

BUNUBA DAWANGARRI ABORIGINAL CORPORATION (BDAC) RNTBC

ICN: 7813 ABN: 80 365 218 271

Authorisation Meeting Notice Staff Accommodation Facility ILUA

Place: Old School Under Cover Area, Forrest Road, Fitzroy Crossing

Date: Wednesday, 21 December 2022

Member Registration: 9.00am

Time: 9.30am

Purpose: Discuss the draft Juniper Staff Accommodation Indigenous Land Use Agreement (ILUA). If agreed, authorise entering into the ILUA and registration of that ILUA in accordance with the Native Title Act.

Who Can Attend and Vote at this Authorisation Meeting?

Bunuba native title holders as defined below can attend and vote at this meeting. Bunuba native title holders are defined in *Wurrunmurra v the State of Western Australia* [2012] FCA 1399, *Wurrunmurra v the State of Western Australia* [2015] FCA 1480, *George Brooking on behalf of the Bunuba People (Bunuba #2) v State of Western Australia* [2015] FCA 1481 and *Mary Aiken on behalf of the Bunuba People (Bunuba #3) v State of Western Australia* [2015] FCA 1482 as:

- (a) descendants of the following ancestors:
 - Mubu (Banjo Wurrunmurra's MM and David Fairfield's MM);
 - Jarangu (Johnny Marr's F);
 - Jurguna (Rita Laylay's MF);
 - Frank Edgar (Pilot) (Felix Edgar's F);
 - Limirruwa;
 - Nindiligali (Nancy Williams' MF and George Brooking's FF);
 - Dawanjina (Billy Oscar's FM, Lionel Jambara's FFMM);
 - Ganggula (George Leopold's MM);
 - Mangalanyi (Adam Andrews' F);
 - Yambanana (Fred Green's F);
 - Minyjinyji (Moses Beharrel's M);
 - Balyburru (Joe Ross' MFF and Wibiy Roger's FF);
 - Gijalamili (Betty Smith's MMF);
 - Jingirriban (Rose Benning's MF);
 - Guburmiya (Barbara Cole's FM);
 - Bundu (Harry and Lena Skinner's F and Nita Skinner's FF); and
 - Limadji;
- (b) the individuals, and their descendants, who have been adopted or are being adopted or Marurra (people who are raised, grown up, embraced and acknowledged as a Bunuba person) by members of the Bunuba People, or by their predecessors, in accordance with the traditional laws and customs of the Bunuba People; and
- (c) Aboriginal persons who:
 - (i) self-identify as Bunuba; and
 - (ii) are recognised by other members of the Bunuba People as Bunuba under traditional law and custom.

Agenda

1. Welcome, Code of Conduct
2. Apologies
3. Proxies received
4. Confirm Quorum
5. Briefing on the ILUA
6. Questions
7. Authorisation of the ILUA:
 - (a) Confirm decision-making process.
 - (b) Discuss and, if thought appropriate, authorise entry into and registration of the ILUA.
8. Meeting close

Proxies

Please note that:

- a member who is entitled to attend and cast a vote may appoint a proxy;
- the proxy must be from the member's muway; and
- the proxy need not be a member of BDAC but must be a native title holder.

A notice of appointment of a proxy form is enclosed with this notice of Authorisation Meeting.

For an appointment of a proxy to be effective, the following documents must be received by BDAC at least 48 hours before the AGM (no later than 9am Monday 19 December 2022)

- the appointment of a proxy form, and
- if the appointment is signed by the appointor's attorney, the authority, or a certified copy of the authority.

A proxy can only act for 3 members at a time.

Proxy forms may be submitted to BDAC:

by email to finance@bunuba.com and ceo@bunuba.com (preferred method);

by mail to PO Box 264, Fitzroy Crossing WA 6765;

or by hand to the BDAC Office, Forrest Road, Fitzroy Crossing.

By order of the BDAC Board of Directors

Travel and Meals

Morning tea and lunch provided. There is no travel support for this ILUA meeting.

Bunuba Fitzroy Parks ILUA

Background

Uniting Church Homes trading as Juniper - a Uniting Church Community ("Juniper") operates the Juniper Guwardi Ngadu Aged Care Hostel at 565 Forrest Road, Fitzroy Crossing and the Home and Community Care facility in Fitzroy Crossing.

Due to the severe shortage of accommodation in Fitzroy Crossing, Juniper needs dedicated ongoing accommodation for its staff to operate the hostel and Home and Community Care service in a sustainable way. The Accommodation facility will sit between the Renal Hostel and Gwardi Ngadu Aged Care Hostel.

Juniper currently has an agreement with the Fitzroy Workers Camp, operated by Marra Worra Worra, to accommodate staff who are working at Guwardi Ngadu. Additionally, there are two houses on the aged care hostel site. One of these is used for the Residential Manager and the other used for Clinical and Support staff.

It is proposed to sublease adjacent land to Juniper to provide a location for purpose-built accommodation, which will be used by staff of the aged care facility. Suitable staff housing in Fitzroy Crossing is vital to ensure that Guwardi Ngadu has access to suitably qualified staff and support sustainable delivery of services in a safe environment.

Juniper has planned procurement and workforce strategies which includes the employment of local people.

Plans to date will allow for the construction of works including five one-bedroom units in duplex formation, four two-bedroom units in duplex formation, a community shelter building, car parking hardstand for eleven vehicles, connection of all services, and ancillary crossover and pathways.

The staff accommodation buildings will be commissioned by Juniper with support from the Commonwealth Government.

Juniper has a capital grant under a funding agreement with the Commonwealth Department of Health and Aged Care to construct staff housing under the National Aboriginal and Torres Strait Islander Flexible Aged Care Program (NATSIFACP) Program.

This funding agreement was obtained in 2016 and has been extended three times following negotiations to acquire the rights to use the land to accommodate the construction of the staff accommodation.

An ILUA is required to approve the lease of land from the Aboriginal Lands Trust as landlord to Bunuba Operations Aboriginal Corporation (BOAC) as tenant which can in turn be subleased to Juniper.

The lease will be for 21 years with a 21 year option.

BDAC has been negotiating the ILUA with the WA Government since 2016. Other meetings have been held to gain the consent of Junjuwa and Buruwa community members since this time.

The meeting on 21 December 2022 is for discussion of the ILUA and for Bunuba People to decide whether to authorise the ILUA with the WA Government. If authorised, BDAC will enter into the ILUA on behalf of Bunuba native title holders and an application will be made to the National Native Title Tribunal (**NNTT**) for the ILUA to be registered. If the ILUA is registered, it will bind all Bunuba native title holders.

The decision to enter into the ILUA will be a 'native title decision'. Clause 9.3 of the current BDAC Rule Book sets out the process for making native title decisions. The new Rulebook, which will be in place at the time of authorisation, requires that BDAC make sure that Bunuba native title holders understand the ILUA and consent as a group to entering into the ILUA. The consent of native title holders does not need to be unanimous. If Bunuba native title holders decide not to authorise the ILUA then the ILUA will not be entered into.

What Will the ILUA Do?

If it is authorised, the ILUA will provide Bunuba native title holders' consent for the purposes of the *Native Title Act 1993* (Cth) to certain acts, including entering into the lease between Aboriginal Lands Trust and BOAC and the subsequent subleasing of the land to Juniper for the construction, operation and maintenance of accommodation buildings to accommodate staff who work at the facility for the use and benefit of Aboriginal people.

Some of the Bunuba People's native title rights will be suppressed by the grant of the long term lease but will not be extinguished.

The WA Government is not providing any financial benefit to the Bunuba People, but the construction of the accommodation facility will provide a non-financial benefit to the Fitzroy Crossing community being the ongoing provision of aged care staff accommodation. Subleasing the site to Juniper will provide a financial benefit to Bunuba.

These benefits will be set off against any future compensation that Bunuba native title holders are entitled to under the Native Title Act.

Where is the ILUA area?

The ILUA will cover the area shown on the map below. The key area is within Reserve 9656 on Forrest Road, Fitzroy Crossing, between the [Renal*] Accommodation Facility and Guwardi Ngadu Aged Care Facility.

Who are the Parties to the ILUA?

The parties to the ILUA will be BDAC (RNTBC) (on behalf of Bunuba native title holders), Bunuba Operations Aboriginal Corporation (BOAC), the Aboriginal Affairs Planning Authority (represented by the Hon Antonio de Paulo Buti, Minister for Aboriginal Affairs) (AAPA) and the Aboriginal Lands Trust (ALT).

Additional Background to Juniper Guwardi Ngadu Aged Care Hostel

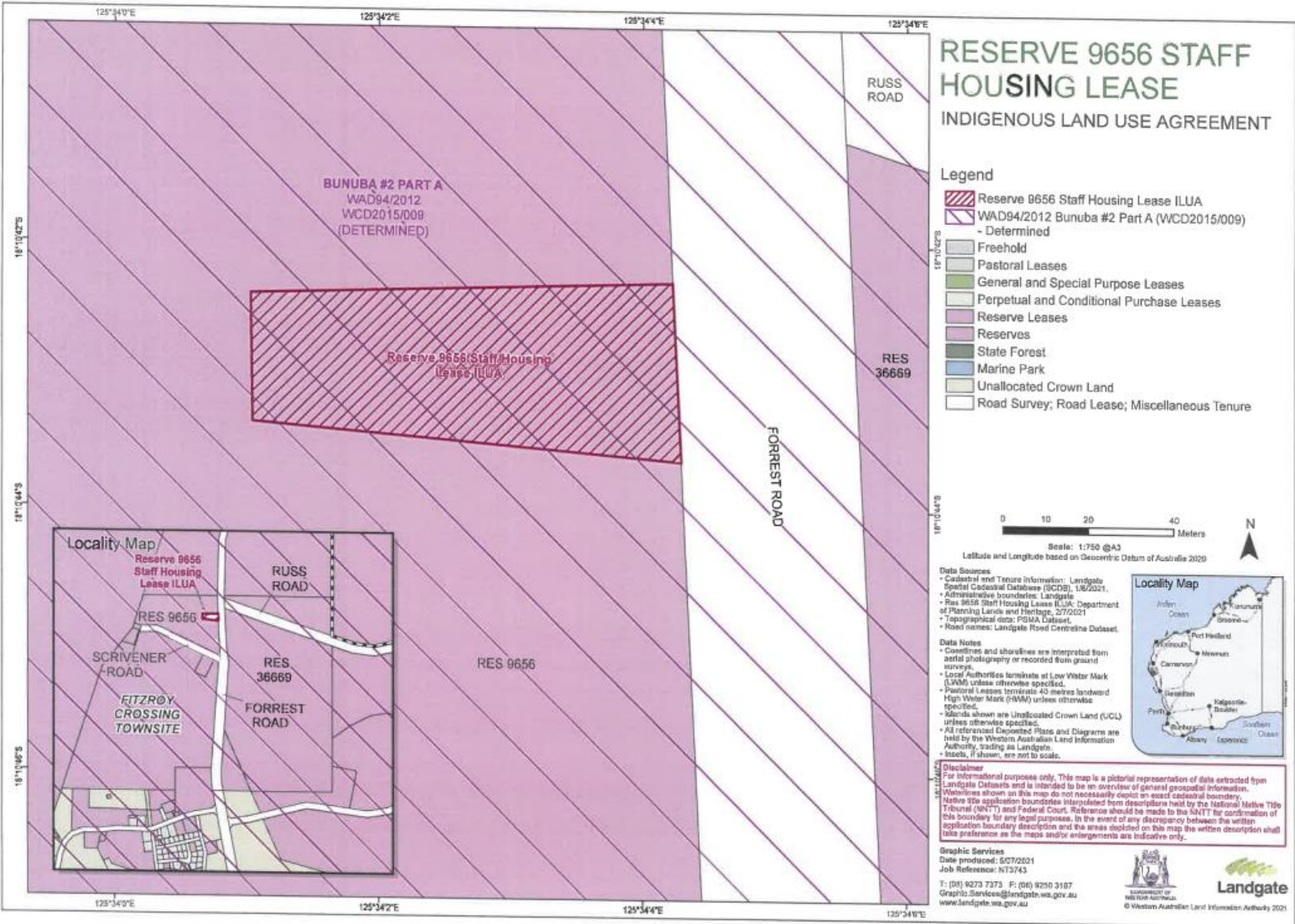
Juniper Guwardi Ngadu upholds the aged care quality standards by providing quality care that is inclusive and centred around culturally appropriate practices. Juniper understand and provide for the cultural needs of residents and tailor care and the home living environment to support the identified needs of the individual.

Cultural governance and connection to language is supported by the inclusion of family members, health practitioners and the residents themselves. All residents have a personalised care plan identifying both medical and cultural needs. These needs are met by incorporating traditional healing, therapies, cultural protocols and practices.

Guwardi Ngadu Residents are surrounded by native flora aiding sensory connection to country. The fire place being the centre of the facility makes the perfect yarning circle where many stories are told, and cups of tea shared.

These small and meaningful things are important to the everyday living of residents and enable staff to better understand language and culture whilst improving the living standards for residents.

Map of ILUA Area



Appointment of a proxy

Rule 7.14.1

Type of Notice	Appointment of a proxy to the Bunuba Dawangarri Aboriginal Corporation RNTBC under Rule 7.14.1. Under Rule 7.14.4 the Notice must be sent to the contact person at least 48 hours before the Corporation's meeting.
Name of the Bunuba Contact Person	To:* Contact person for the Bunuba Dawangarri Aboriginal Corporation RNTBC *Copy this Notice to the person appointed proxy also
Name of member appointing a proxy	From: Member appointing the proxy
Name of proxy	Name of proxy:
Address of proxy	Address:
Name of proxy's muway
Details of the meeting for which the person is a proxy	Time:..... Date:..... Location of the meeting:.....
Power to vote	The person appointed as proxy may vote* or may not vote* (*strike out relevant section)
Optional	If a member wishes to specify the way the proxy is to vote on a particular resolution, include the additional information here.
Signature of appointing member [Signature] [INSERT NAME] Address:..... Tel No:
Number of Proxies	NOTE: A member must not exercise proxies for more than 3 members.