

Memorandum of Understanding

Between

**Tasmanian Aboriginal Centre, Forestry Tasmania and
the Forest Industries Association of Tasmania**

February 2012

This memorandum is made the day of February 2012

Between:

FORESTRY TASMANIA a statutory corporation established pursuant to the Forestry Act (Tas) 1920;

And

TASMANIAN ABORIGINAL CENTRE INC (ABN 48 212 321 102) an incorporated body that represents the Aboriginal people of Tasmania;

And

FOREST INDUSTRIES ASSOCIATION OF TASMANIA (ABN 62 009 542 643) a Company limited by guarantee which represents the interests of processors of Tasmanian forestry products.

Background

- A. The Australian and Tasmanian governments have entered into the Tasmanian Forests Intergovernmental Agreement (TFIA), which subject to a verification process, may lead to an increased area of State forest being reserved for conservation purposes.
- B. On December 23, 2011, the Tasmanian Aboriginal Centre (TAC) wrote to Forestry Tasmania to explore the opportunity for the ownership of reserved lands to be returned to the Aboriginal community and managed by the Aboriginal people with the technical assistance of the current land manager, Forestry Tasmania.
- C. To develop an economic base for the Aboriginal community, the TAC also expressed interest in the purchase of Forestry Tasmania's tourism properties at Tahune, in Geeveston and at Maydena, and also, to engage with industries profiting from economic activity on Aboriginal lands so that Aboriginal people can share in the economic benefits.
- D. Forestry Tasmania acknowledges the long held aspirations of the Aboriginal community for the return of lands and for an economic base for Aboriginal people.
- E. The Forest Industries Association of Tasmania believes a partnership with the Aboriginal community will be mutually beneficial for the Aboriginal people and for the forest industry and agrees to explore a sharing of revenue generated from the extraction of forest products sourced from State forests with the Aboriginal community.

Parties to the Memorandum

1. Tasmanian Aboriginal Centre – being a not for profit organisation representing the Aboriginal community in Tasmania
2. Forestry Tasmania – being a government business enterprise managing 1.5 million hectares of State forest for multiple use.
3. Forest Industries Association of Tasmania – being a Company limited by guarantee being the peak body representing the timber industry in Tasmania.

Principles

4. The parties to this Memorandum will be guided in their actions by some key principles including that:
 - a) Land ownership and the development of an economic base delivering employment, training and cultural fulfilment are crucial to the Aboriginal community;
 - b) A partnership between the forest industry and the Aboriginal community will deliver economic, social and environmental benefits for Tasmania;
 - c) The endorsement of the traditional owners of the land is important to timber processors and forest managers in Tasmania;
 - d) Forest lands that remain available for wood production are legislated as wood production zones; and
 - e) The TFIA provides a unique opportunity to meet the aspirations of the Aboriginal community, deliver certainty to the timber industry and end the long running forestry dispute – and that the parties to the Memorandum will work together to assist the Australian and Tasmanian governments achieve those outcomes.

Desired Outcomes

5. Aboriginal ownership and management of all additional reserves –
 - a) Ownership of lands is to vest in Aboriginal Land Council of Tasmania, a statutory body established by the Tasmanian Parliament.
 - b) An Aboriginal corporate entity based on best practice governance principles, to be established to manage the reserves according to Aboriginal sustainability principles and in accordance with well established conservation reserve management principles.
 - c) A service agreement between the Aboriginal community and Forestry Tasmania for access to Forestry Tasmania's forest management expertise including but not limited to fire fighting.

- d) Access to the reserve areas for existing recreational and commercial uses according to management plans;
 - e) consistent with the management plans, licences to be issued for users.
 - f) The Australian Government to provide funding for management of the additional reserves, as stipulated in Clause 35 of the TFIA to the Aboriginal community,
6. Purchase of Tahune, Eagles Eyrie and the Geeveston Forest and Heritage Centre –
- a) The Aboriginal community are interested in purchasing the Tahune AirWalk, the Geeveston Forest and Heritage Centre and the Eagles Eyrie near Maydena subject to obtaining a report on the viability of the proposal and whether the capacity exists for an Aboriginal body to expand the viability.
 - b) Funding for the purchase to be provided by the Australian Government using unallocated funds from the TFIA, or other Australian Government agencies if appropriate.
 - c) Under Aboriginal ownership, the sites will provide employment and training for Aboriginal people.
 - d) The sites will offer Aboriginal interpretation while retaining existing experiences, providing the tourism industry with a new niche product.
7. The Aboriginal Timber Industry Trust Fund
- a) The forest industry will provide an agreed percentage of revenue from the extraction of forest products sourced from State forests to an Aboriginal trust with funds to be used for the benefit of Aboriginal people in accordance with policy guidelines made by the Aboriginal people from time to time.
 - b) All wood products sourced from State forests in accordance with the Australian Forestry Standard and state forestry regulation will be endorsed by the Aboriginal community.
8. Wood Production Zones

The TFIA is expected to result in the reservation of more State forests for conservation purposes. The remaining land will be zoned under legislation for wood production, providing certainty for the timber industry.

Progressing the Memorandum

9. The parties acknowledge the support of the Australian and Tasmanian governments is essential for the partnership to progress.

10. The parties will jointly approach both governments to support the principles in this Memorandum
11. The parties expect to progress the Memorandum to a full Agreement.
12. To best ensure the long term sustainability of the subject matter of this Memorandum of Understanding, the Parties may reach understandings and agreements with any third party interested in the subject matter of this Memorandum of Understanding but which are not presently a party to this Memorandum of Understanding, on issues of common concern.
13. Neither Party will publish or in any way disseminate information or proposals to any third party regarding the subject matter of this Memorandum of Understanding unless by the written agreement of the other Parties.

IN WITNESS TO THIS MEMORANDUM OF UNDERSTANDING THE PARTIES HAVE SET THEIR HANDS AND SEALS HERETO:

Signed by **ROBERT LINDSAY GORDON**)
 on behalf of)
FORESTRY TASMANIA)

Signed by **MICHAEL MANSELL**)
 on behalf of the **TASMANIAN ABORIGINAL**)
CENTRE)

Signed by **GLENN BRITTON**)
 on behalf of **FOREST INDUSTRIES**)
ASSOCIATION OF TASMANIA)