



**Cape York Land Council
Aboriginal Corporation**

Annual Report 2014-15





Cover art:

Artist: *Brian Robinson*
Title: *Waterworld of the Waru [2010]*
linocut printed in black ink from one block
210 x 420mm
Edition of 40
Publisher: *Djumbunji Press KickArts Fine Art*
Printmaking
Printer: *Elizabeth Hunter*

Information about the Artist and his collection is available at:

Australian Museum, Sydney, NSW
Australian War Museum Canberra, ACT
QUT Art Museum Collection, Brisbane, QLD
Australian National Maritime Museum, Sydney, NSW
Cairns Regional Gallery, QLD
Charles Darwin University Art Collection, Darwin, NT
Environmental Protection Agency, Cairns Office, QLD
Geelong Gallery, VIC
Gold Coast City Art Gallery, QLD
Jean-Marie Tjibaou Cultural Centre, Noumea, New Caledonia
KickArts Contemporary Arts, Cairns, QLD
Museum and Art Gallery of the Northern Territory, Darwin
Museum of Contemporary Aboriginal Art, Utrecht, The Netherlands
National Gallery of Australia, Canberra, ACT
National Gallery of Victoria, Melbourne, VIC
OTC Collection, Australia
Queensland Art Gallery/Gallery of Modern Art, Brisbane, QLD
Queensland University of Technology Art Museum Collection Brisbane
The Kluge-Ruhe Aboriginal Art Collection, Virginia, USA

The Cape York Land Council website address is <http://www.cylc.org.au/>. Copies of the 2014-15 Annual Report and previous reports may be found on the website.

Enquiries may be directed to the website manager. The website manager can be contacted by phone on (07) 4053 9222 or by email at info@cylc.org.au.



Cape York Land Council Aboriginal Corporation
ICN 1163 | ABN 22 965 382 705

Contact: Richard Ah Mat
Email: rahmat@cylc.org.au

The Hon Nigel Scullion MP
Minister for Indigenous Affairs
Department of Prime Minister and Cabinet

Dear Minister

It is with pleasure that I present to you the Cape York Land Council Aboriginal Corporation's (CYLC) Annual Report for the period 1 July 2014 to 30 June 2015.

CYLC continues to build on its proud history of achievements. Every year CYLC staff and Board Members work on land and sea matters with Traditional Owners and other stakeholders across Cape York to increase positive outcomes for Aboriginal people. Foremost amongst CYLC's activities is effective delivery of Native Title Representative Body statutory functions as provided under the *Native Title Act 1993* and the requirements of department's Program Funding Agreement. The past year has been no exception to this record of performance.

In partnership with the government and based on CYLC's past and future achievements, I look forward to progressively realising the long held aspirations of the Aboriginal people of Cape York to regain and enjoy their rights to land and sea so they can preserve their culture and have increased opportunities to achieve a better future. I submit the CYLC 2014-15 Annual Report for your consideration.

Yours sincerely,

Richard Ah Mat
Chairperson
Cape York Land Council



TABLE OF CONTENTS

ACRONYMS.....	5
REPORT BY CHAIR.....	6
REPORT BY CEO	8
CAPE YORK LAND COUNCIL OVERVIEW.....	13
Background	14
Representative Area	15
Functions.....	15
Organisational Structure.....	17
REPORT ON PERFORMANCE.....	18
Native Title Unit	18
Regional Reports.....	21
Agreements Database and Implementation	23
Future Acts.....	24
Other Legal Actions.....	25
Ngan Aak-Kunch Aboriginal Corporation v State of Queensland (B35/2015)	25
State Land Dealings & National Park Transfers Unit	26
Summary of NTDAs, Determinations, ILUAs, FANs and SLD transfers	27
Community Relations Unit	31
PBC Support Unit	31
Performance Analysis	32
Strategic Outcomes Unit.....	33
CORPORATE GOVERNANCE	36
Board of Directors	36
Training and Development of Directors	38
Senior Management Team.....	38
Risk Management	38
MANAGEMENT OF HUMAN RESOURCES	39
Corporate and Operational Planning	39
Financial Management.....	39
Ethical Standards.....	39
Corporate Services Report	40



Staff Overview	42
CONSULTANTS AND COMPETITIVE TENDERING	43

List of Figures

Figure 1 - CYLC NTRB Boundary Map showing determined, claimed and unclaimed areas	13
Figure 2 - CYLC Organisation Structure	17
Figure 3 - Cape York Research Regions	18
Figure 4 - Map showing Cape York land tenure, including State Land Dealings Transfers	26
Figure 5 - CYLC Reporting Structure	40

List of Tables

Table 1 - NTDA Status	27
Table 2 - ILUAs registered with the National Native Title Tribunal during 2014-15	27
Table 3 - Native Title Determinations	28
Table 4 - Future Act Notices received 2014-15	29
Table 5 - State Land Dealings	29
Table 6 - Board Member meeting attendance 2014 - 15	38
Table 7 - Staff overview 2014 - 15	42
Table 8 – 2014 - 15 Consultant Costs	43

List of Photographs

Photo 1 - Governance Training with Ngan Aak-Kunch PBC Board	9
Photo 2 - Youth Forum	9
Photo 3 - Lockhart River Dancers	10
Photo 4 - Masig Kai-Lag Dancers	10
Photo 5 - Yalanji Dancers	10
Photo 6 - Injinoo	12
Photo 7 - Flag raising at Lockhart River	14
Photo 8 - Northern Cape York #2 Determination	16
Photo 9 - Northern Cape York #1 Determination	16
Photo 10 - Kowanyama Part D Determination	16
Photo 11 - Cooya Beach	19
Photo 12 - Wuthathi Dancers	21
Photo 13 - Wuthathi #2 Determination	22
Photo 14 - Bromley Determination Dancers	22



Photo 15 - Bromley Determination	22
Photo 16 - Ngan Aak-Kunch signing off an ILUA.....	24
Photo 17 - Ngan Aak-Kunch Handover	24
Photo 18 - Congress CFMS Signing.....	24
Photo 19 - Ngan Aak-Kunch Board meeting Borrooloola TOs.....	25
Photo 20 - Lockhart River Dancers	26
Photo 21 - Board of Directors 2014-15	37
Photo 22 - Hut at Mossman Gorge.....	41



ACRONYMS

ACHA	<i>Aboriginal Cultural Heritage Act 2003 (Qld)</i>
ALA	<i>Aboriginal Land Act 1991 (Qld)</i>
Balkanu	Balkanu Cape York Development Corporation
CATSIA	<i>Corporations (Aboriginal and Torres Strait Islander) Act 2006 (Cth.)</i>
CEO	Chief Executive Officer
CFO	Chief Financial Officer
CYLC	Cape York Land Council Aboriginal Corporation
CYPHA	<i>Cape York Peninsula Heritage Act 2007 (Qld)</i>
CYWR	Cape York Welfare Reform
DOGIT	Deed of Grant in Trust
FaHCSIA	Department of Families, Housing, Community Service and Indigenous Affairs
FAN	Future Act Notice
Ha	Hectares
ILUA	Indigenous Land Use Agreement
LHA	<i>Aborigines and Torres Strait Islanders (Land Holding) Act 1985 (Qld)</i>
NTA	<i>Native Title Act 1993 (Cth.)</i>
NNTT	National Native Title Tribunal
NTDA	Native Title Determination Application
NTRB	Native Title Representative Body
NTU	Native Title Unit
ORATSIC	Office of the Registrar of Aboriginal and Torres Strait Islander Corporations
P/T	Part Time
PBC	Prescribed Body Corporate
PFA	Program Funding Agreement
PLO	Principal Legal Officer
RNTBC	Registered Native Title Body Corporate
SLD	State Land Dealings
WCCCA	Western Cape Communities Co-existence Agreement 2001



REPORT BY CHAIR



In this our 25th year, Cape York Land Council proudly remembered the founders of this organisation as we hosted the 2015 National Native Title Conference, for the first time in our history. This year's conference was aptly titled – Leadership, Legacy and Change. It was our insistence of this title noting that for us it was a recognition of the leadership past and present, the legacy that has been left for us and challenges us to be agents of change as we move forward in the Land Council's journey.

It was no surprise that this year's conference saw the highest number of indigenous participants and saw the use of social media to promote not only the conference but the messages that came from the week's discussions. During this historical week in Port Douglas, we saw more than seventy papers and presentations that spoke to Indigenous leadership, platforms and economic participation in the real economy and foundations for cultural resurgence.

I believe this is our challenge as a Land Council as we move forward. In this reporting period, Cape York Land Council on behalf of Cape York Traditional Owners registered the Cape York United One Claim in December 2014, after intensive consultation that saw us meet with traditional owners across 23 communities in Queensland. This Application saw Cape York bama seek full recognition of their native title rights and interests over more than 14.6 million hectares of land and waterways.

During these consultations we heard a common theme – ownership, opportunity, independence, economic development. None of this can be achieved without recognition and reform across land tenure, home ownership, and economic development. The uniting of so many clans and peoples in this single united claim will prove to be a powerful voice when protecting Traditional Owners rights in negotiations with government and other parties for what happens on our lands.

Cape York Land Council stands proudly with a network of Regional Organisations committed to this achievement. It is the visions of our elders 25 years ago and was the common message in the realisation of all of the Regional Organisations. Proudly we stand together to defend Aboriginal people of Cape York's right to this.

Native Title has brought both good and bad to the doors of Aboriginal communities. It is timely to revisit some of the history to give further substance to this statement.

Twenty-five years ago, the Cape York Land Council was formed, twenty-three years ago, the Mabo Decision was handed down by the High Court and twenty-two years have gone by since the Native Title legislation passed Federal Parliament.

It was the Cape York Land Council, under the expert and inspired guidance of the CEO at that time, Noel Pearson, that took the Wik Case to the High Court and won. If Mabo meant that Native Title was finally included in the law of the land, the Wik Case made sure that many more indigenous groups across Australia had the possibility of it being recognised. Since those landmark days of the 1990s, the Cape York Land Council has had some significant wins and across Cape York, Bama have been reclaiming their ancestral lands.



Our Indigenous people now own about one-third of Cape York as Aboriginal Freehold and Cape York Peninsula Aboriginal Land. Native Title has been determined over about 47,000 square kilometres, and around 38,000 square kilometres is under claim.

Native Title confirms our identities, connections to country and extended clans and protects our rights to hunt and fish. It enables us to create opportunities with mining companies and other investors. However, we face significant challenges in using these rights as a platform for economic development and home ownership.

The main barrier to so many opportunities, is that native title is not land ownership in a modern sense. Native Title is not registered on State's Land Title Registers, so it restricts mainstream economic activity. Property Rights for Traditional Owners must be a priority.

The settlement of these rights will be part of a wider settlement that will empower our communities, provide us with control over our lands, and ensure we can use our land – like mainstream land owners across Australia. We are now pursuing a comprehensive development model. It is based on empowerment, rights and recognition with the goal of development. We have rejected the model of an economy based on welfare passivity, and dependence on government transfers. Already in Cape York we see real and lasting results as part of our Welfare Reform programs. How many of the services designed and delivered by government to our communities have the same achievement of creating lasting change.

I urge our community members, colleagues and those working with us to create lasting change, to remember our vision as it was twenty-five years ago and remain focused on our goal today – to strengthen our native title rights and pursue economic opportunity, which will in turn foster healthy communities and build futures for our children that our elders would be proud of.

In closing, I note that we are at the end of the four year term of the current Board of Directors of Cape York Land Council. It has been a pleasure to hold the role of Chairperson of this great organisation during this term. I thank the board and the staff who have given their commitment to our cause.

REPORT BY CEO

Since 1990 the Cape York Land Council has operated true to the guiding vision of its founding Elders to represent and support the Aboriginal peoples of Cape York to regain rights to land and sea, so that culture is preserved and to assist people to make their own decisions to achieve a better future.



As the Native Title Representative this provided certainty for CYLC to support native title holders until the end of the 2014 – 15 financial year. On 16 February 2015 CYLC applied to the Department of Prime Minister and Cabinet (DP&C) for re-recognition as the Cape York NTRB for 2015 – 16 with confirmation of CYLC's re-recognition received on 2 June 2015.

Thirteen ILUAs were registered with the National Native Title Tribunal for the Cape York region over 2014 – 15, with CYLC support negotiations continue for several more. CYLC has entered into contracts with the State to represent Traditional Owners in negotiations with the Mapoon, Pormpuraaw and Lockhart River Aboriginal Shire Councils for ILUAs which will provide simplified native title processes and compensation formulas for a wide range of developments in these towns. The Town ILUAs will facilitate social, cultural and economic advancement whilst also recognising the rights of Traditional Owners and providing benefits from development on their lands. I believe these ILUAs will help to unlock the entrepreneurial potential of Cape York's Aboriginal people and assist traditional owners to escape welfare dependence.

In addition to consolidating native title rights and interests CYLC remains committed to securing Aboriginal freehold and other land rights for Cape York's Aboriginal people. To achieve this CYLC shares legal expertise and other resources in a partnership with Balkanu Cape York Development Corporation to assist State Lands Dealings (SLD) processes. On 9, 10 December 2014 I witnessed the Olkola SLD deal that saw the Strathmay, Crosbie, Killarney, Dixie and Wulpan properties, totalling 785,410 hectares, handed over to the Olkola Aboriginal Corporation.

To assist the Cape York United Number 1 NTDA process, RNTBCs and other interested parties to engage with Cape York's Traditional Owners, CYLC has commenced development of a master genealogical database for Cape York. When completed this genealogical database will provide consolidated and comprehensive information regarding Traditional Owners who speak for country and will greatly assist in engaging the right people in native title consents and other processes.

CYLC also continued to deliver support to RNTBCs so they fulfil their corporate responsibilities and gain benefit for native title parties from native title determinations.

The PBC Support Unit offers a suite of tools aimed at strengthening the capacity of Directors to capably manage the challenges of operating their PBC. The challenges of both day-to-day and strategic management often require skills in financial management and achieving economic development, effective partnerships and collaborations and Traditional Owner consultation and consent.

Over 2014 – 15 the PBC Support Unit engaged four PBCs in governance training – Abm Elgoring Ambung, Jabalbina Yalanji, Mokwiri and Ngan Aak-Kunch. It is proposed that remaining Cape York PBCs will also have the opportunity to participate in this training. The training package is made up of a number of modules developed and delivered in conjunction with Dr Karen Martin, a Quandamooka



woman from North Stradbroke Island. The modules explore corporate identity, codes of conduct, valuing the expertise and experience in the room, Indigenous governance and corporate governance. Training was well received by Directors.



Photo 1 - Governance Training with the Ngan Aak-Kunch Board

CYLC shares many objectives in common with other organisations and working in partnership and sharing resources and ideas is often the most effective way of achieving progress. Over 14-15 CYLC worked with other Queensland Native Title Representative Bodies (NTRBs), Cape York Regional Organisations (CYROs), government agencies and others to advance our objectives.

CYLC is a member of the Queensland Representative Body Alliance (QRBA). Under this alliance NTRB Chairs, CEOs, PLOs and relevant staff meet to share information about our operations responding to future acts, addressing proposed reforms to legislations and issues of common interest.

United QRBA meets with Ministers and bureaucrats to discuss key issues affecting them with the Council of Australian Government (COAG).

The National Native Title Conference (NNTC) was co-hosted this year by CYLC and the Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS). The conference was held over 16-18 June 2015 at Port Douglas and was a great success. I was proud of the effort of CYLC staff and the Cape York community for welcoming delegates from all over Australia and ensuring their experience at the conference was a positive one.



Photo 2 – NNTC 2015 Youth Forum



Photo 3 - Lockhart River Dancers at NNTC



Photo 4 - Masig Kai-Lag Dancers at NNTC

In May 2015 the Cape York Summit brought together more than 200 Cape York leaders from RNTBCs, native title applicants, Traditional Owner groups, community and other organisations showing solidarity as they discussed Rights, Recognition and Empowerment. Participants discussed their land, the Cape York United Number 1 NTDA and the next steps required to develop a Cape York economy and the need for the Cape York community to unite to support a “new season” of individual responsibility and prosperity.

As tangible evidence of the growing engagement of Cape York’s Aboriginal people in economic activity, on 14 November 2014 I attended a ceremony to celebrate the signing of a new agreement between Congress Aboriginal Corporation and Cape Flattery Silica Mine about benefits for Traditional Owners from the mining activity. CYLC’s Future Acts Unit has worked hard to provide advice to Traditional Owners about their rights to negotiate with mining proponents and support them to be better informed and strike better deals to protect their native title and to receive benefits for impacts to their native title rights, such as employment opportunities.



Photo 5 - Yalanji Dancers at NNTC

It is clear that Cape York Traditional Owners are still actively engaged in shaping development and striking deals that provide the best outcomes for their communities. I am continuously impressed by



the capacity and passion of the Aboriginal people of Cape York to stand up for their rights and strive for a better future. This year once again we have seen the Wik people at the cutting edge of asserting Aboriginal rights to land and resources and looking to have a significant stake in mining development on their land. CYLC supports the Wik people in upholding their rights and will continue to do so.

Financial matters were also at the forefront of CYLC's internal issues over 2014 – 15 with significant pressures on our financial situation. Like most other NTRBs CYLC made several submissions to the Indigenous Advancement Strategy funding round in October 2014, but like many other applicants CYLC was unsuccessful with our bid. This was very disappointing for CYLC given our submission had great merit.

In June 2015, the Queensland Government's Wild Rivers declarations were found to be invalid by Justice Greenwood. CYLC was awarded costs in this matter and a claim has now been submitted to the State.

Ongoing delivery of CYLC's broad ranging functions depends upon good governance, human resource management and financial accountability. CYLC strives to excel in these areas so that service delivery is optimal. CYLC's financial management continues to be transparent and accountable and for the eighth successive year an unqualified audit report was received.

CYLC's corporate governance processes in 2015 will include a Board election so activities have commenced to raise awareness of the election process with Board members and the communities they represent.

Due to financial constraints and our need to facilitate the new direction that had been formulated, in particular the Cape York United Number 1 NTDA, CYLC undertook a restructure at the end of 2014 to ensure we had a leaner structure whilst retaining operational effectiveness. I would like to commend CYLC staff for their competence and commitment, whether they work in



law, administration, policy, management, finance or any other role, for remaining focussed on delivering outcomes under all circumstances and I express my ongoing thanks to all the staff for their ongoing efforts. In particular I'd like to commend my Deputy CEO Kirstyne Broderick for reaching the milestone of having worked at CYLC for 18 years. Kirstyne has been a stalwart in her ongoing efforts for the Traditional Owners of Cape York.

CYLC also receives support from external partners including Westpac, QBE and the Australian Government, from Aurora secondees who provide good support to our legal and anthropological staff



and from secondees provided to CYLC and through CYLC to our Cape communities, from Jawun Indigenous Corporate Partners including KPMG.

Finally, but certainly not least, I want to thank our Elders, Traditional Owners, Chairman Richie Ah Mat and the Board and the Aboriginal people of Cape York for their cooperative spirit, their respect for all that those who have come before them and their desire to work towards a better day for all those who will come after them.



Photo 6 - Injinoo

[illegible]

Page | 13

BACKGROUND

25 years ago Cape York Land Council was established at the Cape York Land Summit and galvanised with the planting of the Aboriginal flag on a beach at Lockhart River in November 1990. Cape York elders invested their personal resources to establish the Cape York Land Council (CYLC) to ensure Cape York's Aboriginal people have a strong voice to represent them for all matters relating to their traditional land and sea.

The original Charter of CYLC identified a number of objectives including:

- Providing a vehicle for self-determination for the Aboriginal peoples of Cape York;
- Providing a representative voice for the Aboriginal peoples of Cape York in relation to land issues;
- Respecting and recognising land rights and responsibilities of Traditional Owners of land in Cape York;
- Transparency and accountability to Government and Traditional Owners and partners;
- Respecting the culture of the Aboriginal peoples of Cape York Peninsula; and
- Providing opportunities for Cape York people to acquire management skills appropriate to the needs of their communities.

CYLC's Mission Statement, as set down by elders who have now left us but whose vision remains amongst those who continue to fight to ensure that the objectives of the CYLC Charter are achieved, is to:

“Consult with and according to their directions, effectively represent the Aboriginal peoples of Cape York to regain rights to land and sea so we can preserve our culture and make our own decisions to achieve a better future.”



Photo 7 - Flag raising at Lockhart River



CYLC was recognised as the Native Title Representative Body (NTRB) for the Cooktown region by the Commonwealth Minister for Aboriginal and Torres Strait Islander Affairs in 1993. Since that time, CYLC has undergone numerous operational and re-recognition reviews and is currently recognised as the NTRB for the Cape York Representative Area until 30 June 2016.

CYLC is now recognised as a key link in a network of specialist community-based organisations representing the interests of the Aboriginal peoples of Cape York, focusing on achieving timely and meaningful outcomes for constituents on land and Native Title matters within the region.

REPRESENTATIVE AREA

Figure 1 shows land and sea country included within CYLC's Representative Area (noting that sea country extends further east than shown).

FUNCTIONS

CYLC undertakes statutory functions, as required under the *Native Title Act 1993* (Cth) (NTA), to fulfil its role as the Cape York NTRB. These include:

- Facilitation and assistance functions (s203BB);
- Certification functions (s203BE);
- Dispute resolution functions (s203BF);
- Notification functions (s203BG);
- Agreement-making functions (s203BH);
- Internal review functions (s203BI); and
- Other functions (s203BJ and s203AI).

CYLC has also established a Prescribed Body Corporate (PBC) Support Unit to provide support services to PBCs and Registered Native Title Bodies Corporate (RNTBCs) so that native title claimants and holders have legally compliant and capable organisations to represent their interests and achieve benefits from native title.

In addition to the statutory functions of a NTRB, CYLC also performs broader Land Council functions including:

- responding to the implementation of Queensland legislation which affects native title interests including the *Aboriginal Land Act 1991 (Qld)* (ALA), *Aborigines and Torres Strait Islanders (Land Holding) Act 1985 (Qld)* (LHA), *Aboriginal Cultural Heritage Act 2003 (Qld)* (ACHA), *Cape York Peninsula Heritage Act 2007 (Qld)* (CYPHA);
- participation in policy reviews and legislative amendment processes which affect native title and Aboriginal interests;
- participation in policy implementation such as the Cape York Welfare Reform (CYWR) agenda;
- participation in cultural heritage mapping and protection;
- participation in land use planning and management;
- providing a centralised, secure repository for anthropological research and genealogies;

- providing a secure repository for backup copies of important documents such as PBC legal documents;
- involvement in resolving land administration and land tenure issues on Aboriginal land;
- promoting home ownership and economic development on Aboriginal land; and
- promoting economic development and healthier living.

Whilst performing its functions the CYLC operates in compliance with the guidelines of the Program Funding Agreement (PFA) and the requirements of the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (Cth.) (CATSIA). To balance competing priorities and demands on resources CYLC remains cognisant that its ultimate priority, consistent with NTA s203B(4), must be the protection of native title holders' interests. CYLC performs all its functions to achieve this crucial outcome.



Photo 8 - Northern Cape York #2 Determination



Photo 9 - Northern Cape York #1 Determination



Photo 10 - Kowanyama Part D Determination



ORGANISATIONAL STRUCTURE

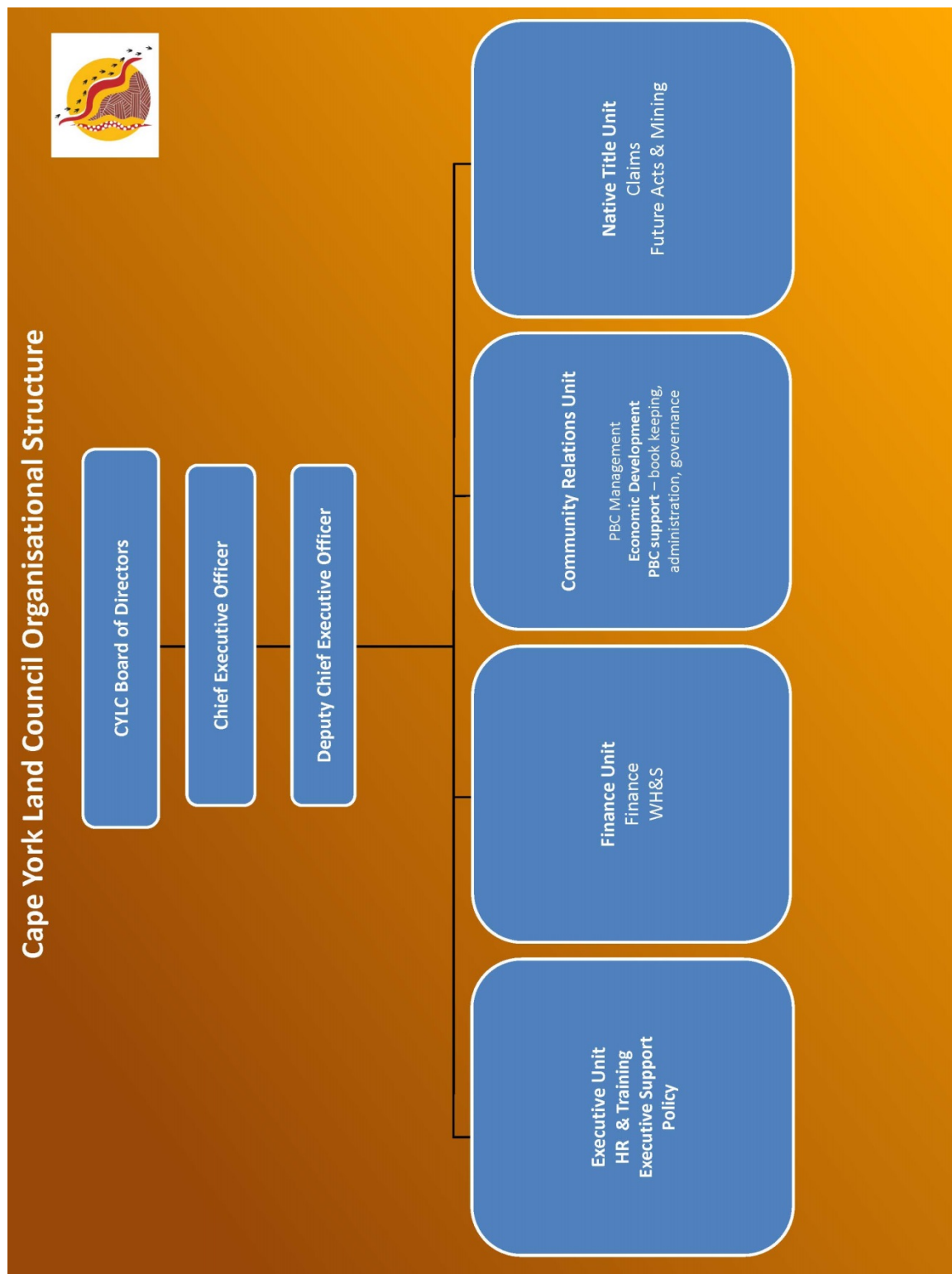


Figure 2 - CYLC Organisational Structure



REPORT ON PERFORMANCE

NATIVE TITLE UNIT

CYLC's Native Title Unit (NTU) provides legal and anthropological services to support native title determination applications (NTDAs), the negotiation of agreements, responding to future acts and fulfilment of other NTA responsibilities. The NTU also supports the State Land Dealings and National Park Transfer programs and other land matters of interest to the Aboriginal people of Cape York.

These services are provided within the context of the regional research strategy adopted by CYLC in 2009 which identified six regions within the CYLC Representative Area. The regional approach assists CYLC to consolidate claims where possible, resolve overlaps and inter/intra-Indigenous disputes, mediate with the State on connection reports and, when other parties agree, reduce the volume of research and negotiation required for consent determinations and other tenure outcomes.

The six Cape York regional research areas are:

- North Cape,
- North East Cape,
- South East Cape,
- Central Cape,
- Kowanyama and Pormpuraaw; and
- Wik & Wik Way.

Figure 3 shows the regions within CYLC's Representative Area.

Cape York United Number 1 NTDA

Following determinations in the matters Northern Cape York #2 (QUD 156/11) on 20 June 2014, Northern Cape York #1 (QUD 157/11) on 30 October 2014, Wuthathi #2 (QUD6022/2) on 29 April 2015 and Wuthathi, Kuuku Ya'u and Northern Kaanju (QUD6023/02) on 28 April 2015, approximately 45% of the land mass of CYLC's representative body area was covered by native title determinations.

CYLC undertook a comprehensive information and authorisation process in 2014 across Cape York and regional Queensland to seek authorisation for the lodgement of a large regional native title application to cover all the areas within the representative body area not already claimed or determined.

The authorisation process overwhelmingly authorised CYLC to lodge the comprehensive regional claim. The outer boundary of the claim follows the southern boundary of CYLC's representative body area and follows the coast of Cape York to the mean high water mark. The claim excludes:

- native title determinations,
- the Ankamuthi NTDA (QUD 6158/98),
- freehold land,
- public works,
- the area of the WCCCA (Indigenous Land Use Agreement QIA2001/002), and
- other non-claimable lands and waters (for example, a validly granted *previous exclusive possession act* within the meaning of s 23B of the NTA).



The application was lodged on 19 December and registered on 6 February 2015. It has been given claim number *Cape York United Number 1 Claim*. Federal Court No QUD673/2014.

The result is that the all claimable land and inland waterways within CYLC's representative body area - other than freehold land and public works - are now either within a native title determination or included within a registered native title determination application. This is one of the largest of the current claims in Australia and the first where a representative body has claimed all of the land and inland waterways within its representative body area.

The key principle of the single claim is that traditional owners for each area continue to speak for country according to their laws and customs. Any future acts and other activities occurring on Cape York must therefore comply with the relevant provisions of the *Native Title Act 1993*.

CYLC has engaged seven experienced consultant anthropologists to prepare connection materials for the Cape York United Number 1 NTDA and other NTDAs within the CYLC Representative Area as required. Each anthropologist is conducting fieldwork and desktop research and a senior anthropologist will compile an overarching society report utilising this material. The anthropological reports will be used in the determination process for the Cape York United Number 1 NTDA.

CYLC, on behalf of native title holders for Cape York, is actively in negotiations with the State of Queensland and other respondents to the claim with a view to securing a consent determination of native title for this vast area. The Federal Court has set a timetable to enable a consent determination to be negotiated within three years from lodgement of the application.



Photo 11 – Cooya Beach





Regional Reports

North Cape

A number of NTDAs were filed in the North Cape region around the time of the Western Cape Communities Co-existence Agreement (WCCCA). Claim overlap issues were resolved during 2010 – 11 as part of the regional research process which resulted in NTDA's being rationalised to five. In 2013 – 14 the Northern Cape York Group #2 NTDA was determined.

Over 2014 – 15 there was one determination of native title within in the North Cape region:

- **Northern Cape York Group #1 (QUD157/11)**, consisting of the Seven Rivers Angamuthi, Atambaya and Gudang Yadhaykenu groups, was filed on 01 July 2011. A consent determination was handed down by the Federal Court on 30 October 2014.

In addition to the new Cape York United Number 1 NTDA, three North Cape NTDA's remain on foot:

- **Gudang Yadhaykenu People Sea Claim (QUD269/08)**, filed in September 2008. Further anthropological research was conducted over 2014 – 15 and is continuing. The research will result in a Connection Report, as well as assist in the mediation process. It is intended this NTDA will be replaced by a new and more extensive Northern Peninsula Sea Claim to be filed in September 2015.
- **Ankamuthi People (QUD6158/98)**, filed on 15 July 1999. Authorisation meetings have been held to authorise expansion of the claim group to remove deceased named applicants, to add additional named applicants and to reduce the Claim Area to its overlap with the Western Cape Communities Co-Existence Agreement. This has resolved issues with Indigenous Respondents represented by CYLC and CYLC is, as a result, now able to represent the Applicant in this Claim.
- **Ankamuthi People #2 (QUD392/14)**, filed on 29 July 2014. This claim covers an area of overlap with the WCCCA and Alcan Mining Lease which was excised from the Northern Cape York Group # 1 NTDA. This NTDA will proceed together with the amended Ankamuthi claim QUD6158/98.

In addition to the current NTDA's, the **Northern Cape York Group #3 NTDA** was authorised on 21 May 2015. This new NTDA will cover that part of the earlier Ankamuthi People 1998 Claim Area which will be excised when that Claim Area is reduced to the area of overlap with the WCCCA. This new Claim is expected to be filed in November 2015.

North East Cape

Over 2014 – 15 there were two determinations of native title either wholly or mainly within in the North East Cape region:

- **Wuthathi #2 (QUD6022/02)**. This NTDA was filed in 2002 and entered on the NNTT Register of Claims in February 2003. A determination hearing was held in Cairns on 29 April 2015, at which Justice Greenwood made a determination of exclusive native title.



Photo 12 – Wuthathi #2 Determination Dancers



Photo 13 – Wuthathi #2 Determination

- **Wuthathi, Kuuku Ya'u and Northern Kaanju (Bromley QUD6023/02).** This NTDA was filed in 2002 and entered on the NNTT Register of Claims on 29 May 2003. A determination hearing was held in Cairns on 28 April 2015, at which Justice Greenwood made a determination of exclusive native title.



Photo 14 – Bromley Determination Dancers



Photo 15 – Bromley Determination

South East Cape

CYLC was involved in the negotiation of several agreements and land transfers in the South East Cape region:

ILUAs

- CYLC assisted the Hopevale Congress RNTBC (Congress) in negotiating Body Corporate ILUAs between Congress and affected Traditional Owners to enable Congress to grant long-term residential leases and social housing leases. CYLC also assisted in negotiating a Cultural Heritage Agreement (CHA) between Congress and the State to enable subdivisions to facilitate the social housing project.



Land Transfers

- **Mossman Gorge Aboriginal reserve transfer** – CYLC is assisting Jabalbina Yalanji Aboriginal Corporation RNTBC (Jabalbina) in their ongoing negotiations with the relevant parties for the transfer of land at Mossman Gorge.
- **Hope Vale Town area transfer** - CYLC assisted Hopevale Congress RNTBC and Dhubbi Warra Aboriginal Corporation RNTBC to facilitate a transfer, under the *Aboriginal Land Act 1991* (Qld), of the Hopevale town area from Deed of Grant in Trust tenure held by the Hope Vale Aboriginal Council to Aboriginal freehold tenure held by an Aboriginal Land Trust.

Central Cape

This area falls within the Cape York United Number 1 Claim.

Pormpuraaw and Kowanyama

Kowanyama

A consent determination was made in relation to Kowanyama Part D on 31 October 2014. Significantly, a determination of exclusive native title was made over Errk Oygangand National Park. The Part D determination concludes the Kowanyama native title determination applications.

Pormpuraaw

In February 2014 a senior anthropologist provided CYLC with a report that canvassed native title claim options over the Pormpuraaw DOGIT and subsequently, this area was included within the external boundaries of the Cape York United Number 1 NTDA.

Over 2014 - 15 CYLC was involved in the negotiation of a Cattle Agistment Agreement on Strathgordon Station. CYLC worked with Poonko Aboriginal Corporation and Thaa-Nguigarr Strathgordon RNTBC to negotiate the agreement. Signing of the agreement is expected in September 2015 with cattle agistment activities to commence in February 2016.

Wik and Wik Way

CYLC continues to assist the Wik and Wik Way RNTBC - Ngan Aak-Kunch Aboriginal Corporation (NAK) – with a large array of matters connected with the Wik and Wik Way determinations.

Agreements Database and Implementation

The CYLC Agreements Database records 171 executed agreements including:

- 69 ILUAs;
- 19 conservation agreements and indigenous management agreements;
- 15 cultural heritage agreements;
- 21 mining tenement agreements; and
- 47 other agreements (lease, licence, MOU).
- 21 mining tenement agreements; and
- 47 other agreements (lease, licence, MOU).

75 agreements were executed before 2010, 56 between 2010 and 2013 and 40 since January 2014. As more ILUAs and other agreements are executed the need for effective implementation increases to ensure agreements are implemented as intended and Traditional Owners receive agreed benefits. To assist effective implementation CYLC created and filled an Agreement Coordinator position at the end of 2014 to record, monitor and assist implementation of agreements between Cape York Traditional Owners, CYLC and other parties performing future acts on Cape York.



Photo 16 - Ngan Aak-Kunch signing off on an ILUA



Photo 17 - Ngan Aak-Kunch Handover



Photo 18 - Congress CFSM Signing

Future Acts

The Future Acts Unit receives future act notifications (FANs) from State and Federal Government agencies and other authorities which propose future acts, such as the grant of leases, permits, licenses or other acts, which may impact on native title rights and interests. The CYLC Future Acts Unit supports



Traditional Owners to express their various rights, such as notification, comment, consultation or negotiation rights, in relation to proposed future acts.

FANs received are reviewed by the Future Acts Unit for impact on native title rights and interests before being sent to Traditional Owners. When requested, the Future Act Unit assists Traditional Owners to respond to notifications in exercise of their rights under the NTA including the right to comment, the right to be consulted and their right to have their objections heard. The Future Acts Unit usually represents Traditional Owners in negotiations in relation to the proposed granting of mining leases attracting the right to negotiate. FANs received over 2014 – 15 are shown in Table 4.

The Future Acts Unit also represents Traditional Owners in large scale commercial mining or exploration negotiations involving the proposed grant or extension of mining or exploration rights on Aboriginal freehold land.

In addition to responding to FANs, over 2014 – 15 the Future Acts Unit:

- Developed detailed procedures and protocols for dealing with future act matters and assisted Traditional Owners to exercise their rights with the view to obtaining the best possible outcome for Traditional Owners.
- Represented Cape York Traditional Owners in major mining negotiations, eg Diatrema, Cape Flattery exploration & mining matters and Cape Alumina Bauxite Hills.
- Represented Cape York Traditional owners in submissions made to government on environmental concerns relating to the grant of major mining projects.
- Represented Cape York Traditional Owners in small-scale mining negotiations, eg section 31 Native Title Act “good faith” negotiations with Tinpitch Pty Ltd and Prospect Hill Pty Ltd.
- Represented Traditional Owners in matters where an ILUA is not required such as the execution of the Cape Flattery AMSA lease and Telstra Rocky Mountain Sea Phone site. The Future Act Unit’s negotiations on behalf of Traditional Owners concerning the Telstra Rocky Mountain Sea Phone site resulted in an increase in the rental amount offered under the lease.



Photo 19 – Ngan Aak-Kunch Board meeting with Borroloola traditional owners

Other Legal Actions

[Ngan Aak-Kunch Aboriginal Corporation v State of Queensland \(B35/2015\)](#)

On 26 June 2015 a writ of summons was filed on behalf of Ngan Aak-Kunch Aboriginal Corporation RNTBC (NAK) in the High Court of Australia. The High Court application seeks to invalidate certain racially discriminatory provisions in the *Mineral Resources Act 1989* (Qld) related to the development of a bauxite resource on land that is both Aboriginal Freehold tenure and subject to an exclusive



determination of native title made in favour of the Wik and Wik Way People. Gilbert and Tobin Lawyers are instructed by NAK with the support and assistance of CYLC.

A final determination in relation to NAK's High Court Writ is expected in early 2016.

State Land Dealings & National Park Transfers Unit

During 2014-15 CYLC continued its role in support of the State Land Dealing and National Park Transfers programs, which are administered by Balkanu Cape York Development Corporation as Queensland State Government funded projects. These projects involve the resolution of tenure on a number of pastoral and national park properties in the Cape York Representative Area through the negotiation of ILUAs to enable land transfers to Aboriginal freehold tenure. CYLC lawyers and Balkanu staff facilitate the participation of native title parties in negotiations with the Queensland Government's Cape York Tenure Resolution Branch. CYLC clients seek to negotiate ILUAs with the State which deliver land under secure Aboriginal freehold tenure with economic development opportunities and the protection of areas with high cultural and environmental values.

Aboriginal freehold provides wide community economic benefits through activities such as eco-tourism, grazing and recreation. Under the State Land Dealings and National Park Transfers program since 2000, over 3,500,000 ha of land has been transferred, both as jointly managed national park and as commercially useable Aboriginal freehold. Another outcome of the State Land Dealing and National Park Transfers programs has been the creation of 238,580 ha of Nature Refuges. Figure 4 shows a map of completed State Land Dealings and National Park Transfers.

Two transfers proceeded under the program in 2014 – 15 following the authorisation of an ILUA by the relevant native title groups. In August 2014, the Mary Valley Dealing resulted in 38,070 ha of land handed over to the Kyerrwanhdha Thingalkal Land Trust. In December 2014, the Olkola 5 dealing resulted in 785,410 ha of land handed over to the Olkola Aboriginal Corporation. Table 5 provides a summary of State Land Dealings transfers over 2014 – 15.

Subject to ongoing funding by the State Government, Balkanu and CYLC will continue working in partnership with Traditional Owners to secure the transfer of further Aboriginal Freehold land in coming years.



Photo 20 - Lockhart River Dancers



Summary of NTDAs, Determinations, ILUAs, FANs and SLD transfers

Native Title Determination Applications

Over 2014-15, CYLC commissioned anthropological research as necessary and provided legal services to manage the NTDAs current in the CYLC Representative Area, as shown in Table 1.

Application name	Date filed	Tribunal file number	Federal Court file number	Date claim entered on register
Cape York United Number 1 Claim	12/12/2014	QC2014/008	QUD673/2014	06/02/2015
Ankamuthi People #2	29/07/2014	QC2014/003	QUD392/2014	26/02/2015
Gudang Yadhaykenu People	02/09/2008	QC2008/008	QUD269/2008	03/03/2009
Ankamuthi People	15/07/1999	QC1999/026	QUD6158/1998	21/09/1999

Table 1 – Cape York Representative Area NTDA Status

Native Title Determinations

Over 2014 – 15, four native title determinations were made for in the CYLC Representative Area, as shown in Table 2.

Short name	Case name	Legal process	Determination date	Outcome
Wuthathi People #2	Johnson Chippendale & Ors On Behalf Of The Wuthathi People #2	Consent	29/04/2015	Native title exists in the entire determination area
Wuthathi, Kuuku Ya'u & Northern Kaanju People	Phillip Wallis & Ors On Behalf Of The Wuthathi, Kuuku Ya'u & Northern Kaanju Peoples	Consent	28/04/2015	Native title exists in the entire determination area
Kowanyama People Part D	Daphney on behalf of the Kowanyama People v State of Queensland	Consent	31/10/2014	Native title exists in the entire determination area
Northern Cape York Group #1	Woosup on behalf of the Northern Cape York Group #1 v State of Queensland	Consent	30/10/2014	Native title exists in the entire determination area

Table 2 – Cape York Representative Area Native Title Determinations



Indigenous Land Use Agreements

Over 2014 – 15, thirteen Indigenous Land Use Agreements (ILUAs) were registered with the National Native Title Tribunal (NNTT) for the Cape York Representative Area, as shown in Table 3. CYLC was involved in the negotiation of most of these ILUAs.

ILUA name	ILUA type	Subject matter(s)	Tribunal file no	Date registered
Wik Timber Project ILUA	Body Corporate	Access, Commercial	QI2015/004	19/06/2015
Olkola Land Transfer ILUA	Area Agreement	Tenure resolution, Co-management	QI2014/085	05/05/2015
Northern Peninsula Area Regional Council Northern Cape York Group #1 ILUA	Area Agreement	Government, Infrastructure, Public	QI2014/075	02/04/2015
Ergon Energy and Northern Cape York Group #1 ILUA	Area Agreement	Energy	QI2014/076	02/04/2015
Northern Cape York Group #1 State Protected Areas ILUA	Area Agreement	Access, Co-management	QI2014/078	26/03/2015
Carpentaria Shire Council Kowanyama People ILUA	Area Agreement	Access, Government, Infrastructure	QI2014/079	11/03/2015
Aurukun Bauxite Development ILUA	Body Corporate	Mining, Infrastructure	QI2014/087	25/02/2015
Thingalkal (Mary Valley) ILUA	Area Agreement	Co-management, Tenure resolution	QI2014/071	30/01/2015
Northern Cape York Group #2 and Ergon Energy ILUA	Area Agreement	Energy, Access, Infrastructure	QI2014/036	27/10/2014
Northern Cape York Group #2 Napranum Aboriginal Shire Council ILUA	Area Agreement	Access, Development, Infrastructure	QI2014/037	27/10/2014
Mapoon Aboriginal Shire Council Northern Cape York Group #2 ILUA	Area Agreement	Government, Co-management, Development, Infrastructure	QI2014/038	27/10/2014
Watershed Tungsten Project ILUA	Area Agreement	Exploration, Mining	QI2014/001	19/08/2014
Hope Vale #2 ILUA	Body Corporate	Residential, Tourism	QI2014/035	05/08/2014

Table 3 – Cape York Representative Area ILUAs Registered



Future Act Notices

Over 2014 – 15, 406 FANs were received by CYLC for the CYLC Representative Area, as shown in Table 4.

Agency	FANs Received
Great Barrier Reef Marine Park Authority	282
Department of National Parks, Recreation, Sport & Racing	35
Cook Shire Council	1
Department of Environment and Heritage Protection	27
Department of Natural Resources and Mines	9
Department of State Development, Infrastructure & Planning	3
Department of Education, Training & Employment	0
National Native Title Tribunal	0
Department of Agriculture, Fisheries and Forestry	29
Department of Aboriginal & Torres Strait Islander & Multicultural Affairs	10
Department of Transport and Main Roads	0
Torres Strait Protected Zone Joint Authority	10
Total	406

Table 4 - Future Act Notices received

State Land Dealing Transfers

Over 2014 – 15, 823,480 hectares of land were transferred under the State Land Dealing and National Park Transfers programs.

Property	Date	Aboriginal Freehold (ha)	Regional Park (ha)	Jointly managed National Park (ha)	Nature Refuge (ha)	Total area (ha)
Mary Valley	August 2014	29,520			8550	38,070
Strathmay, Killarney, Crosby, Dixie Sand, Wulpan (Olkola 5)	December 2014	364,000	103,690	269,630	48,090	785,410
Total area (ha)		393,520	103,690	269,630	56,640	823,480

Table 5 – State Land Dealings transfers

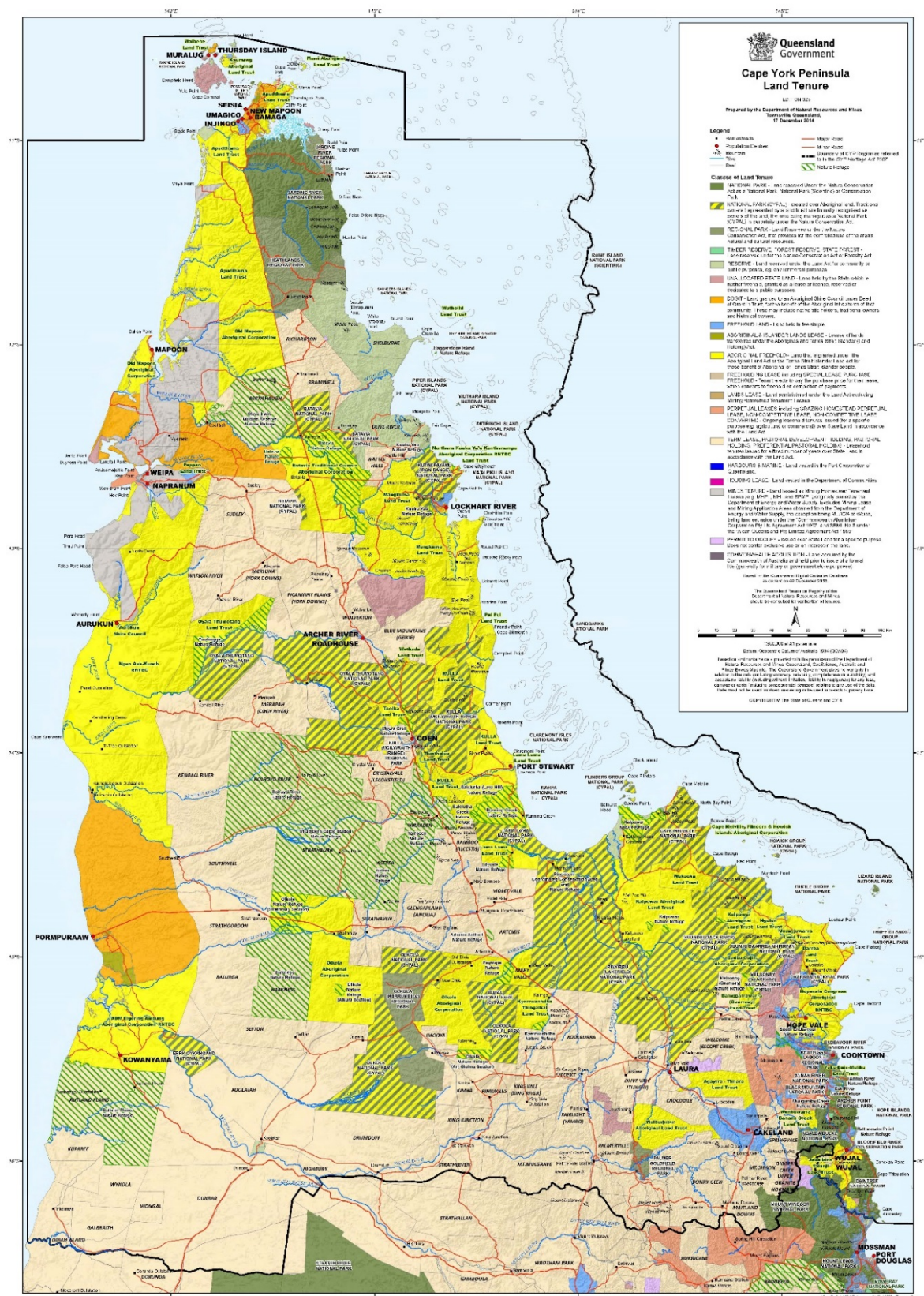


Figure 4 - Map showing Cape York land tenure, including State Land Dealings Transfers



COMMUNITY RELATIONS UNIT

CYLC's Community Relations Unit engages with Cape York communities about proposed future acts which may impact on native title rights and interests and supports PBCs to manage native title rights and interests.

PBC Support Unit

The CYLC PBC Support Unit continues to offer a suite of support services to the Prescribed Bodies Corporate (PBCs) across Cape York. The PBC Support Unit works hard to effectively support Traditional Owners to protect country and culture through the creation and management of sustainable and enduring PBCs through a suite of programs including:

- Compliance assistance (eg Directors' meetings, AGMs and membership drives);
- Governance training;
- Constitutional advice;
- Day-to-day financial management;
- Financial management training;
- Assistance with auditing;
- Assistance with funding and economic development proposals;
- Access to legal and other accredited advisors;
- Access to Jawun secondees; and
- Mediation.

Native Title determinations have resulted in the establishment of the following Prescribed Bodies Corporate (PBCs):

- Abm Elgoring Ambung Aboriginal Corporation RNTBC based in Kowanyama;
- Dhubbi Warra Aboriginal Corporation RNTBC based in Hope Vale;
- Hope Vale Congress Aboriginal Corporation RNTBC based in Hope Vale;
- Ipima Ikaya Aboriginal Corporation RNTBC based in the Northern Peninsula Area;
- Jabalbina Yalanji Aboriginal Corporation RNTBC based in Mossman;
- Kuuku Ya'u Aboriginal Corporation RNTBC based in Lockhart River;
- Mokwiri Aboriginal Corporation RNTBC based in Weipa;
- Ngan Aak-Kunch Aboriginal Corporation RNTBC based in Aurukun;
- Thaa-Nguigarr Strathgordon Aboriginal Corporation RNTBC based in Pormpuraaw;
- Walmbaar Aboriginal Corporation RNTBC based in Hope Vale;
- Wuthathi Aboriginal Corporation RNTBC for the Shelburne Bay area.

Traditional Owners for the Bromley area successfully claimed their traditional lands under Native Title over 2014 – 15 but their PBC is yet to be established.

The PBC Support Unit continues to provide logistical and administrative support to PBCs with meeting their compliance obligations under the CATSI Act. A number of directors' meetings and general meetings have been facilitated through the Unit.

PBC Representatives from across Cape York attended the National Native Title Conference held in Port Douglas, July 2015. PBC representatives listened, talked and networked with more than 800 delegates from around Australia. Hosted by the Cape York Land Council, this was widely regarded as the most successful Native Title Conference ever!



PBC Representatives also participated in the Cape York PBC Network Forum convened in Cairns in December 2014. Participants were involved in interactive sessions around healthy PBC planning and working up a PBC funding proposal with Outsource Management Pty Ltd.

The PBC Support Unit has thus far provided governance training to four PBCs – Abm Elgoring, Jabalbina, Mokwiri and Ngan Aak-Kunch. Our long association with PBCs provides us the ability to adapt training to help meet directors' needs. In some cases directors have chosen to establish an agreed set of ground rules (to be included as part of their rule book) on how they will work together, others have placed values on the attributes they look for in a director and others have developed a charter articulating their purpose. It is anticipated that all PBCs will be involved in a governance training workshop over 2015 - 16.

The Unit also offers financial management as an important component of the range of services provided to PBCs. The Unit will invest in the set-up of reliable internet connections to allow interactive training in excel and MYOB. The PBC Support Unit also assists PBCs with the preparation of finances for auditing purposes.

PBC directors are fast realising that although fledgling, the ever increasing demands being placed on them from a spectrum of interest groups (Traditional Owners, economic development companies, government agencies to name a few) also provide the opportunities to build stronger Cape communities. The Unit provides PBCs with access to legal and other expertise that ensures agreements are strong, providing the best deal for Traditional Owners.

The PBC Support Unit enjoys a strong relationship with the Jawun Corporate Partnerships Program. Secondees that come through the Program have worked closely with directors from the Abm Elgoring Ambung, Kuuku Ya'u and Mokwiri PBCs particularly on the development of strategic plans as a tool enabling directors to determine their priorities and control the direction they take.

The Unit also offers a mediation service provided by accredited mediators to help Traditional Owners realise the benefits of the Native Title process.

Performance Analysis

Support for native title determination applications (NTDAs) will continue to be CYLC highest priority activity since it is expected that native title will be claimed and determined to exist over virtually all of Cape York within the foreseeable future. The Cape York United Number 1 NTDA will be at the centre of CYLC's effort over 2015 – 16. To support and inform current NTDAs and the lodging of future NTDAs CYLC continues with anthropological research. CYLC has developed arrangements with experienced native title consultant anthropologists who are conducting research and providing anthropological advice and assistance. CYLC will continue to collate Cape York anthropological information into a comprehensive database to inform future dealings on country.

Responding to future act notifications (FANs) is also an increasing activity for CYLC as a result of the registration of the Cape York United Number 1 NTDA, as land users become increasingly compliant with NTA processes and as land use on Cape York intensifies and more future acts are proposed. Correlated with this trend is the need for CYLC to become more involved in agreement-making through ILUAs and in the management of cultural heritage protection and mapping processes because cultural heritage clearance processes often accompany future acts.

However, as more claims are determined and RNTBCs established CYLC recognises that it must play an essential role to support RNTBCs' functionality so that native title holders have legally compliant and capable organisations to represent their interests and achieve benefits from native title



determinations. If RNTBCs are not functional there is a significant risk that determinations will not result in significant benefits to native title holders and therefore the significant investment of effort and resources in native title determinations will not achieve the objective to improve the lives of Aboriginal people. So CYLC continues to lead the trend towards support for RNTBCs in the post determination environment.

There is also a significant social and political trend towards supporting Aboriginal people to escape welfare dependence and engage in Australia's mainstream economy, including in remote areas such as Cape York. Realising the economic potential of native title and Aboriginal land is considered one of the main mechanisms to achieve this outcome on Cape York. CYLC is ahead of this trend through its support for the Cape York Welfare Reform agenda, advocacy for policy reform to support economic participation and working in partnership with organisations such as Balkanu Cape York Development Corporation. It is anticipated that in 2015 – 16 opportunities to pursue reforms to enable Aboriginal participation in the mainstream economy will arise from other initiatives such as the White Paper on Developing Northern Australia. CYLC will engage in these processes to share our understandings developed through efforts to support economic activity on Cape York, including understanding of the interactions between land tenure, ownership, native title, land use planning, organisational and individual capacities and finance.

An emerging trend with potential to create a significant area of new work is assistance with compensation claims for the loss or impairment of native title rights and interests. There are numerous examples of acts on Cape York which may be compensable, such as future acts performed invalidly in the past by State and local governments and other land users, and the use of NTA s24JAA to create interests in land for the State. To date, NTDA's have been given a higher priority by CYLC than compensation claims. However, priorities may be reconsidered after compensation claims progressing in other States provide guidance, particularly in relation to the calculation of the quantum of compensation for the loss or impairment of native title rights and interests.

The NTA and Program Funding Agreement provide CYLC with powers and resources to adequately address most core activities such as supporting NTDA's, responding to FANs and the negotiation of ILUAs and other agreements. However, these core activities are on an increasing trend as native title momentum on Cape York increases and additional resources will be required by CYLC to continue to provide adequate support and services.

More significantly, CYLC functions which do not receive core funding, such as support for RNTBCs, cultural heritage mapping and protection, secure document archiving, participation in Aboriginal land transfers and management and participation in policy development, are also on an increasing trend. CYLC's performance of these functions must also be adequately supported if the full benefits of native title are to be achieved and the lives of Aboriginal people improved.

Despite these operational challenges, CYLC's expenditure to perform its statutory functions was consistent with the outputs budget and no significant variations were required between planned and actual budget expenditures. CYLC also remained compliant with all financial reporting requirements and no formal complaints were received during 2014-15.

Strategic Outcomes Unit

Over 2014 - 15 the CYLC Strategic Outcomes Unit continued to engage with legislative and procedural reforms that impact on Traditional Owners' native title rights and interests or impact on CYLC's opportunity to protect native title and other Aboriginal rights and interests.



CYLC made numerous submissions in response to Commonwealth and State legislative and policy reforms. Where appropriate, CYLC liaised with the other Cape York regional organisations, such as Balkanu and the Cape York Institute and/or other Queensland Native Title Representative Bodies where appropriate, to ensure a coordinated approach and joint position to submissions and representations made to the State and Commonwealth governments.

CYLC's engagement with the Queensland Government included:

- the draft *Cape York Regional Plan* via written submission developed following liaison with Cape York Regional Organisations;
- the *Regional Planning Interests Bill 2014* and *Regional Interest Planning Regulation 2014* via written submissions and appearance at the State Development, Infrastructure and Industry Committee;
- preparation of the *Cape York Water Resources Plan* via participation in working groups;
- the *State Land Tenure Reform Stage 2* via correspondence and participation in meetings;
- the *Planning and Development Bill 2014*, *Planning and Development (Consequential) and Other Legislation Amendment Bill 2014* and *Planning and Environment Court Bill 2014* via written submissions;
- the *Queensland State Land - Strengthening Our Economic Future – Discussion Paper* via written submission;
- the *Water Reform and Other Legislation Amendment Bill 2014* via written submission; and
- participation in the negotiation of Town ILUAs for Mapoon, Pormpuraaw and Lockhart River and preliminary discussion regarding the preparation of ILUAs for other towns.

CYLC's engagement with the Commonwealth Government included:

- attendance at the FAHCSIA Chief Executive Officer and Senior Professional Officers' forum;
- the Council of Australian Government (COAG) *Investigation into Indigenous Land Administration and Use* via written submission and engagement with COAG's Expert Indigenous Working Group;
- the *White Paper on Developing Northern Australia* via discussion; and
- the *Indigenous Advancement Strategy* via written funding applications.

The Strategic Outcomes Unit continued to provide assistance to Aboriginal people and Traditional Owner groups and advice to government, on a range of other issues, including:

- policy discussions about land tenure, home ownership and related issues;
- advice about arrangements for land use planning, land tenure, land ownership and transfers, native title consent and other issues to establish an effective platform for development;



- advice and assistance to resolve issues associated with the exercise of native title on Aboriginal freehold land;
- analysis of cultural heritage and other processes for inclusion in ILUAs;
- addressing issues associated with the transfer of the Aboriginal reserve and improvement of the land administration system at Mossman Gorge;
- the grant of lease entitlements under the *Aborigines and Torres Strait Islanders (Land Holding) Act 1985*;
- support for Cape York Regional Organisations in the implementation of the Cape York Welfare Reform trial, particularly in relation to home ownership and economic development on Aboriginal land;
- ongoing assistance to the Jabalbina Yalanji Aboriginal Corporation RNTBC with leasing of Aboriginal freehold land and other issues; and
- drafting of a Framework Agreement to outline the overall range of reforms necessary to facilitate economic development on Aboriginal land and more generally on Cape York.



CORPORATE GOVERNANCE

The CYLC is incorporated under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006*, also referred to as the CATSI Act 2006. The CYLC Constitution ("The Rule Book") is registered with the Office of the Registrar of Aboriginal and Torres Strait Islander Corporations (ORATSIC).

Good corporate governance is achieved through strong working relationships and the separation of powers between the Board of Directors - which is CYLC's elected arm, and CYLC employees - who form CYLC's executive arm. Corporate governance goals are also achieved by promoting fairness, transparency and accountability through clearly defined roles, responsibilities and reporting for CYLC's elected and executive arms.

The Board of Directors is responsible for setting strategic direction, lobbying, leadership and the overall monitoring of operations and advises the CEO of its decisions as appropriate. The Chief Executive Officer is responsible for the operations of CYLC and the transfer of directions from the Board into the daily operations of CYLC.

BOARD OF DIRECTORS

There are 17 communities within the Cape York Representative Area and a representative from each community is elected as a Director to sit on the CYLC Board of Directors. Directors attend regular Board meetings to ensure that all 17 communities have a voice in setting the direction of CYLC's work. Each Director is supported by an Alternate Director who acts on the Director's behalf, with the same powers and responsibilities, if the Director is unavailable for a Board meeting.

In accordance with the CYLC Constitution the Board of Directors has responsibility for:

- Receiving and considering reports from the CEO and other members of the Senior Management Team regarding CYLC operations;
- Monitoring the financial position of CYLC;
- Deciding on allocation of resources to particular projects;
- Being informed of changes or proposed changes to the way CYLC conducts its work;
- Sets policy;
- Dealing with complaints; and
- Other functions as accepted from time to time.

The Board of Directors meet at least 4 times per year and receives presentations from the Chief Executive Officer and Senior Management Team on CYLC activities for the relevant period.

Over 2014-15 the Board met on six occasions:

- 15 August 2014 - Teleconference;
- 15 – 16 September 2014;
- 13 October 2014 - Teleconference;
- 27 November 2014;
- 17 – 19 March 2015;
- 12 June 2015.



Reporting on all areas of CYLC operations takes place at each Board meeting, including reports from the CEO, Deputy CEO, PLO and Finance Manager. After consideration of these reports the Board provides advice and direction to assist the Senior Management Team to set priorities and identify actions which contribute to achieving the aims of CYLC and the Aboriginal people of Cape York.



Photo 21 - Board of Directors 2014 - 15

Sitting L to R: Greta Accoom, Phyllis Yunkaporta, Lizzie Lakefield, Gwen Toby, Geraldine York
Standing L to R: Josie Blanco, Allan Creek, Aaron Teddy, Robbie Salee, Doreen Jones, Peter Callaghan, Brian Cobus, Fred Coleman, Elaine Liddy.

Community	Meetings eligible to attend	Director	Meetings attended	Alternate Director	Meetings attended
Aurukun	6	Phyllis Yunkaporta	4	Bruce Martin	0
Cairns	6	Richard Ah Mat	6	Fred Joseph	0
Coen	6	Allan Creek	4	Dion Creek	0
Cooktown	6	Brian Cobus	5	Ron Harrigan	0
Hopevale	6	Elizabeth Lakefield	3	Gerhardt Pearson	0
Injinoo	6	Robbie Salee	6	Meun Lifu	0
Kowanyama	6	Aaron Teddy	5	Anzac Frank	0
Laura	6	Fred Coleman	3	Tracey Lowdown	0
Lockhart River	6	Toby Accoom	4	Greta Accoom	0
Mapoon	6	Neomi Roseblade	4	Delores Nixon	0
Mossman Gorge	6	Donna Henning	0	Karen Gibson	4
Napranum	6	Sarina Adams	5	Josie Blanco	1



New Mapoon	6	Clara Day	4	Geraldine York	2
Pormpuraaw	6	Richard Tarpencha	0	Lenny Ned	2
Port Stewart	6	Gavin Bassani	3	Elaine Liddy	0
Umagico	6	Bernard Charlie	3	Gwen Toby	0
Wujal	6	Doreen Jones	6	Doreen Ball	0

Table 6 - Board Member meeting attendance 2014 - 15

Training and Development of Directors

In addition to the Code of Conduct, an important part of the induction for all Directors is training about CYLC Policy, Procedures and the Separation of Powers. Directors are made aware of the responsibilities that accompany their position as part of the election process and further training is part of their ongoing development. Regular governance training is provided to assist the Directors to perform their duties in accordance with the principles of good governance and the responsibilities of an NTRB under the NTA, CATSIA, the CYLC Constitution and Program Funding Agreement.

SENIOR MANAGEMENT TEAM

- **The Chief Executive Officer (CEO), Mr Peter Callaghan**, is responsible for managing CYLC day-to-day operations. The CEO is assisted by the Senior Management Team, comprising the Deputy CEO, Principal Legal Officer, Finance Manager and PBC Unit Manager and CYLC staff working in the Cairns office and the Cooktown and Weipa regional offices.
- **The Deputy CEO, Ms Kirstyne Broderick**, supports the CEO to manage CYLC day-to-day operations and maintains strong working relationships with community members through management of the Community Relations Unit. The Deputy CEO works closely with this unit to support community members in areas of RNTBC compliance and capacity building, future acts management and public relations. Activities are reported to the Board of Directors to engage their advice on strategy moving forward.
- **The Principal Legal Officer (PLO), Mr Adam McLean**, is responsible for the effective management of the NTU and its implementation of functions under the NTA including NTDA's, FANs and ILUAs and other functions including State Land Dealings and National Park transfers.
- **The Finance Manager, Mr Darren Sullivan**, is responsible for the effective management of the Finance Unit. The Finance Manager also manages the CYLC vehicle fleet and supports Human Resource Management.
- **The Prescribed Body Corporate (PBC) Unit Manager, Mr Jim Davis**, is responsible for overseeing this unit is operating in accordance with its vision – to Support Traditional Owners to protect country and culture through the creation and management of sustainable and enduring PBCs. In addition to this, the PBC Unit works closely with the Community Relations Unit to ensure community members are informed of matters affecting them, post native title determination.

RISK MANAGEMENT

To ensure a structured approach to managing uncertainty CYLC is vigilant with identifying, assessing, monitoring and implementing procedures to reduce the impact of risks to its operations. Risk management is vitally important to ensure CYLC continues to be in a position to effectively represent the Aboriginal peoples of Cape York.



To ensure circumstances that could lead to negative outcomes for CYLC's business do not occur CYLC identifies possible risks as part of strategic planning and sets plans and strategies in place that minimise these risks.

MANAGEMENT OF HUMAN RESOURCES

CORPORATE AND OPERATIONAL PLANNING

Consistent with requirements of the Program Funding Agreement and to implement strategic directions and achieve desired outcomes outlined by the Board of Directors, CYLC prepares Operational Plans that set targets, detail activities, allocate resources and provide performance information. All CYLC activities are related to the outcomes and outputs framework in the Operational Plans.

Preparation and implementation of CYLC Operational Plans are informed by the Federal Court Work Plans prepared by the CYLC Native Title Unit for each NTDA. The Work Plans identify objectives and outputs to be achieved, in timeframes agreed with the Court. The Work Plans are developed based on the priority status of each NTDA so that resources are effectively and efficiently allocated.

FINANCIAL MANAGEMENT

Financial management is the responsibility of the CYLC Finance Manager and CEO. Financial reports and matters of concern are routinely provided to the Board of Directors. In addition, an independent financial audit of CYLC is undertaken soon after the end of each financial year and reported to the Board of Directors and CYLC membership. CYLC is very proud of its record in obtaining clean audits for the past eight years.

ETHICAL STANDARDS

In addition to the CYLC Code of Conduct, employees and Board Members follow other policies which reinforce the observation of high ethical standards. There is a high level of awareness amongst staff of ethical issues and good practical application of that knowledge. CYLC management also increases awareness of ethical behaviours by placing informative posters and other information around the workplace.

At the time of writing this report, Cape York Land Council employs a total of 34 staff, with 41% of staff being Indigenous. The staff reporting structure of the Land Council is detailed in Figure 7.

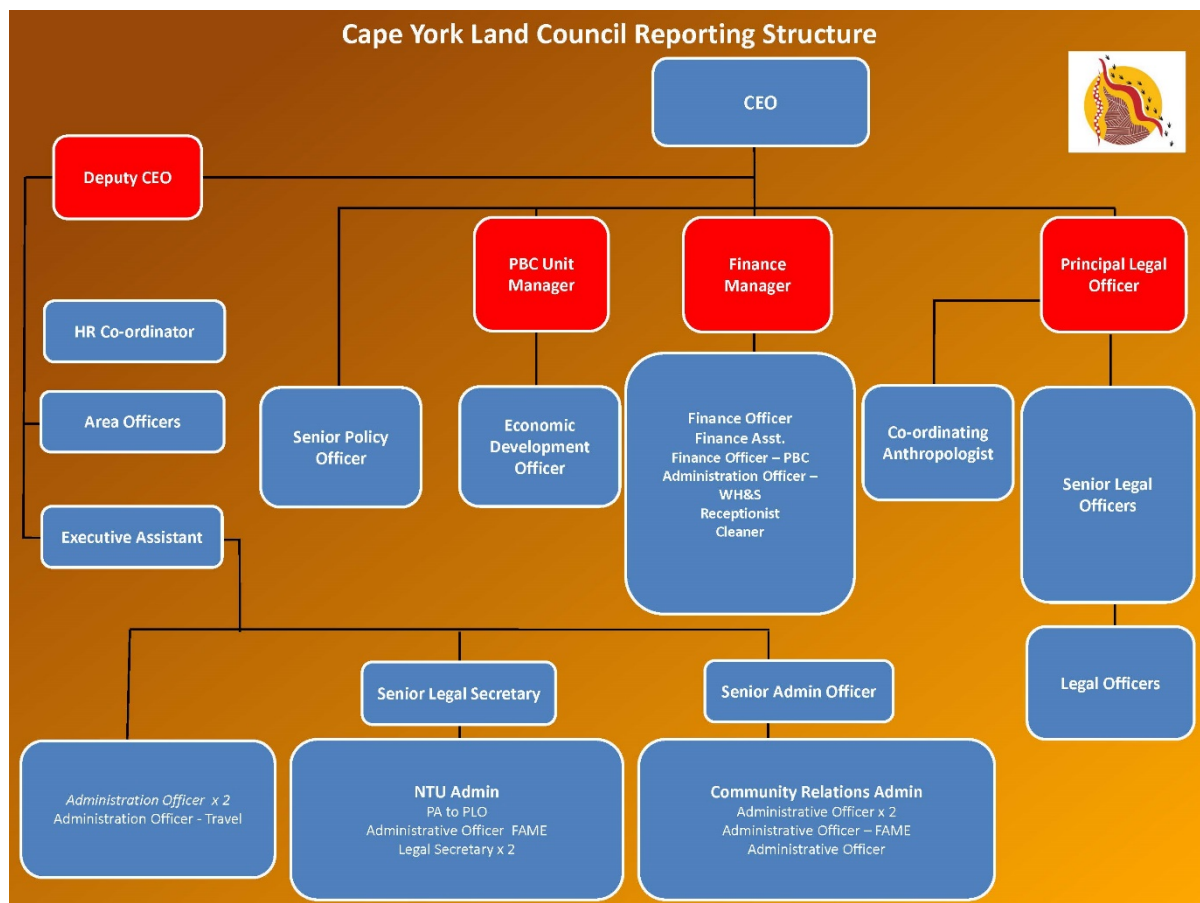


Figure 5 - CYLC Reporting Structure

CORPORATE SERVICES REPORT

The Deputy Chief Executive Officer, Kirstyne Broderick, is responsible for the management of Human Resources, Corporate Services and the Community Relations Unit at the Land Council encompassing:

- recruitment, retention and development of staff; and
- the development and support of Corporate and regional partnerships.

There have been a number of challenging tasks undertaken this year including the:

- closure of offices and staff redundancies;
- development staff within the organisation;
- provision of training for our Board members (eg mediation);
- hosting of the Cape York Summit;
- hosting of the Native Title Conference; and
- negotiation of a new enterprise bargaining agreement.

The CYLC's remote offices in Weipa and Cooktown operated over for 15 years keeping Traditional Owners in Hope Vale, Cooktown, Weipa, Mapoon and Napranum up to date with the progress of their native title claim. With those native title claims now determined, management with the support of the CYLC Board, considered the necessity of the remote offices and made the difficult decision to close them in late 2014. An opportunity for staff to apply for voluntary redundancies was also presented in



December 2014 due to a high number of administrative personnel. As a result of the closure of the remote offices and the voluntary redundancy process, five staff (1 Weipa, 1 Cooktown, 2 Cairns and one part time Brisbane based employee) departed the CYLC in December.

The development of staff (especially our emerging Cape York leaders) is always one of the highest priorities at the CYLC. Our demand remains to retain a group of talented professionals able to secure employment anywhere but who choose to work for the Traditional Owners of Cape York through their Land Council. We provide our staff with access to training courses and opportunities to improve or broaden their skills. Recently, the CYLC provided mediation training for staff and members of our Board of Directors acknowledging the shift in the types of native title services that will be required in the future.

In May, the Cape York Land Council co-convened the Cape York Indigenous Summit. Held over two days the Summit sought the views and values of over 200 Traditional Owner across four key themes: Our children; our health and wellbeing; our potential to build wealth; and our culture and identity. Traditional Owners also heard presentations on the Cape York United Native Claim and the Ice Epidemic now gripping so many in communities, towns and cities across Australia.

Then in June, the Cape York Land Council had the great privilege of hosting the National Native Title Conference on Kuuku Yalanji country at Port Douglas. Under the key conference theme of Leadership, Legacy and Opportunity the conference was an opportunity for people from across Australia to come together and engage in debate, including native title holders and claimants, Traditional Owners, native title representative bodies and service agencies, Commonwealth and State government agencies and industry representatives.

The program included closed workshops followed by a two day public program. The public program included keynote speeches, dialogue forums, Indigenous Talking Circles and workshops. The keynote address given by Noel Pearson on the pursuit of comprehensive framework for the recognition empowerment and settlement of a domestic treaty was one of the most inspiring speeches I have heard in a very long time. My sincerest gratitude to Noel and our Elders and Traditional Owners who attended the conference making it the success it was.

The negotiation of the CYLC Single Enterprise Agreement (2011-2015) commenced in early 2015. Employee and management representatives have been meeting to discuss the current agreement and consider what changes are being proposed for the future.



Photo 22 – Hut at Mossman Gorge



STAFF OVERVIEW

CYLC had a total of 34 employees at 30 June 2015. The table below shows the reduction in field staff due to the 2 regional office closures at the end of 2014. The numbers in the table demonstrate CYLC's commitment to the employment and development of a diverse workforce.

	Indigenous		Male		Female		Full/Part Time		Total	
YEAR	2014	2015	2014	2015	2014	2015	2014	2015	2014	2015
Executive (management team)	2	2	4	4	1	1	5 F/T	4 F/T 1 P/T	5	5
Professional Staff	0	0	7**	4	6	5	12 F/T 1 P/T	8 F/T 1 P/T	13	9
Administrative	9	12	1	1	18	19	12 F/T 7 P/T	15 F/T 5 P/T	19	20
Field	2	0	1	0	1	0	2 F/T	0	2	0
Trainee	-	-	-	-	-	-	-	-	-	-
Total	13	14	11	9	26	25	39	34	39	34

Table 7 - Total Staff by Category as at 30 June 2015

** 2 of the Executive management are also included in the Professional Staff numbers in 2014, however are only counted as Executive in the 2015 reporting figures.



CONSULTANTS AND COMPETITIVE TENDERING

Over 2014-15 CYLC utilised the services of a wide range of legal, anthropological, land management and planning consultants to provide specific expert services and advice in relation to NTRB functions that were not otherwise available from CYLC permanent staff.

The CEO and PLO approved the engagement of all consultants for native title work to ensure appropriate standards are maintained, that the consultant's service costs are within the budget and that they represented good value for money.

The employment of consultants is documented by a Contract of Appointment, which sets out the services to be performed, payment rates, period of employment and the rights and responsibilities of the consultant. Copies of all contract records for each consultant engaged are fully maintained. If professional consultants, particularly anthropologists, have particular knowledge and expertise in a geographic area or in relation to a claimant group they are engaged directly and tenders are not called. Each consultant's performance is monitored by the PLO and the CEO who report on the effectiveness of consultancies to the Board of Directors.

Under the Program Funding Agreement CYLC is required to advertise annually for consultants and maintain a consultants' register.

CYLC engaged the services of 24 consultants on projects to a total value of \$920,712 over 2014-15. Table 11 shows a breakdown of 2014-15 consultant costs.

Payment Range	No. of Contracts	Total Cost
Less than \$30,000	30	\$258,063
More than \$30,000	9	\$662,649
Total	39	\$920,712

Table 8 – 2014-15 Consultant Costs



FINANCIAL STATEMENTS

Cape York Land Council Aboriginal Corporation

ABN 22 965 382 705
ICN 1163

Annual financial report
For the year ended 30 June 2015

Contents

Directors' report	1
Lead auditor's independence declaration	4
Statement of profit or loss and other comprehensive income	5
Statement of financial position	6
Statement of changes in equity	7
Statement of cash flows	8
Notes to the financial statements	9
Directors' declaration	22
Independent auditor's report	23

Abbreviations

FaHCSIA	Department of Families, Housing, Community Services and Indigenous Affairs
DPMC	Department of Prime Minister and Cabinet
RNTBC	Registered Native Title Bodies Corporate

Directors' report

The directors present their report together with the financial statements of Cape York Land Council Aboriginal Corporation (the "Corporation") for the financial year ended 30 June 2015 and the auditor's report thereon.

Operating and financial review

The Corporation's operations involve the advocacy of land issues on behalf of the people of the Cape York Peninsula region. The Corporation's main projects during this financial year include land advocacy work in the North West Cape, Northern Peninsula Area in relation to the continuation and development of mining and exploration activities. The results from operations and financial position of the Corporation outlined in the financial statements are consistent with the expectations of directors.

The net deficit from ordinary activities after income tax amounted to \$278,003 (2014: \$222,044).

State of affairs

There were no significant changes in the Corporation's state of affairs during the year.

Principal activities

The principal activities of the Corporation during the course of the financial year were the advocacy of land issues on behalf of the people of the Cape York Peninsula region.

There were no significant changes in the nature of the activities of the Corporation during the year.

Events subsequent to reporting date

There has not arisen in the interval between the end of the financial year and the date of this report any matter or circumstance that has 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.

Likely developments

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

Environmental regulation

The Corporation's operations are not subject to any particular and significant environmental regulations under either Commonwealth or State legislation. However, the board believes that the Corporation has adequate systems in place for the management of its environmental requirements and is not aware of any breach of those environmental requirements as they apply to the Corporation.

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.

Secretary

Kirstyne Broderick was appointed to the position of secretary on 1 July 2007.

Directors and Directors' meetings

The number of directors' meetings and number of meetings attended by each of the directors of the Corporation during the financial year are:

Community	Name	Special responsibilities	No of meetings attended	No of meetings held*
Cairns	Richie Ah Mat	Chairperson	6	6
Cairns	Fred Joseph	Alternate director	-	6
Injinoo	Robbie Ropeyarn	Deputy chairperson	4	6
Aurukun	Phyllis Yunkaporta	Director	4	6
Aurukun	Bruce Martin	Alternate director	-	6
Coen	Allan Creek	Director	4	6
Coen	Dion Creek	Alternate director	-	6
Cooktown	Brian Cobus	Director	6	6
Cooktown	Ron Harrigan	Alternate director	-	6
Hope Vale	Elizabeth Lakefield	Director	4	6
Hope Vale	Gerhardt Pearson	Alternate director	-	6
Injinoo	Meun Lifu	Alternate director	-	6
Kowanyama	Aaron Teddy	Director	5	6
Kowanyama	Anzac Frank	Alternate director	-	6
Laura	Fred Coleman	Director	3	6
Laura	Tracey Lowdown	Alternate director	-	6
Lockhart River	Toby Accoom	Director	4	6
Lockhart River	Greta Accoom	Alternate director	-	6
Mapoon	Neomi Roseblade	Director	3	6
Mapoon	Delores Nixon	Alternate director	-	6
Mossman	Donna Henning	Director	-	6
Mossman	Karen Gibson	Alternate director	5	6
Napranum	Sarina Adams	Director	6	6
Napranum	Josie Blanco	Alternate director	-	6
New Mapoon	Clara Day	Director	3	6
New Mapoon	Geraldine York	Alternate director	3	6
Pormpuraaw	Richard Tarpencha	Director	-	6
Pormpuraaw	Lenny Ned	Alternate director	3	6
Port Stewart	Gavin Bassani	Director	2	6
Port Stewart	Elaine Liddy	Alternate director	-	6
Umagico	Bernard Charlie	Director	4	6
Umagico	Gwen Toby	Alternate director	-	6
Wujal Wujal	Doreen Jones	Director	6	6
Wujal Wujal	Doreen Ball	Alternate director	-	6

*Reflects the number of meetings held during the time the director held office during the year.

Proceedings on behalf of the corporation

During the year, no person has made application for leave in respect of the Corporation under section 169-5 of the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (the "Act").

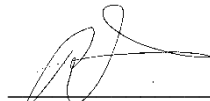
During the year, no person has brought or intervened in proceedings on behalf of the Corporation with leave under section 169-5 of the Act.

Lead auditor's independence declaration

At no time during the financial year ended 30 June 2015 was an officer of the Corporation the auditor, a partner in the audit firm, or a director of the audit company that undertook the audit of the Corporation for that financial year.

The lead auditor's independence declaration is set out on the following page and forms part of the directors' report for the financial year ended 30 June 2015.

This report is made out in accordance with a resolution of the directors:



Director

Dated at Cairns this 21st day of October 2015

Lead auditor's independence declaration

Lead auditor's independence declaration to the directors of Cape York Land Council Aboriginal Corporation

Cairns Corporate Tower
15 Lake Street
Cairns QLD 4870
Correspondence to:
PO Box 7200
Cairns QLD 4870

T +61 7 4046 8888
F +61 7 4051 0116
E info.cairns@au.gt.com
W www.grantthornton.com.au

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 Cape York Land Council Aboriginal Corporation for the year ended 30 June 2015, I declare that, to the best of my knowledge and belief, there have been:

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

No contraventions of any applicable code of professional conduct in relation to the audit.



GRANT THORNTON AUDIT PTY LTD
Chartered Accountants



Graham Coonan
Partner – Audit & Assurance

Cairns, 21 October 2015

Grant Thornton Audit Pty Ltd ACN 130 913 594
a subsidiary or related entity of Grant Thornton Australia Ltd ABN 41 127 556 389

'Grant Thornton' refers to the brand under which the Grant Thornton member firms provide assurance, tax and advisory services to their clients and/or refers to one or more member firms, as the context requires. Grant Thornton Australia Ltd is a member firm of Grant Thornton International Ltd (GTIL). GTIL and the member firms are not a worldwide partnership. GTIL and each member firm is a separate legal entity. Services are delivered by the member firms. GTIL does not provide services to clients. GTIL and its member firms are not agents of, and do not obligate one another and are not liable for one another's acts or omissions. In the Australian context only, the use of the term 'Grant Thornton' may refer to Grant Thornton Australia Limited ABN 41 127 556 389 and its Australian subsidiaries and related entities. GTIL is not an Australian related entity to Grant Thornton Australia Limited.

Liability limited by a scheme approved under Professional Standards Legislation. Liability is limited in those States where a current

Statement of profit or loss and other comprehensive income

For the year ended 30 June 2015

	Note	2015 \$	2014 \$
Income			
Revenue			
Revenue from government sources	5(a)	6,105,199	5,651,213
Revenue from non-government sources	5(b)	1,050,532	700,181
		<u>7,155,731</u>	<u>6,351,394</u>
Expenses			
Employee expenses	6	3,829,946	3,701,606
Supplier expenses	6	3,348,791	2,623,665
Depreciation and amortisation expenses	6	264,552	259,040
Net loss on disposal of property, plant and equipment		10,532	17,358
		<u>7,453,821</u>	<u>6,601,669</u>
Results from operating activities		(298,090)	(250,275)
Finance income		<u>20,087</u>	<u>28,231</u>
Net deficit before tax		(278,003)	(222,044)
Income tax expense	4(e)	<u>-</u>	<u>-</u>
Net deficit for the year		(278,003)	(222,044)
Other comprehensive income	15	<u>88,117</u>	<u>-</u>
Total comprehensive income		<u>(189,886)</u>	<u>(222,044)</u>

This statement should be read in conjunction with the notes to the financial statements.

Statement of financial position

As at 30 June 2015

	Note	2015 \$	2014 \$
Assets			
Cash and cash equivalents	7	1,694,248	802,832
Trade and other receivables	8	434,487	282,078
Prepayments		46,018	46,153
Non-current assets held for sale	9	12,000	-
Total current assets		<u>2,186,753</u>	<u>1,131,063</u>
Property, plant and equipment	10	<u>696,540</u>	<u>878,675</u>
Total non-current assets		<u>696,540</u>	<u>878,675</u>
Total assets		<u>2,883,293</u>	<u>2,009,738</u>
Liabilities			
Trade and other payables			
Suppliers and employees	11	1,113,543	1,215,198
Grants		<u>1,363,352</u>	<u>192,051</u>
Total current liabilities		<u>2,476,895</u>	<u>1,407,249</u>
Employee benefits	13	<u>16,197</u>	<u>22,402</u>
Total non-current liabilities		<u>16,197</u>	<u>22,402</u>
Total liabilities		<u>2,493,092</u>	<u>1,429,651</u>
Net assets		<u>390,201</u>	<u>580,087</u>
Equity			
Revaluation reserve	15	482,739	394,622
Retained (deficit)/surplus		<u>(92,538)</u>	<u>185,465</u>
Total equity		<u>390,201</u>	<u>580,087</u>

This statement should be read in conjunction with the notes to the financial statements.

Statement of changes in equity

For the year ended 30 June 2015

Attributable to members of the Corporation	Revaluation reserve \$	Retained surplus \$	Total equity \$
Balance at 1 July 2013	394,622	407,509	802,131
Total comprehensive income			
Net deficit	-	(222,044)	(222,044)
Total other comprehensive income	-	-	-
Total comprehensive income	-	(222,044)	(222,044)
Balance at 30 June 2014	394,622	185,465	580,087
Balance at 1 July 2014	394,622	185,465	580,087
Total comprehensive income			
Net deficit	-	(278,003)	(278,003)
Total other comprehensive income	88,117	-	88,117
Total comprehensive income	88,117	(278,003)	(189,886)
Balance at 30 June 2015	482,739	(92,538)	390,201

This statement should be read in conjunction with the notes to the financial statements.

Statement of cash flows

For the year ended 30 June 2015

	Note	2015 \$	2014 \$
Cash flows from operating activities			
Cash receipts from funding bodies		7,276,500	5,448,500
Cash receipts from services provided		898,258	500,376
Cash paid to suppliers and employees		<u>(7,286,597)</u>	<u>(6,049,878)</u>
Cash generated from operating activities		888,161	(101,002)
Interest received		<u>20,087</u>	<u>28,231</u>
Net cash from/(used in) operating activities	16	<u>908,248</u>	<u>(72,771)</u>
Cash flows from investing activities			
Acquisition of property, plant and equipment		<u>(16,832)</u>	<u>(167,700)</u>
Net cash from/(used in) investing activities		<u>(16,832)</u>	<u>(167,700)</u>
Net increase (decrease) in cash and cash equivalents		891,416	(240,471)
Cash and cash equivalents at 1 July	7	<u>802,832</u>	<u>1,043,303</u>
Cash and cash equivalents at 30 June	7	<u>1,694,248</u>	<u>802,832</u>

This statement should be read in conjunction with the notes to the financial statements.

Notes to the financial statements

For the year ended 30 June 2015

1 Reporting entity

Cape York Land Council Aboriginal Corporation (the “Corporation”) is an Aboriginal Corporation domiciled in Australia. The address of the Corporation’s registered office is 32 Florence Street, Cairns, Queensland. The Corporation is a not-for-profit entity and primarily is involved in indigenous land advocacy matters.

2 Basis of accounting

a Statement of compliance

The financial statements are general purpose financial statements which have been prepared in accordance with Australian Accounting Standards – Reduced Disclosure Requirements (“AASBs”) adopted by the Australian Accounting Standards Board (“AASB”) and the *Corporations (Aboriginal and Torres Strait Islander) Act 2006*. The financial statements of the Corporation do not comply with International Financial Reporting Standards (“IFRSs”) adopted by the International Accounting Standards Board. They were authorised for issue by the Board of Directors on the date shown on the directors’ declaration.

AASB 1053 *Application of Tiers of Australian Accounting Standards* establishes for general purpose financial statements, a differential financial reporting framework which consists of two tiers of reporting requirements. In prior years, the Corporation prepared its financial statements in accordance with the full disclosure requirements of Tier 1. For 2014-15, the directors have elected to prepare the financial statements in accordance with the reduced disclosure requirements of Tier 2.

b Basis of measurement

The financial statements have been prepared on the historical cost basis except for certain classes of property, plant and equipment which are measured at fair value.

c Functional and presentation currency

These financial statements are presented in Australian dollars, which is the Corporation’s functional currency.

d Use of judgements and estimates

In preparing these financial statements, management has made judgements, estimates and assumptions that affect the application of the Corporation’s accounting policies and the reported amounts of assets, liabilities, income and expenses. Actual results may differ from these estimates.

Estimates and underlying assumptions are reviewed on an ongoing basis. Revisions to estimates are recognised prospectively.

Judgements

Information about judgements made in applying accounting policies that have the most significant effect on the amounts recognised in the financial statements is included in Note 5a - Revenue from government sources.

Assumptions and estimation uncertainties

Management is not aware of any assumptions and estimation uncertainties that have a significant risk of resulting in a material adjustment within the next financial year.

e Economic dependency and working capital

The financial report has 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.

At 30 June 2015, current liabilities amounted to \$2,476,895 (2014: \$1,407,249) and current assets amounted to \$2,186,753 (2014: \$1,131,063) leaving a shortfall in working capital of \$290,142 (2014: \$276,186).

As at 30 June 2015, the Corporation had total assets of \$2,883,293 (2014: \$2,009,738) and total liabilities of \$2,493,092 (2014: \$1,429,651) such that total assets exceeded total liabilities by \$390,201 (2014: \$580,087). Therefore, the Corporation had sufficient assets, although not in a liquid form, to cover the shortfall in working capital should no other alternative be available. However, any solution involving the sale of property, plant and equipment would be subject to restrictions which apply to the sale of assets purchased with grant funds and would reduce or curtail existing operations.

The majority of the shortfall in the Corporation's working capital arose some years ago. Because the Corporation is a not-for-profit entity and the majority of its revenue is derived from grants which must be expended on specific future projects, there is little opportunity for the Corporation to remedy its working capital shortfall. In the circumstances, the Corporation is able to meet its debts as and when they are payable out of grant funds for these future projects.

Accordingly the ability of the Corporation to continue its operations at current levels and continue as a going concern is dependent upon future ongoing funding and support being provided by government funding bodies. Such funding and support from DPMC, the Corporation's main funding provider, has been secured at least until the year ending 30 June 2016. The Corporation has no reason to believe that funding will not continue after this date. Therefore, the directors are confident that the Corporation will continue as a going concern for the foreseeable future.

3 New and amended accounting standards

a New and amended standards adopted

The Corporation has adopted all the amendments to Australian Accounting Standards issued by the AASB which are relevant to, and effective for, the Corporation's financial statements for the annual period beginning 1 July 2014. None of the amendments have had a significant impact on the Corporation.

b New standards and interpretations not yet adopted

A number of new standards, amendments to standards and interpretations are effective for annual periods beginning after 1 July 2014, and have not been applied in preparing these financial statements. None of these is expected to have a significant effect on the Corporation's financial statements except AASB 9 *Financial Instruments* which becomes mandatory for annual periods beginning on or after 1 January 2018 (with early adoption permitted) and introduces new requirements for the classification and measurement of financial assets and additional changes relating to financial liabilities.

The Corporation does not plan to adopt these standards early.

4 Significant accounting policies

The accounting policies set out below have been applied consistently to all periods presented in these financial statements.

a Revenue from non-government sources

Revenue from rendering of services is recognised in proportion to the stage of completion of the transaction at the reporting date. The stage of completion is assessed based on surveys of work performed.

b Government grants and other contributions of assets

Government grants and other contributions of assets are accounted for in accordance with AASB 1004 *Contributions* based on whether they are reciprocal or non-reciprocal in nature and are measured at the fair value of the contributions received or receivable.

Reciprocal transfers are those where approximately equal value is exchanged in the transfer between the transferor (grantor) and the transferee (grantee). Non-reciprocal transfers are those where equal value is not exchanged.

i Reciprocal transfers

Where grants and other contributions are received that are reciprocal in nature, revenue is recognised over the term of the funding arrangements. The Corporation currently does not have any reciprocal grants.

ii Non-reciprocal transfers

Revenue from a non-reciprocal grant that is not subject to conditions is recognised when the Corporation obtains control of the funds, economic benefits are probable and the amount can be measured reliably. Where a grant may be required to be repaid if certain conditions are not satisfied, a liability is recognised at year end to the extent that conditions remain unsatisfied.

Where the Corporation receives a non-reciprocal contribution of an asset from a government or other party for no or nominal consideration, the asset is recognised at fair value and a corresponding amount of revenue is recognised.

c Finance income

Finance income includes interest income which is recognised using the effective interest method.

d Employee benefits

i Short-term benefits

Short-term employee benefits are expensed as the related service is provided. A liability is recognised for the amount expected to be paid if the Corporation has a present legal or constructive obligation to pay this amount as a result of past service provided by the employee and the obligation can be estimated reliably.

ii Defined contribution plans

Obligations for contributions to defined contribution plans are expensed as the related service is provided. Prepaid contributions are recognised as an asset to the extent that a cash refund or a reduction in future payments is available.

iii Other long-term employee benefits

The Corporation's net obligation in respect of long-term employee benefits is the amount of future benefit that employees have earned in return for their service in the current and prior periods. That benefit is

discounted to determine its present value. Remeasurements are recognised in expenses in the period in which they arise.

iv Termination benefits

Termination benefits are expensed at the earlier of when the Corporation can no longer withdraw the offer of those benefits and when the Corporation recognises costs of restructuring. If the benefits are not expected to be settled wholly within 12 months at the end of the reporting period, then they are discounted.

e Income tax

The Corporation has been granted exemption from income tax under Division 50 of the *Income Tax Assessment Act 1997*.

f Property, plant and equipment

i Recognition and measurement

Each class of property, plant and equipment is stated at cost or fair value less, where applicable, any accumulated depreciation and accumulated impairment losses.

Items of property, plant and equipment are initially measured and recognised at cost.

Cost includes expenditures that are directly attributable to the acquisition of the asset.

Purchased software that is integral to the functionality of the related equipment is capitalised as part of that equipment.

If significant parts of an item of property, plant and equipment have different useful lives, then they are accounted for as separate items (major components) of property, plant and equipment.

Plant and equipment and motor vehicles are subsequently measured on the revaluation basis, at fair value, in accordance with AASB 116 *Property, Plant and Equipment*. Leasehold improvements are measured at cost.

Property, plant and equipment assets measured at fair value are revalued, with sufficient regularity, so as to ensure that the carrying amount of each class of asset does not materially differ from its fair value at the reporting date. This is achieved by engaging independent, professionally qualified valuers to determine the fair value for each class of property, plant and equipment assets. This process involves the valuer physically sighting a representative sample of the Corporation's assets across all asset classes and making their own assessments of the condition of the assets at the date of inspection. The regularity of independent valuations depends upon the volatility of movements in market values for the relevant assets.

Further details in relation to valuers, the methods of valuation and the key assumptions used are disclosed in Note 10.

Any revaluation increment arising on the revaluation of an asset is credited to the appropriate class of the asset revaluation surplus, except to the extent it reverses a revaluation decrement for the class previously recognised as an expense. A decrease in the carrying amount on revaluation is charged as an expense to the extent it exceeds the balance, if any, in the revaluation surplus of that asset class.

Any gain or loss on disposal of an item of property, plant and equipment (calculated as the difference between the net proceeds from disposal and the carrying amount of the item) is recognised in income or expenses.

ii Subsequent expenditure

Subsequent expenditure is capitalised only when it is probable that the future economic benefits associated with the expenditure will flow to the Corporation.

iii Depreciation

Depreciation is calculated to write off the cost or fair value of property, plant and equipment less their estimated residual values using the straight line basis over their estimated useful lives and is generally recognised in expenses. Leased assets are depreciated over the shorter of the lease term and their useful lives unless it is reasonably certain that the Corporation will obtain ownership by the end of the lease term.

The estimated useful lives of property, plant and equipment are as follows:

Leasehold improvements	10 years
Plant and equipment	4 years
Motor vehicles	5 years

Depreciation methods, useful lives and residual values are reviewed at each reporting date and adjusted if appropriate.

g Non-current assets held for sale

Items of property, plant and equipment are reclassified as assets held for sale when the carrying amount of these assets will be recovered principally through a sales transaction rather than continuing use. Non-current assets classified as held for sale are available for immediate sale in their present condition and management believe the sale is highly probable. Non-current assets held for sale are measured at the lower of their carrying amount and fair value less cost to sell and are not depreciated. On the eventual sale of these assets a gain or loss is recognised.

h Financial instruments

i Non-derivative financial assets and financial liabilities – Recognition and derecognition

The Corporation initially recognises loans and receivables on the date that they are originated. All other financial assets and financial liabilities are initially recognised on the trade date.

The Corporation derecognises a financial asset when the contractual rights to the cash flows from the asset expire, or it transfers the rights to receive the contractual cash flows in a transaction in which substantially all of the risks and rewards of ownership of the financial asset are transferred, or it neither transfers nor retains substantially all of the risks and rewards of ownership and does not retain control over the transferred asset. Any interest in transferred financial assets that is created or retained by the Corporation is recognised as a separate asset or liability.

The Corporation derecognises a financial liability when its contractual obligations are discharged or cancelled, or expire.

Financial assets and financial liabilities are offset and the net amount presented in the statement of financial position when, and only when, the Corporation has a legal right to offset the amounts and intends either to settle on a net basis or to realise the asset and settle the liability simultaneously.

ii Non-derivative financial assets – Measurement

Loans and receivables

Loans and receivables are initially recognised at fair value plus any directly attributable transaction costs. Subsequent to initial recognition, they are measured at amortised cost using the effective interest method.

iii Non-derivative financial liabilities – Measurement

Non-derivative financial liabilities are initially recognised at fair value plus any directly attributable transaction costs. Subsequent to initial recognition, these financial liabilities are measured at amortised cost using the effective interest method.

i Impairment

i Non-derivative financial assets

Financial assets are assessed at each reporting date to determine whether there is any objective evidence of impairment.

Objective evidence that financial assets are impaired can include default or delinquency by a debtor, restructuring of an amount due to the Corporation on terms that the Corporation would not consider otherwise, or indications that a debtor or issuer will enter bankruptcy,

The Corporation considers evidence of impairment for financial assets measured at amortised cost (loans and receivables) at a specific asset level.

An impairment loss in respect of a financial asset measured at amortised cost is calculated as the difference between its carrying amount and the present value of the estimated future cash flows discounted at the asset's original effective interest rate. Losses are recognised in expenses and reflected in an allowance account. When the Corporation considers that there are no realistic prospects of recovery of the asset, the relevant amounts are written off. If the amount of impairment loss subsequently decreases, and the decrease can be related objectively to an event occurring after the impairment was recognised, the previously recognised impairment loss is reversed through other income.

ii Non-financial assets

At each reporting date, the Corporation reviews the carrying amounts of its non-financial assets to determine whether there is any indication of impairment. If any such indication exists then the asset's recoverable amount is estimated.

The recoverable amount of an asset is the greater of its value in use and its fair value less costs to sell. As the Corporation is a not-for-profit entity, value in use is the depreciated replacement cost of an asset as the future economic benefits of the asset are not primarily dependent on the asset's ability to generate net cash inflows and as the entity would, if deprived of the asset, replace its remaining future economic benefits.

An impairment loss is recognised if the carrying amount of an asset exceeds its recoverable amount.

Impairment losses are recognised in expenses.

An impairment loss is reversed only to the extent that the asset's carrying amount does not exceed the carrying amount that would have been determined, net of depreciation or amortisation, if no impairment loss had been recognised.

j Provisions

Provisions are determined by discounting the expected future cash flows at a pre-tax rate that reflects current market assessments of the time value of money and the risks specific to the liability. The unwinding of the discount is recognised as finance costs.

k Leases

i Determining whether an arrangement contains a lease

At inception of an arrangement, the Corporation determines whether the arrangement is or contains a lease.

At inception or on reassessment of an arrangement that contains a lease, the Corporation separates payments and other consideration required by the arrangement into those for the lease and those for other elements on the basis of their relative fair values. If the Corporation concludes for a finance lease that it is impracticable to separate the payments reliably, an asset and a liability are recognised at an amount equal to the fair value of the underlying asset. Subsequently the liability is reduced as payments are made and an imputed finance cost on the liability is recognised using the Corporation's incremental borrowing rate.

ii Leased assets

Assets held by the Corporation under leases which transfer to the Corporation substantially all of the risks and rewards of ownership are classified as finance leases. The leased assets are measured at an amount equal to the lower of their fair value and the present value of the minimum lease payments. Subsequent to initial recognition, the assets are accounted for in accordance with the accounting policy applicable to that asset.

Assets held under other leases are classified as operating leases and are not recognised in the Corporation's statement of financial position.

iii Lease payments

Payments made under operating leases are recognised in expenses on a straight-line basis over the term of the lease. Lease incentives received are recognised as an integral part of the total lease expense, over the term of the lease.

Minimum lease payments made under finance leases are apportioned between the finance costs and the reduction of the outstanding liability. The finance costs are allocated to each period during the lease term so as to produce a constant periodic rate of interest on the remaining balance of the liability.

2015	\$	2014	\$
5 Revenue			
a Revenue from government sources			
Grants received - FaHCSIA / DPMC		7,276,500	5,448,500
Grant balances at 1 July		192,051	394,764
Grant balances at 30 June		(1,363,352)	(192,051)
6,105,199		<u>5,651,213</u>	<u></u>
b Revenue from non-government sources			
Recoverable income		833,495	398,526
Reimbursements received – State land dealings		<u>217,037</u>	<u>301,655</u>
		<u>1,050,532</u>	<u>700,181</u>

	2015 \$	2014 \$
6 Expenses		
Employee expenses		
Wages and salaries	2,616,089	2,553,899
Superannuation	379,770	333,673
Leave and other entitlements	672,059	639,721
Staff professional development	86,826	36,575
Fringe benefits tax	12,551	12,396
Other employee expenses	62,651	125,342
	<u>3,829,946</u>	<u>3,701,606</u>
Supplier expenses		
Motor vehicle expenses	151,634	143,554
Rent and occupancy costs	198,067	142,787
Service expenses	1,628,837	1,377,149
Supplies	310,619	231,869
Travel expenses	1,059,634	728,306
	<u>3,348,791</u>	<u>2,623,665</u>
Depreciation and amortisation		
Leasehold improvements	67,106	65,284
Plant and equipment	91,899	88,209
Motor vehicles	105,547	105,547
	<u>264,552</u>	<u>259,040</u>
7 Cash and cash equivalents		
Bank balances	1,693,048	801,632
Cash on hand	1,200	1,200
Cash and cash equivalents in the statement of cash flows	<u>1,694,248</u>	<u>802,832</u>
8 Trade and other receivables		
Current		
Trade receivables	434,487	209,828
Less: Allowance for impairment losses	-	-
	<u>434,487</u>	<u>209,828</u>
GST receivable	-	72,250
	<u>434,487</u>	<u>282,078</u>
9 Non-current assets held for sale		
Motor vehicle held for immediate sale	<u>12,000</u>	<u>-</u>

The motor vehicle is valued at the lower of carrying value and fair value less cost to sell.

10 Property, plant and equipment

a Reconciliation of carrying amount

	Leasehold improvements <i>Cost</i> \$	Plant and equipment <i>Fair value</i> \$	Motor vehicles <i>Fair value</i> \$	Total \$
Gross asset values				
Balance at 1 July 2013	532,031	312,794	527,733	1,372,558
Additions	35,468	132,201	-	167,669
Disposals	-	(56,148)	-	(56,148)
Balance at 30 June 2014	567,499	388,847	527,733	1,484,079
Balance at 1 July 2014	567,499	388,847	527,733	1,484,079
Additions	-	16,832	-	16,832
Reclassification to assets held for sale	-	-	(60,000)	(60,000)
Disposals	-	(115,557)	-	(115,557)
Revaluation adjustment to revaluation reserve	-	(158,550)	(213,033)	(371,583)
Balance at 30 June 2015	567,499	131,572	254,700	953,771
Depreciation and impairment				
Balance at 1 July 2013	116,104	137,433	131,617	385,154
Depreciation for the year	65,284	88,209	105,547	259,040
Disposals	-	(38,790)	-	(38,790)
Balance at 30 June 2014	181,388	186,852	237,164	605,404
Balance at 1 July 2014	181,388	186,852	237,164	605,404
Depreciation for the year	67,106	91,899	105,547	264,552
Disposals	-	(105,025)	-	(105,025)
Reclassification to assets held for sale	-	-	(48,000)	(48,000)
Revaluation adjustment to revaluation reserve	-	(164,989)	(294,711)	(459,700)
Balance at 30 June 2015	248,494	8,737	-	257,231
Carrying amounts				
At 1 July 2013	415,927	175,361	396,116	987,404
At 30 June 2014	386,111	201,995	290,569	878,675
At 30 June 2015	319,005	122,835	254,700	696,540

b Fair value measurements

The following table presents the Corporation's assets measured and recognised at fair value.

	2015 \$	2014 \$
Recurring fair value		
Plant and equipment	122,835	201,995
Motor vehicles	254,700	290,569
	<u>377,535</u>	<u>492,564</u>

The most recent comprehensive valuation of plant and equipment and motor vehicles was carried out as at 30 June 2015. The valuation was conducted by Mr Matthew Currie of Grays Asset Services, a registered, independent appraiser having an appropriate recognised qualification and recent experience in the location and category of the property being valued. Fair values were determined on the basis of market value.

	2015	2014
	\$	\$
11 Trade and other payables		
Trade creditors	313,807	403,829
Accruals	50,574	79,728
GST payable	29,408	-
PAYG payable	25,874	38,894
Salaries and wages accrued	80,000	80,000
Liability for annual leave	208,581	208,600
Liability for sick leave	207,807	211,029
Liability for long service leave	81,002	104,510
Liability for TOIL	116,490	88,608
	<u>1,113,543</u>	<u>1,215,198</u>

12 Other employee benefits

The Corporation makes contributions to defined contribution plans. The amount recognised as an expense was \$379,770 for the year ended 30 June 2015 (2014: \$333,673).

13 Provisions

Non-current

Long service leave	<u>16,197</u>	<u>22,402</u>
--------------------	---------------	---------------

Long service leave

The provision for long service leave represents the Corporation's best estimate of the future benefit that employees have earned. The amount and timing of the associated outflows is uncertain and dependant on employees attaining the required years of services. Where the Corporation no longer has the ability to defer settlement of the obligation beyond 12 months from the reporting date, liabilities are presented as current. This would usually occur when employees are expected to reach the required years of service in the 12 months from reporting date.

14 Operating leases

a Leases as lessee

The Corporation leases its Cairns office from Cape York Building Pty Ltd under an operating lease. The lease runs for a period of five years, expiring on 31 March 2020, with an option to renew the lease after that date for a further five years. Lease payments are increased every year to reflect market rentals.

The Corporation leased its Cooktown office from Gungarde Community Centre Aboriginal Corporation under an operating lease. The lease ran for a period of twelve months, and expired on 31 October 2014. The option to renew the lease after that date was not taken.

The Corporation leases two photocopiers from Canon Finance under an operating lease. The lease runs for a period of five years, expiring on 31 March 2018, with an option to renew the lease after that date for a further five years.

None of the leases include contingent rentals.

At reporting date, the future minimum lease payments under non-cancellable leases were payable as follows:

	2015 \$	2014 \$
Less than one year	120,688	94,476
Between one and five years	464,040	19,433
More than five years	-	-
	<u>584,728</u>	<u>113,909</u>

During the year ended 30 June 2015, \$145,933 was recognised as an expense in respect of operating leases (2014: \$133,357).

15 Capital and reserves

a Revaluation reserve

The revaluation reserve relates to the revaluation of certain classes of property, plant and equipment.

Movements in the revaluation reserve were as follows:

Balance at beginning of financial year	394,622	394,622
Net adjustment to non-current assets at end of period to reflect a change in current fair value:		
Plant and equipment	6,439	-
Motor vehicles	81,678	-
	<u>482,739</u>	<u>394,622</u>
Balance at end of financial year	<u>482,739</u>	<u>394,622</u>

Revaluation reserve analysis

The closing balance of the revaluation reserve comprises the following asset categories:

Plant and equipment	146,022	139,583
Motor vehicles	336,717	255,039
	<u>482,739</u>	<u>394,622</u>

16 Reconciliation of cash flows from operating activities

Net deficit	(278,003)	(222,044)
<i>Adjustments for:</i>		
Depreciation	264,552	259,044
Loss on disposal of property, plant and equipment	10,532	17,358
	<u>(2,919)</u>	<u>54,354</u>
<i>Changes in:</i>		
Trade and other receivables	(152,409)	(201,487)
Unexpended grants	1,171,301	(202,713)
Trade and other payables	(101,655)	271,671
Prepayments	135	1,682
Provisions and employee benefits	(6,205)	3,722
Net cash/(used in) from operating activities	<u>908,248</u>	<u>(72,771)</u>

17 Related parties

a Transactions with key management personnel

i Loans to directors

No loans have been made to directors during the year ended 30 June 2015 (2014: nil).

	2015	2014
	\$	\$
ii Key management personnel compensation		
Key management personnel compensation	<u>677,597</u>	<u>670,025</u>

Compensation of the Corporation's key management personnel includes salaries, non-cash benefits and contributions to a post-employment defined contribution plan.

iii Loans to key management personnel

No loans have been made to key management personnel during the year ended 30 June 2015 (2014: nil).

iv Key management personnel and director transactions

A number of key management personnel, or their related parties, hold positions in other entities that result in them having control or significant influence over these entities.

A number of these entities transacted with the Corporation during the year. The terms and conditions of the transactions were no more favourable than those available, or which might reasonably be expected to be available, in similar transactions with non-key management personnel related entities on an arm's length basis.

- Balkanu Cape York Development Corporation Pty Ltd – Gerhardt Pearson, Richie Ah Mat and Allan Creek were directors during the financial year.
- Cape York Corporation Pty Ltd as trustee for the Cape York Aboriginal Charitable Trust – Gerhardt Pearson and Richie Ah Mat were directors during the financial year. Cape York Corporation Pty Ltd as trustee for the Cape York Aboriginal Charitable Trust owns 100% of the shares of the following entities:
 - Cape York Building Pty Ltd as trustee for the Cape York Building Unit Trust
 - Balkanu Cape York Development Corporation Pty Ltd
 - Adai Cape York Investments Pty Ltd
 - Cape York Digital Network Pty Ltd
- Cape York Institute – Richie Ah Mat was a director during the financial year.
- Cape York O-Hub Pty Ltd – Richie Ah Mat was a director during the financial year.
- The Cape York Partnership Group Ltd - Richie Ah Mat was a director during the financial year.
- Hope Vale Congress Aboriginal Corporation RNTBC – Brian Cobus was a director during the financial year.
- Jabalbina Yalanji Aboriginal Corporation – Doreen Jones was a director during the financial year.
- Northern Peninsula Area Regional Council – Bernard Charlie was mayor during the financial year.
- Pormpuraaw Aboriginal Shire Council – Richard Tarpencha was mayor during the financial year.

The aggregate value of transactions and outstanding balances relating to key management personnel, directors and entities over which they have control or significant influence were as follows:

	Transaction values for the year ended 30 June		Balance outstanding as at 30 June	
	Income \$	Expenses \$	Debtors \$	Creditors \$
2015				
Balkanu Cape York Development Corporation Pty Ltd	263,046	19,649	28,611	-
The Cape York Partnership Group Ltd	3,765	-	3,765	-
Cape York Institute	17,050	-	-	-
Cape York O-Hub Pty Ltd	-	-	3,765	-
Hope Vale Congress Aboriginal Corporation	47,786	-	-	-
Northern Peninsula Area Regional Council	-	1,228	-	-
Pormpuraaw Aboriginal Shire Council	-	1,610	-	400

2014				
Balkanu Cape York Development Corporation Pty Ltd	336,481	37,092	53,388	3,675
Cape York Institute	13,623	13,200	2,760	-
Cape York O-Hub Pty Ltd	-	9,274	-	-
Hope Vale Congress Aboriginal Corporation	127,158	-	97,867	-
Northern Peninsula Area Regional Council	-	1,721	-	299
Pormpuraaw Aboriginal Shire Council	-	3,220	-	400

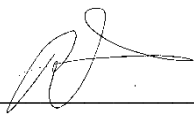
	2015 \$	2014 \$
18 Auditor's remuneration		
Audit services		
Audit of financial statements – Grant Thornton	24,500	3,004
Audit of financial statements – KPMG	-	20,996
	<u>24,500</u>	<u>24,000</u>
Other services		
Other assurance, taxation and due diligence services – Grant Thornton	8,598	1,340
Other assurance, taxation and due diligence services – KPMG	-	6,845
	<u>8,598</u>	<u>8,185</u>

Directors' declaration

In the opinion of the directors of Cape York Land Council Aboriginal Corporation (the "Corporation"):

- a the financial statements and notes are in accordance with the *Corporations (Aboriginal and Torres Strait Islander) Regulations 2007*, including:
 - i giving a true and fair view of the Corporation's financial position as at 30 June 2015 and of its performance for the financial year ended on that date; and
 - ii 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 *Corporations (Aboriginal and Torres Strait Islander) Act 2006*; and
- b there are reasonable grounds to believe that the Corporation will be able to pay its debts as and when they become due and payable.

Signed in accordance with a resolution of the directors:



Director

Dated the 21st day of October 2015



Independent auditor's report

Cairns Corporate Tower
15 Lake Street
Cairns QLD 4870
Correspondence to:
PO Box 7200
Cairns QLD 4870

T +61 7 4046 8888
F +61 7 4051 0116
E info.cairns@au.gt.com
W www.grantthornton.com.au

Independent auditor's report to the members of Cape York Land Council Aboriginal Corporation

We have audited the accompanying financial report of Cape York Land Council Aboriginal Corporation (the "Corporation"), which comprises the statement of financial position as at 30 June 2015, and 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 for 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 about 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. 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.

Grant Thornton Audit Pty Ltd ACN 130 913 594
a subsidiary or related entity of Grant Thornton Australia Ltd ABN 41 127 556 389

'Grant Thornton' refers to the brand under which the Grant Thornton member firms provide assurance, tax and advisory services to their clients and/or refers to one or more member firms, as the context requires. Grant Thornton Australia Ltd is a member firm of Grant Thornton International Ltd (GTIL). GTIL and the member firms are not a worldwide partnership. GTIL and each member firm is a separate legal entity. Services are delivered by the member firms. GTIL does not provide services to clients. GTIL and its member firms are not agents of, and do not obligate one another and are not liable for one another's acts or omissions. In the Australian context only, the use of the term 'Grant Thornton' may refer to Grant Thornton Australia Limited ABN 41 127 556 389 and its Australian subsidiaries and related entities. GTIL is not an Australian related entity to Grant Thornton Australia Limited.

Liability limited by a scheme approved under Professional Standards Legislation. Liability is limited in those States where a current

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*.

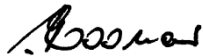
Auditor's opinion

In our opinion, the financial report of Cape York Land Council Aboriginal Corporation is in accordance with the *Corporations (Aboriginal and Torres Strait Islander) Act 2006*, including:

- a giving a true and fair view of the Corporation's financial position as at 30 June 2015 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



Graham Coonan
Partner – Audit & Assurance

Cairns, 21 October 2015



Cape York Land Council Aboriginal Corporation
32 Florence Street, Cairns QLD 4870
Freecall: 1800 623 548 | Email: info@cylc.org.au
Visit: www.cylc.org.au

Annual Report 2014-15

