

Agenda Day One – GBK PBC Regional Forum

The Pullman Cairns International
17 Abbott Street, Cairns QLD 4870
DAY ONE, Monday 8 April 2024

Time	Topic	Lead
8:30 – 9:00	Introduction <ul style="list-style-type: none"> Opening Prayer Introduction to Country Overview 	GBK / Facilitator
9:00 – 10:00	Forum outline and setting the scene <ul style="list-style-type: none"> GBK - introduction Ned David National Native Title Council (NNTC) Why we are here today National Indigenous Australians Agency (NIAA) – Australian Government perspective Office of the Registrar of Indigenous Corporations (ORIC) National Native Title Tribunal (NNTT) Indigenous Land and Sea Corporation (ILSC) Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS) Indigenous Business Australia (IBA) 	All
10:00 – 10:45	MORNING TEA	
10:45 – 12:00	Closed session for PBCs <ul style="list-style-type: none"> PBCs to share information and discuss ideas for discussion during the forum What do you want to discuss in the forum? What do you want to tell or ask government and the other organisations that are here today? 	Facilitator NNTC PBCs GBK
12:00 – 13:00	LUNCH	
13:00 – 14:45	<ul style="list-style-type: none"> Presentation ILSC Presentation NNTT Presentation AIATSIS 	Facilitator

Time	Topic	Lead
	<ul style="list-style-type: none"> • Presentation IBA 	
14.45 – 15.15	AFTERNOON TEA	
15:15 – 16:15	<p style="text-align: center;"><u>Facilitated discussion with the NNTC</u></p> <ul style="list-style-type: none"> • National PBC Reform • Sea Country Alliance • Cultural Heritage 	NNTC
16:15 – 16:45	<p>Close</p> <ul style="list-style-type: none"> • Debrief and outline focus for day two • Closing Prayer 	Facilitator GBK

Agenda Day two Tuesday 9 April 2024

Session	Topic	Lead
8:30-9:00	<p>Opening Prayer</p> <p>Recap from day one</p>	GBK Facilitator
9:00 – 10:00	<p>NIAA Presentation</p> <p>TSRA Presentation</p> <p style="text-align: center;"><u>Facilitated Discussion with NIAA and TSRA</u></p>	NIAA TSRA (IBA in attendance)
10.00 – 10:45	ORIC Presentation on Regulatory Posture	
10:45 – 11.00	MORNING TEA	
11.00 – 12:15	Fee for Service	NNTC
12:15 – 1:00	LUNCH	
1:00 – 2:30	<p>Support required for next steps</p> <p>How can we best support PBCs moving forward</p> <ul style="list-style-type: none"> • NIAA • NNTC • GBK • ORIC • ILSC • IBA 	All
2:30 – 3:00	AFTERNOON TEA	
3:00 – 5.00	Discussion on support required for next steps continued	



The Indigenous Land and Sea Corporation

8 April 2024



PEOPLE. COUNTRY. OPPORTUNITY.

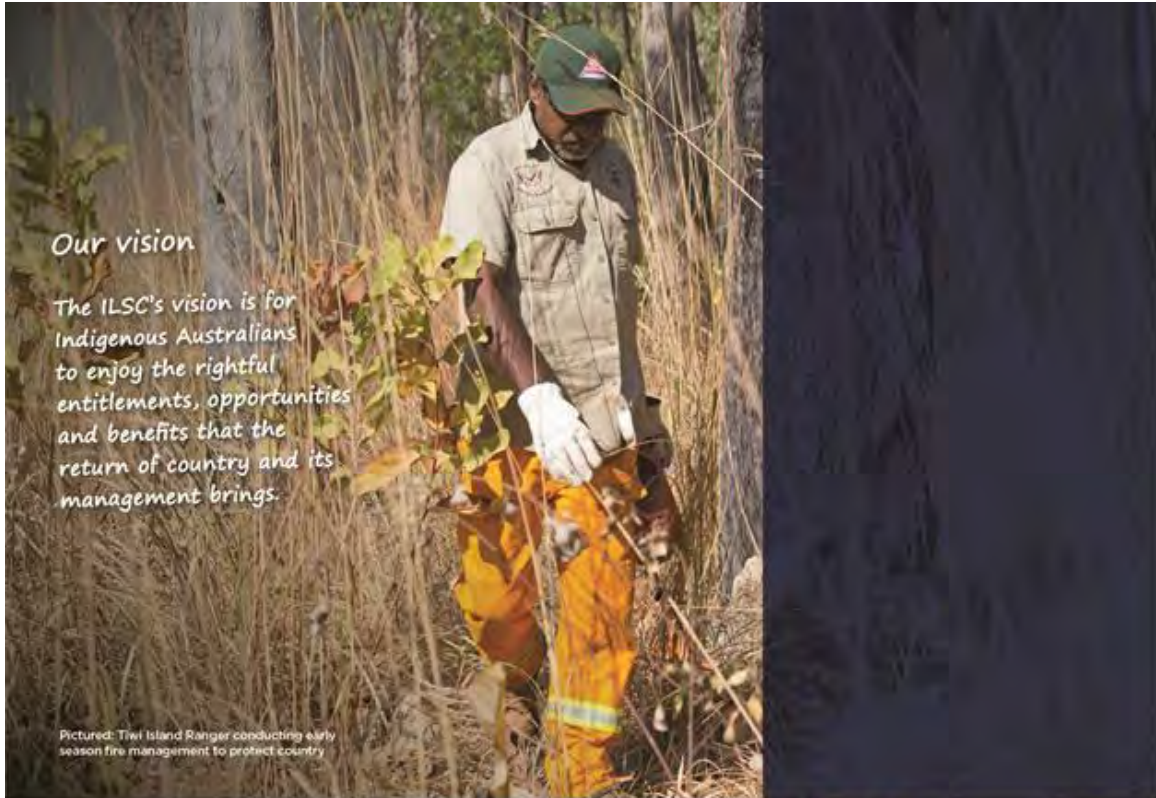


In all our activities the ILSC pays respect to the Traditional Owners and Custodians of the lands and waters on which we work.

We honour the resilience and continuing connection to country, culture and community of all Aboriginal and Torres Strait Islander people across Australia.

We recognise the decisions we make today will impact the lives of generations to come.

Front Cover: Pictured: Port Smith, Karajarri country, Kimberley, WA
Pictured: Mabel Fitzpatrick (left) and Kerrie Parker (right), Nari Nari Elders
Photo Credit: Annette Ruzicka and The Nature Conservancy



Our vision

The ILSC's vision is for Indigenous Australians to enjoy the rightful entitlements, opportunities and benefits that the return of country and its management brings.

Pictured: Tiwi Island Ranger conducting early season fire management to protect country



The National Indigenous Land and Sea Strategy 2023-28 (NILSS)

The ILSC is stronger when we partner with others. The decisions we make today will impact the lives of generations to come.

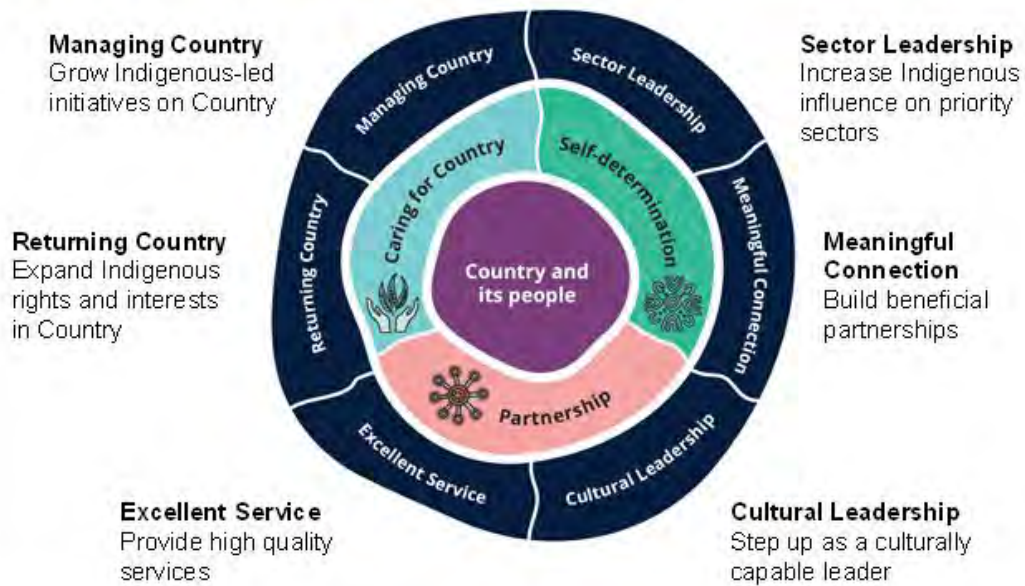
Pictured: Wild harvest of Kakadi Pilm (Gubage) in the Northern Territory

NILSS

The NILSS reaffirms the ILSC's key role as the lead national agency responsible for returning and managing Country and sets a clear agenda over the coming years in delivering on the agency's vision.



NILSS Strategic Priorities





Pictured: Tim Mallard,
Indigenous trainee on
Roebuck Plains Station,
Western Australia
Photo Credit: ABC Kimberley

Our Country. Our Future.

Working together, in partnership, for our future.

Our Country, Our Future – what we offer



- Invest in projects: Acquisition and Management
- Provide advice and capability support
- Connect people

Acquisition

*of land and
water-related rights*



Management

*of land and
water-related rights*

Benefits

social, cultural, economic, environmental

We prioritise projects that demonstrate

- **Outcomes** – the capacity to deliver sustained and/or scalable outcomes beyond ILSC funding – strengthening outcomes
- **Leveraged funding** – secured partnership funding and co-investment – maximising value for money
- **Equity** – delivery of outcomes across the regions – to support the Indigenous Estate

Eligibility Criteria

Are you eligible? To partner with the ILSC, you must be able to answer 'yes' to the following:

Does your project involve the **acquisition** OR **management** of land and/or water-related interests?

For projects that involve **ACQUISITION**:

- are you an incorporated entity (or in the process of becoming incorporated) and are you Indigenous-controlled?

For projects that involve **MANAGEMENT**, are you one of the following:

- an Aboriginal or Torres Strait Islander landholder or holder of a water-related right?
- an incorporated entity?
- an organisation interested in investing in Indigenous-held land or waters?
- Does your project have the **support** of the Indigenous land/water holders and their **consent** for its use?

Benefits: Will Indigenous people enjoy access, opportunities and benefits from land or water as a result of your project?

Compliance: You must be compliant with your incorporating legislation and any agreements you have with the ILSC

Assessment criteria – critical success factors

OPPORTUNITY AND OUTCOMES

What is the need/opportunity, how will this be addressed, and what outcomes will be delivered as a result? We will consider:

- > evidence of need
- > strength of the opportunity
- > the link from the idea to activities and outcomes
- > whether the plan has clear timeframes and achievable results
- > what steps you have already taken to deliver this project
- > how your project complies with sound land management and environmental practices
- > if the ILSC is the most appropriate funder for your project

PROJECT VIABILITY

Will the proposed activity have sufficient funds to meet its operating (expenditure) requirements and therefore deliver the projected outcomes? We will consider:

- > value for money
- > whether there is sufficient co-investment (partnership funding, income generation, in-kind support) to carry out the activity
- > whether the project can continue beyond the life of ILSC funding

FINANCIAL HEALTH

Has your organisation demonstrated sound financial performance and is it currently in a solid financial position? We will consider:

- > Financial performance (income, expenditure, profit/loss) over the past three years
- > financial position (assets, liabilities, liquidity, debt, equity)
- > stability of your income/funding streams
- > Financial management processes and controls

CAPABILITY

Can you effectively demonstrate the ability to manage, implement, monitor and report back on the project? We will consider:

- > whether the organisation demonstrates good governance and operates effectively
- > your experience and past performance with similar projects/activities
- > skill levels and experience of staff and project partners (if applicable)

FUNDING
CRITERIA

Our achievements, together

*on a average/year, 2018-23
 **on a average/year, 2011-23
 Unmarked total, 1995-2023



New St George home base bolsters successful ranger program, Qld

Having this property will enable us to expand our programs and services, apply for grants to run more programs and to work with both government and non-government agencies collaboratively on projects to benefit the community.

Chanelle Eys, General Manager, Queensland Murray Darling Catchment Ltd

The recent acquisition of a permanent home base for the Queensland Murray Darling Catchment Ltd (QMDCL) in St George will be a game changer for the not-for-profit Indigenous organisation which delivers natural resources management and environmental services across the nationally significant catchment.

Supported by 16 staff and representing eight Traditional Owner groups, QMDCL's successful ranger program is central to its activities. Up until now the rangers have been operating from three locations - in Toowoomba, St George and Ingham - servicing over 700,000 square kilometres of Country with a variety of cultural and environmental programs and services.

However, the ongoing leasehold costs, limited capacity of each single use site, and the logistical challenges/costs associated with accommodating and moving people and equipment hundreds of kilometres between sites has become a substantial business burden.

Bolstered by recent funding certainty given by the National Indigenous Australian Agency for the ranger program, QMDCL will now consolidate its ranger activities in a single location in St George.

Acquired in October 2021, the new property includes a workshop-sized shed, camp kitchen, residential house, ablution blocks and basic accommodation.

For QMDCL it offers a ready-made depot and administration hub to carry out ranger activities, secure storage, space for training, facilities to host stakeholder engagement, and accommodation for visiting rangers and Traditional Owners.

The new home base is expected to improve QMDCL's visibility and consolidate its place in St George as a credible environmental and cultural management provider. An anticipated increase in fee-for-service contracts will help drive the self-generating revenue required to realise QMDCL's self-determination agenda to diversify away from reliance on government grant funding.

Other activities proposed for the site include an outdoor area for a gaming circle, a program for young people disengaged from school and a rehabilitation program for those who come into contact with the criminal justice system.

The property handover was celebrated with a community event in St March 2022 - the \$20,000 E.S.C. grant provided for the acquisition and repairs to the property.



PATHWAYS
Leading Indigenous art centre moves into new Coffs Harbour home, NSW

The new premises are a wonderful fit for our organisation, providing an amazing office environment to work, with ample room to grow. The ground floor gallery, workshop and retail space will allow us to support a larger number of Aboriginal artists from within our region to become more self-sufficient.

Rick Gonzalez, General Manager, Saltwater Freshwater Arts Alliance Aboriginal Corporation

A leading, contemporary Aboriginal art and culture organisation now has a permanent home in Coffs Harbour, NSW from which to grow its operations on behalf of the four Aboriginal nations it represents.

Saltwater Freshwater Arts Alliance Aboriginal Corporation (SWFAA) officially opened its new headquarters on Dumbuyngger land in August, where it will continue to produce art and works from the Binjari, Bigga, Dugumbul and Gumbayngger nations.

Since 2012, SWFAA has been strengthening the culture of these Mid North Coast, NSW nations through the delivery of cultural and community-focused programs including the annual Saltwater Freshwater Festival by providing economic opportunities for artists and performers, and through its commercial enterprise, the National Aboriginal Design Agency (NADA), which provides ethical design, training, and commissioning services to Aboriginal artists Australia-wide.

The relocation of its operations to the new 600m² purpose building is a great triumph for SWFAA. The organisation's growth had previously been hampered by reliance on third venues and the inability to deliver programs and set up specialised workspaces within its own facility.

Located in Coffs Harbour's central business district, the ground floor of the new headquarters houses a gallery, workshop and retail space showcasing Aboriginal art within the region. The upper level includes offices for SWFAA and NADA staff.

The relocation will boost employment, with four new positions bringing the number of full-time Indigenous staff to 10. Every year three employees support over 100 Aboriginal artists, cultural practitioners, and corporations, in addition to providing training and commission services through NADA.

From its new headquarters, SWFAA will share Norme, Bigga, Dugumbul and Gumbayngger culture with the Mid North Coast community, allowing for additional gallery sales and sponsored actions for Indigenous people to participate in SWFAA cultural and arts programs.

The acquisition was commemorated in August with a traditional ceremony held on Dumbuyngger land, which included a Welcome to Country, Smoking Ceremony, a traditional Welcome Dance, speeches and a tour of the new gallery and office space.

ILSC Investment: \$2.2m

Partners: Saltwater Freshwater Arts Alliance Aboriginal Corporation, New South Wales Aboriginal Land Council



Normanton Foodworks staff members Clarence and Cassandra at the supermarket's official opening

PATHWAYS

- Growing the value of Country
- Growing and measuring Country sustainably
- Preserving and protecting our future
- Crime, justice and well-being

Supermarket brings fresh food and jobs to remote Gulf Country town, Qld

*All people in Normanton and visitors have benefited by purchasing fresh food and vegetables and other supplies from our new store...and from the employment of 26 local Indigenous people.**

A brand new Indigenous-owned supermarket in Queensland's Gulf Country is already making an impact on its local community who now have regular access to fresh groceries and fuel – and at affordable prices.

Funded in September 2022 and officially opened 12 months later, the 1,000 square metre Foodworks is located on Indigenous-held land in Normanton, a small town on the lower Gulf of Carpentaria where over half the population are Aboriginal or Torres Strait Islander.

With Normanton's residents previously having to travel long distances for fresh, affordable groceries, the long-awaited store is an outcome of a partnership between the Gulf Regional Economic Aboriginal Holdings Limited and Bynoe Community Advancement Cooperative Society Ltd.

The largest of its kind in the region, the store is already proving a significant provider of Indigenous employment, and employees will be able to further upskill through training. Plans are also underway for a new in-store bakery.

ILSC Investment: \$2m

Partners: National Indigenous Australians Agency; The Trustee for Gulf Regional Economic Aboriginal Trust; Bynoe Community Advancement Co-operative Society Ltd

PATHWAYS

Growing the value of Country

Owning and managing Country sustainably

Preserving and protecting culture

Indigenous health service to become more accessible in western NSW

Wilcannia residents will soon have improved access to Aboriginal health and community services with the construction of a health centre in the remote, western NSW town.

Centrally positioned and adjacent to the Wilcannia Hospital, the new Wilcannia Health and Wellbeing Centre will provide the Maari Ma Health Aboriginal Corporation (Maari Ma) the flexibility, future capacity, and culturally appropriate spaces it needs to service its clients.

Situated in Broken Hill but servicing Aboriginal people and their families across nearly 500,000 square kilometres, Maari Ma has previously rented two buildings in Wilcannia for delivering its services in this area. The new, purpose-designed and built Centre will be community-controlled, while remaining integrated with the Wilcannia Health and Community service system. It will provide comprehensive primary care services, including clinical services such as GP, allied health, and chronic disease management; and non-clinical care such as health promotion, outreach, cultural and community programs, and child and family services. The new Centre is expected to increase employment and training opportunities and become a community hub.

ILSC investment \$1.5m

Partners: Maari Ma Health Aboriginal Corporation; Department of Health (Cth); Department of Regional NSW; NSW Ministry of Health



Wilcannia Health & Wellbeing Centre

PATHWAYS

Growing the value of Country

Owning and managing Country sustainably

Preserving and protecting culture

Creating jobs and opportunities

New method for assessing environmental benefits of savanna burning, Qld

APN Cape York Indigenous Rangers, Ecologist and Traditional Owners have worked well...[developing]..the methodology on-Country and with participatory fly-overs for reconnaissance, validation and survey site selection and scoping the infrastructure or equipment required to establish survey sites.

The carbon credits generated from carbon farming projects - traded through a market system - can be key sources of income for Indigenous landholders. The development of a new Australian method for demonstrating ecological co-benefits from savanna burning projects is being developed by Aak Puul Ngantam Ltd, trading as APN Cape York. It responds to the lack of an existing methodology for assessing the environmental benefits generated from savanna burning, broadly considered to be beneficial in mitigating the damaging late-season wildfires that dominated this region's post-colonisation fire regime. To develop the new method APN rangers and Traditional Owners are working alongside an ecologist to capture the data. It will initially be applied to two specific northern Australian savanna burning projects but is expected to be transferable to other savanna areas.

ILSC investment \$195,975

Partner North Australian Indigenous Land and Sea Management Alliance



Cultural burning of savanna country, northern Australia
Image credit: Phil Schouteten/APN Cape York



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NNTT – what we do and how we can work together

Mary Scalzo, – Manager, Strategic Capability & Post Determination Assistance

Amanda Gamble, Senior Officer – Post Determination Assistance



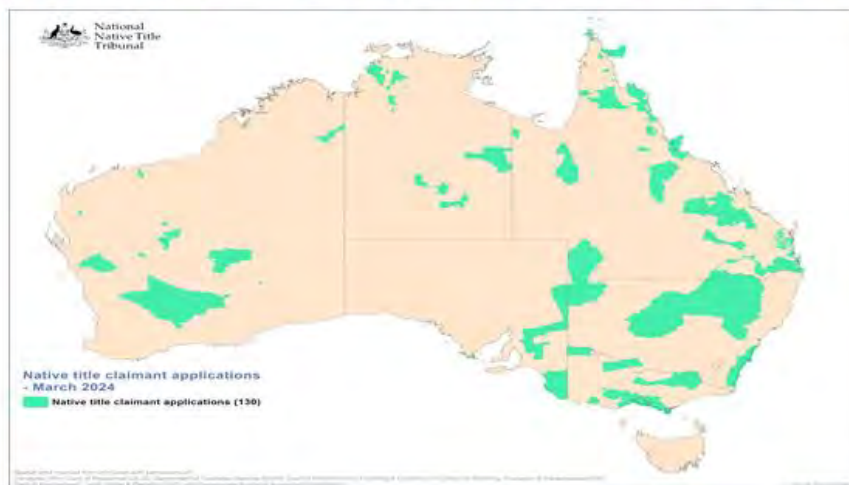
National Native Title Tribunal & Native Title Registrar

- agreement making
- maintaining registers (lots of useful information)
- mapping/geospatial
- dispute resolution

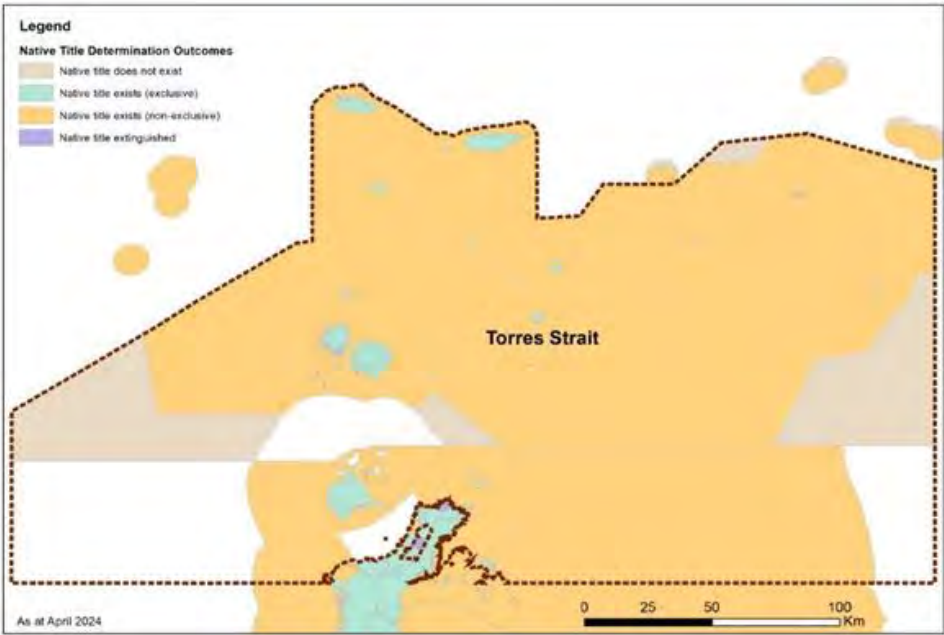
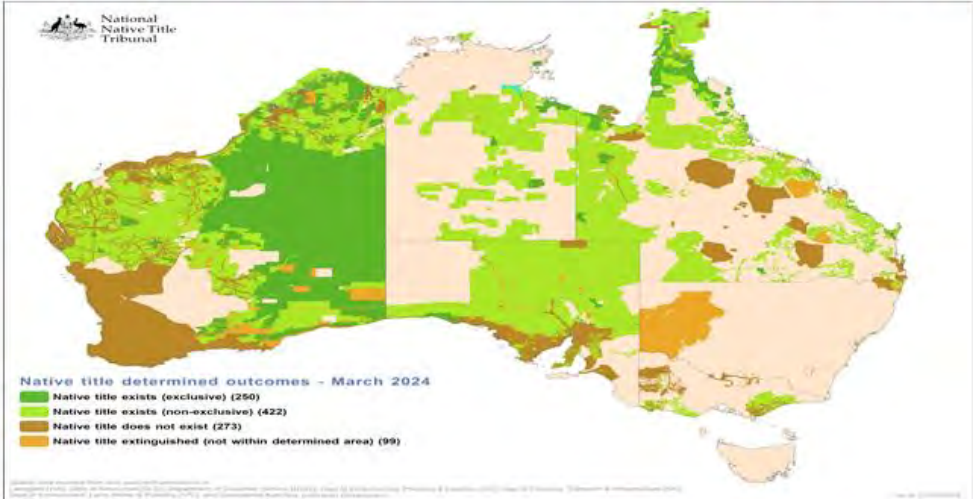
Native title claim process



Current Claimant Applications

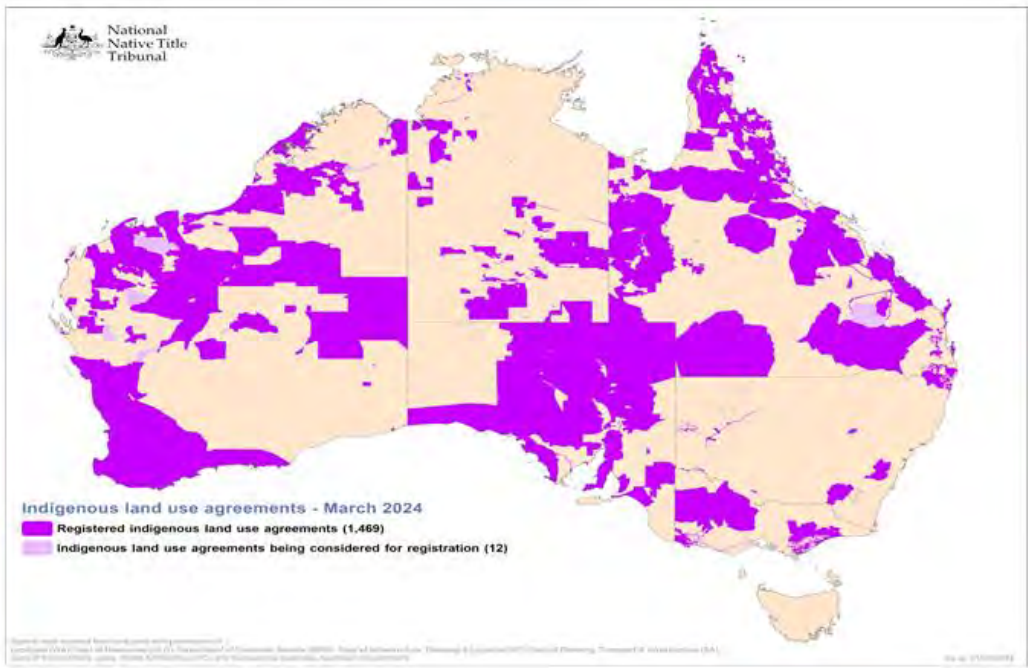


Native Title Determined Outcomes



Indigenous Land Use Agreements

<p>What is an ILUA?</p>	<ul style="list-style-type: none">• ILUAs are voluntary agreements with a native title group or Registered Native Title Body Corporate and other parties• Once registered binds all native title holders• Three types of ILUA's: Body Corporate, Area and Alternative Procedure.
<p>Process</p>	<ul style="list-style-type: none">• Negotiations may be facilitated by NNTT• Requires registration by Native Title Registrar• Process involves notification and allows for objections



Indigenous Land Use Agreements in Torres Strait Region

- ILUAs (Registered) = 104
- ILUA (going through registration process) = 1
- Body Corporate ILUAs = 70
- Area Agreement ILUAs = 29

Future Acts

What is a 'future act'?

- a proposal to deal with land or waters in a way that affects or extinguishes native title rights and interests on or after 1 January 1994

Examples

- grants of leases and licences
- dedication of reserves
- construction of facilities for the public (eg school, hospital)

Procedural rights: an opportunity to have a say



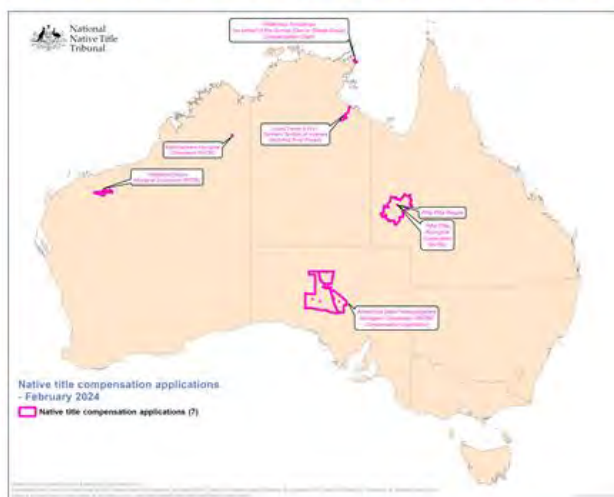
Current Statistics

Native title applications	
Claimant	131
Non-claimant	38
Compensation	7
Revised native title determination	1
TOTAL	177

Indigenous Land Use Agreements (ILUAs) lodged	
Lodged for registration	7
Accepted for notification	1
In notification	12
TOTAL	20

Native title determinations made by a court or other recognised body	
Consent determination	487
Litigated determination	55
Unopposed determination	72
TOTAL	614

Map of compensation applications



NNTT Registers

(Under the Native Title Act, the Native Title Registrar must keep three registers of native title information)

- **Register of Native Title Claims**
 - information on claimant applications that have satisfied registration test
- **Register of Indigenous Land Use Agreements**
 - information about Indigenous Land Use Agreements
- **National Native Title Register**
 - information about Court decisions in native title claims, native title compensation claims, non-claimant applications and revised native title determination applications

Requests for assistance since 2021 from Torres Strait Region

- Section 203BK(3) NTRB Dispute Resolution Function: 3 requests
- Section 60AAA Mediation conducted: 2 requests
- s 60AAA Preliminary conferencing : 4 requests

Summary

- NNTT worked with GBK to manage requests.
- NNTT = 4 mediations.
- Others = GBK Dispute Resolution Policy for Post-Determination Intramural Disputes.

Mediations (s 203BK(3))

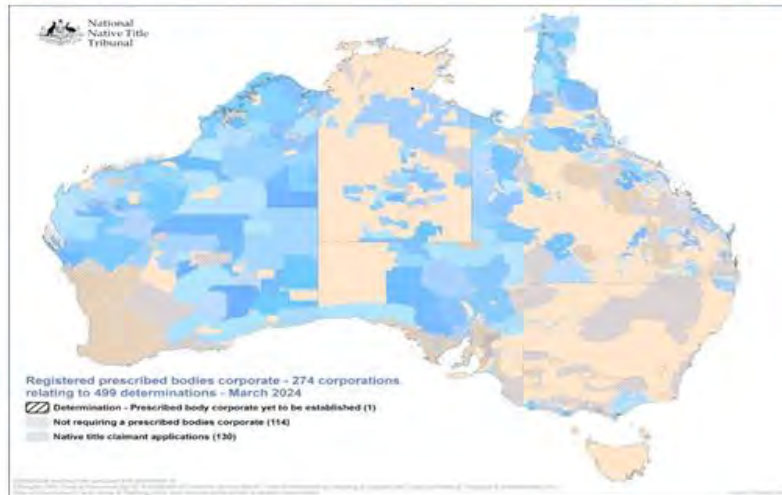
- Mediation process design
- Meeting facilitation
- Searches of the NNTT's registers
- Geospatial services including preparation of maps, analysis of tenures and spatial overlaps within identified areas

Presidents Approval Mediator Assigned Logistics finalised Cost/Engagement Agreement finalised

Factors considered by NNTT in mediation assistance:

- Circumstances
- Location
- Cultural safety
- Whether the parties have had previous mediations with the Tribunal and if so, who mediated, and whether having the same mediator and Senior Officer would be beneficial
- Cultural factors, such as whether an Indigenous mediator would be better suited to the matter
- Any conflict of interests

Prescribed Bodies Corporate



Post Determination Assistance: under section 60AAA of NTA

Guiding Principles:

- Self-determination
- Ethical Practice
- Collaboration and co-design
- Openness and transparency
- Professionalism

Staged Approach:

- Preliminary conferencing
- Facilitated information exchange / discussion between the parties
- Mediation



NNTT and ORIC: Difference in roles



NNTT may assist at the request of PBCs or native title holders with resolution of issues consistent with the NTA, Native Title PBC Regulations and traditional decision making (*Ailan Kustom*)

Summary

- ORIC = OUTSIDE VIEW
- NNTT = INSIDE VIEW

Category of Disputes



- Membership of the RNTBC
- Settling Internal Boundaries
- Speaking for Country
- Dissatisfaction with the Determination
- Distribution of Benefits
- Consultation & Consent in relation to Native Title Decisions
- Accountability of RNTBCs to the broader native title holding group

Other sources of information/data on NNTT website

Resources under Geospatial Tile:

Native Title Vision (NTV) provides data on all matters that appear on the NNTT Registers. NTV also shows information about historical applications

Native Title Dashboard that summarises counts of the matters shown in NTV.

Maps for presentations that are updated monthly and maps for national, state, territory and regional levels that are updated quarterly.

Statistics:

NNTT website also provides statistics with current data updates available on Mondays.

Questions? How can we work together?



Josephine Falls, Wooroonooran National Park



NIAA: Overview of PBC Support

Gur a Baradharaw Kod PBC Forum

Working with Aboriginal and Torres Strait Islander peoples



Our Talk Today

- Who is the NIAA
- NIAA funding for PBCs
- Applying for grants
- Other supports

Who is the NIAA?



NIAA & PBCs

- The NIAA is responsible for the laws and rules PBCs have to follow in the *PBC Regulations* and some of the *Native Title Act*
- Government policy on PBCs
- Funding for the Native Title system, such as
 - Native Title Representative Bodies and Service Providers
 - Capacity Building for PBCs
 - Other organisations which support PBCs, such as the NNTC and AIATSIS



Basic Support

Funding provided through Native Title Representative Bodies or Service Providers (NTRB/SP) to help PBCs meet basic compliance obligations.

PBC Capacity Building

For PBCs to generate economic benefits through the effective and sustainable management of their land.

\$58.2 million is available over three years from 2023-24 to 2025-26



NIAA Supported
Funding Opportunities

PBC Capacity Building Project Examples

- Increase the capacity of PBCs to take advantage of economic opportunities
- Support to build long-term organisational capacity within PBCs
- Support effective native title agreement making



Types of projects that can be supported

Some examples of what may be funded include:

- ✓ Professional services (legal, accounting, business/financial strategy, web design and communications, coaching/mentoring)
- ✓ Develop governance, management capacity, internal business systems (rule book design, operational policy – decision-making trees, dispute management processes etc.)
- ✓ Undertake strategic or land use planning or business feasibility study
- ✓ Purchase equipment for office, or upgrade ICT capability and software
- ✓ Developing strategic and business plans
- ✓ Support capacity to apply for other grant programs, such as preparing to deliver a ranger program

Types of projects that cannot be supported

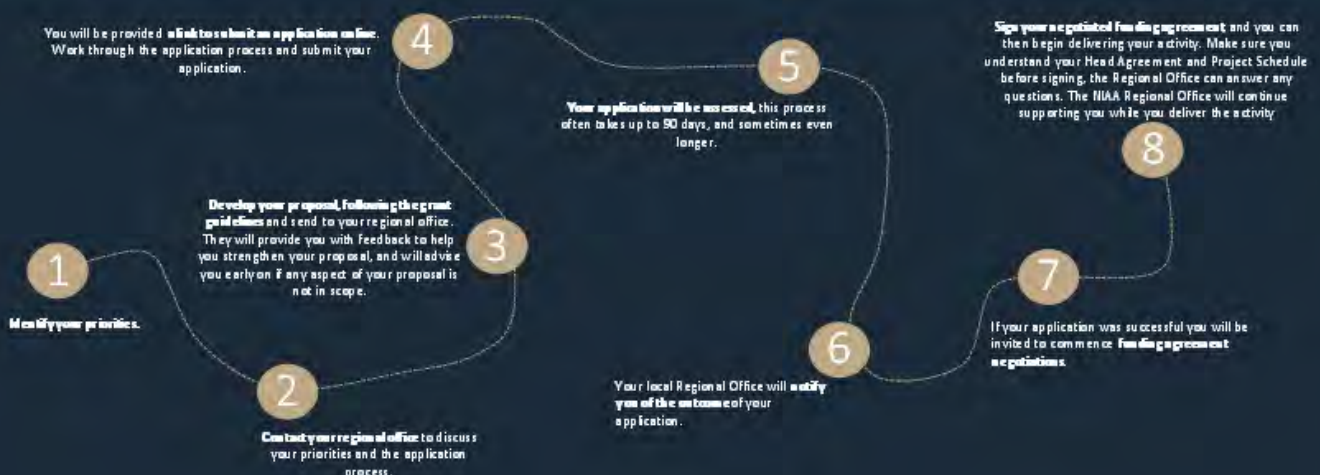
PBC Capacity Building Funding cannot be used to fund:

- ✗ General or ongoing operations of a PBC
- ✗ Responsibilities of industry proponents (such as cost of ILUA negotiation)
- ✗ State and territory responsibilities (such as cost to implement state legislation or projects)
- ✗ Legal claims, lawsuits or legal disputes

Most common project types

Strategic Plan	Develop and implement a plan to support PBCs to work with their Directors, members and Traditional Owners to define their long-term (e.g. 5-10 years) vision for the future, identify and prioritise goals, objectives, and key steps needed to achieve those goals.
Business or Economic Plan	Develop and implementing a business or economic plan to identify and prioritise business opportunities, attract investors and lenders, support businesses development, set up fee for service activities, apply for grants grants, or establish joint ventures.
Land Use or Country Plans	Support PBCs, members and Native Title holders to map and agree cultural, social and economic values as they pertain to land, and identify opportunities. Often (though not always) these activities result in the development of a Country Plan that communicates a PBC's vision and aspirations for Country, Culture and People.
Corporate Policies and Procedures	Develop and implement policies and procedures provide guidance on how to put rules and regulations into practice through day-to-day operations (such as code of conduct, conflicts of interest policy, WHS, risk management, business continuity plan, travel policy etc).
Training for Directors or staff	Deliver training, mentoring and professional development opportunities, covering topics such as governance, financial obligations, Native Title, agreement-making, reporting, administration and mediation.
Rulebook updates	Establish a rulebooks, or make rulebook updates (either voluntarily to support a particular outcome for Native Title holders, or to meet new legal requirements).

Applying for Capacity Building Funding



Tips for Preparing a Proposal

Identify your needs	Identify what your aspirations are, and what you need to do to achieve those aspirations. Once you know what you want to achieve, look at what funding options are available to achieve that
Talk to the regional office	The Regional Office staff will be able to give you guidance material to help you develop your proposal, and can confirm if your idea is in or out of scope. Talking to them early can save you time.
What to include in your proposal	Make sure you are clear on: <ul style="list-style-type: none">• What you want the project to achieve/what the outcomes of the project are• What you will do to achieve those outcomes• How the project aligns with at least one objective of the Capacity Building Program• Include a budget, anything mentioned in your budget should also be discussed while you are explaining what you are proposing to do

Tips for when submitting Grant Applications

Prepare your application	<ul style="list-style-type: none">• Be clear in your writing, use short, easily read sentences. Avoid weak wordings like 'maybe' or 'hopefully' – use 'will' and 'can'• Address any feedback that has been provided by NIAA or others, this feedback will help you strengthen your application• Address the key assessment criteria• Check the evidence and documents that need to be included, review the Grant Opportunity Guidelines.
Proofread	Check that it is clear in your application what you want to achieve and how you want to achieve this, a good way to do this is have someone unfamiliar with your proposal to read it.



Indigenous Advancement Strategy

PBCs can apply for other Commonwealth funding under the Indigenous Advancement Strategy (IAS) – open to Indigenous businesses, organisations and individuals

GrantConnect

Australian government grant information system to search opportunities, get alerts

Queensland State Government

<https://www.qld.gov.au/first-nations/grants-funding>
<https://www.grants.services.qld.gov.au/>
<https://advan.ce.qld.gov.au/aboriginal-and-torres-strait-islander-innovation>

Other funding opportunities

Using Grant Connect

The screenshot shows the GrantConnect website interface. At the top right, there are buttons for 'Login', 'Register Now', and 'Assistance'. The 'Register Now' button is circled with a red box and the number 1. Below this is a dark navigation bar with 'Forecast Opportunities' (circled with a red box and the number 2), 'Grant Opportunities' (circled with a red box and the number 3), 'Grant Awards', 'Information Reports', and 'Advanced Search'. The main content area features a 'Welcome to GrantConnect' heading, a brief description of the service, and a list of links: 'Getting Started with GrantConnect', 'News and Bulletin', and 'Frequently Asked Questions'. On the right side, there is an illustration of a woman presenting at a whiteboard and a man working at a laptop, with a large red play button icon overlaid on the scene.

Using Queensland Government Grants Finder

The screenshot shows the Queensland Government Grants Finder website. At the top, there is a navigation bar with 'For Queenslanders' and 'CONTACT US'. Below this is a breadcrumb trail: 'Home > Queensland Government Grants Finder'. The main heading is 'Queensland Government Grants Finder' with the subtext 'Find Queensland Government grants and assistance programs that may help you.' Below this is a form titled 'Which of the following best describes you?' with the instruction 'Please select all that apply'. The form contains six checkboxes: 'Business, start-up or entrepreneur', 'Community group/not for profit', 'Government', 'Individual seeking grant or assistance', 'Local government', and 'Researcher/research institute'. A red box labeled '2' highlights the entire form area. To the right of the form is a 'Need some help?' section with the phone number 'Call 13 GOVY (13 74 68)' and a red box labeled '1' highlighting this section. Below that is a 'Program funding expenditure' section with the text 'Interested in viewing permits made from funding programs?' and a link 'Find out more'.

Broader Funding Options

Philanthropic Funding

<https://www.socialventures.com.au/supporter-types/corporate>
<https://www.philanthropy.org.au/seeking-funding/>



<https://iba.gov.au/>



<https://manyrivers.org.au/>



<https://www.ilsc.gov.au/>



National
Native Title
Council

Training for directors

<https://nntc.com.au/pbc-director-training/>



Office of the
Registrar of
Indigenous
Corporations

Factsheets, templates, forms, guides and training

<https://www.oric.gov.au/training/training-schedule-2022-23>

<https://www.oric.gov.au/resources>

Other
Support



AIATSIS run website

Information for PBCs <https://nativetitle.org.au>
including resources for funding applications
<https://nativetitle.org.au/learn/building-pbc-business/funding-applications>

Need further information?



NIAA National Office is in Canberra.

We have regional offices around
Australia

Phone any NIAA regional offices toll
free:

1800 079 098

Office	Address	Postal Address	Phone Number
Caïms	Level 7 8/38 Sheridan St Caïms QLD 4870	PO Box 1599 Caïms QLD 4870	07 4037 8600



Thank you for listening

QUESTIONS?





Indigenous Business Australia (IBA) is a statutory authority of the Australian Government and is accountable to the Parliament and the Minister for Indigenous Affairs.

IBA was created to assist and enhance the economic development opportunities of Aboriginal and Torres Strait Islander people across Australia.

IBA's principal legislative basis is the Aboriginal and Torres Strait Islander (ATSI) Act 2005 which sets out its purpose, powers, functions, administrative and operational arrangements.



WHERE TO FIND US

With 14 locations around Australia, there's bound to always be someone close by to help you work out next steps.



Our key activities & pathways to prosperity



HOUSING

- Capability and skills workshops
- Home loans
- Shared equity
- No establishment fees
- Lower deposits
- Longer loan terms
- No early payment fees
- No requirements for mortgage insurance



BUSINESS

- Capability and skills workshops
- Access to resources, referrals, business support and industry experts
- Business loans, start-up finance package, producer offset loan, equipment finance, invoice finance and performance bonds
- Natural disaster and state of emergency support



INVESTMENTS

- Capability and skills workshops
- Access to governance, strategic planning, due diligence, business and industry experts
- Residential development with Aboriginal and Torres Strait Islander organisations
- Manage assets and funds to generate money back to communities



PARTNERSHIPS

- Partnerships with Aboriginal and Torres Strait Islander businesses to co-design and deliver capability building workshops
- Event sponsorships
- Social enterprise grants for First Nations women
- First Nations businesses to co-design and deliver capability building workshops
- Financial services sector, including like-minded banks to help customers transition to and access the benefits of mainstream finance

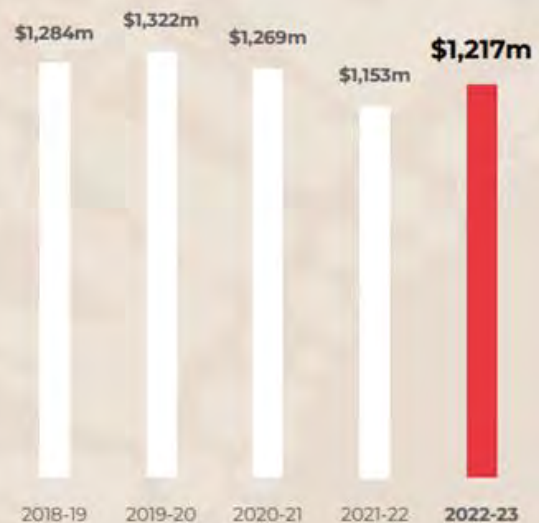
2,516

Total new home loans between 1 July 2018 and 30 June 2023.

\$973m

Distributed through home loans between 1 July 2018 and 30 June 2023.

Value of home loan portfolio



1,220

Total business finance customers
between 1 July 2018 and 30 June 2023.

\$286.5m

Distributed through business finance
between 1 July 2018 and 30 June 2023.

Value of business finance portfolio



Aboriginal and Torres Strait
Islander procurement



Growth in Aboriginal and Torres Strait
Islander equity



MOU with Torres Strait Regional Authority

The Torres Strait Regional Authority (TSRA) and Indigenous Business Australia (IBA) signed a Memorandum of Understanding (MoU) in 2022 to assist and enhance the economic development opportunities in the Torres Strait.

This agreement enables the sharing of information, expertise and potential opportunities on economic infrastructure for the region. This may include assisting each other with resources as opportunities arise, for example, sharing office space, and providing for staff secondments between both parties. IBA are currently collaborating with TSRA on the IBA Impact and Financial Wellbeing Study.

The MoU is the first step to setting out a framework for ongoing discussions to be able to maximise our resources to achieve mutually beneficial outcomes and greater economic development and social growth for the region.

IBA IMPACT AND FINANCIAL WELLBEING STUDY

IBA is interested in the lived experiences and stories of Aboriginal and Torres Strait Islander people around money and finances.

This will help IBA understand how financial wellbeing is experienced in Aboriginal and Torres Strait Islander communities and how to support people better.

As a result, IBA may refine existing products and services, develop new ones, or work with partners to deliver services and support.

The project builds on previous impact studies undertaken by IBA.

IBA's Impact Thesis



WHAT IS THIS PROJECT ABOUT?

Phase 1 – Financial Wellbeing

During this phase we will explore the relationship and importance of financial wellbeing to overall wellbeing.

It will help us understand ways to support the financial wellbeing Aboriginal and Torres Strait Islander people who aren't already accessing IBA services.

- ❖ Online survey of Aboriginal and Torres Strait Islander people across Australia. (May 2024)
- ❖ Focus groups, interviews, and surveys in five case study locations. (April and May 2024)
 - Alice Springs NT
 - Karratha and Roebourne WA
 - Shepparton VIC
 - Torres Strait QLD
 - Western Sydney NSW



Phase 2 – Impact

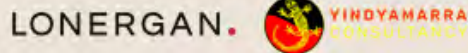
During this phase we will evaluate the impact of IBA's activities on people already accessing these services, informed by the results of Phase 1.

We will identify areas where IBA has the biggest impact on financial wellbeing, and potential areas for improvement.

- ❖ Online surveys and interviews with existing IBA customers, partners, and staff. (April and May 2024)

The project has full ethics approval from the AIATSIS Research Ethics Committee.

IBA has commissioned Lonergan Research and Yindymarra Consultancy to undertake the research.



WHAT DOES THIS MEAN FOR THE TORRES STRAIT?

This research will help us understand what financial wellbeing means for people living in the Torres Strait, and how best to support them.

IBA and Torres Strait Regional Authority (TSRA) are collaborating for the Torres Strait research as part of Phase 1 of the project.

You can help by promoting the project and encouraging people in your community to participate.

Community fieldwork - week commencing 13 May 2024

- 1 x focus group of 6-8 locals
- 5-6 x in-depth interviews with locals
- 2 x business interviews
- 40 x surveys (face-to-face and/or online)

We will also report back the findings in late 2024 and are interested in your thoughts about how best to do that (such as snapshot report, presentation, workshop, etc).










Read our full Corporate Plan
and Strategy Towards 2028
by scanning the QR code.



THANK YOU

1800 107 107 iba.gov.au     





Australian Government   **TSRA**
www.tsra.gov.au

Presentation for National Native Title Council

GBK PBC Regional Forum



Acknowledgement of Country



  **TSRA**
www.tsra.gov.au



Development Plan Vision

Yumi pasin – yumi Ailan Kastom.
Strong in culture, unified partnerships to achieve a sustainable future.

Ngalpum pawa a danalayg matha kaymel bargal **KALA LAWAYVA**
 Meriba tona, merbi gedira tona a merbi arenibe tona batkapda a bakeli au kelakela beli iako m
 kikemem nabakiawar **MERIAM MER**
 Ngalpan mina Pawa a Ngalpan mina Igilinga. Ngaru bangal urapun **KALA LAWAIYA**

Purpose

Progress towards closing the gap for Torres Strait Islander and Aboriginal people living in the Torres Strait Region through development planning, coordination, sustainable resource management and preservation and promotion of Indigenous culture.

Development Plan 2023-2028

Programs

Economic Development	Fisheries	Safe Communities
Healthy Communities	Culture, Arts and Heritage	Environmental Management
Governance and Leadership	Regional Infrastructure	

TSRA
 www.tsra.gov.au

The TSRA has in place a set of core elements (called strategic enablers) that form the basis for the TSRA to achieve the Priorities of this Development Plan.

Visualised in the trunk of the Wongal Tree, the Strategic enablers support the delivery of the 3 Priorities.

- Community Engagement: Listen and respond to community needs; Board and TSRA staff engage together.
- Partnerships: Multisite and whole of government approach; Mutually agreed outcomes targeting regional priorities.
- Capability: People; Policies; Governance.

TSRA Grant Funding

Partnership arrangements

- **TSRA can develop a partnership arrangement, header agreement or Memorandum of Understanding with organisations.**
- **These arrangement set the business relationship, strategic intent and manner for working together to achieve joint outcomes.**
- **Example: TSRA – CEQ MoU for healthy community initiatives.**
 - **Enabling access to healthy and affordable food for communities.**
 - **Supporting joint funding of local healthy community initiatives.**



TSRA Grant Funding

Funding Criteria - Entities

Application Criteria:

an Aboriginal and/or Torres Strait Islander Corporation registered under the Corporations (Aboriginal and /or Torres Strait Islander) Act 2006

- **applicants must have an ABN (RNTPBC)**
- **an individual (native title holder) or community member**
- **auspice sponsorship for applicants**
- **online funding applications through Smarty Grants system.**

Assessment Criteria:

- **Assessment of funding application depending on complexity, value, partnership arrangements, type of funding sought, risk assessment, benefits and comparative assessment, in-kind or other contributions.**



TSRA Grant Funding

Safe Communities

- **Contributing to Safe Communities policy and grant delivery in the region.**
- **Shaping regional planning and service delivery, including supporting social services, to address community and domestic safety issues.**
- **Supporting safe and accessible community infrastructure.**
- **Supporting the delivery of non-mainstream community and social support services, including capacity building in communities.**
- **Funding available for Safe Communities initiatives.**



TSRA Grant Funding

Healthy Communities

- **Contributing to health policy and grant delivery in the region.**
- **Monitoring the rollout of and contributing funding to the delivery of essential services to support healthy communities.**
- **Supporting preventative health and wellbeing initiatives including sport and recreation activities.**
- **Supporting healthy and affordable food for communities.**
- **Funding available for Healthy Communities initiatives.**



TSRA Grant Funding

Culture, Arts and Heritage

Protect, promote, revitalise and maintain Torres Strait Islander and Aboriginal traditions and cultural heritage across the region

- Ensuring cultural and language preservation, maintenance, development, and promotion.
- Preserving and promoting Indigenous languages.
- Expanding the regional arts industry.
- Cultural heritage education, preservation and maintenance.
- Protecting copyright and intellectual property rights.
- Undertaking cultural values and protocols development projects.
- Integration of community- based cultural and art activities with community and social services delivery where appropriate.
- Funding available for activities



Economic Development Team

Vision

- We are solutions brokers; working to find the best options for each of our clients through a deep understanding of their needs and commitment to long-term relationships.
- We create and build trust.
- We foster strong teamwork and collaborate with others.
- We foster shared responsibilities and partnerships.

Mission

- ED will be the broker helping our people on their journey to gain business prosperity by leveraging deals.
- Improving financial wellbeing through provision of services tailored to the needs of people in our region.
- Make it easy for our people to access to support and finance to start, develop or grow their business.
- Improving our peoples' lives by creating opportunities to embed infrastructure based on our communities' needs.
- Trusted relationships
- Bring together and keep value in our people and communities.

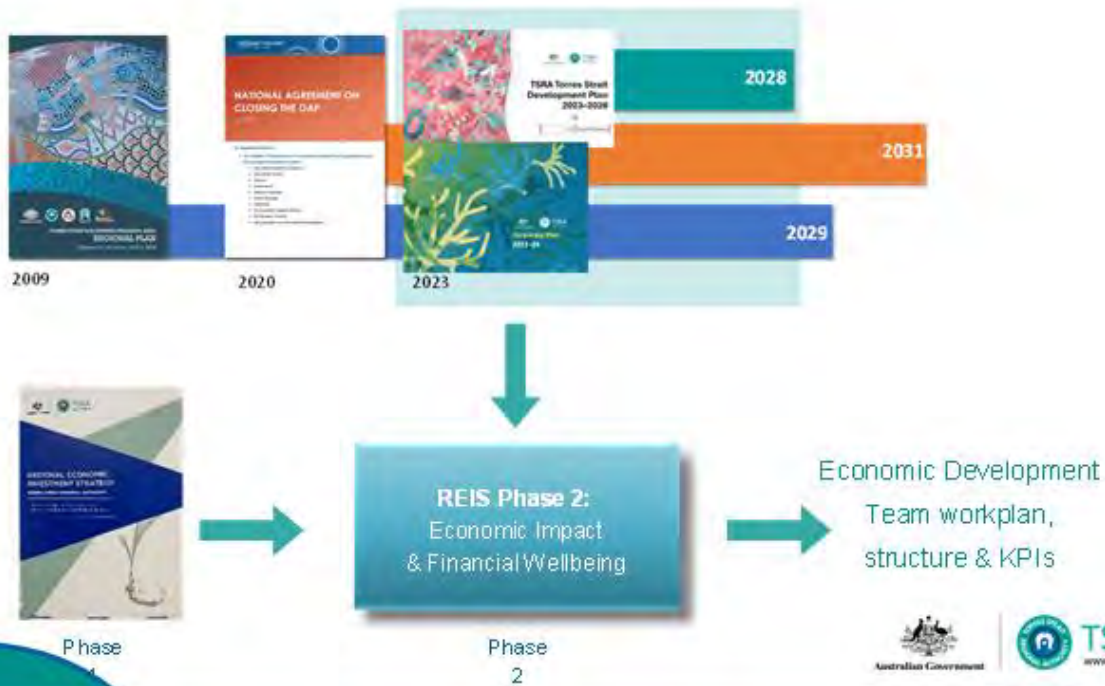
Values

- Respect.
- Honesty.
- Transparency.
- Fairness.
- Trust.
- Relationships – invested longer term outcomes.
- Integrity.
- Respect.
- Care.
- Commitment.
- Resilience / patience.

Goals

- Identifying the skills and support required to assist clients.
- Being proactive (long-term solutions, not short term).
- We give out \$ to support corporate and development plan objectives.
- We have hard conversations.
- Sensitive and committed / invested in our clients needs.
- In it for the long run / part of the community.

Economic Development Program



Regional Economic Investment Strategy (REIS)

Phase 1

Under the REIS Phase 1 Framework, the ED Program delivers a range of business assistance products and services from the incubation stage to growth. We foster business readiness through conferences and training.

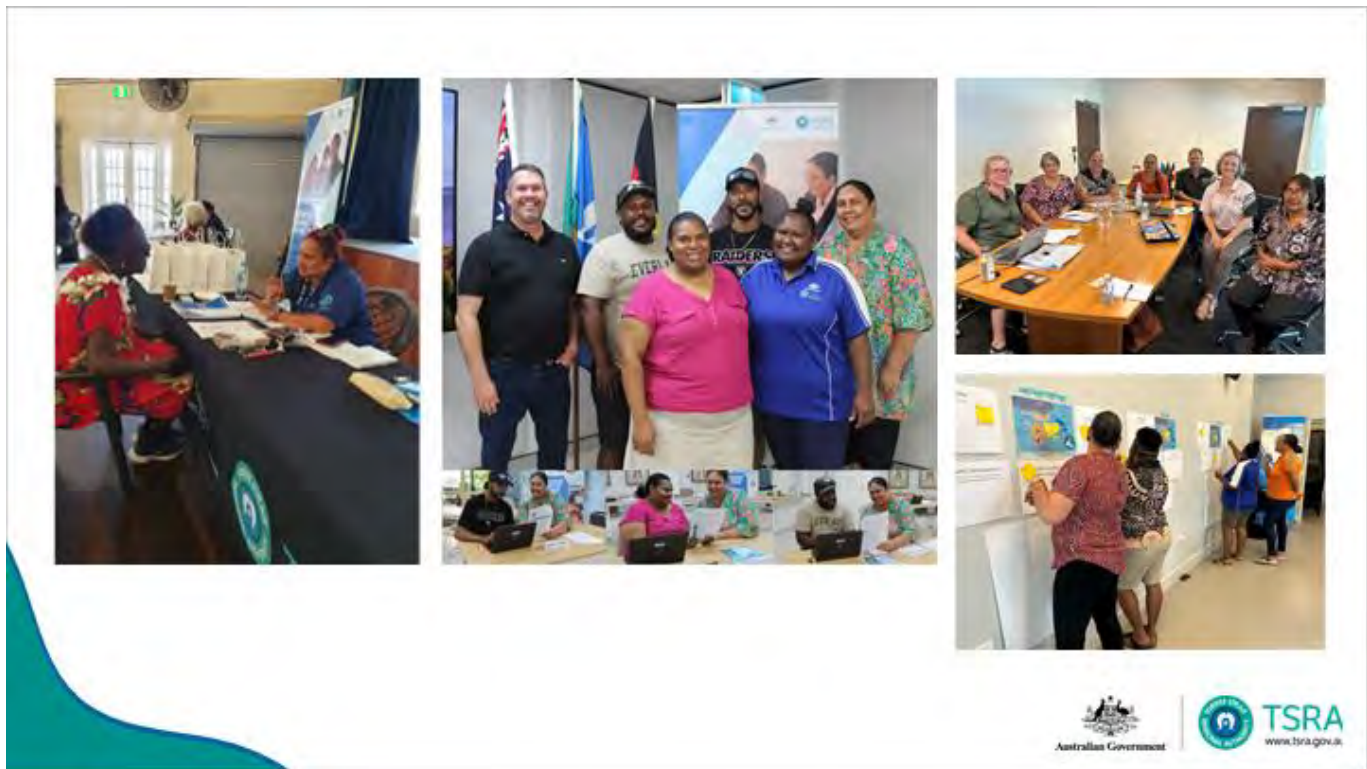
Economic Development Program

Sustain | Develop | Incubation



The TSRA is the CDP Agreement Manager (Egbit 59)

Yorlbe Business Workshops	Employment and Training Projects	Business Mentoring and Support Services	Co-accessual Business Loans	Co-accessual Home Loans	Business Growth Package (less than \$20k)	Business Growth Package (up to \$1 million)
Financial Literacy Support	Access / Referrals to other (not-TSRA) Business Support					
Regional Economic Investment Strategy						



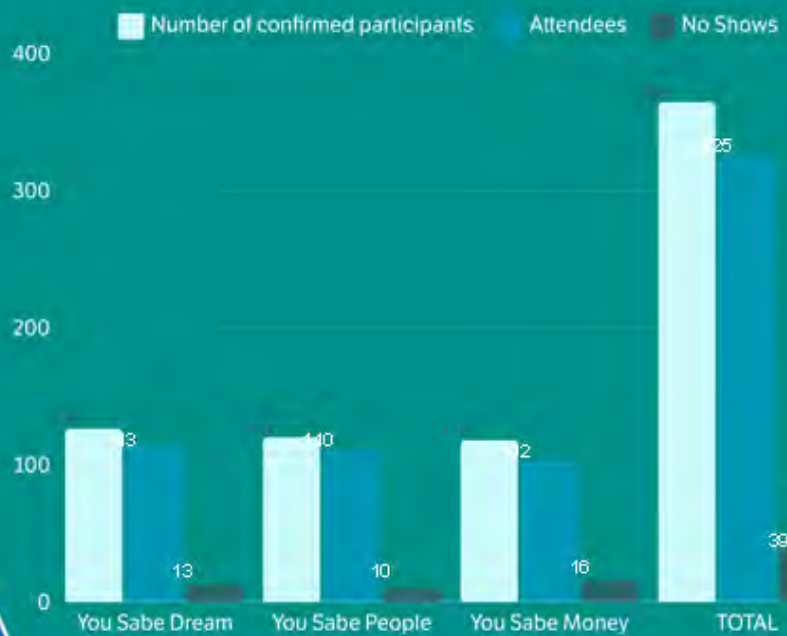
Access to Business Growth Packages

Industries		2017-2018	2018-2019	2019-2020	2020-2021	2021-2022	2022-2023
Retail	Grant	\$150,000	\$33,353.00	\$29,511.90	\$40,470		
	BSS	\$100,000	\$15,000.00				
	Loan	\$250,000	\$51,166.00	\$58,581.10	\$60,703		
Arts and Creative Industries	Grant					\$22,500	
	BSS					\$30,000	
	Loan					\$27,500	
Total	Grant			\$434,856		\$618,500	\$140,994
	BSS			\$102,607.05		\$40,000	\$74,000
	Loan			\$166,000		\$276,500	\$369,005
TOTAL BGP		\$600,000	\$99,570.30	\$1,401,666.45	\$101,173.00	\$1,015,000	\$583,999.45

TSRA investment through REIS to date comprises 12 BGP, to the value of \$3,701,398.
 (BGP package is a combination of Grant, Loan and Business Mentoring Support)

Access to You Sabe Business Courses

You Sabe Business workshops impart information and knowledge about running a successful business and assist people to make informed decisions before going into business.



Access to Business Loans

The current total TSRA business loan portfolio comprise of 14 loans, to the value of \$1,467,768.05 with a loan balance of \$819,327.33.



15
Commercial
Fishing loans



4
Transport
loans



3
Accommodation
loans



4
Tourism
loans



3
Construction
loans



1
Retail
loan



2
Loan
redraw



16
Loans
paid out



Kaurareg Rangers – local training and employment outcomes

Since 2022, the TSRA has proudly sponsored the establishment of the Kaurareg Ranger Program and has worked appropriately and extensively with the Kaurareg Traditional Owners for the sustainability of the program

TSRA investment of \$350,000 has helped the Kaurareg Native Title Aboriginal Corporation (KNTAC) buy its first ranger vessel – *Njinjiki* – to boost local efforts in caring for land, sea and culture.



Economic Impact & Financial Wellbeing

THEORY OF CHANGE

Includes a range of benefits including sustainable economic and economic, employment opportunities, equitable outcomes for Australia's economy.

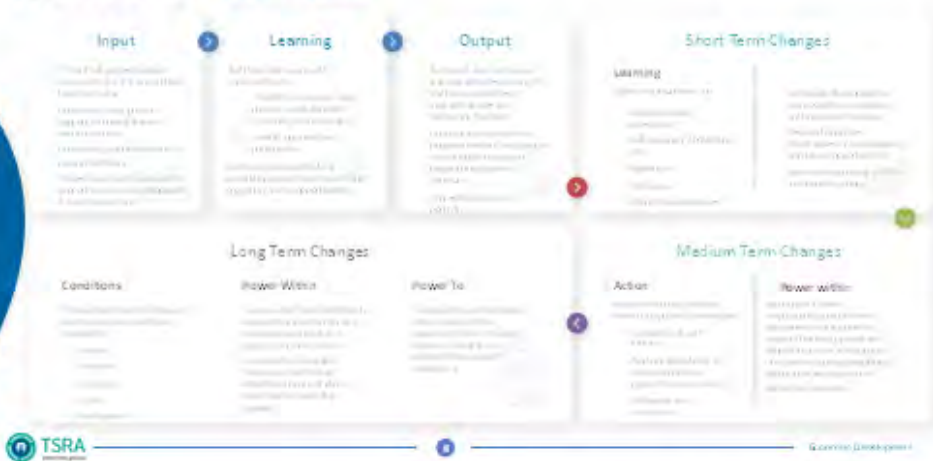


Quarterly Development



Economic Development proposed new approach

THEORY OF CHANGE



Question:
 How do we best deliver funding,
 grants, loans, business and
 training outcomes for PBC
 organisations?



Koeyma Eso,
Au Esoau,
Thank you!

For more information contact TSRA



4069 0700



info@tsra.gov.au



www.tsra.gov.au





Australian Government
Office of the Registrar of
Indigenous Corporations

ORIC – Regulatory perspective

Update from ORIC



Strong corporations, strong communities, strong people. Visit oric.gov.au



Australian Government
Office of the Registrar of
Indigenous Corporations

ORIC – Regulatory perspective

We support and regulate Aboriginal and Torres Strait Islander corporations

Our vision is for well-governed and self-determining Aboriginal and Torres Strait Islander corporations achieving their economic, social or cultural purpose.

*Corporations (Aboriginal and Torres Strait
Islander) Act 2006*

Special measure
Racial Discrimination Act 1975

Registrar

Independent statutory office holder
Appointed by the Minister for Indigenous
Australians

Strong corporations, strong communities, strong people. Visit oric.gov.au



Comparing legislative frameworks

	CATSI Act	Corporations Act
Members	At least 5 (but can apply to have fewer) No maximum	At least one Private company: maximum of 50 Public company: no maximum
Directors	Restrictions: majority must be Indigenous, members, and not be employees Corporations can choose to allow non-members	No restrictions
Number of directors	Minimum of 3 and maximum of 12 (corporations can apply to set lower or higher numbers)	Private company: at least one Public company: at least 3
Rules	Must have a rule book. Must contain: corporation name and objectives, membership eligibility, director eligibility, frequency of directors' meetings and a dispute resolution process. Must also adopt the replaceable rules in the Act or replace them in their rule book.	Can adopt replaceable rules in the Act or their own constitution
Fees for registration and lodging forms	No fees	Fees

Strong corporations, strong communities, strong people. Visit oric.gov.au



Profile of Indigenous corporations

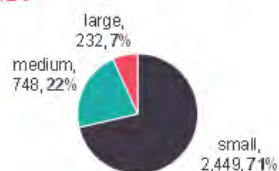
Total number



Other registrations for special purposes

268, 7.8%
registered native title bodies corporate
1 213, 35.4%
registered charities

Size



Top 5 industries

Community services (1 008 corporations)
Land and waters management (1 002 corporations)
Education and training (818)
Health care and health promotion (599)
Other (594)

Strong corporations, strong communities, strong people. Visit oric.gov.au



Regulatory compliance framework

We use our powers proportionately:

We expect corporations to try to meet their obligations.

We assist corporations who are having difficulties or are accidentally non-compliant.

We escalate our response if a corporation: has a history of non-compliance; is deliberately or wilfully non-compliant; won't engage or cooperate with us; and is oppressing their members' rights.

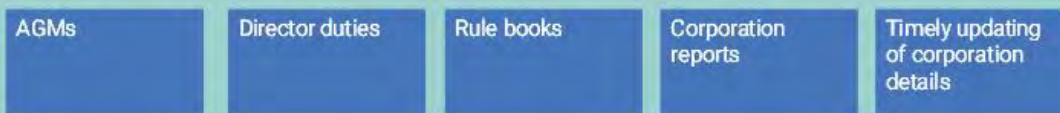


Strong corporations, strong communities, strong people. www.oric.gov.au



Regulatory posture

Regulatory focus on key obligations under the CATSI Act



Strong corporations, strong communities, strong people. www.oric.gov.au





Regulatory posture

Focus areas for 2024

- Reporting of assets and income
- Corporations providing housing and accommodation services
- Directors and officers meeting their duties
- Member rights
- Targeted examinations





AIATSIS

Indigenous Country and Governance Working Group

GBK PBC Forum



AIATSIS

About the Native Title Research Unit/ICG

Established 30 years ago.

Funded by NIAA to undertake native title research and other activities:

- Influence policy and practice and inform decision-making (PBC Survey)
- Link people & ideas & sharing knowledge and practice (PBC Website; Youth Forum and Native Title Workshops)

• AIATSIS's Indigenous Country and Governance Unit (ICG) produces resources and delivers activities to support the native title sector, and in particular Native Title Representative Bodies, Service Providers and Prescribed Bodies Corporate.



AIATSIS

PBC Survey 2024

In 2024, AIATSIS is undertaking a national Prescribed Bodies Corporate (PBC) Survey building upon the evidence gathered from the PBCs surveys undertaken in 2013 and 2019.

Purpose of the Survey:

- to report publicly on the challenges faced by PBCs, including in managing native title rights and interests and in meeting their statutory obligations.
- Also provides an opportunity for PBCs to talk about their successes, challenges and aspirations and to report on where they need more support to meet their short- and long-term goals.
- Results of the Survey will be compiled in a comprehensive report which will be published widely and will inform governments of the resources needed by PBCs to build capacity and to pursue their goals.



AIATSIS

PBC Survey 2024 – example questions

What are your PBCs biggest information needs?

What are some of the key areas of your PBC success?

What are the key challenges faced by your PBC?

What areas of your PBC work are you not currently funded for?

Who is doing what on your country; how are they engaging with and respecting the PBC?

What are your PBCs aspirations for the future?

What are your top 3 strategic priorities?

How does your PBC use technology to do business?



AIATSIS

PBC Website

ICG is currently reviewing the PBC Website (nativetitle.org.au) to:

- provide more up-to-date information and resources for PBCs and native title organisations;
- make the website easily accessible on computer, phone and tablet;
- include a new PBC Roadmap; and
- include the Native Title Directory.

We would like to develop regional focuses, so if there is particular information you would like to see on the website for the Torres Strait region, please let us know.

We can also put information in language if people would like that.

The screenshot displays the 'Native Title Directory' page. At the top, there is a navigation bar with logos for AIATSIS, National Native Title Tribunal, FEDERAL COURT OF AUSTRALIA, Australian Government, Australian Indigenous Administration Agency, Australian Government, Australian Government, and Australian Government. Below the navigation bar is the title 'Native Title Directory' and a large flowchart titled 'Native Title Continuum - National Process Map'. The flowchart shows a complex process starting from 'Native Title Claims' and moving through various stages like 'Native Title Determination', 'Native Title Registration', and 'Native Title Vesting'. Below the flowchart is a table with columns for 'PBC Website', 'Native Title Access Resources', and 'Native Title Proceedings Database'. The table lists various PBCs and their corresponding resources. At the bottom of the page, there are logos for AIATSIS, NNTT, FCA, NIAA, ORIC, and AGD.



AIATSIS

PBC Decision-Making Guide

- In 2018, AIATSIS and the Taungurung Land and Waters Council (TLaWC) developed a decision-making guide for their directors and members.
- Taungurung wanted to put together a guide about the types of decisions it makes, how to make them well and to tell their members how decisions will be made that affect them. The Taungurung wanted to develop their decision-making skills including in relation to managing disputes.
- We will be seeking 'volunteers' to test the decision-making guide from December.



AIATSIS

PBC Decision-Making Guide

Modules:

1. Decision-making values and rights
2. Native title decision-making
3. Elders, directors and decision-making
4. The Chair (and Deputy Chair)
5. The Chief Executive Officer
6. How does the PBC make decisions?
7. Decision-making by PBC members and Native Title Holders
8. Conflicts of interest
9. Dispute management
10. Building agreement



AIATSIS

Research

ALRA Land Claims Project

Return of Native Title Materials Project

Comprehensive Settlement

Other research:

- Water Rights
- Renewable energy
- Cultural heritage
- Human rights and International Rights – FPIC in domestic law & practice



AIATSIS

Workshops

NTRB Legal Workshops

Since 2017, AIATSIS has run a workshop for NTRB legal workshops for lawyers to meet together as a community of practice, share knowledge and engaging in professional development opportunities. We are expanding the delivery of the workshops by hosting an NTRB researchers' workshop and a PBC Support workshop in 2024.

Youth Forum

- Youth Forum is facilitated by the ICG at the AIATSIS Summit.
- Focus - how youth engage with native title and governance and identify and opportunities for increased understanding and engagement.



AIATSIS

Native title newsletter

- Published twice a year – our next newsletter will be published in May.
- Circulated widely in native title sector, to libraries and universities and other organisations.
- Includes:
 - updates on native title statistics around the country;
 - articles on recent developments in native title and related areas;
 - case law updates on native title and related cases;
 - articles on law reform, mining and renewable energy issues, water reform, etc;
 - profiles of people who work in the native title sector; and
 - guest articles (e.g. our most recent issue included guest articles by NNTT and CNTA).
- Please let us know if you would like to contribute to the newsletter.



AIATSIS

The Australian Institute of Aboriginal and Torres Strait Islander Studies acknowledges the traditional owners of country throughout Australia and their continuing connection to land, culture and community. We pay our respects to elders past and present.

aiatsis.gov.au



National Native Title Council (NNTC)

Acknowledgement

The National Native Title Council would like to acknowledge the Traditional Owners of all the land and sea country that we are meeting on today, and pay our respects to Elders past, present, and emerging.





ABOUT THE NNTC

Supporting First Nations’ development:

- Advocating for First Nations’ rights of self-determination
- Unlocking the economic potential of PBCs and supporting First Nations-led economic development

Influencing legislation & policy:

- Improving the native title sector’s laws, programs & institutions to provide greater resources, opportunities & support for PBCs.

Working with industry

- Influencing businesses and investors to adopt best practice in engaging with Traditional Owners



OUR TEAM

- Our CEO is Jamie Lowe.
- Jamie is supported by a team of legal, policy and governance practitioners in international human rights, native title, cultural heritage, agreement-making, media etc.
- Our staff profile includes over 50 percent First Nations staff.
- We have staff located in Perth, Melbourne, Canberra, Sydney, and Broome.



OUR HISTORY

In 2005, the Aboriginal and Torres Strait Islander Commission (ATSIC) was abolished, leaving Australia without any national First Nations representation.

In 2006, the Native Title Representation Bodies (NTRBs) incorporated the NNTC to become a peak body for the native title sector.

In 2017, we amended our constitution and opened up membership to PBCs.

We represent our members, who know that joining together makes us stronger. United together, we have a national platform on which to achieve our policy goals and improve the native title sector as a whole.

OUR GOVERNANCE AND MEMBERS

We have 14 regional members. **GBK is one of these.**



<https://nntc.com.au>

We have 3 PBC members from the Torres Strait:

1. **Badu Ar Mua Migi Lagal (Torres Strait Islanders) Corporation**
2. **Malu Ki'ai (Torres Strait Islanders) Corporation**
3. **Malu Lamar (Torres Strait Islander) Corporation**

To ensure the Board represents the interests of all NNTC members, the NNTC Board of Directors is made up of 10 Directors:

- 4 directors nominated from the NTRB/NTSP member class **(including one from GBK)**
- 4 directors from the PBC/TOC member class and
- 2 additional Directors appointed by the Board.



PBC FUTURES

PBCs have been chronically underfunded, most have very little income per year and no employees. As a result, many PBCs rely on the volunteer labour of their directors and members.

Vision of PBC Nation (Re)Building:

A thriving and efficient PBC sector that is sustainably resourced to leverage their native title rights and interests in country, culture and heritage.

A PBC sector where native title holders are valued for their knowledge and are self-determining, and the PBC can carry out the aspirations of their communities.

A PBC sector that is a central part of building and strengthening regional economies and leaders in the clean energy transition.



PBC STEERING GROUP

- The Australian Government has funded the NNTC to develop an advisory group of PBCs to advise on matters of national and regional significance.
 - This is the first step in ensuring Traditional Owners have greater decision-making influence over their own lands and waters
- One of the first matters to be addressed is a new funding model for the PBC sector.
 - Recommendations 7 in the [Juukan Gorge Inquiry](#): the Australian Government should establish an independent fund to administer funding for PBCs. Revenue for this fund should come from all Australian governments and proponents negotiating with PBCs
- The PBC Steering Group is made up of 26 NNTC PBC members (gender inclusive) with a representative mix of PBC jurisdiction, size, experience, chaired by Clyde Rigney (Ngarrindjeri Aboriginal Corporation). It includes two PBCs from the Torres Strait.

COLLABORATIVE PROJECTS

The following projects fall under the broader PBC Investment – national reform program and are joint projects with the NNTC and NIAA:

1. Developing suitable funding model options.
2. Optimising existing government investment and revenue.
3. Mapping the state of the sector.
4. Value proposition and success stories of PBCs.
5. Native title education and awareness program.



SUPPORTING OUR PBC MEMBERS

The NNTC has a range of activities to strengthen PBC nation rebuilding and provide opportunity for regional networks and growth, including:

- PBC Director Training, including in the cities and on country
- 4 day workshops covering governance, Director's Duties, UNDRIP, Strategic Planning and Finance, Trauma-Informed Practice)
- PBC Regional Forums
- National events and workshops



PROTECTING CULTURAL HERITAGE

First Nations' cultural heritage is 65,000+ years of culture and history that must be protected for all future generations.

The First Nations Heritage Protection Alliance formed after destruction of the 46,000-year-old Juukan Gorge Caves in the Pilbara Western Australia.

The First Nations Heritage Protection Alliance works to improve laws, policy and practices to ensure the protection and recognition of important cultural heritage sites and values.

The NNTC is the Secretariat.

www.culturalheritage.org.au

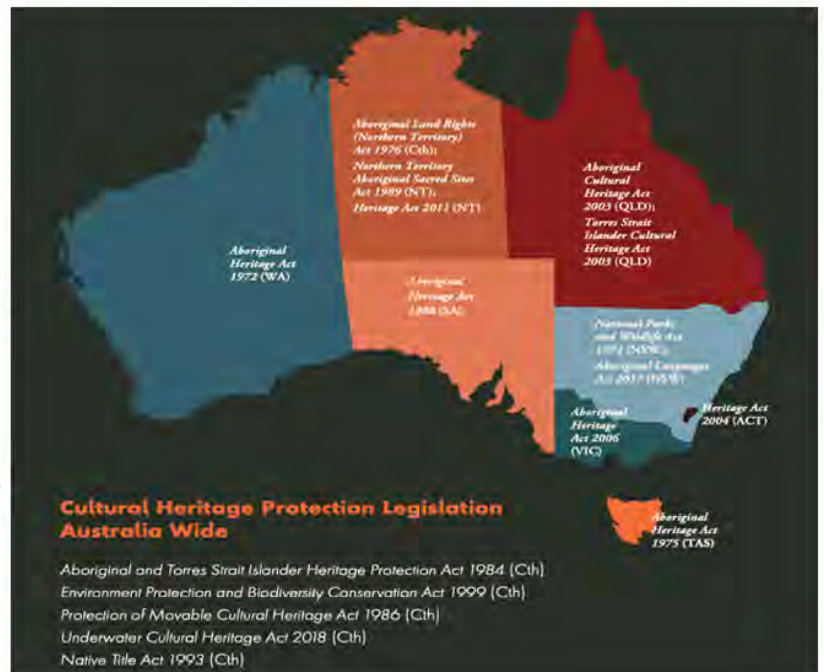


1. COMMONWEALTH CULTURAL HERITAGE LAW REFORM

The laws and policies in place to protect Aboriginal and Torres Strait Islander cultural heritage are for the most part woefully inadequate – focused more on regulation to facilitate destruction than the protection of heritage.

The current Aboriginal and Torres Strait Islander Heritage Protection Act (ATSIHPA) is based on a Commonwealth Minister making a declaration that can override a state authorisation (declaration model).

As at 2024, out of 220 applications, just 12 have been successful. That is only 1.93%.



2. DHAWURA NGILAN BUSINESS & INVESTOR INITIATIVE

Led by the Alliance, in partnership with Business and Investor groups.

The Initiative gives practical guidance to businesses and investors on how their operations can protect First Nations' cultural heritage in line with the right to Free, Prior and Informed Consent (FPIC).

The guides were launched in March 2024 and are useful both for industry and Government.

The Guides are based on the Dhawura Ngilan vision and best practice standards released in 2020 by Aboriginal and Torres Strait Islander Peoples.

Dhawura Ngilan means Remembering Country in the Ngunnawal language.



www.culturalheritage.org.au/business-investor-initiative/

Dhawura Ngilan
BUSINESS & INVESTOR INITIATIVE

CLEAN ENERGY TRANSITION

The NNTC works closely with the First Nations Clean Energy Network to support PBCs to learn about and seize opportunities the clean energy transition presents.

The NNTC, FNCEN and ILSC are co-hosting a First Nations Clean Energy Symposium on May 8-9, 2024 in Adelaide.

This year, we are developing resources for PBCs on lessons to be learned from clean energy agreement making both locally and internationally (e.g. from Canada) to be active participants in the clean energy transition:

- Equity opportunities
- Access to capital
- Protecting FPIC
- Project governance
- Implementation



NATIVE TITLE COMPENSATION

We conduct information workshops on native title compensation and have produced a videos series.

We are currently consulting PBCs on an alternative settlement framework.

Possible options for obtaining compensation include:

- Litigation under the Native Title Act - in 2019, the High Court decided a claim by the Ngaliwurru and Nungali peoples over land within the remote town of Timber Creek in the Northern Territory
- Negotiated settlements



BECOME A MEMBER!

Stay informed: be involved in the national conversation on matters such as cultural heritage and PBC reform, compensation and other important developments affecting our sector.

Thrive: we deliver training for PBC Directors, offer workshops and provide support to our members in a range of ways, including regional and national events where you will meet other PBCs from around Australia.

Create a better system: as a NNTC member, you can advocate with us on national matters, collaborate with the sector, share information and help us create a better system.

For further information on how membership can benefit your PBC, please contact: info@nntc.com.au





National
Native Title
Council

PBCs Charging Fees

Anu Nagar, Director of Clean Energy and Investment

We acknowledge the Traditional Owners of Country on the lands on which we work, and we pay our respects to Elders past and present.



Different fees that PBCs can charge

1. Charging for access to exclusive native title
2. Fees for services
 - land and sea management
 - responding to future act notices





1. Charging for access to exclusive native title land

Exclusive native title means that native title holders can exercise their native title right and interest to the exclusion of all others. This means that other land users must seek permission to access or use the area.

PBCs may charge fees by putting in place a permit system for accessing their exclusive possession native title land.

Examples from across Australia:

- Wunambal Gaambera Aboriginal Corporation
- Karajarri Traditional Lands Association
- Gangalidda Garawa Services Pty Ltd



Wunambal Gaambera Aboriginal Corporation

Wunambal Gaambera people have collectively authorised over 50 places called Visitor Locations in Wunambal Gaambera Country open to visitors. The Unguu Visitor Pass (UVP) is required for each visitor by road, air and coast. This is also a practical way to know who is travelling on Country.

Ngauwudu Road Zone for independent travellers

	<p>Ngauwudu Road Zone – Individual Access to 13 Visitor Locations for one adult Private 4WD vehicles via Port Warrender Road & Private and charter aircraft via Mitchell Plateau Airstrip. Price includes GST</p>	<p>5 days \$50.00 Quantity: <input type="text"/> Add to cart</p>
	<p>Ngauwudu Road Zone, Family 1 Access to 13 visitor locations One adult + one or more children (aged 6-15 yrs) Private 4WD vehicles via Port Warrender Road & private or charter aircraft via Mitchell Plateau Airstrip. Price includes GST.</p>	<p>5 days \$70.00 Quantity: <input type="text"/> Add to cart</p>
	<p>Ngauwudu Road Zone, Family 2 Access to 13 visitor locations Two adults + one or more children (aged 6-15 yrs) Private 4WD vehicles via Port Warrender Road & private or charter aircraft via Mitchell Plateau Airstrip/airays. Price includes GST.</p>	<p>5 days \$120.00 Quantity: <input type="text"/> Add to cart</p>
	<p>Ngauwudu Bushwalker Access for <u>one</u> adult to approved bushwalking corridors for 14 consecutive days. Includes access to all Ngauwudu (Road) Zone Visitor Locations – click here for corridors map. * The Bushwalking Corridors are only open Jul-Oct (closed Nov-Jan) Price includes GST.</p>	<p>\$100.00 Quantity: <input type="text"/> Add to cart</p>

Unguu Coast Zone — Onshore access for independent travellers

	<p>Onshore Access via Private Vessel Going ashore to visitor locations via Private Vessel. Access for <u>one</u> adult to 50 visitor locations for 30 consecutive days. Price includes GST.</p>	<p>\$100.00 Quantity: <input type="text"/> Add to cart</p>
	<p>Onshore Access via Seaplane/Helicopter Going ashore to visitor locations via Seaplane or helicopter. Access for <u>one</u> adult to 50 visitor locations for 10 consecutive days. Price includes GST.</p>	<p>\$100.00 Quantity: <input type="text"/> Add to cart</p>

<https://wunambalgaambera.org.au/shop/>

Karajarri Traditional Lands Association (Aboriginal Corporation) RNTBC

- You need a valid Visitor Pass to access the **Tourism Zone**.
 - Revenue raised from visitor pass sales go directly into the operational budgets of the Karajarri Rangers, who manage the land and the environmental and cultural impacts of tourism.
- When visitors buy a Karajarri Visitor Pass, they will be helping the Karajarri people to:

- Establish managed visitor sites at key locations, with Karajarri Rangers and Traditional Owners welcoming, guiding and sharing culture.
- Grow the Karajarri Ranger program with a tourism focus.
- Provide cultural expertise and support for tour operators.
- Develop authentic Karajarri-owned tourism ventures.

Independent Travellers

If you're an independent traveller, you'll need a Visitor Pass for your vehicle.

<https://www.ktla.org.au/visitor-pass-purchase>



Karajarri Visitor Pass Independent Traveller Vehicle 1 Day
AU\$15.00



Karajarri Visitor Pass Independent Traveller Vehicle 3 Days
AU\$30.00



Karajarri Visitor Pass Independent Traveller Vehicle 5 Days
AU\$45.00



Karajarri Visitor Pass Independent Traveller Vehicle Annual Pass
AU\$80.00



Gangalidda Garawa Services Pty Ltd

Access and Fishing permits

- Permit allows access to and fish in the Gangalidda - Garawa country
- Permit holders must leave the Gangalidda - Garawa country by 8pm

Camping permits

- Permit includes the authority to fish for all passengers
- A maximum of 30 nights can be booked at the same campsite

Cost

- First Night: \$35 per vehicle
- Additional Night: \$25 per vehicle to a maximum of 30 nights

What does the fee cover?

"We take the protection of the environment and our culture very seriously. The ability to control access is a cornerstone of our law and culture and fundamental to our capacity to protect our natural resources for the betterment of our people. All funds generated through this permit system go towards providing employment opportunities of our people and funding natural resource management projects."

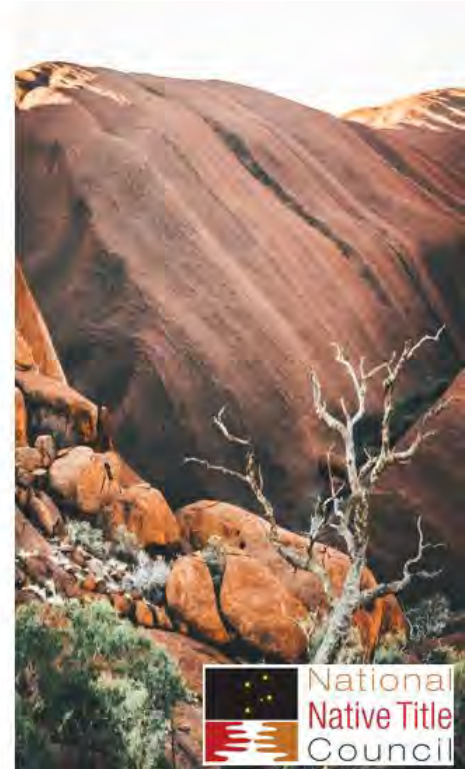
<https://www.gangalidda-garawa.com.au/visiting-country/camping>



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Processes for establishing access permits and fees

- How will stakeholders react
 - Within the community?
 - Visitors?
- Where can visitors go?
- Publicising / communicating where the fees go, how people will pay and contact you (e.g. payment online and/or in person)
- Permit terms and conditions on what's allowed on Country
 - leaving no trace, pets, where you can park, where you can camp, photography allowed or not etc.
- How to monitor compliance with the permit conditions
- Invoicing / receipting / record keeping, GST / Tax implications



2. Fees for services

PBCs may also charge fees for other services if those services align with their rule book. For example:

- Cultural heritage services
- Land management services
- Consultations

PBCs can take a proactive approach to this, by making their pricing structure available on request or on a website if they have one, as well as providing quotes upfront before any work is done.

These types of services, and their costs, are usually negotiated and agreed in advance or as part of an agreement.



Examples from across the country

PBCs charge fees for service land and sea management services, including:

- weed and feral animal control
- biodiversity monitoring and management
- biosecurity surveys
- water quality testing and management
- Traditional Knowledge camps
- cultural heritage surveys
- sea country and marine debris monitoring and management
- strategic fire management and planning
- water quality testing and management

Many PBCs negotiate Heritage Protection Agreements and charge proponents fees for carrying out heritage surveys. The fees may cover a range of things such as: accommodation, travel, time of native title holders and Elders, anthropological advice, GIS and logistical support.

Rangers in the Torres Strait have done fruit fly 'blocking' as a fee-for-service activity on Torres Strait Islands for Biosecurity Queensland.



2. Charging fees for responding to future act notices

Section 60AB of the Native Title Act sets out which activities a PBC can charge fees for with respect to the future acts regime.

In Queensland, the Department of Resources will accept a lump sum (non-itemised) invoice of up to \$619.04 per future act notice for each PBC response. If that amount is exceeded, the PBC is required to provide an itemised invoice for the Department's consideration.



How do PBCs charge fees for service?

PBCs may have different processes. For example:

- Issuing an invoice
- Agreeing costs upfront
- Agreeing a costs schedule as part of an MOU or Negotiation Protocol
- Agreeing on a fixed charge for certain categories

PBCs often develop a fee schedule and share it with the relevant proponent and/or government from the outset.

Category	Who	Cost/hour	Cost/day
Administrative	PBC employees		
	PBC Board Members		
Professional Consultant	Lawyer		
	Anthropologist		
	Geologist		
	Native title holder – Elder		
	Native title holder		

Fee Schedule - This may be as simple as a table showing how much the PBC charges (per hour/day) for each category of personnel they will use for the activity, plus an administrative charge.



Final notes

It is a good idea for PBCs to get professional advice when deciding how to charge fees because there could be GST, tax and other considerations.

Important an appropriate rule book is developed, and a suitable corporate structure is developed.

Strategic planning can be a useful process, and identifying any skills and experience you need.

Native Title Representative Bodies and Service Providers may have lawyers who can assist with this, or help you find someone else you can.



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What is your experience with charging fees?



THANK YOU



nntc.com.au

We acknowledge the Traditional Owners of Country on the lands on which we work, and we pay our respects to Elders past and present.

