



Message Stick

Your way forward

December 2019

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MESSAGE STICK

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Message from the Chair

Before I commence, I would first like to acknowledge the previous Chair, Kaylene Malthouse for her leadership throughout the passed four years as Chair. Kaylene has been a long-standing member of the Board, dedicating 15 years to the organisation. She has represented NQLC at all levels of government and numerous significant events where the information obtained was of great benefit to the NQLC board and NQLC's constituents. She did a lot of work around constitutional recognition and the Voice to Parliament, she was a member of the Traditional Owner Leadership Group (TOLG) working on the revised Wet Tropics Regional Agreement and she was also involved in the recent compensation talks.

I would also like to acknowledge another long-standing member of the board and former Deputy Chair, Phil Rist. Phil has made a strong contribution to the board in his 10 years with us. Because

of Phil's cultural knowledge he provided strong leadership in cultural heritage and sea country. He represented NQLC at numerous events and on many committees, working with Wet Tropics Management Authority, GBRMPA and was also in the TOLG. Both Kaylene and Phil leave a proud legacy and on behalf of the Board of North Queensland Land Council, we wish them every success in their future endeavours.

Welcome to NQLC's December edition of Message Stick. This is our last edition for the year, and my first as your Chair. For those I am yet to meet, I am Angelina (Angie) Akee. My grandmother is of the Umpila Clan, Kaantju Country. My mother is from Darnley (Erub) Island. My father is from Juru Country. I was born in Mackay and raised in the suburb of Garbutt in Townsville. I am an activist at heart. My passion is to advocate and support my people. I have dedicated most of my life to working and supporting our

people and have held several executive leadership roles within Aboriginal and Torres Strait Islander organisations. I am a founding member of the Townsville Aboriginal and Torres Strait Islander Corporation for Women, previous Chair of North Queensland Legal Services and Co-Chair of the recently established Queensland Indigenous Housing Forum. I was involved in an international resilience program as part of the Townsville Aboriginal Health Service, along with other state-wide health program in Queensland. I'm also a Life Member of the Garbutt Magpies, one of our first Townsville organisations, with members of my family and residents of Garbutt.

NQLC Board of Directors have been extremely busy over the last three or so months. You will have received a notice in September that the Board resolved to postpone the September 2019 ward elections and that we directed the

CEO to apply for an extension of six months for the ward elections and the 2019 AGM. The reason for this was to facilitate a restructure of the organisation. The Board of NQLC recognise that as an NTRB, we are at a critical point in time where PBCs and native title common law holders are under pressure to facilitate economic development. The postponement of the ward elections is to allow us time to model the restructure, ensuring that the organisation is designed in a way that allows it to work closely with PBCs and native title holders. At this point in time, the NQLC is funded in a way that restricts the amount of support they can provide PBCs. We are hoping to change this by creating a separate entity,

alongside its current native title services, to focus primarily on economic development, the protection of our cultural heritage and addressing social disadvantage.

The revised dates for the ward elections and AGM will be sometime in March 2020, by which time we plan to present the revised structure. Over the coming months, the Board's newly elected Executive Committee (myself as Chair, Vana O'Shane as Deputy Chair, Tracey Heenan as Treasurer and Gary Mooney as Correspondence Secretary) along with fellow director Terry O'Shane, will be visiting NQLC constituents to ensure they have a voice in the restructure of the organisation. We as the

Executive, will be in touch with more details once we have finalised our roadshow.

I would also like to take this opportunity to welcome Brad Grogan of Western Yalanji, and Sam Backo of Warrgamay to the NQLC Board as the replacement directors for Tablelands and Tully respectfully.

In closing, I would like to wish you all a wonderful and safe Christmas and prosperous new year. I look forward to working alongside all of our Traditional Owners in 2020 on behalf of the Board of NQLC.

Angie Akee

Chair
North Queensland Land Council





Update from the Chief Executive Officer

Welcome to the December 2019 edition of Message Stick. I hope it finds you well.

I am pleased to announce that we have several new staff joining both the Cairns and Townsville offices. Mr Graham O'Dell joins us as Principal Legal Officer (PLO) based in Cairns. Some of you will know Graham from his work as PLO at Cape York Land Council and possibly his previous role as Deputy PLO at Yamatji Marlpa Aboriginal Land & Sea Council in Western Australia. Graham brings a very strong legal and commercial background to the role and we are delighted to have him join our team. I wish to sincerely thank Mr Nigel Hales of Miller Harris Lawyers for fulfilling PLO duties during the recruitment process.

We also welcome Dr Charles Wilde as temporary Staff Anthropologist in Townsville, back filling for Kelly Stewart while she is on maternity leave. Rebecca Jones joins us in Cairns as temporary Legal Administration Officer,

back filling Madeleine Fuller while she is maternity leave. We also welcome Krystle Edmonds as temporary FAME Administration Officer, covering for Renee O'Neill as she heads off on her maternity leave; and Dakota Campbell joins the team as Cairns Receptionist. With Legal Officer Laura Burton also on maternity leave, there must be something in the water at the NQLC! We wish Kelly, Madeleine, Renee, and Laura all the best while they enjoy time with their new bubs.

The NQLC Board at its meeting on 1 October 2019 accepted the resignations of Ms Kaylene Malthouse and Mr Phil Rist as NQLC Directors. As former Chair and Deputy Chair respectively, the Board was required to appoint a new Executive Committee. The newly appointed Executive Committee is as follows: Chairperson, Ms Angelina Akee (Townsville Ward); Deputy Chairperson, Ms Vana O' Shane (Cairns Ward); Treasurer, Ms Tracey Heenan (Tablelands Ward) and

Correspondence Secretary, Mr Gary Mooney (Mackay Ward). The Board and staff of the NQLC wish to thank both Kaylene and Phil on their dedication and hard work over many, many years. Both Kaylene and Phil were well-respected directors and they will both be sorely missed.

Intensive work by the NQLC's Claims Unit continues on our priority claims:

- Yuwibara: the court has set a consent determination date of 25 February 2020
- Wakaman: now set for trial in June 2020.
- Cairns Regional Inquiry: the referees will provide a report to the Court mid-February 2020, which will guide the future of claims in and around the Cairns area.
- Gurambilbarra Wulgurukaba, Bindal, Jirrbal # 4 and Warrgamay: steady progress continues to be made.

- Gugu Badhun #3 and Gurambilbarra Wulgurukaba sea country claim & ILUA authorised in early December.
- Research continues on future claims for Manbarra (Palm Island), Proserpine/Whitsundays, the south central region, the northern area inland from Mossman, and a regional sea claim in the area between Townsville and Innisfail.

The NQLC's Engagement and Development Support Team (Future Act and PBC Support) has been extremely busy with a range of activities since the previous Message Stick and I refer you to the EDST report on page 11 for further details. The team is doing some great work.

On 12 December the NQLC, in conjunction with the National Native Title Council, held a workshop in Townsville on the issue of native title compensation. The workshop was very well attended by most of the region's PBCs and representatives from claimant groups close to determination. I'm pleased to report that the workshop was a great success with some very important information being conveyed to the region's native title holders resulting in informed discussions about ways forward.

It has been a very big year for the NQLC and I know that we are all looking forward to a break over Christmas & the New Year. On that point please note that the NQLC offices will be

closed for business from 24 December to 1 January inclusive.

I'd like to take this opportunity to sincerely thank you for your support of the NQLC throughout 2019 and wish you all a very Merry Christmas and a Happy New Year. I hope that you all have the opportunity to enjoy the festive season with friends and family and we all bounce back refreshed and invigorated for what 2020 will bring.

Very best wishes,

STEVE DUCKSBURY
Chief Executive Officer





Meet the Principal Legal Officer

Introducing Graham O'Dell, the recently recruited Principal Legal Officer (PLO) of NQLC. Graham brings a wealth of legal and commercial knowledge to the role and has already proven to be an asset to the organisation since his commencement in November. Some may recognise Graham through his work as PLO at the Cape York Land Council and possibly his previous role as Deputy PLO at Yamatji Marlpa Aboriginal Land & Sea Council in Western Australia. On behalf of all the staff at NQLC, we warmly welcome Graham to the team.

What motivated you to get into native title?

My understanding that country is fundamental to who Aboriginal People are and that without the broader Australian Community recognising and acknowledging that traditional connection to country, reconciliation will never properly occur

What do you see happening in the next 10 years of native title?

Compensation for the extinguishment of native title rights and interests will occupy the native title landscape for the next 10 years but I also see a greater emphasis needed to be placed on the management of native title through better resourcing of prescribed body corporates (PBCs) and their governance.

Give me one word that best describes you?

Pragmatic

In one year's time, if you were to celebrate what a great year it has been, what did you achieve?

My part in NQLC being recognised by traditional owners as having met their needs and expectations as a top class native title representative body.

Who inspires you and why?

All those people who give up their time and money to help others without financial reward

What do you like to do in your spare time?

Relax as best I can, but with four kids, that's not always possible.

Voice to Parliament

Ken Wyatt announces Senior Advisory Group

A Senior Advisory Group has been established to lead the way on a Voice to Parliament, announced the Minister for Indigenous Australians the Honourable Ken Wyatt in November.

The Group will oversee the formation of a National Co-Design Group and a Local/Regional Co-Design Group to develop models that will enhance local and regional decision-making nation-wide. "We need to get it right. Models will be workshopped with communities across urban, regional and remote Australia," Minister Wyatt said.

The Senior Advisory Group will be co-chaired by Professor Tom Calma AO and Professor Dr Marcia Langton AM and includes a further 17 members. Names and bios listed below courtesy of the National Indigenous Times.



PROFESSOR TOM CALMA AO - KUNGARAKUN AND IWAIDJA HERITAGE

Co-Chairing the Senior Advisory Group (SAG), Professor Calma has extensive experience advocating for Indigenous Australians.

From 2004-09, he was the Race Discrimination Commissioner and from 2004-10 he served as the Aboriginal and Torres Strait Islander Social Justice Commissioner.



PROFESSOR DR MARCIA LANGTON AM - YIMAN AND BIDJARA HERITAGE

The SAG's other Co-Chair, Dr Langton attended Australian National University and was the first Indigenous honours graduate in anthropology.

She is accomplished in many areas, including social, cultural and land rights, political and legal anthropology, as well as Indigenous engagement in the minerals industry.

Dr Langton was also the first woman to Chair the Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS) Council.



PROFESSOR FR FRANK BRENNAN SJ AO

Professor Brennan is a human rights lawyer and Jesuit priest commonly known for his involvement in the Wik debate of 1998.

He chaired the 2009 National Human Rights Consultation and was awarded Officer of the Order of Australia (AO) for his services to Indigenous Australians, specifically in areas of law, reconciliation and social justice.

Professor Brennan has also authored books on Indigenous issues such as The Wik Debate and One Land One Nation.



PROFESSOR PETER BUCKSKIN PSM - NARUNGA HERITAGE

Professor Buckskin has plenty of experience at an elite level, having served as Commissioner of the Australian Commission to UNESCO, Chair of the South Australian Aboriginal Education Consultative Committee and Dean of Aboriginal Engagement and Strategic Projects at the University of South Australia.

In 2001, he received a Commonwealth Public Servant Medal (PSM).



MS JOSEPHINE CASHMAN - WARRIMAY HERITAGE

With over two decades of experience as a lawyer and entrepreneur, Ms Cashman works in areas promoting inclusive economic development and positive change in society.

She founded the Big River group and was an inaugural member of the Prime Minister's Indigenous Advisory Council.

Ms Cashman was also an invited speaker at the UN Human Rights Council session addressing violence against Indigenous girls and women.



MS MARCIA ELLA-DUNCAN OAM - WALBUNJA HERITAGE

Ms Ella-Duncan was the first Indigenous women to represent Australia in Netball and has been inducted into the Netball Australia and Netball NSW Halls of Fame.

A Director of Netball Australia, Ms Ella-Duncan is also a member of the association's RAP working group.

From 2009-17, she also chaired La Perouse Local Aboriginal Land Council.

**MS JOANNE FARRELL**

A retired Rio Tinto executive, Ms Farrell has experience in leading interaction with key stakeholders while overseeing global Health, Safety and Environment (HSE) systems and processes.

She has led many partnerships with Indigenous communities in employment, economic capacity building, skills development and agreement making.

**MR MICK GOODA - GANGULU HERITAGE**

With over 25 years of representing Indigenous Australians under his belt, Mr Gooda has a vast knowledge of the cultural nuances and situational diversity of Indigenous Australians.

Mr Gooda has experience in urban, rural and remote areas, and has also served as Aboriginal and Torres Strait Islander Social Justice Commissioner.

**MR CHRIS KENNY**

At times a controversial commentator on Indigenous affairs, Mr Kenny is a Sky News journalist and an Associate Editor at The Australian.

He has reported for Channel Nine, Network Ten and the ABC as well as working as a media adviser and Chief of Staff for past foreign minister Alexander Downer.

**CR VONDA MALONE - KAURAREG HERITAGE**

Breaker of glass ceilings, Cr Malone is the first female Mayor of the Torres Shire Council, first female Torres Strait Islander Australian diplomat and the first female Torres Strait Islander complete the UN's Indigenous Fellowship Program.

Cr Malone has 22 years' experience with the Federal Government, particularly in foreign affairs, was the founding Chair of the Torres Health Indigenous Corporation (THIC) and is Chair of the Torres and Cape Indigenous Councils Alliance (TCICA).

**MS JUNE OSCAR AO - BUNUBA HERITAGE**

A big name in WA's Kimberley region, Ms Oscar (pictured above) currently serves as Social Justice Commissioner.

She has also served as ATSIC Commissioner, Kimberley Land Council Deputy Director and Chair of the Kimberley Language Resource Centre.

In 2018, Ms Oscar was awarded NAIDOC's Person of the Year.

**MS ALISON PAGE - WALBANGA AND WADI WADI HERITAGE**

Ms Alison Page – Walbanga and Wadi Wadi heritage

Award-winning Producer and Designer, Ms Page is the founder of the National Aboriginal Design Agency and founding CEO of the Saltwater Freshwater Arts Alliance.

She has experience working with Indigenous communities, particularly in delivering architectural services that are culturally appropriate, and was on the Expert Panel for the Federal Government's Constitutional Recognition of Indigenous Australians.



MR NOEL PEARSON - GUUGU YIMIDHIRR HERITAGE

Prominent lawyer and land rights activist, Noel Pearson is a name well-known in the Indigenous affairs space.

Mr Pearson helped establish the Cape York Land Council in 1990 and Founder of the Cape York Institute for Policy and Leadership.

He is a strong advocate for social and economic development and has served on the Expert Panel on Constitutional Recognition of Indigenous Australians.



MR BENSON SAULO - WERGAIA AND GUNDITJMARA HERITAGE

The first Indigenous Australian to be Australian Youth Representative to the United Nations, Mr Saulo has extensive experience in the Indigenous youth space.

Appointed Director of the National Indigenous Youth Leadership Academy in 2012, Mr Saulo works to engage young Indigenous Australians from across the nation to create campaigns around issues such as mental health and climate change.

He is also the Head of Partnerships, Investments at Australian Unity and is Group sponsor of the organisation's RAP.



MS PAT TURNER AM - ARRERNTJE AND GURDANJI HERITAGE

Leading the way for better Indigenous health outcomes as CEO of NACCHO (National Aboriginal Community Controlled Health Organisation), Ms Turner has over 40 years' experience in senior leadership positions.

Some of her esteemed roles include being current Co-Chair of the Joint Council on Closing the Gap, the inaugural CEO of NITV and the longest serving CEO and only woman CEO of ATSIC.



PROFESSOR MAGGIE WALTER - PALAWA HERITAGE

Representing descendants of Indigenous Tasmania, Professor Walter is both a Professor of Sociology and Pro-Vice Chancellor for Aboriginal Research and Leadership at the University of Tasmania.

She researches and teaches in the disciplines of inequality and race relations and is a founding member of the Maïam Nayri Wingara Australian Indigenous Data Sovereignty Collective and the Global Indigenous Data Alliance (GIDA).



MR TONY WURRAMARRBA - WARNINDILYAKWA HERITAGE

An experienced negotiator with multinational corporations and State and Federal Governments, Mr Wurrumarrba currently chairs the Anindilyakwa Land Council.

He has negotiated deals with BHP Billiton on behalf of Traditional Owners and has worked extensively with the Federal and NT Governments on investment into education, housing, health and infrastructure.



MR PETER YU - YAWURU HERITAGE

Another well-known name across the Kimberley region, Mr Yu has 35 years' experience in Indigenous advocacy at all levels.

He was a key negotiator for the Yawuru Native Title Agreement, Executive Director at Kimberley Land Council throughout the 1990s and was Chair of the WA Aboriginal Housing Board.

Mr Yu currently serves on the Board of the North Australian Indigenous Land and Sea management Alliance Ltd (NAILSMA Ltd) and is Deputy Chair at Broome Future Alliance Ltd.



DR GALARRWUY YUNUPINGU AM - GUMATJ AND GALPU HERITAGE

Chair of the Yothu Yindi Foundation and Gumatj Corporation, Dr Yunupingu has years of experience fighting for Indigenous land rights.

From 1977, Dr Yunupingu also chaired the Northern Land Council for 25 years.

A fierce advocate for Indigenous Australians, Dr Yunupingu said at this year's Garma Festival that Australia's Constitution would be thrown into the saltwater if constitutional recognition was not achieved.

EDST

Update

The Engagement and Development Support Team (EDST) has been very busy these last couple of months. The Future Act Mining and Exploration (FAME) Unit have been focusing on several large projects, while the PBC Support Unit (PBCSU) has been administering the 2019/20 PBC Support Funding program and delivering capacity development forums for our region's PBCs.

A growing number of PBCs are identifying the need to review their Rule Books to better suit their operational practices and needs. As reported below, the FAME Unit have worked with a number of PBCs to amend their rule books over the last couple of months. In light of this growing demand, the FAME and PBC Support Units will be working together early in the new year to undertake a review of rule books in general. This can then be discussed with individual PBCs which will make for a more holistic approach to reviews and amendments to rule books.



Future Act Mining and Exploration Unit

The FAME Unit has continued to provide direct advice and representation to many of our client groups in respect of future act notifications, negotiations and implementation of agreements. Additionally, the FAME Unit is providing support and advice on a range of projects, which were included in the last Message Stick including the defence project and a growing number of renewable energy projects in North Queensland.

With PBC 'AGM season' now over, the FAME Unit also provided assistance to PBCs for newsletter updates to their members for many future act matters. This is proving a valuable way to get information out to members and native title holders about the types of projects and future act business that the PBCs are managing.

The FAME Unit has also assisted some PBCs who urgently needed amendments made to their rule books. As businesses continue to develop, changes may need to be made to rule books to allow for this. As this is a growing demand, FAME will be working with PBCSU on reviewing the rule books collectively in early 2020.

The Department of Natural Resources Mines and Energy's Mines Maps Online program, which many PBCs use, was taken offline on 25 November 2019 and replaced with the new mapping system, GeoResGlobe. This new system has the same functions as Mines Maps Online however looks substantially different to what you will be used to viewing. The site can be accessed through the link below and has some useful materials and help guides, however if PBCs are having any difficulties please contact Jasmine Clubb, Senior Project Officer of the FAME Unit or by contacting DNRME directly.

<https://georesglobe.information.qld.gov.au/>

The FAME Unit has also been working with PBCs in relation to economic development opportunities that are being leveraged through various negotiated ILUAs and mining agreements. FAME is currently working with two PBCs through the broader Engagement and Development Support Team on large strategic planning and land planning projects. This will assist these PBCs in the subsequent implementation of agreements and in harnessing economic opportunities. Discussions have also started with three more PBCs to progress these opportunities early in the New Year.

We wish to congratulate all PBCs that have been successful with funding for Indigenous Protected Areas (IPA) and other programs in the recent months. The Mamu Aboriginal Corporation were one of these successful PBCs and you can read about their story on page 14 of this Message Stick. The FAME Unit is currently assisting a number of PBCs with reviews and implementation of ILUAs affecting the management of national parks and conservation reserves. We look forward to continuing this work as Queensland Parks and Wildlife Services interest in engaging with PBCs directly for park planning continues. You can read about QPWS's management plans and statements on page 16.

The FAME Unit has had a staffing change with Renee O'Neill starting maternity leave and Krystle Edmonds starting within the FAME Unit as a Future Acts Administration Officer. Krystle has been with NQLC for a couple of months on reception and we are pleased to welcome her into the team. Krystle, with previous administration experience in the health sector, has joined the team with enthusiasm and skills to be able to support our PBCs and claim groups with future acts. Krystle is a Cairns local and in her spare time she enjoys all that the Cairns outdoors has to offer.

We wish you all a happy festive season and the FAME Unit looks forward to working with you all in the New Year.

Julia (Jules) Taylor

Senior Legal Officer-Coordinator, FAME Unit

30 - 31 October 2019. This workshop focused on building individual's skills in the Microsoft Office and MYOB software packages. This workshop was also very successful and we've reviewed the feedback and will further improve the focus in 2020.



Photo: PBC Administrative and Financial Governance Support Workshop (May 2019)

PBC Support Unit

AGMs

Most PBCs have now held their AGMs and I want to extend my congratulations to all elected or re-elected directors. I encourage you to ask questions of those around you, learn your responsibilities and obligations and take the opportunity to positively contribute to achieving outcomes for your community. The Office of the Registrar of Indigenous Corporations (ORIC)'s website - www.oric.gov.au - has some useful resources to understand your responsibilities as a Director and assess the position of your PBC. In particular, I find the Duties of Directors fact sheet, the Healthy Corporation checklist and the native title resources all useful.

The PBCSU will be offering a Corporate Governance and Compliance Workshop to the PBCs in our region in the first half of 2020. The Workshop assists directors and staff refresh their knowledge of corporate compliance and native title decision making. We encourage all new directors to attend.

PBC Support Funding

For those PBCs who receive PBC Support Funding, PBCSU will shortly be providing the acquittal templates for the first period of the 2019/20 period (July – December 2019). We look forward to working with the PBCs to ensure their acquittals are accurate and meet the requirements under their Process Agreement.

Administrative Workshop

As we've previously reported, in May 2019 the PBCSU offered a 'PBC Administrative and Financial Governance Support Workshop' which was designed for the administrative staff and treasurer of PBCs. It was the first capacity development workshop that NQLC had offered to the administrative staff and we received very positive feedback with requests for further training in the Microsoft Suite and MYOB accounting program.

In response to that feedback, we were pleased to offer the 'PBC Administrative Workshop' on the

Native Title Compensation Information Workshop

The National Native Title Council (NNTC) have designed a Native Title Compensation Information Workshop for PBCs and native title claimant groups who are close to their determination. We are very pleased to be hosting the Workshop in Townsville on 12 December 2019.

The Workshop will include background of the decision in *Griffiths v Northern Territory* [2019] HCA 7 (commonly referred to as the 'Timber Creek' decision); what a compensation claim might entail if the claim is heard by the Court; alternative approaches to resolving a compensation claims; and State and Commonwealth approaches to compensation claims.

2020 Capacity Development Workshops

As noted above, we propose to hold a Corporate Governance and Compliance Workshop in the first half of the year. We are also reviewing other workshops that we can provide which will support PBCs achieve their aspirations and will advise PBCs when the details of the workshops are settled. If you have any ideas of workshops that you'd like us to consider, please don't hesitate to contact us.

The PBCSU wish everyone a safe and happy Christmas and New Year period and look forward to working with you in 2020.

Julian Santamaria
Coordinator, PBC Support Unit



MAMU

IPA FUNDING SUCCESS



Congratulations to Mamu Aboriginal Corporation RNTBC (MAC) on their recent funding success. MAC were one of seven traditional owner groups in Australia to be successful in accessing funding for their Indigenous Protected Areas Plan.

The Morrison Government is expanding its world leading network of Indigenous Protected Areas (IPA), where Traditional Owners and traditional land management practices protect natural environments and native species, while creating opportunity for Indigenous Australians.

Mamu applied for planning and consultation funding to look at placing 1096 ha of their native title lands into the National Reserve System (NRS). Mamu People will be working towards a strong and sustainable plan to protect and preserve their Country for environmental, cultural, social and economic outcomes for their mob. They will be working in partnership with The Department of Environment and Energy (Federal Government), Queensland Parks and Wildlife Services (QPWS), Terrain NRM, Wet Tropics Management Authority and local Councils, Cassowary Coast Regional Council, Tablelands Regional Council and Cairns Regional Council.

MAC are looking forward to working closely with other groups to start their own traditional owner ranger group to work alongside and support their already established Mamu Environmental Services Team. This is an exciting time for Mamu People. They have almost completed their Country Plan, which will work into their IPA Plan.

We dedicate our success to our Elders, who had the vision and the drive to fight for native title for almost 20 years, and then to guide us towards working together as One Mob for One Country. We are proud of the direction we are going and we look forward to protecting and preserving our Country for our future generations”, said Jennifer Joyce Daley, MAC Director. “We would like to congratulate the other six groups who were successful in the same funding round.”

Funded through the second phase of the National Landcare Program, MAC and six other Indigenous groups will receive grants to support community consultation and planning activities, before making a final decision on whether to dedicate their land and/or sea country as an IPA. Under the proposals, the IPA network would increase to over 100 million hectares, an area similar to the size of South Australia, increasing the scale of what is already the world’s largest IPA network by 28 per cent (currently 67 million hectares).

Mamu’s proposed IPA includes foothills and coastal wetlands, ranges, islands, World Heritage listed national parks and sea country within the Great Barrier Reef Marine Park. The area is considered a hotspot for Australian possum diversity and also supports a significant number of threatened species including the *Environment Protection and Biodiversity Conservation Act 1999* listed Southern Cassowary and the Ant Plant (*Myrmecodia beccarii*), one of 30 plants prioritised under Australia’s Threatened Species Strategy. A major focus for the Mamu people will be to develop co-management arrangements for national parks to be included in the IPA.

According to the Morrison Government, the IPAs will also deliver social and cultural benefits including employment for Indigenous Land and Sea Managers, knowledge transfer between generations, support for language and culture and Indigenous role models for youth.

Congratulations Mamu Aboriginal Corporation RNTBC!

Committee to advise on Mining Rehabilitation

Queenslanders won't be footing the clean up bill of abandoned mine sites thanks to a newly formed Financial Provisioning Scheme (FPS) Advisory Committee. "Ten of Queensland's leading resource, environmental and academic experts will join forces to advise the Palaszczuk Government on the allocation of funds to rehabilitate failed resource sites", it stated in a November media release from the Office of Deputy Premier, Treasurer and Minister for Aboriginal and Torres Strait Islander Partnerships, The Honourable Jackie Trad.

NQLC are very proud that Engagement and Development Support (EDST) Manager and Senior Legal Officer, Rhonda Jacobsen, has been named as one of these ten experts. Rhonda, better known as Jake, has been the head of our Future Acts and Mining Unit, and now it's overarching EDS Team, for 11 years. She has extensive industry knowledge and a passion for achieving the best outcomes possible for traditional owners.

The FPS Advisory Committee will provide advice to the Queensland Government about funding requests from the FPS fund for remediation/rehabilitation research or activities at abandoned mine sites. The objective of the scheme is to ensure the best outcomes for the environment while protecting Queenslanders from the rehabilitation costs associated with mine closures.

With approximately \$7.3 billion of outstanding mine rehabilitation liability in Queensland (according to the Queensland Government's *Better Mine Rehabilitation for Queensland Discussion Paper*) it's a step in the right direction in addressing this growing environmental and economic expense.

Congratulations Jake on your appointment to the Committee, you will be an asset to the scheme.

FPS Advisory Committee The committee will be Chaired by Maryanne Kelly, Acting Deputy Under Treasurer of Queensland Treasury's Agency Performance Group. Committee members include:

- Dr Carl Grant – the Group Head of Mine Closure Planning and Environment Mr Richie Ah Mat – Chairperson of the Cape York Land Council Aboriginal Corporation who has extensive experience on committees overseeing the relinquishment of mining areas, rehabilitation and opportunities that support Traditional Owners
- Mr Michael McCabe – former coordinator of the Capricorn Conservation Council and member of the Central Queensland Mine Rehabilitation Group
- Mr Matthew Paull – Queensland Policy Director and the Australian Petroleum Production & Exploration Association
- Ms Rhonda Jacobsen – a Ngemba Kamilaroi woman who works in the Future Acts Mining and Exploration Unit with the North Queensland Land Council
- Dr Jo-Anne Everingham – Senior Research Fellow, Mining and Regional Communities and the University of Queensland, Lock the Gate representative
- Dr Julie Beeby – Non-Executive Director (Chair) of several boards. Chair of the Environmental Committee of the Queensland Resources Council
- Professor Martine Maron – ARC Future Fellow and Professor of Environmental Management, University of Queensland and Deputy Director, National Environmental Science Program Threatened Species Recovery Hub
- Mr Stephen Smyth – Construction, Forestry, Mining and Energy Union District President and member of the CFMEU's Coal Mining Safety and Health Committee

What is the Financial Provisioning Scheme (FPS)? Wording care of the Queensland Treasury website.

The *Mineral and Energy Resources (Financial Provisioning) Act 2018* (the Act) came into force on 1 April 2019. The Act replaces the prior financial assurance arrangements for resource activities under the *Environmental Protection Act 1994* (EP Act) with the Financial Provisioning Scheme (the Scheme). The legislation also amended the EP Act to require mining companies to develop Progressive Rehabilitation and Closure Plans. The EP Act rehabilitation amendments commenced in November 2019 and more information can be found at the Department of Environment and Science's website.

The Scheme is administered by the Scheme Manager, a statutory officer supported by Queensland Treasury.

The purpose of the Scheme is to improve the State's management of its financial risk in the event holders of a resource activity environmental authority (holders) or small scale mining tenure (SSMT) fail to comply with their environmental management and rehabilitation obligations. Over time, the scheme will also provide funds to support rehabilitation of abandoned mines and expand research into mine rehabilitation.

The scheme manager is responsible for administering all SSMT and holders' financial provisioning on behalf of the State of Queensland. To enable this, all holders and SSMT financial assurance (called surety in the Act) held by the DES and the Department of Natural Resources and Mines (DNRME) was transferred to the Scheme throughout April 2019.

Under the Scheme: SSMTs and holders with an estimated rehabilitation cost below \$100,000 will continue providing surety and will not be part of the annual risk category assessment process. Holders with at least \$100,000 in estimated rehabilitation costs will be transitioned across to the Scheme Manager risk category assessment process over three years. The assessment process will determine whether the holder will be required to provide a contribution to the Scheme's financial provisioning fund and/or to provide surety to the Scheme Manager.



Values-Based Management Framework

Management plans and statements

Management plans and statements are a statutory requirement under the *Nature Conservation Act 1992*, *Marine Parks Act 2004* and *Recreations Areas Management Act 2006* and are developed in line with the Department of Environment and Science's Values-Based Management Framework.

PARK MANAGEMENT PLANNING

The Department of Environment and Science's (the department) park management planning under the Values-Based Management Framework (VBMF), focuses our management efforts towards the things that matter most—protecting our key values. They are developed in partnership with First Nations People, recognising the cultural, physical and spiritual connections people have to their land and sea country. Additionally, plans will also include consultation with the community and stakeholders.

The department has a statutory planning requirement under the *Nature Conservation Act 1992*, *Marine Parks Act 2004* and *Recreation Areas Management Act 2006* to develop a management plan or management statement for parks and reserves in the estate. Along with a legal obligation to conserve natural and cultural values on these areas, we have custodial obligations under State and Commonwealth legislation to:

- provide safe and appropriate access;
- protect life and property;
- be a good neighbour; and
- work cooperatively with partners across the landscape.

There are three tiers to planning (Figure 1). Management plans and statements provide the strategic direction for park management. Thematic strategies are key to adaptive management and link the strategic direction to on-ground activities in action plans. All areas have a thematic strategy for monitoring & research, and fire and pest management, with others being prepared as required.

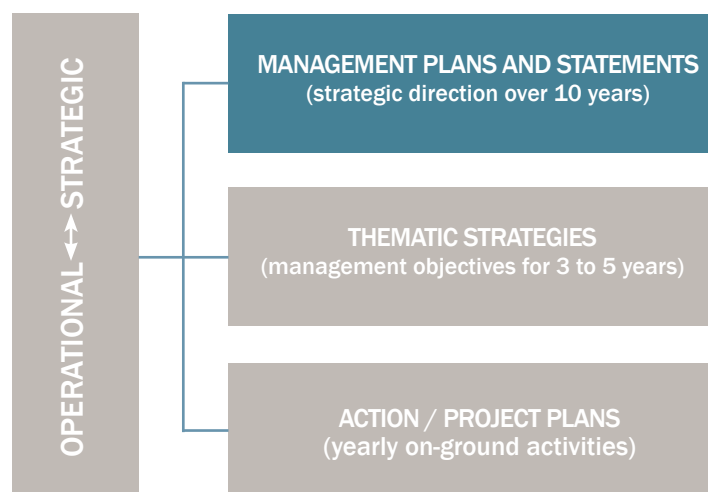


Figure 1. Hierarchy of planning documents



THE SCOPE OF MANAGEMENT PLANS AND STATEMENTS

What is in scope:

- Identifying the key values for an area.
- Direction for maintaining or improving key values by reducing threats.
- Direction for meeting custodial obligations.
- Identifying needs for improving skills and knowledge.
- Recognising the importance of, and committing to, collaborative management of the area with First Nations people (Co-stewardship)
- Reflecting, in partnership with First Nations people, the cultural and spiritual significance of the landscape.

What is not in scope:

- Undertaking new research or surveys before the planning can commence.
- Legal negotiations (e.g. joint management, commercial or non-commercial lease agreements).
- Operational commitments (e.g. human resources, financial etc.). Operational matters are dealt with through separate processes.
- Non-park related matters.

Table 1. Scope of management plans and statements

PURPOSE AND SCOPE

Our management plans and statements have a very specific purpose and scope (Table 1). Planning is based on current knowledge and is operationally focused—relating directly to managing conservation and custodial obligations, at the park level. Therefore, any gaps in our knowledge do not need to be filled before planning can commence. Planning can establish a path forward for resolving an issue or to source better information about the park. This information can then be included in the next version of the document.

The department is required to develop these documents to:

- comply with our legislative obligations for planning and to protect natural and cultural values;
- satisfy our legal and custodial obligations to ensure visitor safety and protect life and property;
- guide park management operations by providing information about park values, threatening processes and management priorities;
- Communicate to partners, stakeholders, neighbours and visitors over the department's strategic goals for management.

PARTNERING WITH FIRST NATIONS PEOPLE

The department will partner with First Nations People to develop management plans and statements, unless they do not wish to participate. We work with First Nations people to discuss availability and timing and to establish how the partnership will form. This is guided by discussions with the group and may be different for each planning project. Our place based approach respects the need for self-determination and flexibility.

If a First Nations group have indicated they support a planning process being progressed without their involvement, or where there has been no response after repeated requests, a statutory planning process may commence. However, the Queensland Government will continue to seek and accept the guidance of First Nations People at all times, and a plan progressed where there has been no response after repeated attempts to establish partnerships, will reflect the Government's commitments to co-steward the protected area.

Should a statutory planning process require more time or be deferred, an interim management statement for delivering core legislative and custodial obligations may be developed, until such time as statutory planning process can resume.

FURTHER INFORMATION

For more information about the VBMF visit: www.des.qld.gov.au.

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*From all of us at the
North Queensland Land Council, we
wish you a happy and safe Christmas.*

