aboriginal Corporation RNTBC
1 September 2011	QUD6003/2003	Djiru People #2	Djiru Warrangburra Aboriginal Corporation RNTBC
1 September 2011	QUD6006/2003	Djiru People #3	Djiru Warrangburra Aboriginal Corporation RNTBC
31 August 2011	QUD296/2008	Wanyurr Majay People	Wanyurr-Majay Aboriginal Corporation RNTBC
26 July 2011	QUD6249/1998	Juru (Cape Upstart) People	Kyburra Munda Yalga Aboriginal Corporation RNTBC
8 October 2010	QUD6001/2003	Jirrbal People #1	Wabubadda Aboriginal Corporation RNTBC
8 October 2010	QUD41/2004	Jirrbal People #2	Wabubadda Aboriginal Corporation RNTBC
8 October 2010	QUD42/2004	Jirrbal People #3	Wabubadda Aboriginal Corporation RNTBC
17 December 2009	QUD6012/2001	Combined Dulabed and Malanbarra Yidinji Claim	Dulabed Malanbarra and Yidinji Aboriginal Corporation RNTBC

Date of Determination	Federal Court Number	Name	Registered Native Title Corporate
10 December 2009	QUD6240/1998	Girramay People	Girramay People Aboriginal Corporation RNTBC
12 December 2007	QUD6027/1999	Ngadjon-Jii People	Choorechillum (Ngadjon Jii PBC) Aboriginal Corporation RNTBC
24 April 2006	QUD6015/1998	Mandingalbay Yidinji People	Mandingalbay Yidinji Aboriginal Corporation RNTBC
17 February 2006	QUD6089/1998	Western Yalanji People	Western Yalanji Aboriginal Corporation RNTBC
17 December 2004	QUD6002/1998	Djabugay People	Djabugay Native Title Aboriginal Corporation RNTBC
28 June 2001	QUD6222/1998	Bar-Barrum People	Bar-Barrum Aboriginal Corporation RNTBC

10.2 Summary details of 2013-14 Determinations

Warrungnu [Warrungu] People #2	
Date of Determination	23 September 2013
Federal Court Number	QUD111/2004
Case Name	Morganson on behalf of the Warrungnu [Warrungu] People #2 v State of Queensland
Date Filed	30 June 2004
Legal Process	Consent
Determination Type	Claimant
Determination Outcome	Native title exists in the entire determination area
Rights and Interests	
Registered Native Title Bodies Corporate	Goondaloo Aboriginal Corporation RNTBC
Local Government region	Charters Towers Regional Council, Tablelands Regional Council
Area (km2)	
Link	

Western Yalanji Combined #5 and #7	
Date of Determination	24 September 2013
Federal Court Number	QUD6003/2001
Case Name	William Steven Brady and Desmond Brickey on behalf of the Western Yalanji People Combined #5 and #7
Date Filed	23 April 2007
Legal Process	Consent
Determination Type	Claimant
Determination Outcome	Native title exists in the entire determination area
Rights and Interests	
Registered Native Title Bodies Corporate	Western Yalanji Aboriginal Corporation RNTBC
Local Government region	Cook Shire Council, Mareeba Shire Council
Area (km2)	
Link	

Western Yalanji People #4

Date of Determination	24 September 2013
Federal Court Number	QUD6008/1999
Case Name	Graham Brady, Desmond Brickie and Dell Riley on behalf of the Western Yalanji People #4
Date Filed	18 March 1999
Legal Process	Consent
Determination Type	Claimant
Determination Outcome	Native title exists in the entire determination area
Rights and Interests	
Registered Native Title Bodies Corporate	Western Yalanji Aboriginal Corporation RNTBC
Local Government region	Cook Shire Council, Mareeba Shire Council
Area (km2)	
Link	

Mamu People

Date of Determination 1 November 2013

Federal Court Number QUD6014/2001

Case Name Stephen Brooks & Ors on behalf of the Mamu People v State of Queensland & Ors

Date Filed 6 April 2001

Legal Process Consent

Determination Type Claimant

Determination Outcome Native title exists in the entire determination area

Rights and Interests Exclusive and non-exclusive

Registered Native Title Bodies Corporate Mamu Aboriginal Corporation RNTBC

Local Government region Innisfail Shire Council

Area (km2)

Ewamian People #2

Date of Determination	26 November 2013
Federal Court Number	QUD6009/1999
Case Name	Barry Fisher & Ors on behalf of the Ewamian People #2 v State of Queensland & Ors
Date Filed	18 March 1999
Legal Process	Consent
Determination Type	Claimant
Determination Outcome	Native title exists in the entire determination area
Rights and Interests	
Registered Native Title Bodies Corporate	Tatampi Puranga Aboriginal Corporation RNTBC
Local Government region	Etheridge Shire Council
Area (km2)	
Link	

Ewamian People People #3

Date of Determination	26 November 2013
Federal Court Number	QUD6018/2001
Case Name	Barry Fisher & Ors on behalf of the Ewamian People #3 v State of Queensland & Ors
Date Filed	30 April 2001
Legal Process	Consent
Determination Type	Consent
Determination Outcome	Native title exists in the entire determination area
Rights and Interests	Exclusive and non-exclusive
Registered Native Title Bodies Corporate	Tatampi Puranga Aboriginal Corporation RNTBC
Local Government region	Etheridge Shire Council
Area (km2)	
Link	

Gudjala People

Date of Determination 18 March 2014

Federal Court Number QUD80/2005

Case Name Elizabeth Dodd & Ors on behalf of the Gudjala People Core Country Claim #1 v State of Queensland & Ors

Date Filed 22 March 2005

Legal Process Consent

Determination Type In effect - finalised

Determination Outcome Native title exists in the entire determination area

Rights and Interests

Registered Native Title Bodies Corporate Ngrragoonda Aboriginal Corporation RNTBC

Local Government region Charters Towers Regional Council, Flinders Shire Council

Area (km2)

Link

Gudjala People #2

Date of Determination 18 March 2013

Federal Court Number QUD147/2006

Case Name Elizabeth Dodd & Ors on behalf of the Gudjala People Core Country Claim #2 v State of Queensland & Ors

Date Filed 21 April 2006

Legal Process Consent

Determination Type Claimant

Determination Outcome Native title exists in the entire determination area

Rights and Interests

Registered Native Title Bodies Corporate Ngrragoonda Aboriginal Corporation RNTBC

Local Government region Charters Towers Regional Council, Flinders Shire Council

Area (km2)

Link

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