

DARUMBAL ENTERPRISES

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SPECIAL POINTS OF INTEREST:

- Darumbal Enterprises was established to take responsibility for the commercial business interests of the Darumbal community.
- It seeks to achieve positive outcomes while working with industry proponents to advance their interests.
- It focuses firmly on the long term interests of the Darumbal.

ECONOMIC DEVELOPMENT

Darumbal Enterprises was established by Darumbal Native Title Claimants (QC97/21) on 10 May 2005 to take responsibility for the commercial business interests of the Darumbal community—i.e. commercial business relating to native title and Aboriginal cultural heritage management, etc.

It is developing a corporate structure and formal business procedures to advance the communities business interests. Economic development is a primary objective of Darumbal people—this entity has also been established to advance that objective.

A Board of Directors administers the business and is made up of the Darumbal Native Title Claimants from the QC97/21 claim—i.e. Warren Malone, Vanessa Ross, Billy Mann, Bob Muir and Doug Hatfield.

Business relates mainly to new developments in the Rockhampton and Capricorn Coast region. As development proponents work to advance their projects, they are often required by legislation to manage cultural resources and



Stanwell Energy Park—Darumbal Enterprises is working with industry in the region.

deal with the traditional owners with regard to native title.

The enterprise endeavours to achieve positive outcomes for the Darumbal community while working with industry proponents to advance their interests. It focuses very firmly on the long term interests of the Darumbal community.

Projects it is involved with are: Enertrade Gas Pipeline (Moranbah–Gladstone); Marlborough Nickel Project; APC PNG Gas Pipeline Project, Stanwell Energy Park, and other smaller scale developments.

MANAGING CULTURAL RESOURCES

A primary objective of Darumbal Enterprises is the management of cultural resources within Darumbal country. This objective is firmly based in the traditional relationship that the Darumbal community has with country, and is a continuation of traditional responsibilities held in traditional law and custom.

Darumbal Enterprises has a great wealth of experience and the technical and cultural expertise to manage these resources appropriately.

The work is undertaken in a culturally appropriate manner, and in accordance with provisions of the



Hammer stone and stone axehead (Sept. 2005)

with provisions of the *Aboriginal Cultural Heritage Act 2003*, and other statutory obligations.

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CORPORATE STRUCTURE

Darumbal Enterprises was formed to undertake business relating to native title and cultural heritage. The Darumbal Charitable Trust was also established as a non-profit charitable organisation to assist the disadvantaged and needy people in the community. It will also hold and administer deeds, leases, native title compensation benefits, and so on. Toonooba Darumbal Ltd is the Trustee of the Trust.

The entities were registered on 10 May 2005. The Board of Directors are: Warren Malone, Vanessa Ross, Billy Mann, Bob Muir, Doug Hatfield. Pauline Cora is an honorary member.

Darumbal Enterprises also administers:

- the Darumbal people's fifty percent interest in Coorumburra station—there are three Darumbal Directors on a Board of



Directors Billy Mann, Vanessa Ross, Warren Malone, Doug Hatfield, and Trevor Hatfield (Projects Coordinator).

six members;

- Marlborough Nickel Project Native Title Liaison Committee.

Business advice and support has been provided by the company's accountant and commercial adviser, Mark Lewis, of MLCS Corporate—an Adelaide-based accounting firm with many years experience working with Aboriginal groups throughout Australia.

Board meetings are generally held at three month intervals, with staff and the accountant. Operational and financial reports are presented at the meetings.

To date the company has conducted business with a minimum of resources—initially commencing work with no finances at all. It acquired operational funds by undertaking cultural heritage work for development proponents. Income has mainly been directed back into business operations—e.g. employing staff, purchase of equipment, engaging professional advisers, and so on.

The Directors are committed to advancing the long term interests of the community. Goals such as economic development, recognition of traditional rights to country, re-



Warren Malone and Billy Mann signing the Enertrade ILUA (8 March 2006) with Peter Gore (Darumbal Legal Adviser) and Scott Singleton (Enertrade Legal Adviser).

settlement of Darumbal people into traditional homelands, reaculturation, and so on, are primary objectives of the Directors.

Furthermore, Darumbal Enterprises has been operating for over twelve months. It is a self-sustaining organisation which operates fully independently of government, or other such, support. It provides a clear example of Aboriginal people conducting a successful commercial enterprise, which meets statutory and contractual obligations, and commercial and ethical standards. It also provides an example of Darumbal people achieving economic independence.

MANAGING CULTURAL RESOURCES

Numerous small and large scale CH projects have been undertaken by Darumbal people over the past 11–12 years.

One such project involved scientific research on three islands off the Capricorn Coast—i.e. Collins, High Peak, and Otterbourne Islands. This involved collecting material data from camping places by means of test pits.

Carbon dating has determined that one such site on Otterbourne Island dates back to 5,000 years BC. This provides highly valu-

able data on Aboriginal people's use and occupation of the region. Some sites pre-date many well known ancient relics—e.g. Egyptian pyramids, the Great Wall of China, the Stonehenge structure, and so on.

This is also quite remarkable when we consider that these islands are 50 – 100 kilometers off the coast. We assume of course, that people traveled to and from the islands by means of a bark canoe, along with the skills and knowledge passed down through many generations—this is a remarkable feat



Billy Mann collecting research materials in a test pit on Collins Island (Sept 2002).

in itself. Hence, it is important for us to manage these resources appropriately for the future.

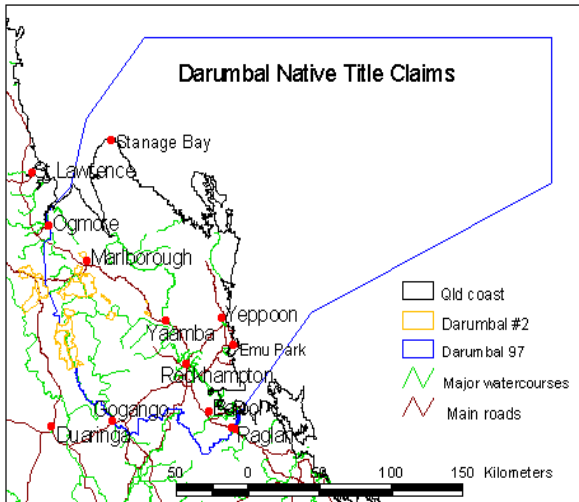
NATIVE TITLE

The Darumbal people have been actively pursuing recognition of traditional rights to country through native title since 1993.

The Darumbal have two active claims currently registered:

- Darumbal People #1 (NNTT: QC97/21) filed on 27/06/1997; and
- Darumbal People #2 (NNTT: QC99/1) filed on 22/01/1999.

The claims encompass the Rockhampton and Capricorn Coast region of Central Queensland. They extend from around Ogmoo in the north, and include the Stanage Bay area, down to the mouth of the Fitzroy River, to Bajool, and to the west to Gogango. They also include offshore islands and marine areas along the Capricorn Coast.



Darumbal people at the signing of the Enertrade Project ILUA (8 March 2006).

Progress on the claims has been very slow and has extended over a long period of time. The processes involved are very legalistic, and the National Native Title Tribunal, the Federal Court, and other government organisations, require lengthy and arduous administrative and legal processes to be undertaken prior to formal recognition of the traditional rights of the Darumbal to country.

A Darumbal Connection Report is currently being prepared with the assistance of Gurang Land Council. This will be used to define who are the Darumbal people and the traditional connection that people have with country.

The Connection Report will then be passed on to the state for assessment, and if they are satisfied that the Darumbal have main-

tained a traditional connection, they will enter into discussions with us to agree the terms of a consent determination of native title. which will recognise the Darumbal's people's traditional interests in country. They may then proceed to deal with the community in relation to settling various native title issues that exist in relation to industry and community developments, and other such activities.

However, these are long and arduous processes and it will be some time before real outcomes are achieved in that respect. In the mean time the Native Title Act makes provision for registered native title parties and developers to negotiate outcomes such as the Enertrade ILUA.

ENERTRADE PROJECT INDIGENOUS LAND USE AGREEMENT

An Indigenous Land Use Agreement (ILUA) was signed by Darumbal Claimants and Enertrade on the 8th March 2006 relating to the development of a gas pipeline from Moranbah to Gladstone. Enertrade is planning to construct the pipeline to transport coal-methane gas as a fuel for industrial purposes from the Bowen Basin coal fields to industrial users in Central Queensland.

Enertrade Pty Ltd is a subsidiary company owned by the Queensland Government and is involved in the production of energy re-

sources for commercial purposes. The pipeline is planned to be operational in 2007.

The pipeline is proposed to be approximately 450 kilometres in total, with approximately 100 kilometres running through Darumbal people's traditional country.

The two main elements of the ILUA provide for compensation for use and access through Darumbal country, and management of cultural heritage resources along the length of the pipeline.

A cultural heritage survey was conducted during September–November 2005, and a report of findings produced, with management recommendations to mitigate potential impacts and preserve those resources.

The ILUA was certified by Gurang Land Council and lodged with the Native Title Tribunal, and formal processes are being undertaken to have it officially registered.



Brahman bull on Coorumburra Station.

COORUMBURRA STATION

The joint venture cattle enterprise on Coorumburra Station, between Darumbal and BBKY, commenced on 1 January 2001. It has operated successfully for over five years and continues to progress very well.

Coorumburra is 11,030 hectares in area and is around 135 km by road from Rockhampton—25km south of Marlborough.

The property is run jointly by Barada-Barna-Kabalbara-Yetimarala (BBKY) and Darumbal peoples. Coorumburra Rural Enterprises Pty Ltd (CRE) was established in 2001 to administer the joint venture.

It has a Board of six Directors made up of three Darumbal and three BBKY people.

BBKY Directors: Frank Budby, Norman Brown, Derek Willie.

Darumbal Directors: Doug Hatfield, Trevor Hatfield, Billy Mann.

A lease on the property was part of the Marlborough Nickel Project Native Title Agreement. Freehold ownership will be transferred to the TOs after mining is completed.

The Darumbal interest in the joint venture is administered by Darumbal Enterprises.

Business advice and support is also provided by Mark Lewis, of MLCS Corporate.

Income has mainly been directed back into cattle operations—e.g. employing staff, purchase of plant and equipment, property maintenance, etc.

The enterprise has proven to be successful over a period of five and a half years. Profitability through purchase and sales of stock is expected to increase as CRE develops its own herd over the medium term. A longer term goal is to acquire other properties through profits generated from sales of stock.

A strategic alliance has been formed between Darumbal and BBKY through this enterprise. An overlap exists between the groups in the Marlborough area. Both groups see it as an area of shared interest.

A number of projects around that area have allowed the groups to form a cooperative relationship. Both are able to operate independently, but when they work together, they gain in terms of depth and experience, where skills and knowledge are shared to achieve more beneficial outcomes.

Currently Coorumburra owns over 500 cattle. Other cattle are also being agisted. There are up to 2,000 cattle on the property at any given time. Cattle do very well on the property, and the business generally is progressing very well.

MARLBOROUGH NICKEL PROJECT LIAISON COMMITTEE



MNP Liaison Committee—Darumbal and BBKY representatives with Peter Matheson of Marlborough Nickel Pty Ltd.

A Liaison Committee was formed to administer the Marlborough Nickel Project Native Title Agreement. It has been operating since the agreement was signed.

This provides an interface between the parties, and also provides opportunity for all parties to have input into business relating to various aspects of the native title agreement, and related matters—e.g. cattle operations on Coorumburra, cultural heritage management, progress on the development of the nickel project, and so on.

Meetings are generally held on a quarterly basis and discussions focus on various tasks and responsibilities relating to the nickel project, management of the property, and so forth.

The relationships between the stakeholders have been developing very well for quite some time, and are very positive with mutual

respect and trust on all sides.

Nickel Mine Update

Marlborough Nickel Pty Ltd (MNPL) is in the process of preparing an Environmental Impact Statement. This is required to demonstrate that proposed mining activities meet acceptable environmental and social impact standards. They also need to prove the feasibility of the mining venture.

MNPL is seeking to establish a nickel and cobalt mine near Marlborough and needs to complete these project development objectives prior to securing the substantial financial resources required for the project.

MNPL is also seeking to sign an ILUA with the native title parties over a broader area than the original mining leases. This will allow further mining activities to take place over that area.

A further ILUA is being proposed in relation to a slurry pipeline and water pipeline corridor extending from the mine site to a proposed refinery site near Gladstone. The pipelines will be used to carry partly processed slurry from the mine to the refinery site—and sea water from near Gladstone to the mine site and back for discharge.

Discussions on these matters have been taking place and positive outcomes are expected to be concluded in due course.

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