



YOUR WAY FORWARD

MESSAGE STICK

Message Stick is published by the
North Queensland Land Council
Native Title Representative Body
Aboriginal Corporation

SEPTEMBER 2023



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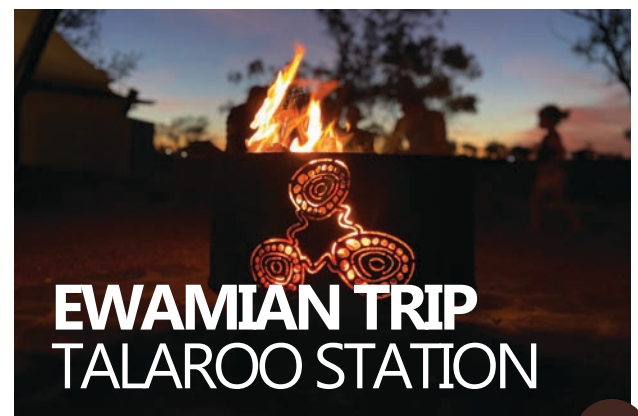
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NQLC acknowledges the
Traditional Owners of our
representative region.

We recognise their continuous
relationships to the lands and
waters, and pay our respects
to Elders past, present and
emerging.

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Wakaman #3, #4 and #5 Native Title Consent Determination

On Friday, 18 August 2023 at an on-country hearing in Chillagoe, the Federal Court formally recognised the native title rights and interests of the Wakaman People. Read about this momentous occasion on page 19.



NQLC Board of Directors. Back row: Director Nicole Huxley, Director Delena Foster, Director Warren Martens, Director Joann Schmider and Director Danny Hooligan. Front row: Director Gary Mooney, Dep. Chair Angie Akee, Chair Richard Hoolihan and Director Rona Hart. (Missing: Director Errol (Mala) Neal, Director Sarah Addo and Director Kaylene Malthouse)

BOARD UPDATE

By **RICHARD HOOLIHAN**
NQLC Chairperson

To begin, I would like to acknowledge the Traditional Owners of country throughout NQLC's representative footprint and recognise their continuing connection to land, waters and culture. I pay my respects to Elders past, present, and emerging.

Welcome readers, to the September edition of NQLC's Message Stick.

CEO RECRUITMENT

In my last update, I announced the appointment of Leon Yeatman to the role of Chief Executive Officer (CEO). Commencing the role in late May, Leon has been working diligently with the Board of Directors and is making significant strides in advancing the Board's priorities. Leon's influence has already

begun to create a positive effect on our corporation, and the Board and I are confident that he will serve effectively as the CEO of the NQLC.

YMAC MOU

I am pleased to announce that a Memorandum of Understanding (MoU) has been signed between the NQLC and Yamatji Marpla Aboriginal Corporation (YMAC). NQLC and YMAC share a similar, long history as native title representative bodies for their respective regions. This agreement will promote



NQLC Chair, Richard Hoolihan and Deputy Chair, Angie Akee signing the NQLC - YMAC Memorandum of Understanding. (Left to right) Directors: Rona Hart, Gary Mooney, Richard Hoolihan, Angie Akee, Danny Hooligan and Warren Martens.



Images: Wakaman Native Title Consent Determination. Left: Wakaman Applicant Robyn Hooley with NQLC Chair Richard Hoolihan holding the Wakaman People's gift from the State. | Above left: Wakaman descendant, Allan Holt and Richard Hoolihan | Above right: Robbie Go Sam with Director Danny Hooligan | Below: Richard Hoolihan and Danny Hooligan yarning with attendees at the Wakaman determination.



cooperation and collaboration between our two organisations to protect, promote, and advance the interests of the traditional owners in our respective representative regions, in accordance with section 203BJ(f) of the *Native Title Act 1993* (Cth).

ENGAGEMENT

The Directors and I am committed to enhancing the corporation's dedication to community engagement. This entails actively participating in events and fostering relationships with influential individuals to create opportunities for the Traditional Owners of our region. I am pleased to have the support of the CEO in this endeavour, and as a result, we anticipate spending more time in our communities. Below are some of the activities the Board of Directors have had the privilege to attend since our last update.

Wakaman Native Title Consent Determination

In August, I had the honour of attending the Wakaman Native Title Consent Determination in Chillagoe. I was joined by Mount Garnet Director, Danny Hooligan, as we witnessed the Wakaman People receive their rightful recognition as the traditional custodians of

their lands. During my time on the Board, this momentous occasion with the Wakaman People stands out as one of the highlights. The day was genuinely extraordinary, filled with feelings of happiness and pride. It also brought back some special memories of our own Gugu Badhun native title consent determination in 2012 (although, thankfully, without the police presence that accompanied 9/11).

Thank you once again to the Wakaman People for welcoming us to their beautiful country, and congratulations again on your momentous achievement.

Ambassador for First Nations People, Mr. Justin Mohamed

In June, I was introduced to Australia's inaugural Ambassador for First Nations People, Mr. Justin Mohamed when he attended our office in Cairns. I am grateful that the Ambassador prioritised meeting with me, Leon, and the Executive Managers while he was up North. It gave us a chance to inform him about what we do as a land council and our vision for the future. It's crucial that we ensure the voices of North Queensland communities are heard and that the Traditional Owners of our region are kept informed about the international opportunities available to



Top left: NQLC Chair Richard Hoolihan taking part in the smoking ceremony at the 2023 AIATSIS Native Title Summit. Top centre: A proud Director Neal at the 2023 AIATSIS Native Title Summit. Top right: Tableland Ward Directors, Director Kaylene Malthouse and Director Joann Schmider. Bottom left: Deputy Chair Angie Akee and Director Delena Foster. Bottom right: Back row: Director Warren Martens, Director Gary Mooney, CEO Leon Yeatman, Chair Richard Hoolihan, Director Danny Hooligan. Front row: Director Kaylene Malthouse, Director Joann Schmider, Deputy Chair Angie Akee, Director Delena Foster, Director Rona Hart (Missing: Director Nicole Huxley, Director Sarah Addo and Director Errol Mala Neal)



them. I'm excited about collaborating with him and his department and promoting indigenous businesses both domestically and internationally.

2023 AIATSIS Native Title Summit

Back in June, myself and fellow directors Danny Hooligan, Errol (Mala) Neal, Rona Hart, Warren Martens, Gary Mooney and Nicole Huxley travelled to Noongar Boodja (Perth) for the 2023 AIATSIS Summit. This occasion provides a valuable chance for us to network and engage with groups from all over the country who have overcome many of the same challenges that our northern groups encounter in the pre- and post-determination phase.

The extensive discussions on various topics and updates on native title allowed us to gain fresh insights into strategies and approaches that have proven successful in other regions. It was truly inspiring to witness the shared dedication and resilience of Indigenous groups from across the nation, which reinforces our commitment to advancing the rights and aspirations of the Traditional Owners in our region. The connections made and knowledge exchanged during the 2023 AIATSIS Summit have further strengthened our resolve to continue the important work we do.

BOARD MEETINGS AND WORKSHOPS

The Board of Directors got together in August to discuss the revision of NQLC's core documents: our rulebook, strategic plan, and policy manual. I would like to extend my gratitude to Anthony Bevan from Grant Thornton for facilitating this session. A consultation plan with guidelines for the CEO and executive team has been established to implement our recommendations.

2023 WARD MEETINGS (ELECTIONS)

In the coming weeks, the Board of Directors will determine the dates and locations of the 2023 Ward Meetings (for the elections) and the 2023 Annual General Meeting. Please monitor your mail and NQLC's website and social media pages for this announcement.

In conclusion, I invite you to explore the rest of this newsletter and hope you enjoy the September edition of Message Stick.

Richard.





Left: NQLC CEO, Leon Yeatman, NQLC Deputy Chairperson, Angie Akee and NQLC Chairperson, Richard Hoolihan | Above: (Back row) Director Nicole Huxley, Director Delena Foster, Director Warren Martens, Director Joann Schmider and Director Danny Hooligan. (Front row) Director Gary Mooney, Dep. Chair Angie Akee, Chair Richard Hoolihan, Director Rona Hart and CEO Leon Yeatman (Directors missing: Director Errol (Mala) Neal, Director Sarah Addo and Director Kaylene Malthouse) | Below: NAIDOC Day 'pot luck' lunch.



EXECUTIVE UPDATE

By **LEON YEATMAN**
NQLC Chief Executive Officer

Dear NQLC Community,

I trust this update finds you all in good health and high spirits. It's hard to believe that I've been in the role of CEO at the North Queensland Land Council since May. Time has flown by, and I am honoured to have taken the reins from Rhonda Jacobsen, better known as Jake, whose contributions have been invaluable in her time as Interim CEO.

In the short time that I've been at NQLC, I've had the privilege of witnessing firsthand the incredible dedication and passion that our community brings to the table. Together, we are making great strides towards our collective vision, and I am excited to share some of our recent updates, accomplishments, and ongoing initiatives.

NATIVE TITLE REPRESENTATIVE BODY STATUS

Earlier this year, the Minister for Indigenous Australians, the Honourable Linda Burney MP, invited NQLC to apply for another term as the native title representative body (NTRB) for the North Queensland Region. It is with great pleasure that I share the news that in June, NQLC received notification of the extension of our NTRB recognition for an additional three years.

I wish to acknowledge the hard work of our dedicated NQLC team throughout the previous recognition period. Their unwavering commitment, outstanding performance, and demonstrated abilities have enabled us to retain this status. I take great pride in serving as the CEO of such an esteemed organisation.

STAFFING

Peter Kilduff, our Principal Legal Officer (PLO), has accepted a position in Victoria, which means he'll be departing from NQLC in mid-October. Following Peter's departure, Susan Walsh will be acting in the PLO role, with Jasmin Phillips acting in Susan's substantive role as Deputy Principal Legal Officer. We sincerely thank Peter for his invaluable service



Images: Wakaman Native Title Consent Determination. Left: NQLC CEO, Leon Yeatman with NQLC Chairperson, Richard Hoolihan | Above left: Wakaman descendants, Richard Murgha and Colin Andrews with Leon Yeatman | Above right: Wakaman Elder, Mrs Murial Brown and Leon Yeatman | Below: Leon Yeatman giving a speech at the Wakaman Determination.



as the PLO. His contributions have made a lasting impact, and we wish him all the best in his future endeavours in Victoria.

In June, NQLC welcomed Emma King as the Senior Anthropologist and Coordinator for the Anthropology Unit. Emma is an incredibly experienced anthropologist with over 20 years in the field, and we are delighted to have her join our team. I would also like to thank Senior Anthropologist Kara Dunn for acting in the coordinator role for the last two years. Her leadership, unwavering commitment, and strong work ethic played a pivotal role in the continued operation of the Anthropology Unit.

WAKAMAN NATIVE TITLE CONSENT DETERMINATION

Since our last newsletter, we celebrated the momentous occasion of the Wakaman Native Title Consent Determination for claims #3, #4, and #5. On Friday, 18 August 2023, in Chillagoe, I had the privilege of witnessing the Wakaman People being legally recognised as the Traditional Owners of their lands.

The day was truly exceptional and filled with an overwhelming sense of joy and accomplishment. The Wakaman Native Title Consent Determination marked a significant milestone in a two-decade journey for the

Wakaman People, as their deep connection to the land was formally acknowledged and recognised under Australian law. The atmosphere in Chillagoe was charged with pride, as Justice Collier stated what the Wakaman People have always known – that this is their country.

I wish to extend my sincere congratulations to the Wakaman People on this profoundly significant occasion. It has been a privilege for NQLC to work with you over the years, and we look forward to our continued role in providing support in the post-determination phase.

VISITORS

Ambassador for First Nations People, Mr. Justin Mohamed

In June, we welcomed Australia's inaugural Ambassador for First Nations People, Mr. Justin Mohamed, to our Head office in Cairns.

I wish to express my appreciation to Ambassador Mohamed for his visit, following our positive introduction at the AIATSIS Native Title Summit in Perth, aimed at progressing the agenda in our space. It is of utmost importance to have a dedicated Indigenous representative at the Diplomatic level to amplify our voice on First Nations agendas, particularly through



Above left: Staff from NQLC's Cairns office with the Ambassador for First Nations Peoples, Mr Justin Mohamed | Above right: NQLC CEO, Leon Yeatman; Registrar of Indigenous Corporations, Tricia Stroud; Snr Legal Officer-FAME Coordinator, Jules Taylor; PLO, Peter Kilduff and Snr Legal Officer-PBCSU Coordinator, David Jesudasen.

Australia's international engagements. At the grassroots level, we recognise a pressing need to link our issues with other Indigenous forums and endeavour to secure opportunities or contacts for our Traditional Owners.

During this visit, Ambassador Mohamed highlighted the support he has received thus far from Senator the Honourable Penny Wong and the Department of Foreign Affairs. While significant work has been done in the past, Mr. Mohamed is the first to officially hold a position dedicated to First Nations interests. Throughout the Ambassador's visit to the Far North, he ensured to connect with as many First Nations agencies as possible and spoke warmly of the reception he received.

NQLC looks forward to a continued relationship with the Office of First Nations Engagement and hopes this will prompt further collaboration between other government departments and native title representative bodies and service providers in the future.

Registrar of Indigenous Corporations, Ms. Tricia Stroud

June also saw the Registrar of Indigenous Corporations, Ms. Tricia Stroud, visit our Cairns office to connect and discuss future opportunities between the Office of the Registrar of Indigenous Corporations (ORIC) and NQLC.

This was an impromptu visit, on the back of meetings held in the region.

North Queensland Land Council is mindful of the stakeholder relationships in our footprint and will be working to improve the strategic engagements into the future.

Interim Truth & Treaty body visit

The Interim Truth and Treaty Body (ITTb) was in Cairns on Tuesday 4 July as part of their community engagement in the Cairns Region.

The ITTB have been conducting sessions across the State since March this year.

Community provided input into the selection process for the Truth-telling and Healing Inquiry and the First Nations Treaty Institute Council members, as well as input on what should be included in the Truth Telling and Healing Inquiry 'Terms of Reference'.

Katie Kiss, Executive Director and Fina Trad, Coordination and Engagement Officer Secretariat ITTB visited the office to provide an update to the executive team and supplied merchandise to help promote the message.

The ITTB team then ventured on to Laura Festival to promote their message.

2023 NAIDOC DAY

The NQLC teams observed a special NAIDOC Lunch to pay tribute and celebrate the wisdom, resilience, and affection of our Elders. The pens were set aside as staff came together for a potluck lunch to commemorate NAIDOC.

Aligning with this year's NAIDOC theme, 'For Our Elders', the communal lunch was filled with conversations, laughter, and stories, honouring the significant role our Elders have played and continue to play in our communities and families.

Each staff member contributed dishes that held personal significance to their own Elders. The



Tropical Fridays! Because what better way to cap off a busy week than to don a tropical shirt? Our Cairns Office (above) understood the assignment.

spread included fried fish, pork, rice, belacan (bla-chan), Kimberly numus, kangaroo patties, stew, taro balls, tacos, liverwurst on rye, sherry trifle, and much more.

A heartfelt appreciation goes to Jasmine Clubb, FAME's Senior Project Officer, for organising the event, and to all the staff members who cooked and shared their stories.

BOARD POLICY AND STRATEGIC DOCUMENT WORKSHOP

The long-awaited workshop to review a number of key documents and policies happened in August.

Anthony Bevan from Grant Thornton was engaged to organise and facilitate the workshop. This was a comprehensive activity which went over three days. The quality of discussion was very high and the performance by members present productive.

The outcome of the workshop included, review of the core policies, redrafting of the rulebook and a plan for consultation and some clear guidelines for the CEO and executive team.

The opportunity was also secured to capture corporate images of the Directors and CEO. These images will be used as the stock pictures for the team.

2023 WARD MEETINGS (ELECTIONS)

Members of the NQLC Board of Directors are elected using a ward system, established to guarantee proportional representation throughout NQLC's geographic region. Typically, the elected members serve for a duration of two years, commencing their roles at the conclusion of one Annual General Meeting (AGM) and continuing until the subsequent AGM two years later. In accordance

with the NQLC rulebook, 2023 is an election year.

As in years past, ward meetings for these elections will be held across each of NQLC's 10 representative wards. All 10 meetings will occur on the same date and at the same time, in their respective locations.

NQLC Members, please keep an eye on your physical and digital mailboxes and follow our website and social media pages, as the dates and locations for these meetings will be announced in the coming weeks. If your contact details have recently changed, please notify our office immediately.

NQLC TEAM UPDATES

I invite readers to view the Claim Update section for the latest news on our native title claim and research work; and to the EDST Update for the latest from our FAME and PBC Units.

In closing, the NQLC team remains steadfastly committed to our vision of a region in which the native title rights and interests of every native title holder have been legally recognised, and in which Aboriginal people benefit culturally, socially, and economically from the secure possession of their traditional lands and waters.

Leon.





Wakaman Native Title Consent Determination 18/08/2023. Left to right: Wakaman Applicant, John Alvoen; former NQLC Wakaman Legal Officer, Chris Harriss; NQLC Wakaman Legal Officer, Susan Walsh; Wakaman Applicant, Robyn Hooley (holding Wakaman's gift from the State); NQLC Wakaman Anthropologist, Luis Lopez and Dan O'Gorman SC.

CLAIMS UPDATE

By PETER KILDUFF
NQLC Principal Legal Officer

Welcome to the Claims Team update for the third quarter of 2023. The Claims Team, comprising of the Legal and Anthropology Units, continue to work at maximum capacity to progress the active and proposed claims list. A detailed update on the claims work being undertaken can be found later in this article.

RESEARCH

The Claims Team, together with NQLC anthropologists and independent consultant anthropologists commissioned by NQLC are working on the following research projects:

- **Mulgrave River Russell River Research Project (MRRR)**

Research has been progressed by consultant anthropologist, Kim McCaul,

with the undetermined areas to the south, west and east of Cairns where there are a number of existing determinations, including for Tableland Yidinji, Wanyur Majay, Dulabed and Malanbara Yidinji and Gunggandji and Mandingalbay Yidinji Peoples. Mr McCaul's report to the NQLC is expected to be provided by April 2023.

- **Northwest Region**

This research project has been commissioned to Dr Natalie Kwok by NQLC. The research area covers a large swathe of country in the northwestern reaches of NQLC's region, where there are no current native title claims or determinations, apart from a non-claimant application by the Strathmore pastoral lease holder (Scott Harris). The NQLC is a party to the non-claimant application and has provided, in NQLC's submission, objectively arguable evidence of native title to the Federal Court. Dr Kwok's has undertaken some fieldwork and will continue to work on the research.

- **South West Region**

Consideration of Alternative settlement Framework.

- **Gia and Ngaro**

NQLC has funding from NIAA to brief the Claim to an external lawyer up until the registration of the claim.

- **Hells Gate Dam Research Project**

NQLC is considering recent reports from consultant anthropologist, Kevin Mayo, and NQLC senior anthropologist Louise Allwood, in relation the footprint of the Hells Gate Dam project area.

PREPARING FOR AUTHORISING CLAIM / AUTHORISED CLAIM / EARLY CLAIM

NQLC had two matters in the early stages of a native title claim. These claims have been registered and are:

- **Eastern Kuku Yalanji People**
- **Manbarra People**

CONNECTION NEGOTIATION

THE NQLC has a number of native title claims at the stage of the State considering whether sufficient and credible evidence has been provided to support recognition of native title. The shorthand for this is "connection." The term "connection" refers to a legal test in the Native Title Act which all native title claims must satisfy. Native Title recognition is given to native title groups who can show a connection to their lands and waters through the continuing acknowledgement and observance of traditional laws and customs of the Aboriginal peoples who were on the claimed lands and waters before British invasion. The Courts have said that there can be some change and adaptation over time of the traditional laws and customs now acknowledged and observed by the group or groups claiming native title recognition.

The Native Title Act encourages the parties to native title proceedings to seek to negotiate an agreement on connection without this having to be determined at a full trial in the Federal Court and this is the stage currently occupied by the following claims:

- **Djungan People #5**
- **Muluridji People #3**
- **Gugu Badhun People #3**

- **Djabugay Nation** (previously Cairns Regional Claim)
- **Gurambilbarra Wulgurukaba Mada** (GW sea claim)

CONNECTION DISPUTED / CONTESTED HEARING MATTERS

There are three matters in which connection is disputed such that a contested connection hearing has been scheduled, or may be scheduled, failing resolution of Indigenous respondent party assertions. These are:

- **Bindal People #2** was scheduled to go to a connection evidence hearing in September 2023. The hearing date has been vacated and the matter will come back before the Court early next year.
- **Gurambilbarra Wulgurukaba**. The matter may settle by agreement.
- A proposed **Gudjala People's** claim over the northern area of the Jangga People #2 matter has been lodged and registered by the NNTT.

CONSENT DETERMINATION

The **Wakaman People #3, #4 and #5** native title consent determination was held on Friday, 18 August 2023 in Chillagoe. See page 19 for photos from this momentous occasion. Congratulations to the Wakaman People.

Part A of the **Jirrbal People #4** claim is expected to go to consent determination in the first half of 2024.

That concludes the Claims Team for this edition of Message Stick. We look forward to updating you further in our next update, due out in December 2023. Until then, if you have any questions regarding your claim or would like to get in touch, please call us on 1800 814 779 (freecall) or email us at reception@nqlc.com.au.

Peter.





Jasmine Clubb, Senior Project Officer, FAME; Jules Taylor, Senior Legal Officer-Coordinator, FAME; David Jesudason, Senior Legal Officer-Coordinator, PBC Support Unit and John Cecchi, Senior Legal Officer, FAME at the Wakaman Native Title Consent Determination.

EDST UPDATE

By **RHONDA M JACOBSEN**

Manager

Engagement and Development Support Team

The year has certainly been flying by and we cannot believe it is September already.

The PBC Support Unit (**PBCSU**) and Future Act Mining and Exploration (**FAME**) Unit have continued with the work that they reported on in the May 2023 edition of Message Stick and are pleased to report below more specifically on progress of some of the initiatives that were discussed.

Following feedback from PBCs and the amazing adaption to a virtual environment for PBC director, member, and common law holder meetings, EDST through the PBCSU is looking to modify the format for the delivery of training options as webinars over lunchtime with capacity and professional development sessions to allow more PBC directors and staff to attend, rather 1- or 2-day forums. This will be a significant cost and time resource saving

for the PBCs. The training sessions will cover the broad range of circumstances that PBCs are addressing in their day-to-day business and EDST is in the process of engaging experts to run these sessions including covering topics such as: Indigenous Cultural Intellectual Property (ICIP), employment law, future acts and native title agreements, cultural heritage, grant fund writing, financial management, conflicts and risk management. As these are scheduled and we have identified providers for the webinar series we will provide further information to PBCs.

The FAME Unit has also been driving a project to create an online portal for PBCs to track future act notices, agreements and other native title information. Stage one of the project will commence towards the end of this calendar year now that most of the content has now been settled internally. This will be a great asset for PBCs and EDST would hope to be able to expand its utility beyond future acts in future stages of its development.

We look forward to continuing to work with you in 2023.

Jake.





NQLC meeting with Ewamian at Talaroo Station (see article on page ##)

FAME UPDATE

By **JULIA (JULES) TAYLOR**

Senior Legal Officer – Coordinator
Future Acts Mining and Exploration (FAME) Unit

The Future Act Mining and Exploration (FAME) Unit continues its work on large projects for mining, renewables, carbon and other large infrastructure projects with a team of external support to ensure that experts are available for PBCs and Applicant groups for best practice agreements. The Annual Report which is currently being prepared will contain all of the statistics for future acts and other negotiated agreements and the level of activity in NQLC's region is reflected in that reporting shows the marked increase in larger projects.

FAME Unit staff are seeing many PBCs in high development areas needing to negotiate multiple agreements at a time which is a resource drain and is monopolising the time they have to undertake other key business on behalf of common law holders. We are seeing various ways PBCs are managing this through subcommittees and even expressions of interest out to members on a skills base to lead negotiations. When the knock on the door comes for a new negotiation and, for example with mining, a six-month window to negotiate this is a serious capacity concern for many groups where ensuring there are human resources to manage becomes critical.

NQLC's Engagement and Development Support Team staff met with the Ewamian

People at Talaroo Station for a week at the end of August which emphasises the volume of business PBCs are having to manage – a week for a meeting! Please see separate article about the Ewamian trip on page 16.

What the FAME Unit has noticed however is that there is a drop in notices issued under Section 24 of the *Native Title Act 1993* (Cth). NQLC has had a longstanding agreement with many agencies for notices to be sent to NQLC in addition to PBCs however this practice for many agencies has dropped off. There is no legal obligation for agencies to send notices to NQLC once there is a determination of native title so if your PBC is receiving notices however you then do not hear from NQLC please do not hesitate to contact us and provide a copy of any notice received should you need advice.

Please continue to contact us directly at fameunit@nqlc.com.au for any assistance.

Jules.





PBCSU UPDATE

By **DAVID JESUDASON**

Senior Legal Officer – Coordinator
PBC Support Unit

With the determination of the Wakaman People in August 2023, there are now 32 PBCs in the NQLC region. With the progression of claims, we may see another 2 PBCs this financial year. The PBC Support Unit (**PBCSU**) continues to work closely with the Claims Team for the development of rule books in advance of these future determinations to ensure they are business ready at determination, with a strong PBC ready to represent common law holders in exercising native title rights and interests and protecting country, as well as other opportunities to build the strength of groups post determination.

The PBCSU has been in contact with ORIC in relation to PBCs that have yet to update their rule books following the *Corporations (Aboriginal and Torres Strait Islander) Act* amendments in March 2021 where PBCs had two years to implement those changes. If you have not updated your rule books and would like assistance, please contact the PBCSUs and we can assist with any amendments or replacement of the rule book to comply with the new legislation. A tailored rule book to suit your PBC is critical and actioning this in the short term may avoid ORIC Registrar initiated

changed being made for compliance with the legislative changes.

It is also heading up to 'AGM season' and Director Identification Number (**DIN**) requirements will need to be complied with especially where there are elections being held. Directors who have been or will be appointed after 1 November 2022 must have a DIN before they are appointed or face heavy penalties. Those directors who were appointed before 1 November 2022 have until 30 November 2023. If you require assistance with the application for a DIN please do not hesitate to contact PBC Support Unit.

As reported in May Message Stick, the PBCSU continues to offer ongoing assistance through the engagement of strategic planners, business planners and land planners to provide a framework for the management and economic development of their native title rights and interests and other assets, consistent with their communities' aspirations and expectations. The PBCSU is also looking at specific workshops for PBCs to consider and develop their internal governance and operational policies in a culturally appropriate way to be able to manage native title and so there is a broader understanding of native title and an agreed process for managing cultural heritage and communication with the broader community. As noted in the EDST report above, we are currently identifying providers that would be able to offer that service and will contact PBCs directly when the training program has been further developed.

If you have any questions in relation to your PBC please contact the PBC Support Unit at pbcsupport@nqlc.com.au.

Dave.





EWAMIAN TRIP

Talaroo Station



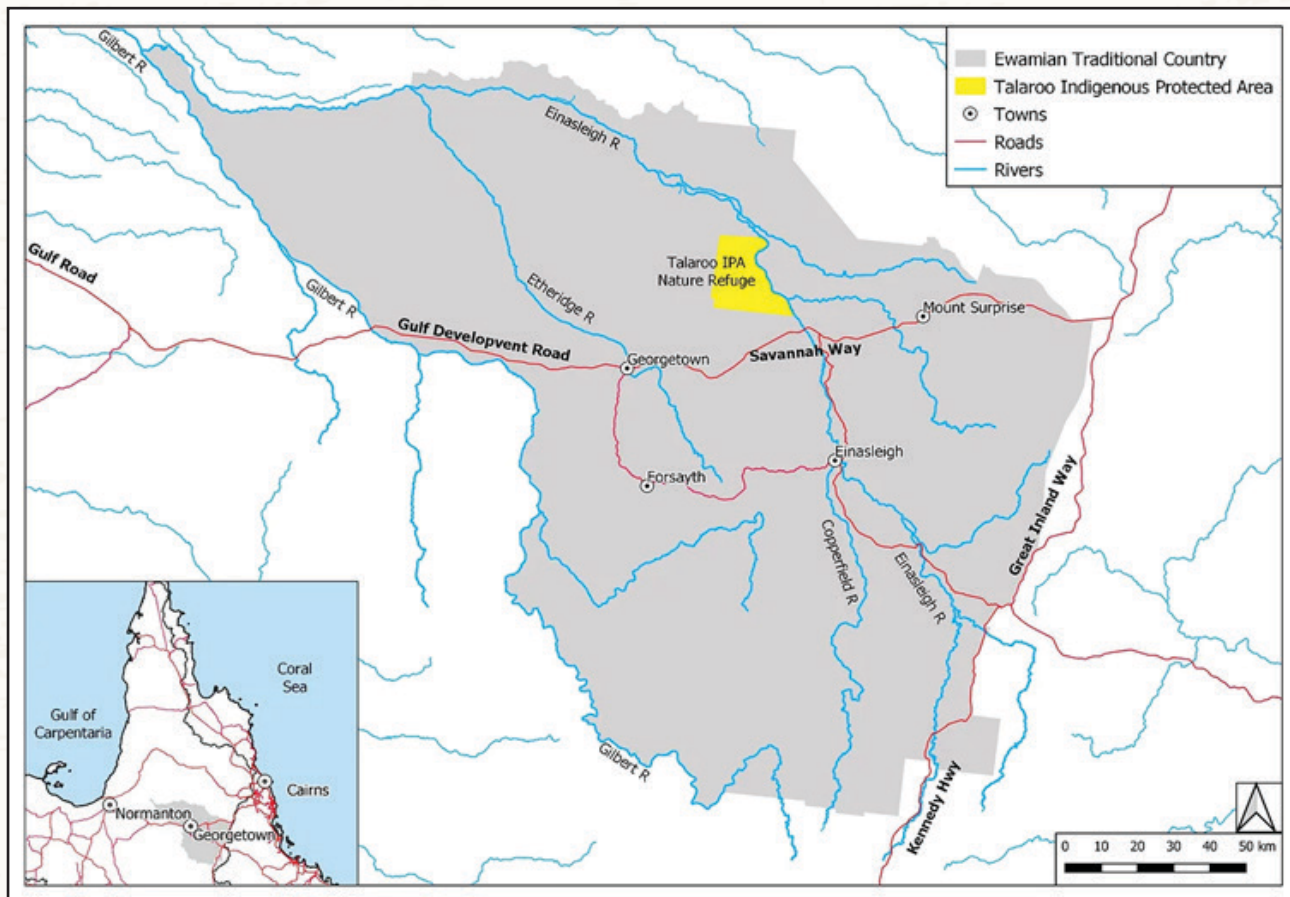
As detailed in the FAME Unit update, FAME Unit staff are seeing many PBCs in high development areas needing to negotiate multiple agreements at a time which is monopolising the time they have to undertake other key business on behalf of common law holders.

NQLC's Engagement and Development Support Team (EDST) staff met with the Ewamian People at Talaroo Station for a week at the end of August. The Ewamian People Aboriginal Corporation RNTBC (**EPAC**) and their operational arm Ewamian Limited invited NQLC in their capacity as legal advisor and also extended the welcome to our new CEO Leon Yeatman and Manager of the Engagement and Development Team, Rhonda (Jake) Jacobsen to see some of the business taking place with the EPAC and Ewamian Limited and also to experience Talaroo Station, managed as an Indigenous Protected Area and a gazetted Nature Refuge, and the tourism development,

Talaroo Hot Springs that has now been operating for three seasons.

Ewamian People have determinations of native title over their traditional country. The Ewamian People are the Traditional Owners of an area of north-western Queensland extending over the Gilbert and Einasleigh River catchment areas including Georgetown, Mount Surprise, Forsyth and Einasleigh. Ewamian country includes Undara Volcanic National Park, Cobbold Gorge and Talaroo Hot Springs. The Savannah Way (Gulf Development Road) travels across their country also.

The Ewamian Corporate Group has expanded since the 1990's when Ewamian Aboriginal Corporation was established to support their Native Title Claim application and provide other services for Ewamian People. The Ewamian Corporate Group restructure in 2021 now encompasses EPAC (the PBC), Ewamian Limited, the operational arm that carries out all



administrative functions and runs a successful Ranger program and owns Talaroo Station, and also Talaroo Hot Springs Pty Ltd for the tourism operations. The Ewamian Corporate Group also has a charitable trust for managing benefits from agreements on behalf of Ewamian People. This restructuring was designed to be more efficient in the implementation and operations of the business and provide tax benefits and protect both physical and financial assets. This process was undertaken with assistance from the EDST with advice from governance and financial advisors.

Why have Ewamian People restructured their corporate entities?

Because of the growth and new entities established it was necessary to restructure and to be more efficient. Another reason for this was because of the creation of Ewamian People Charitable Trust and making sure Ewamian People had a robust corporate structure to protect the Ewamian entities and be more effective in their corporate governance. As PBCs grow and expand their business generally, undertaking an audit upfront of what is

required to ensure that PBCs are protecting assets and are tax efficient is critical. EDST can assist PBCs who are looking into expansion and you can contact us through the PBC Support Unit.

The week at Talaroo with NQLC and the Directors provided an opportunity to review all of the governance and operational policies two years after the restructure to undertake a check on how they were operating and what needed to be added or amended to ensure that these 'live' documents grow with the business. As noted in the PBC Support Unit update in this edition of the Message Stick, this is one of the





services of the PBC Support Unit and if you would like any assistance from NQLC's PBC Support Unit please contact us.

Talaroo Station is a great economic and community success story. The Ewamian Corporate Group have a profitable tourism operation that provides employment for Ewamian People. Talaroo is a living cultural landscape for Ewamian People, rich with dreaming stories and centred around the healing and culturally vibrant Hot Springs. Talaroo showcases Ewamian hospitality and promotes a deep reconciliation between people, culture and place. Ewamian People are achieving their vision for Talaroo which was to support environmentally acceptable economic ventures on Country and ultimately provide financial independence. NQLC staff were lucky enough to experience an amazing cultural tour of the Talaroo Hot Springs by Tour Guide Tania, and a soak in the hot pool after a hard day at work.

Since 2011, Ewamian's ranger program has delivered effective and culturally appropriate natural and cultural management of Ewamian land by Ewamian Rangers based out of Talaroo and the Ewamian Limited are working towards having Talaroo being Dedicated as an Indigenous Protected Area by the end of 2023.

EPAC and Ewamian Limited have also been successful in negotiating many major agreements and Indigenous Land Use Agreements, resulting in significant compensation, protection of cultural heritage and other benefits for Ewamian People. Many of these small and large negotiations take place with the assistance of the FAME Unit and

the many external advisors that have provided assistance over the years specialising in mining, renewable energy, infrastructure projects and carbon projects. It is the strong commitment and drive of the EPAC and Ewamian Limited Boards that have lead to real benefits and opportunities for Ewamian People from these agreements including enduring partnerships with some proponents and government agencies.

A week seems a long time for a meeting but with the aid of Zoom and reliable wifi at Talaroo, Ewamian Limited's General Manager arranged the 5 day meeting agenda, along with logistics for all attendees and the very important delicious catering, so that there were structured times for advisors, presenters and companies undertaking business on country to make the most out of the time and also ensure that there was time for the Ewamian Corporate Group to attend to their own business. Technology has certainly streamlined how business can be done and the high volume of work that PBCs generally are involved in can be managed efficiently.

It is worth a visit to the website to see all the fantastic business taking place for Ewamian People.

www.talaroo.com.au

[Ewamian People Aboriginal Corporation | Mareeba | Outback Queensland](#)

Enjoy the fantastic photos taken from the trip throughout this article.



Wakaman Native Title Consent Determination 18/08/2023. Top left: Justice Collier with Wakaman Applicants Carol Payne, John Alvoen, Robyn Hooley and William Thomas. Top right: Applicants John Alvoen and Robyn Hooley with a gift from the State. Bottom left: Justice Collier receiving a gift from Robyn Hooley on behalf of the Wakaman People. Bottom right: MC, Greg McClean welcoming attendees before the official proceedings.

WAKAMAN #3, #4 and #5 Native Title Consent Determination

On Friday, 18 August 2023 at an on-country hearing in Chillagoe, Far North Queensland, the Federal Court formally recognised the native title rights and interests of the Wakaman People over approximately 14861 sq km of land in and around Chillagoe, north to the Walsh River and south to the Lynd River.

The native title determination for the Wakaman People, presided over by The Honourable Justice Collier, represented the legal

recognition under Australian law of what the Wakaman People have always known – that this is their country. The Wakaman People have been fighting for the recognition of their native title rights and interests for over 20 years. This determination of their native title represents an important step towards self-determination and will support their continued access to and looking after of their Country according to the traditional laws and customs of their Old People.

The history of the Wakaman people is a history of resilience. Aggressive colonisation before the turn of the 19th century, government removals and restrictions on cultural practices saw the lives of the Wakaman people substantially altered. Oral tradition tells of the hard times people endured. Despite this history, Wakaman people were able to remain strong, transmit their law and custom and stay connected to their traditional lands as they had done so for thousands of years.

The applicants for the claims on behalf of the Wakaman People were Mr. John Alvoen, Mr. William Thomas, Ms. Robyn Hooley, Ms. Raelene Madigan and Ms. Carol Payne. The Wakaman People are represented by the North Queensland Land Council.

When asked what this recognition means to her, Robyn Hooley stated 'It means everything. It's been a long process. The sacrifice my family made and their contribution to getting recognition to country, it makes me feel very proud that we finally achieved a good outcome'. Robyn has maintained a lifelong connection with Wakaman country for purposes of healing and spiritual guidance. She believes it's now her responsibility to pass down stories, knowledge, and respect for the land to her children, grandchildren, and great-grandchildren.

Speaking with William Thomas about the significance of this acknowledgment, he stated, 'It means a lot to me because that's my mother's country. I have been fighting for this native title claim for over 20 years now.' The birthplace of his mother, the Tate River, holds a special meaning for William, as does Castlefoot Rock, which carries a significant story for Chillagoe.

The North Queensland Land Council welcomes this decision and congratulates the Wakaman People on this momentous occasion.





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