

## Attachment 6, Consultants ToR for Comprehensive Business Plan

### D. WDC guiding principles.

Consultant to work with Wiluna RPA representatives to formulate draft constitution and formulate guiding principles In relation to

- The Boards role
- Management structure of the WDC and its role in relation to the components of the development of Lot 17.
- The role of the proposed WDC commercial farm and its relations with the Martu family farm and management of the central area
- Sub-lease of areas for the Martu family farms, sale of water to agri-business farm and family farms
- Rental of central infrastructure and machinery to the Martu family farmers

[Guiding principles will be done after business plans have been accepted]

### E. Consultant Brief: Design & Construction of Agricultural Production Bores on Lot 17, 134 and 135 Wiluna, Provision of hydrogeological assessments and borefield operational plan.

[Note. The hydro-geologist's report on the Wiluna basin will be attached to final report]

Background: The business plans to be done for the commercial farm and the Martu family farms will require detailed information on the available groundwater resources and bore supplies to provide the water supplies to the planned scale of operations, irrigation systems, farm layouts etc.

The entity holding the lease, in this case the proposed Wiluna Development Company will need to be in place before an application for a water licence can be made.

The draft-scoping budget has estimated \$2m over three years will be required for bore field development. This was based on a similar scale project completed in central Australia. The following brief is based on this amount of funding being available for this project.

While the assumption made in the scoping study was that 1200 ML /annum would be licensed by the Department of Water (the amount licensed to the original Desert Gold development), it may be that a lesser amount will be allocated i.e. this brief may need to be revised.

Because of these uncertainties it will be essential that this consultancy and the consultants contracted to write the business plans are coordinated e.g. by the proposed RPA Steering Committee. These and other issues are outlined in the Wiluna Horticulture Industry Development Project Report (copy attached).

Objectives:

1. Provide new production bore capacity to 80 lps from bores constructed within and possibly adjacent Lot 17.
2. Prepare a borefield operational plan for this new borefield, which includes monitoring of production and monitoring bores.
3. Provide an overview of the hydrogeology of Lot 17 and adjacent areas; identify potential strategies for future expansion of the borefield.
4. Provide advice on how horticultural development can be maximised on Lot 17 within sustainability principals (as defined by the Department of Water). This advice to include identification of options for maximising the use of Lot 17 property from available water resources within and adjacent to the property and the identification of the location of possible future borefields.

**Brief:**

The consultants to provide the Client with bore design and siting options based on their assessment of the hydrology and hydrogeology of the area, existing infrastructure, proposed layout of the farms, proposed water demand requirements; potential bore life, construction approach, other issues that may be identified by the consultant. Bore design options to identify implications of different casing type and diameter, borehole screens, maximum pump diameters, monitoring probes.

Following consultation with the Client the consultant is to design monitoring and production bores to comply with relevant national standards, and design the initial borefield to deliver the required bore capacity and standby capacity.

The consultant is to provide the Client with Project Management services in respect to the construction, borehole development, down hole survey and pump testing i.e. prepare specifications and contract documents, call tenders (or quotations if this is the agreed approach), supervise the work to ensure high standards of construction and completion and conformance with national standards.

The Consultant is to provide a detailed written report on the results of the construction and testing program with recommendations on maximum bore yields and potential siting of future production bores.

The Consultant is to provide a borefield operational plan, which includes a monitoring program to meet the requirements of the regulators and operational needs of the agribusinesses. WDC needs to be provided with the information to provide the maximum sustainable yield of the borefield and aquifer systems in the area which will support applications for future water entitlements and enable WDC to undertake future planning and development (or redevelopment).

At the conclusion of field work the consultant is provide an overview of the hydrogeology of the Lot 17 and adjacent areas, identify potential strategies / issues for future expansion of the borefield. A hydrogeological report (in layman's terms) is to be provided on the probable future behaviour of the aquifer and what issues WDC will need to address on an annual and 5 yearly basis. This analysis to include a prediction on the extent of the borefield drawdown cone of depression on an annual basis and likely maximum drawdown in each production bore.

The consultant is to provide advice on how horticultural development can be maximised on Lot 17 within sustainability principles (as defined by the Department of Water) based on the existing data.

This advice to include identification of options for maximising the use of Lot 17 based on the available water resources within and adjacent to the property. The consultant should also identify the location of possible future borefields for horticultural development of paleochannels in the Wiluna region. The consultant should identify what field investigation and groundwater assessment work is required to potential develop these groundwater resources for horticultural use. The consultant should also including cost estimates for these investigations in his report.

Consultant required to:

1. Prepare and submit proposal on behalf of WDC outlining the plans to develop Lot 17 and seek Department of Water's requirements for a licence.
2. Carry out a preliminary field survey to assess capacity of the existing bores. This will involve pulling the pumps from existing bores, pump testing and use of down-hole cameras. Installation of down hole data loggers to measure water level and water quality changes
3. Once DoW and environmental protection requirements are known, prepare a groundwater investigation and water resource development proposal for the borefield(s) to meet regulatory requirements and the needs of the planned farms. Prepare funding submissions identifying what fieldwork is required with justification for the major project components.
4. Undertake soil, vegetation surveys and hydrogeological/hydrological field investigation to assess the land, vegetation and water resources of the area. Identify borefield development options and make recommendations on the development of the borefields, design and siting of production and monitoring bores.
5. Construct production and monitoring bores under supervision of hydro-geologist. Pump test production bores as required.
6. Construction of associated borefield infrastructure e.g. access tracks, pipeline, power lines and telemetry systems.
7. Consultant to prepare a borefield management plan including monitoring program
8. Implementation of annual monitoring and borefield management program. Annual desktop review by ground water consultant. Undertake five yearly detailed reviews of borefield and the groundwater resources including groundwater modelling. Undertake any additional monitoring required by regulators.

Reporting:

Provide two paper copies of reports plus digital copies in the original format and Adobe pdf format. All base data to be provided in digital formats suitable for adding to the WDC data bases e.g. bore logs, standing water levels, water analyses, pump test data, maps and drawings.

Reporting of technical facts, borefield operational plans and hydrogeological overviews need to be provided in separate reports to discussion of sensitive issues, future development options and project costs. This will enable copies of the technical facts and overviews to be provided to a range of organisations including Government Departments, local government, agribusinesses.

**F. Consultant to formulate a business plan for WDC Commercial farm.**

A consultant is required to formulate a business plan for development of the Agribusiness farm and the central area that will have packing shed, workshops, accommodation and machinery that will service family farms.

The business plan must have a five year action plan and budget including

- a clear estimate of operational and capital requirements
- Identify key human resources to realise the plan through to full development
- A business and/or corporate structure
- Most suitable crop(s) to achieve the objectives of the commercial farm

The business plan should take in to consideration the recommendations of the Wiluna Horticultural Development Project report – copy attached. In particular the role of the commercial farm in establishing a core local business with operations, such as supply chain management, that “puts Wiluna on the map” and provides services and business support to the other components of the strategy e.g. family farms, training centre.

The business plan must be developed in close consultation with the representatives of the Wiluna RPA and the Martu families. In the initial stages it will require close consultation with the hydro geologist who will be designing the bore field and location of production bores.

Particular attention will need to be paid to development of Lot 17s components to ensure that the proposed economic and socio-economic development pathways can work effectively.

The business plan must be prepared in a format suitable for Indigenous Land Corporation and IBA applications as well as other potential funding sources.

**G. Consultant to formulate business plans for development of each of the of Martu family farms**

A consultant is required to formulate business plans for development of each of the of Martu family farms as outlined in the Wiluna Horticultural Development Project report – copy attached.

Each business plan must have a five year action plan and budget including

- a clear estimate of operational and capital requirements
- Identify key human resources to realise the plan through to full development (refer to Part 2, ‘Identify the local indigenous families capacities’ of the Wiluna Horticultural Development Project report – copy attached, information on family capacities to operate a business).

- A business and/or corporate structure addressing the needs of each family's requirement
- Work with family members to achieve the goals that have for their respective farms.
- A skills audit across all families to drive a combined training and mentoring plan in conjunction with Durack Institute of Technology, using the Centrefarm 5-Step Training model.

The business plan should take in to consideration the recommendations of the Wiluna Horticultural Development Project report – copy attached. In particular the role of the WDC/commercial farm in providing services to the family farms, and must be developed in close consultation with the representatives of the Wiluna RPA and the Martu families. In the initial stages it will require close consultation with the hydro geologist who will be designing the bore field and location of production bores.

Particular attention will need to be paid to development of Lot 17s components to ensure that the proposed economic and socio-economic development pathways can work effectively.

The business plan must be prepared in a format suitable for Indigenous Land Corporation and IBA applications as well as other potential funding sources.

## Attachment 7

### Native Title claims

Currently there are two native title claims in the Wiluna region

1. The Wiluna native title claim was filed in September 1998 and is currently in mediation. Central Desert is working towards the finalisation of a determination of native title by the end of 2009.

As at 24<sup>th</sup> December 2009, there had been no determination

**Claim<sup>33</sup>** - see maps, parcel ID, tenure, purpose, vesting and register attached

Federal Court of Australia Summary	
Title:	Wilma Freddie, Joyce Tullock, Judy Ashwin and Ors on behalf of the Wiluna People v The State of Western Australia
Applicant Names:	Barry Abbott, Judy Ashwin, Alan Ashwin, Kenny Farmer, Wilma Freddie, Friday Jones, Jimmy Morgan, Billy Patch, Kitty Richards, Dusty Stevens, Norman Thompson, Les Tullock, Joyce Tullock, Mickie Wongawol
Application type:	Claimant Application
Date filed:	30 September 1998
FCA No:	WAD 6164 of 1998

National Native Title Tribunal Summary	
NNTT No:	WC99/24
Register of NT claims:	Registered
NNTT Status:	Active
Area Description/Location:	Central Desert Region, Western Australia
Claim area size (approximate):	47,594 km <sup>2</sup>
Notification Status:	Notification Complete
Notification closing date:	16 August 2000
In mediation:	Yes
Date finalised:	

<sup>33</sup> Source: <http://www.centraldesert.org.au/what-we-do/by-claim-determination-area/wiluna/>

The Wiluna No. 2 native title claim is an area that consists of two parcels of unallocated Crown land. The boundary of the native title claim lies wholly within the Wiluna native title claim area because the area covered by Wiluna No. 2 was unable to be claimed in the original Wiluna native title application. Subsequent to the original claim being lodged, the tenure situation changed allowing these two parcels of land to be claimed under Wiluna No. 2.

Research is being undertaken and the native title claim is currently in mediation.

As at 24<sup>th</sup> December 2009, there had been no determination

### Claim<sup>34</sup>

Federal Court of Australia Summary	
Title:	Wiluna Native Title Claimants and Ors v The State of Western Australia
Applicant Names:	Betty Anderson, Benny Campbell, Ken Clause, Tilly Stevens
Application type:	Claimant Application
Date filed:	24 October 2004
FCA No:	WAD 241 of 2004
National Native Title Tribunal Summary	
NNTT No:	WC04/7
Register of NT claims:	Not Registered
NNTT Status:	Active
Area Description/Location:	Central Desert Region, Western Australia
Claim area size (approximate):	5,615.942 km <sup>2</sup>
Notification Status:	Notification Complete
Notification closing date:	15 November 2006
In mediation:	Yes
Date finalised:	

<sup>34</sup> Source: <http://www.centraldesert.org.au/what-we-do/by-claim-determination-area/wiluna-2/#claim>

## Attachment 8,

### Excerpt from Bilateral Agreement of Indigenous Affairs, page 5, 3.2 Skills, Jobs and Opportunities

The Economic Development Framework outlines three priority outcome areas and related strategic focus areas as follows:

#### Priority Outcome Area One – Growing sustainable employment opportunities

- Work readiness
- Valuing Indigenous people and workforce capacity
- Lifestyle advantages of employment

**Objective:** Increase the Indigenous employment rate so as to reduce the gap between it and unemployment levels in Western Australia.

#### Priority Outcome Area Two – Building Investment and Asset Ownership

- Indigenous owned and controlled land
- Land and asset management
- Indigenous home ownership

**Objective:** Increase the levels of Indigenous investment and asset ownership in Western Australia.

#### Priority Outcome Area Three – Fostering Opportunities for Business Development

- Business relationships
- Business development and support

**Objective:** Increase in the number of sustainable Indigenous business enterprises in Western Australia.

The Economic Development Framework includes a major initiative involving the private sector. The Governments will work together with key mining and energy companies including through the Memorandum of Understanding between the Minerals Council of Australia and the Australian Government. The Governments will work with Industry and Indigenous people to overcome barriers to Indigenous employment in identified sites through the development of Regional Partnership Agreements in locations including:

- East Kimberley;
- Pilbara;
- Wiluna; and
- Boddington.