

Carpentaria Management Services – Carpentaria Shipping Services
ABN 43 368 225 359 ABN 92 056 994 284
P & O Maritime Services * Mawa Riinbi Pty Ltd * Indigenous Business Australia
GPO Box 88, Melbourne, Vic 3001 Tel: + 61 3 9254 1600 Fax: + 61 3 9254 1654

5 April 2018

Aboriginal Land Commissioner

Office of the Aboriginal Land Commissioner
GPO 9932
Darwin NT 0801

Attention: The Hon John Mansfield AM QC

By Email: AboriginalLandCommissioner@network.pmc.gov.au

Dear Land Commissioner,

Review of detriment issues - McArthur River Region Land Claim No. 184 and part of Manangoora Region Land Claim No. 185

Thank you for your letter dated 15 December 2017 in relation to an invitation to participate in a review of detriment issues for the McArthur River Region Land Claim No. 184 and part of the Manangoora Region Land Claim No. 185, as contained in the Aboriginal Land Commissioner's Report of March 2002 (**Land Claim Report**).

As a result of its operations in the region covered by the subject Land Claims, Carpentaria Shipping Services considers it necessary to provide further input into the Review.

Carpentaria Shipping Services

Carpentaria Shipping Services Pty Ltd (CSS) is a Joint Venture between Mawa Riinbi Pty Ltd, CDC Nominees (McArthur River Shipping) Pty Ltd (an investment arm of Indigenous Business Australia) and P&O Maritime Services Pty Ltd. Utilising the transshipment vessel *MV Aburri*, CSS provides transshipment services via the port facility at Bing Bong delivering concentrate to ocean going vessels anchored in the Gulf of Carpentaria.

Those services are provided for Mount Isa Mines Limited (MIM) as the sole owner of the McArthur River Mine and the Bing Bong Loading Facility which is located within Mineral Lease 1126.

CSS considers that its relationship with the indigenous communities in the region to be productive and beneficial because:

- It has provided an investment opportunity that has maintained consistent returns to the Joint Venture partners, which have in-turn allowed them to reinvest in the region and in other communities;
- In the case of Mawa Riinbi, CSS is its largest source of revenue;
- CSS provides personal development and career opportunities for local indigenous people in both operations related shore based support and sea going roles; and,
- The indigenous partners are fully integrated into the Company's Board and contribute to the running of the company including mentoring of young indigenous employees.

In addition, the CSS Joint Venture partners consider that its successful arrangements have contributed to the ongoing prosperity of the MIM Mine, further supporting and presenting other development and investment opportunities in the regional communities.

Attached is a supporting letter from Indigenous Business Australia that further reinforces the benefits of the CSS Joint Venture. Of particular note are the third party benefits which it highlights as follows;

“Profits from this venture have assisted IBA in growing its capital base, thus allowing IBA to facilitate other joint ventures with Indigenous organisations throughout the country and achieve meaningful impacts such as:

- *Wealth accumulation*
- *Capability development*
- *Stable and enduring income streams*
- *Job creation*
- *Increased training and skills development*
- *Procurement outcomes”*

It is considered that if the land claims affect the operation of the McArthur River Mine in a negative manner, and in-turn CSS, then there is potential for detrimental issues to arise for local communities, as well as other Indigenous communities across the country.

Therefore, CSS considers that the significant detriment issues noted in the subject Land Claim remain relevant and worthy of ongoing deliberation.

Thank you for your ongoing consideration in this matter.

Yours sincerely,



John R. Connor
Chairman – CSS Board of Directors

Enclosures;

1. Indigenous Business Australia letter dated 3 April 2018
2. Mawa Riinbi letter dated 3 April 2018



MAWA RIINBI PTY LTD

ABN: 50 070 935 367

General Correspondence: Chairperson, Graham Friday | PO Box 433 Borroloola NT 0854 | M: 0467 182 484
Finance Correspondence: C/- Darrin Hepworth | Keystone Support Pty Ltd | PO Box 248 Oaklands Park SA 5046
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Achieving Aboriginal Economic Advancement through Business Development

3 April 2018

Aboriginal Land Commissioner
Office of the Aboriginal Land Commissioner
GPO Box 9932
Darwin NT 0801

Hon John Mansfield AM QC

Review of detriment issues - McArthur River Region Land Claim No. 184 and part of Manangoora Region Land Claim No. 185

MAWA Riinbi Pty Ltd is a 100% wholly owned subsidiary of the Mawurli and Wirriwangkuma Aboriginal Corporation (MAWA) whom control a 31.69% shareholding of Carpentaria Shipping Services Pty Ltd (CSS).

MAWA is an independent self-managed Aboriginal Corporation whom represent the four language groups in the Borroloola Region;

- Garrawa,
- Marra,
- Yanyula and
- Gurdanji).

MAWA as a representative body, maintains shareholdings with several business interests in the region so as to benefit the members of the wider community. These benefits include direct philanthropic social services to relieve poverty and misfortune through a number of local programs covering;

- Health and Aged Care,
- Employment,
- Training,
- Sport,
- Funerals,
- Community Events and
- Social Support.

The funding for these programs is primarily raised through MAWA Riinbi via distribution of profits from CSS and MAWA would find it difficult to support such programs without this investment.

Other benefits the CSS partnership provides the MAWA community is the opportunity to participate in the development of the company, employment, training and an active contribution to the management of the port facilities at Bing Bong which is extremely important to our shareholder, MAWA and its members.

On behalf of our shareholder (MAWA) and our Chairperson (Graham Friday) we acknowledge the progress of the Land Claim (Claim No 184 & 185) and in reference to Clause 135(4) of the original report from Justice Olney (March 2002), are in full support of the continued relationship of MAWA Riinbi and CSS for the leased area.



MAWA Riinbi confirm the transparent and active working relationship with its business partners (P&O Maritime and Indigenous Business Australia) through CSS and the opportunity this partnership presents for the region as a whole. Given MAWA Riinbi on behalf of MAWA and its members has full involvement as a Director on the CSS Board, the shareholder does have active involvement in the decision making of the Shipping operations at the port.

It is our understanding through our shareholders and the traditional owners for the port area, that the benefits to the wider community and its members can and will be supported into the future on the basis that the lease area is respected and managed as per its original leased intention. The shareholders participation at a management level does provide for monitoring of operations and MAWA's continued inclusion/investment is paramount in this process.

Furthermore, issues that may have been identified as "Detriment Issues" as raised by the traditional owners can be presented through the shareholder to CSS via MAWA Riinbi for discussion and consideration. MAWA Riinbi can then provide a formal response to the Shareholder (and Traditional Owners if requested) from CSS. Again, the current arrangements support full inclusion for CSS shareholders.

We believe the current structure demonstrates to the Commissioner, a structure that supports both community development and community inclusion and also allows for monitoring of the port and its operations. MAWA Riinbi are more than happy to discuss these matters further with the Commissioner and welcome feedback from all parties including CSS, McArthur River Mine and our shareholder for and on behalf of the four regional language groups.

Yours sincerely

Darrin Hepworth
Director, MAWA Riinbi



3 April 2018

Aboriginal Land Commissioner

Office of the Aboriginal Land Commissioner
GP0 9932
Darwin NT 0801
Attention: The Hon John Mansfield AM QC

By Email: AboriginalLandCommissioner@network.pmc.gov.au

Dear Land Commissioner,

Indigenous Business Australia ('**IBA**') was established in 1990 to assist and enhance Aboriginal and Torres Strait Islander self-management and economic self-sufficiency, and to advance the commercial and economic interests of Indigenous peoples by accumulating and using a substantial capital asset for their benefit. IBA's principal legislative basis is the *Aboriginal and Torres Strait Islander Act 2005* (Cth).

IBA is an integral partner within the Government's Indigenous Economic Development Strategy, which seeks to close the gap between Indigenous Australians and other Australians' standard of living. The aim of this strategy is to increase the wellbeing of Indigenous Australians by supporting greater economic participation and self-reliance.

IBA is the sole beneficiary of the Carpentaria Shipping Trust which holds an 18.31% interest in the Carpentaria Shipping Services Joint Venture ('**CSS**') via the Trust. The Carpentaria Shipping Trust had held an interest in the Joint Venture since inception. CSS has been a relatively low risk, profitable investment for all participants. Over time, IBA has been able to utilise the financial returns from its investment in CSS to achieve outcomes over the country in seeking to achieve its vision:

Our vision is for a nation in which the First Australians are economically independent and an integral part of the economy.

Profits from this venture have assisted IBA in growing its capital base, thus allowing IBA to facilitate other joint ventures with Indigenous organisations throughout the country and achieve meaningful impacts such as:

- Wealth accumulation
- Capability development
- Stable and enduring income streams
- Job creation
- Increased training and skills development
- Procurement outcomes

More details around IBA and its activities can be found on our website; www.iba.gov.au

If you would like to discuss any of the information contained within this letter, please do not hesitate to contact me on 02 6110 2693 or joseph.byrnes@iba.gov.au.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'J Byrnes', with a long horizontal flourish extending to the right.

Joseph Byrnes

Portfolio Manager – IBA

Sole Director - CDC Nominees (McArthur River Shipping) Pty Ltd

FW: Detriment Review ALC Memorandum [SEC=UNCLASSIFIED]

Tuesday, 1 May 2018

10:54 AM

Subject	FW: Detriment Review ALC Memorandum [SEC=UNCLASSIFIED]
From	██████████
To	AboriginalLandCommissioner
Cc	ZOLA, Elena
Sent	Monday, 30 April 2018 6:55 PM

Dear Sir,

Thank you for the opportunity to provide further detail in relation to the Detriment Review. In the case of Carpentaria Shipping Services (CSS) the most relevant detail applicable to your request relates to its financial contribution to the communities and region, however that information is considered commercially sensitive and unfortunately inappropriate to be provided to a broader domain. Indeed, in the case of one of the Joint Venture partners there are strict privacy provisions that must be abided by.

It is therefore not possible for CSS to provide further comment on any potential financial detriment, but we do take the opportunity to reinforce the earlier facts presented in our initial submission that advised;

- CSS has provided an investment opportunity that has maintained consistent returns to the Joint Venture partners, which have in-turn allowed Mawa Riinbi and IBA to reinvest in the region and in other communities; and,
- CSS is the largest source of revenue for Mawa Riinbi, the absence of which would have significant impact on that community.

CSS remains of the view that if the land claims have a direct or in-direct effect on its operations, then there is potential for detrimental issues to arise not only for local communities, but other Indigenous communities as well.

Should you wish to discuss this aspect further, please do not hesitate to contact me.

Yours sincerely,

John Connor
Chairman – CSS Board of Directors