

Memorandum of Understanding

1. Parties

Githabul Tribe

- Githabul Elders Tribal Council
- Githabul Nations Aboriginal Corporation
- Githabul Caring for Country

and

North East Forest Alliance Inc

and

North Coast Environment Council Inc

and

Nature Conservation Council of NSW

and

National Parks Association of NSW

and

Nimbin Environment Centre

and

Casino Environment Centre

and

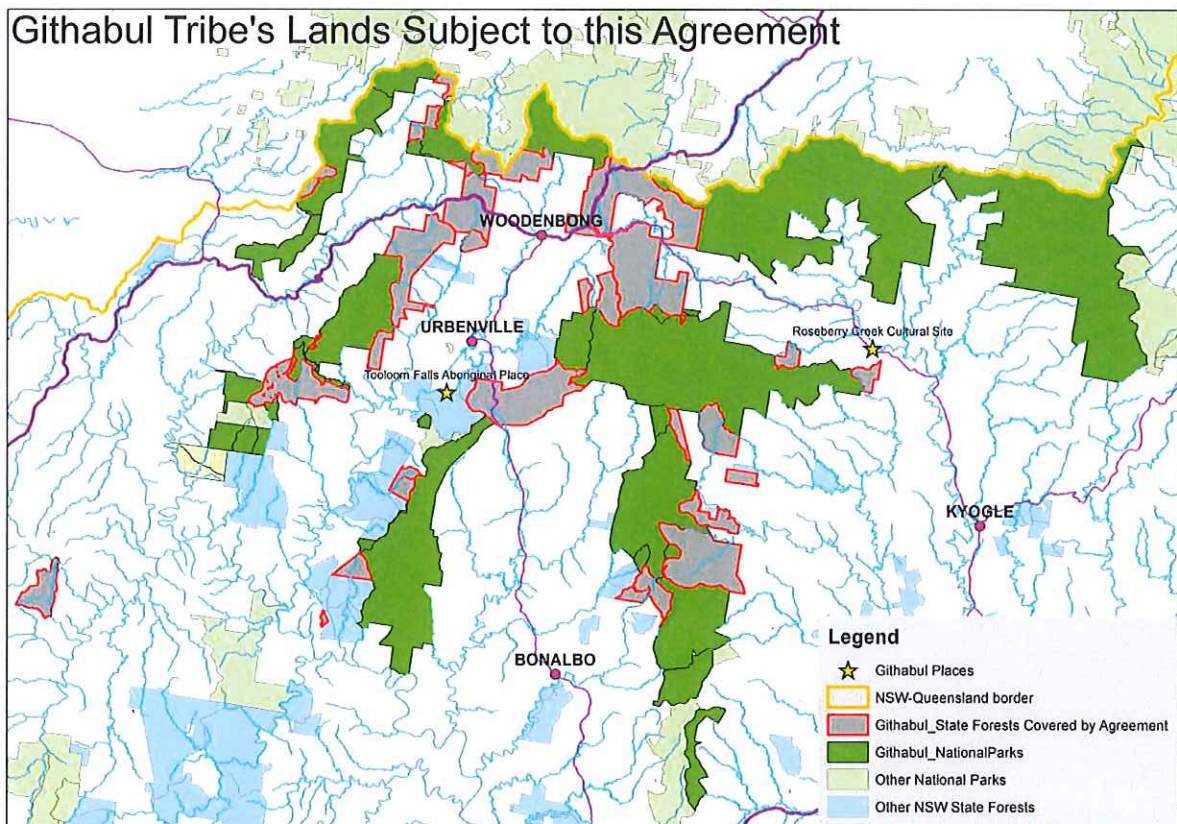
Lismore Environment Centre

2. Term of MOU

This Memorandum of Understanding will apply from the date all parties have signed and will continue to apply until the objectives and goals stated in this MOU have been achieved or until terminated by Githabul Tribe or NEFA on the giving of 1 month's written notice to the other parties.

3. Background

- a) On 29 November 2007 the Federal Court of Australia made a consent determination recognising the Githabul People's Native Title rights and interests over 1120 sq km in 9 National Parks and 13 State Forests.
- b) This MOU applies to State Forests within the Githabul People's Native Title Lands at the time of the signing of this MOU and is concerned with the care and control of those lands.
- c) This MOU affects other lands within the Githabul People's Native Title Lands in so far as it provides agreement to work to support the Githabul Peoples.



d) Statement from Githabul Tribe

It is important to understand and acknowledge that the health of the Githabul people in general is directly related to the health of the surrounding country and vice versa.

This philosophy underpins the Githabul wish to immediately arrest what is seen as a decline in the health of the forests and waterways over many decades now.

Such is our connection to country that we all suffer - along with the plants and animals. We still feel we have a direct responsibility to maintain the natural balance between all inter-related species including ourselves, as

was done for millennia and before the colonial invasion.

It is time to acknowledge and honour the maintaining of the biodiversity of the natural Githabul environment by lore and incorporating a long term rehabilitation plan essentially involving the Githabul walking on and caring for country again.

Innovative new programs underpinned by massive increased employment need implementing in a number of areas so as to encourage Githabul self- determination.

This new model could stand alone and be adopted further afield for truly maintaining a lasting natural estate for all future generations.

e) Statement from other Parties

These forests are of exceptional conservation value, recognised as part of one of the world's centres of biodiversity, with the rainforests of World Heritage value, and many species and ecosystems threatened with extinction. Industrial logging permitted under agreements between the NSW and Commonwealth governments has resulted in the serious degradation of these precious forests and has greatly diminished their wildlife.

Logging is a key threatening process and is driving the death of these eucalypt forests through Bell Miner Associated Dieback (BMAD), with some 12,000ha (40%) of these State Forests now affected. National Park forests logged prior to 1998 are also suffering from BMAD with 13,000 hectares (16%) affected.

Dieback is spreading through these forests at an alarming rate. By removing the over storey and churning up the ground, logging has allowed lantana to invade and take over the understorey. This has created an imbalance that has allowed Bell Miners to proliferate and aggressively exclude most other birds, in turn resulting in explosions of tiny sap sucking psyllids that feed on the sap of eucalypts, causing them to sicken and die.

Nearly twenty years of logging under regional forest agreements between the Commonwealth and NSW has shown that it is not possible to both log for timber and protect biodiversity at the same time. It is time to hand care and control of these forests back to the Githabul Tribe and for the government to provide the necessary funding to undertake the significant rehabilitation works necessary to repair the degradation caused by logging. This will help restore and protect these forests for future generations while providing meaningful employment to the Githabul Tribe.

We trust that the Githabul Tribe will better protect and restore the conservation and cultural values of these forests than has occurred under the current management arrangements.

4. Scope of the MOU

- a) The Parties are committed to maintaining a positive and cooperative working relationship.
- b) The Parties are committed to work collaboratively to deliver the terms of this MOU.
- c) The Parties will act in accordance with the spirit and intent of this MOU.

5. Operative Terms

State Forest Lands

- a) The Parties will work together to see the transfer of the care and control of the 29,700ha of State Forests, for which Githabul Native Title rights are recognised, from the NSW government to the Githabul Tribe.
- b) The Parties agree that the transfer of the care and control of the 29,700ha of State Forests on Githabul land to the Githabul Tribe, is for the purposes of:
 - i) protecting conservation and cultural values and corridors
 - ii) Githabul connection with, and caring for, country in accordance with lore
 - iii) restoring health of forests and waters
 - iv) self determination
- c) The Parties will work together to see the preparation and implementation of an adequately funded comprehensive Plan of Management that applies to the 29,700ha of State Forests that will include:
 - i) the arrest and rehabilitation of BMAD affected areas
 - ii) the protection of all components of the Comprehensive Adequate Representative Reserve System
 - iii) the design and implementation of BMAD restoration trials, including monitoring and the development of a rehabilitation model on Githabul lands
 - iv) programs for invasive animal control
 - v) managed original burning practices and training
 - vi) the identification and maintenance of ecological corridors including along NSW-Queensland border, linking Tooloom NP- Mount Clunie NP, linking Toonumbar NP-Border Ranges NP, and linking Yabbra

NP-Toonumbar NP

- vii) protection of the Unumgar rainforests and Endangered Ecological Communities
 - viii) identification and rehabilitation of Boorabee (Koala) habitat
 - ix) the management or rehabilitation of included plantation areas.
- d) As a high priority the Parties will work together to achieve an adequately funded comprehensive 15 year rehabilitation plan to arrest and repair BMAD as part of a Githabul caring for country program.
 - e) The Githabul agree to consider incorporating the State Forests the subject of this MOU into an Indigenous Protected Area, or other appropriate mechanisms, to ensure long term protection of the conservation values of the lands.

National Park Lands

- f) The Parties will work together to see the rehabilitation of BMAD affected forests on National Parks within the Githabul Native Title area.
- g) The Parties will work together to see more Githabul Working on Country in National Parks in the Kyogle area.
- h) The Parties will work together to see more NPWS positions and training for Githabul people.

Aboriginal Place Lands

- i) The Parties will work together to see the transfer of the care and control of Tooloom Falls and the Crown lands around the Tooloom Falls Aboriginal Place to Githabul with adequate funding arrangements.
- j) The Parties will work together to see the establishment of buffers around Tooloom Falls and corridors between significant cultural sites.

Other Cultural Lands and Protection

- k) The Parties will work together to see the establishment of the Roseberry Cultural and Tourism Centre on Githabul land.
- l) The Parties will work together to see World Heritage listing of existing National Parks, and to consider the addition of other Githabul lands subject to adequate funding and consideration of cultural criteria, provided it includes appropriate recognition of the Githabul's past management for thousands of years.

6. Dispute Resolution

- a) If a dispute or difference arises between the Parties out of or in connection with this MOU, either party may give the other a written notice specifying the dispute or difference.
- b) Within 14 days of the date of the notice, a person holding a position of senior management of each Party to the dispute or difference must meet and undertake negotiations in good faith and on a without prejudice basis with a view to resolving the dispute or difference.

7. Variation

The Parties may agree to vary any of the terms of this MOU. Such agreement must be in writing and signed by all parties and takes effect when all parties have signed.

Signed by:

Githabul Tribe

Githabul Elders Tribal Council

Name: *Ros Williams*

Roseas Williams Date *9.8.2018*

Name: *Gloria Williams*

Gloria Williams Date *09-08-2018*

Name: *James Williams*

James Williams Date *9.8.2018*

Name:

..... Date

Githabul Nations Aboriginal Corporation

Name: *Gabriel Boota*

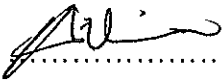
G Date *9.8.2018*

Name: *NATHANIEL ORD*

N. Ord Date *9-8-2018*

Name:

PAUL WILKINS



Date 9.08.2018

Name: David Bundock



Date 27.8.18

Name:

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Date

Name:

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Date

Name:

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Date

Githabul Caring for Country

Name: Robert Boota

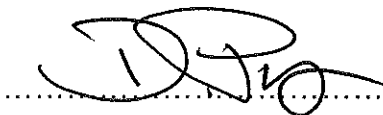


Date 9-8-18

and

North East Forest Alliance Inc

Name: Dailan Pugh




Date 9/8/18

and

North Coast Environment Council Inc

Name: JIM MORRISON

 Date 9/8/18

and

Nature Conservation Council of NSW

Name:

..... Date

and

National Parks Association of NSW

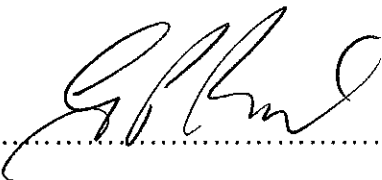
Name: ALIX GOODWIN

 Date 29/8/18

and

Casino Environment Centre


Name Geoff Reid

 Date 7-8-18

and

Lismore Environment Centre

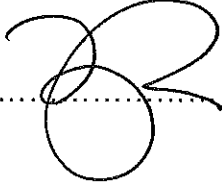
Name: DANIEL JOHN PETERSON

 Date 9-8-18

and

Nimbin Environment Centre

Name: **TRINY ROE**

A handwritten signature in black ink, consisting of a large, stylized 'R' with a loop at the bottom and a horizontal line extending to the left.

Date **9.8.18**