



Chairman's Report

NOVEMBER 2017



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THE CURRENT NNTAC BOARD

Firstly I would like to thank the current board for their work and diligence over the last year. 2017 has been an exceptionally busy year for the Nguddaboolgan Native Title Aboriginal Corporation RNTBC (NNTAC) and the board has been working towards setting a clear path forward for the new board who will be elected at this AGM.

The current board consists of myself (Judulu (Colin) Neal), Lynette Geary, Carmel Canendo, Maxwell Underwood, Denise Richards, Neville Kingsburra and Alvin Duffin. A special thanks to Denise Richards, Neville Kingsburra and Alvin Duffin who filled vacant positions on July this year so that NNTAC could continue to progress business throughout the second half of 2017.

ADMINISTRATIVE PAYMENTS UNDER NATIVE TITLE PROTECTION CONDITIONS

The NNTAC board has been working with North Queensland Land Council to identify monies which were owing to NNTAC under the Native Title Protection Conditions for Exploration Permits which have been granted over Djungan Country. Lynette Geary with the assistance of Jasmine Clubb have issued invoices for over \$50,000 in outstanding payments and NNTAC is slowly seeing those monies come in. For overdue debts, the NNTAC has instructed NQLC to escalate those matters where payments have not been received following reminder letters to the Department of Natural Resources and Mines (DNRM) before Christmas.

SSM ILUA REVIEW

NNTAC and the Djungan People are parties to the Djungan Small Scale Miners Indigenous Land Use Agreement (ILUA) which was registered with the National Native Title Tribunal (NNTT) on 18 December 2015.

The agreement expires on 18 December 2020 however given the time it takes to negotiate an ILUA generally and then have it authorised, discussions have commenced now to start a review and renegotiation process with the view that a new agreement is in place before expiry of the current ILUA in 2020 where Djungan People elect to enter into such an agreement.

Numerous issues had been raised by the groups that have SSM ILUAs in relation to the implementation of the current ILUAs which would have needed to be resolved as part of the renegotiation before a new ILUA is authorised.

During the term of the ILUA there have only been 2 Exploration Permits and 3 Mining Leases granted subject to the terms of the ILUA with a further 2 Mining Leases that could have been.

Prior to entering into the ILUA and during the term of the previous ILUA, Djungan People had a lot of exploration and mining activities on their country. New applications have reduced significantly and following assessment of the amount of opt-in's received it would be a reasonable assumption that NNTAC and Djungan People had the capacity to progress any new matters through the right to negotiate stream post 2020.



After a review of the amount of small scale miners that had opted into this old agreement, the NNTAC decided that it was not in Djungan People's best interests and that new applications can be managed through the right to negotiate process and with consultation and consent of Djungan People for each new application.

CURRENT MINING NEGOTIATIONS

CORPORATION DECISIONS Vs NATIVE TITLE DECISIONS

For the usual business of NNTAC the Directors manage this through directors' meetings and will provide updates on this business at broader members' and community meetings. Some of the things they manage are the agreements that have been authorised by common law holders, the accounts, making sure they hold the meetings that are required under the Corporation's legislation, including members meetings and arranging for cultural heritage inspections with miners and other people wanting to do things on Country.

In carrying out their business the Directors of NNTAC must comply with the Rule Book and the legislation. The rule book is available on the ORIC website along with other documents of NNTAC at www.oric.gov.au.

If there is a decision to be made that affects the common law holders' native title rights and interests, this is a 'native title decision' that must be made by the common law holders and not just NNTAC or its members. When these decisions are required NNTAC will call either a Community Meeting or an Authorisation Meeting (for an ILUA) of the common law holders to consult with and seek the consent of the common law holders.

NNTAC has been negotiating terms of agreements with miners who have mining lease applications on foot within Djungan Country. NNTAC is trying to negotiate the best deal possible and then will come back to Djungan People to get their final approval and consent before any agreements are entered into as these are native title decisions.

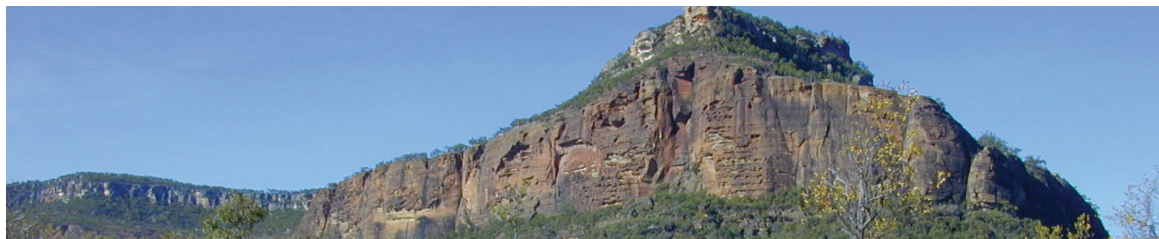
ECHAM ABRASIVE BLASTING PTY LTD – ML 20684 and ML 20685

Eacham Abrasive Blasting applied for two tenements for a total of 92.2995 hectares. The purpose of the mining lease applications are to mine for gold and silver ore. We have requested further details from the company in relation to the size and scope of their operations however have not received anything from them yet.

NNTAC instructed the NQLC to make an offer to the miner for an agreement with a strong cultural heritage protocol with requirements for site inspections before there are any on-ground works with all costs borne by the miner, employment and contracting opportunities and compensation calculable at 10% of the gross sales on all mining products. NQLC and NNTAC are waiting for a reply to this offer from the miner.

PROSPECT HILL MINING AND EXPLORATION PTY LTD – ML 20684 and ML 20685

Prospect Hill Mining and Exploration applied for three tenements for a total of 108.5409 hectares. They already have granted tenements and the total aggregate including granted and those under application is 291.0544 hectares.



The purpose of the mining lease applications are to mine for gold and silver ore. The company has provided details of their proposed operations including:

- a. Creek wash excavation using 30 tonne excavator;
- b. Existing access roads to be used;
- c. No fixed infrastructure at commencement (this does not prevent them from later changing this);
- d. Small gully dams used for gravity fed water with rainwater tank for drinking water;
- e. No explosives; and
- f. Small family operation with no other employees and no contractors.

NNTAC instructed the NQLC to make an offer to the miner for an agreement with a strong cultural heritage protocol with requirements for site inspections before there are any on-ground works with all costs borne by the miner, employment and contracting opportunities and compensation calculable at 10% of the gross sales on all mining products. NQLC and NNTAC are waiting for a reply to this officer from the miner.

MICHAEL COLLINS - ML 20671 and ML20672

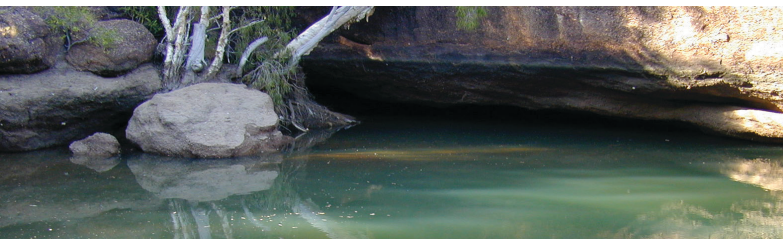
In 2010 Mike Collins held 11 mining leases that affected the Djungan People claims which were 'notified' and subject to the 'right to negotiate' provisions of the Native Title Act. In December 2013, he has sold off most of his tenements and now only has these 2 mining leases (ML's) which are in the right to negotiate following a successful case by NNTAC that there was not good faith in negotiations and that the grant of the tenements could not occur until an agreement had been negotiated in good faith. An offer has been made to Mr Collins on similar terms to that of the other matters currently being negotiated.

NNTAC instructed the NQLC to make an offer to the miner for an agreement with a strong cultural heritage protocol with requirements for site inspections before there are any on-ground works with all costs borne by the miner, employment and contracting opportunities and compensation calculable at 10% of the gross sales on all mining products. NQLC and NNTAC are waiting for a reply to this officer from the miner.

TURNKEY APPLIANCE PTY LTD – ML 20579, 20580, 20581, 20635, 20636, 20637, 20638, 20639, 20650, 20651 and ML 20652

Michael Collins originally applied for all of the tenements for a total of 475.1396 hectares. They were subsequently transferred to Em Mining Pty Ltd and again to Turnkey Alliance Pty Ltd on 29 June 2017.

NQLC has written to Turnkey Alliance to let them know that they are in the right to negotiate and asked them to provide details of their proposed operations. Once that has been received we will come back to NNTAC with further information and instructions.



PROPOSED PASTORAL ACCESS INDIGENOUS LAND USE AGREEMENTS (ILUAS)

The NNTAC board has requested the assistance of NQLC to develop an ILUA and memorandum of understanding (MOU) to be discussed with all pastoralists on Djungan country in the new year. Having a clear and transparent process for Djungan People being able to exercise their native title rights and interests and co-existing with the pastoralists is key to building relationships into the future. It is in the spirit of commitment, co-operation and mutual benefit that the NNTAC board are asking pastoralists to enter into an ILUA which will address each party's goals and concerns while respecting each party's rights and interests.

The key principles of co-existence proposed under the ILUA are to acknowledge the importance of exercising co-existing rights in a way so that the pastoralist can use and enjoy their rights under their pastoral lease and claim group people can exercise their rights as traditional owners and native title holders in a manner that promotes a positive and mutually beneficial relationship. Djungan People and the pastoralists would agree that the foundation for the exercise of their co-existing rights will be the development and maintenance of a relationship based on open and honest communication, trust, good-will, co-operation and mutual respect.

The ILUA would set out key principles of access, communication, caring for country aspirations of both Djungan People and the pastoralists, an understanding about hunting and firearms and fires and developing protocols that deliver an appropriate balance between the rights of the Pastoralist to carry out activities under their Pastoral Lease and Djungan Peoples future act procedural rights and the protection of environmental values and Aboriginal cultural heritage.

The MOU would then be the 'living' document about how those co-existence principles would work in practice. NNTAC will be consulting with Djungan People throughout 2018 about what this would mean to them and what they would like to see in that MOU so that there is a clear process for Djungan People accessing and using Djungan Country.

Kind regards

Judulu (Colin) Neal

Chairperson

Nguddaboolgan Native Title Aboriginal Corporation RNTBC



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