

REPORT

WORKING IN PARTNERSHIP *the Mining Industry and Indigenous Communities*

Central West NSW Workshop
Thursday 27th and Friday 28th July 2006

Prepared for

**Department of Industry Tourism and
Resources**
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1. INTRODUCTION

1.1 Background

The Working in Partnership – *the Mining Industry and Indigenous Communities Program* was launched by the Commonwealth Government on 3rd August 2001. The program is administered by the Department of Industry, Tourism and Resources (DITR) and primarily seeks to promote long-term partnerships between Indigenous communities and the exploration and mining industry.

In addition to promoting long term partnerships, the program aims to support and encourage the ongoing cultural change that continues to occur between the exploration and mining industry and Indigenous communities throughout Australia. In so doing, it seeks to build on relevant research which has been conducted in relation to sustainable mining practices.¹

Since the program's inception, DITR has developed, and continually updates an information kit which:

- presents selected case studies of successful partnership relationships between mining companies and Indigenous communities, showing a variety of approaches and outcomes;
- reflects the diverse experiences of some of the people involved in the partnership process;
- illustrates the achievements of particular companies and Indigenous communities; and
- provides information on the relevant government and industry programs that may be used to provide support for partnership initiatives.

The information kit can be accessed by contacting DITR directly or through their Indigenous Partnerships Program website, at: <http://www.industry.gov.au/indigenouspartnerships>.

The program has also involved the conduct of a series of regionally based workshops in key areas of interest throughout Australia. To date, workshops have been conducted in Alice Springs in 2002, Kalgoorlie and Port Hedland, Western Australia in 2003, Rockhampton and Cloncurry in Queensland in 2004, Muswellbrook in the New South Wales Hunter Valley and Townsville in Queensland in 2005, and Wollongong in New South Wales in 2006.

The Central West NSW workshop held at the Orange Ex-Services' Club on Thursday 27th and Friday 28th July 2006 represents the ninth in the series of workshops conducted throughout Australia.

All workshops conducted throughout Australia have served to bring together stakeholders in major regional centres of mining activity, and to facilitate the discussion of local issues and progress towards achieving local outcomes.

Following the conduct of each workshop in the series, there has become a clear need for follow-up activities to be conducted at the regional level.

In particular, for a regional partnership between the industry, government and Traditional Owner and other Indigenous groups and organisations to develop and succeed beyond the actual workshop, each of the problems and issues identified during the workshop process need to be further considered and addressed, and a coordinated regional approach adopted to attain this outcome.

¹ See, e.g., Indigenous Support Services and ACIL Consulting, *Agreements between Mining Companies and Indigenous Communities: A Report to the Australian Minerals and Energy Environment Foundation*, 2001 (available at <http://www.naturalresources.org/minerals/CD/docs/mmsd/australia/finalreport/Indigenous.pdf>); The Allen Consulting Group, *Indigenous Communities & Australian Business: From Little Things, Big Things Grow*, 2001 (available online at <http://www.bca.com.au/content.asp?newsid=87347>); D Brereton, "The Role of Self-Regulation in Improving Corporate Social Performance: The Case of the Mining Industry", Centre for Social Responsibility in Mining, University of Queensland, 2002 (available online at http://www.csr.uq.edu.au/docs/brereton_2002_1.pdf); L Tedesco *et al*, *Indigenous People in Mining*, Australian Bureau of Agricultural and Resource Economics, 2003.

In this regard, each workshop provides an opportunity for a Regional Partnership Advisory Committee to be established, if deemed appropriate by workshop participants, to take up the responsibility for developing further regional initiatives which respond to the regional problems and issues identified.

In the regional areas of Rockhampton, Cloncurry and Townsville in Queensland and the Upper Hunter Valley in NSW, DITR has continued to support the development and operation of such Committees. However, due to the program's budget constraints, the level of support provided by the Department can only be offered in the short to medium term, to assist in the establishment of a regional partnership process.

Based on the outcomes of previous workshops in the series, the short to medium term support offered by DTIR can be particularly useful and important in the early stages of developing an effective regional partnership arrangement. However, the Regional Committee is not always the most appropriate outcome of the workshop. Its suitability depends on the issues raised at the workshop, the proximity of mining operations in 'the region' and the interest of all parties.

It is important to recognise that the ongoing success of a regional partnership approach requires a genuine and pro-active commitment from all relevant stakeholders to ensure the effective and efficient planning and management of regional problems, issues and expectations.

1.2 Central West Workshop

In January 2006, DITR commissioned Grant Sarra Consultancy Services to conduct two workshops in NSW, one in the Illawarra region followed by a second workshop in the Central West region of NSW, as a continuation of the Working in Partnership Program. It was originally envisaged that Cobar and Broken Hill mining companies and other stakeholders could be invited to the Central West workshop, however, as discussions around the Central West workshop progressed, it became evident that there would be some clear benefits in holding a third workshop specifically for the Murdi Paaki COAG trial region in western NSW, and this will be held on 5-6 October 2006 in Cobar.

The Grant Sarra Consultancy Service's workshop planning and facilitation team for the Central West (Orange) workshop consisted of:

- Grant Sarra, Project Director and Lead Facilitator - Grant Sarra Consultancy Services;
- Dr Sally Sheldon, Project Manager and Facilitator - Projects Coordinator Myuma Pty Ltd / Dugalunji Aboriginal Corporation.

Following consultation with the NSW Minerals Council it was agreed that the Central West workshop could be of interest to a number of mining and exploration companies operating in the region. Subsequent consultation with the NSW Aboriginal Land Council, Local Aboriginal Land Councils, representatives from various Aboriginal Traditional Owner groups and organisations, and government and other independent agencies with interests in the region indicated that the workshop could be attended by up to 60 participants.

It was generally agreed that the workshop could be used investigate a broad range of potential partnership initiatives that could enhance future outcomes for all stakeholder groups in the region.

The Central West workshop catchment area focused primarily on the area encompassed by the Wiradjuri Aboriginal peoples of the Central West region of New South Wales and included mining companies currently operating, or intending to commence operations in the region broadly defined by the centres of Mudgee, Dubbo, Parkes, West Wyalong, Condobolin, Cowra, Orange, Bathurst and Lithgow. In particular, the workshop was attended by representatives of Barrick Australia/Pacific's Lake Cowal gold mining operation, Rio Tinto's Northparkes Mines operations, Newcrest's Cadia Valley gold mining operations, Alkane Exploration, Centennial Coal, Excel Coal's Wilpinjong Coal project and Moly Mines.

1.3 Purpose of this Report

The purpose of this report is to provide:

- an overview of the Central West workshop, including: theme, aims, methodology and structure;
- details of workshop outcomes; and
- suggestions that could be used to enhance future partnership initiatives in the Orange region.

The report recognises the diverse situations and circumstances that confront exploration and mining companies and Indigenous Traditional Owner groups throughout Australia.

For this reason, the suggestions provided in this report to enhance future partnership initiatives in the Orange region are not to be taken as necessarily applicable to other regions throughout Australia.

2. WORKSHOP OVERVIEW

2.1 Theme, Aims and Expected Outcomes

The central theme of the Central West workshop was the desirability of mining companies, Aboriginal Traditional Owner groups and organisations and relevant government agency service providers to explore possibilities for partnership building, in a context in which they:

- recognise that they have much to learn from each other; and
- acknowledge the potential for mutual benefit that exists in establishing sound working relationships and open and honest dialogue with each other.

The workshop had as its central aim the provision of a neutral regional forum, in which all stakeholder groups could meet to discuss regional problems and issues and consider regional solutions relevant to the support of local partnerships.

Like earlier workshops in the program series, the Central West workshop was not primarily designed as a capacity building or information dissemination exercise. On this occasion, however, a Strategic Indigenous Awareness session was successfully incorporated into the program, to increase participant awareness and understanding of Indigenous problems and issues and to focus the workshop discussion.

The workshop was designed to assist regional stakeholders to forge for themselves initiatives which they could develop and direct at a local level, wherever possible making more effective use of existing resources. In particular, the specific aims and expected outcomes of the workshop were to:

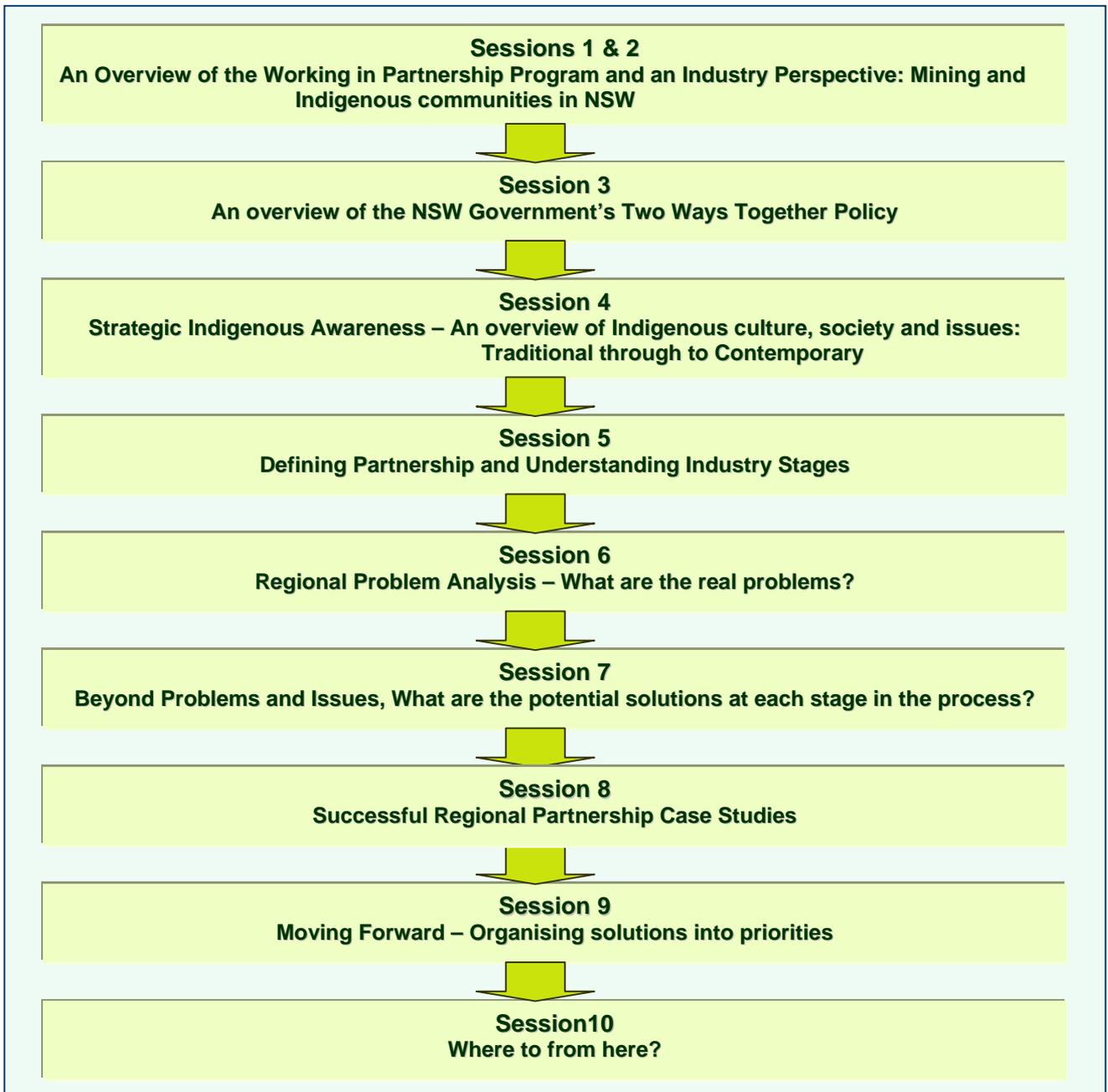
- continue to promote positive interactions and enhance relationships between the various Traditional Owner groups and organisations, exploration and mining companies and key government agency service providers;
- increase participant awareness and understanding of Indigenous problems, issues and challenges;
- increase participant awareness and understanding of the exploration and mining industry problems, issues and challenges;
- increase participant awareness and understanding of government agency service provider roles, functions and policy/program initiatives;
- generate open and honest self-reflection and dialogue relating to partnership-building;
- identify regional factors that inhibit partnership arrangements;
- identify regional factors that enhance partnership arrangements and contribute to the achievement of culturally appropriate, community sensitive and business minded outcomes; and
- learn from each other.

All participants were encouraged to move their focus beyond short-term problems to the long-term mutual benefits offered by partnership relationships. The intention was to direct stakeholders' efforts beyond debate towards a constructive dialogue addressing the six main themes of the Working in Partnership Program:

- | | |
|--------------------------|------------------------|
| ➤ Employment | ➤ Cultural Awareness |
| ➤ Education and Training | ➤ Capacity Building |
| ➤ Business Opportunities | ➤ Economic Empowerment |

2.2 Methodology

In keeping with the workshop aims and the approach taken at earlier workshops in the program series, the Central West workshop was designed to maximise the time available for participant discussion of key issues. Following a planned traditional acknowledgement and paying of respect to people and country, introductions and general scene setting, the workshop agenda was organised into the following sessions:



Sessions were ordered to allow discussion to develop as naturally as possible, while being channelled in a progressively more constructive direction which was focused on achieving the workshop aims. Strict adherence to the agenda was never an imperative and a degree of flexibility was built into the two-day program.

2.3 Workshop Planning

2.3.1 Preliminary Stakeholder Consultation

Preliminary consultations commenced in mid-March 2006 with the NSW Minerals Council and the NSW Aboriginal Land Council. Follow-up consultations were then held with key representatives from exploration and mining companies, individual Aboriginal groups and organisations, local Aboriginal Land Councils and government agency service providers with interests in the region.

The purpose of initial consultation was to:

- introduce the Working in Partnership consultancy team members and the project;
- provide information about the rationale, objectives and proposed format of the workshop;
- solicit initial responses to the idea of the workshop;
- identify potential issues to be addressed at the workshop;
- identify protocols and procedures necessary to obtain a comprehensive list of contact names and details for possible invitees; and
- establish ongoing lines of communication between the consultancy team and the key stakeholder bodies involved.

2.3.2 Workshop Participation

Experience at earlier workshops in the Working in Partnership series suggested that representation at the Central West Workshop was required from:

- the full range of Aboriginal Traditional Owner groups and other organisations in the Central West region – these groups either being already involved, or having legitimate expectations to be involved, in discussions regarding exploration, mining and related developments in the region;
- exploration and mining companies (and their consultants) with a presence and active involvement in the region; and
- government agency service providers with responsibilities for issues relating to mineral resources, natural resource management, infrastructure development, Indigenous cultural heritage management, environmental protection and conservation, employment, education and training, and business development within the region.

In finalising the shortlist of invitees, criteria considered included:

- Interest in and willingness to participate in the full program;
- Experience in negotiations and other partnership-building activities between Aboriginal Traditional Owner groups and the exploration / mining sector;
- In the case of exploration and mining companies, their level of current and proposed activity in the region;
- In the case of the Aboriginal Traditional Owner groups, their level of experience and/or interest in dealing with mining/exploration companies; and
- In the case of government agency and service providers, their capacity to contribute constructively to key issues for discussion in the workshop program.

Potential invitees from all identified Aboriginal Traditional Owner groups and organisations, exploration and mining companies, and government departments and service providers with involvement in the Central West region were approached individually and or through appropriate intermediaries (e.g. Local Aboriginal Land Councils, relevant Catchment Management Authorities, the NSW Minerals Council, and governmental contacts). Once initiated, follow-up contact was maintained with invitees in the lead-up to the workshop itself.

A total of 62 people attended the Workshop. A complete list of workshop participants is provided in **Appendix A** to this Report.

3. WORKSHOP OUTCOMES

3.1 Introductions and Scene Setting

The workshop opened in the spirit of goodwill, with Grant Sarra, the lead facilitator, acknowledging and paying respect to the traditional custodians of the land – both past and present.

Grant stressed that while it was extremely important to acknowledge the significance and importance of the legal rights of Aboriginal people to participate in decision-making processes affecting their traditional lands under Native Title and Indigenous Cultural Heritage protection laws, the workshop was more about moving beyond the legal framework to consider new ways of progressing forward under the theme of partnership building.

Grant advised participants that the ideas discussed and information gathered at the workshop would be compiled into a report, prepared by the consultancy team, to provide a strategic direction and focus for the region beyond the workshop.

3.1.1 Working in Partnership Program Overview

David Abbott, Coordinator, Working in Partnership, DITR, commenced the workshop proceedings by offering a short explanation relating the nature, purpose and history of the Working in Partnership Program.

David advised that the regional workshops formed the cornerstone of the Program and that the Department, as in other regions throughout Australia, was willing to conduct follow-up meetings in the Central West region if this was considered desirable by stakeholders.

He explained that the Program's primary objective was to foster improved relationships and to also promote the need for effective long-term partnerships between Industry and Indigenous people to become the "core business" of individual companies.

David drew attention to the key elements of the Program which have to date included:

- The development of a case study Information kit and Website;
- The delivery of a series of regional workshops;
- The voluntary formation, by workshop participants, of regional committees to take forward the issues raised at workshops (in particular, to continue networking, dialogue, information sharing, etc); and
- The support of additional projects, such as targeted training in corporate governance and capacity building, that delivers benefits commensurate with the program objectives.

Explaining the rationale and objectives of the workshops, David made the following points:

- All Traditional Owner groups and companies with interests in the designated catchment areas are invited to attend along with key government agencies and community service providers;
- Workshops are designed to be interactive, delivered in a neutral environment and outside any immediate negotiation or confrontational settings;
- Workshops benefit from open and honest information-sharing and awareness-raising for all stakeholder groups, particularly in relation to cultural issues, industry project requirements and relevant government programs;
- Workshops allow for the identification of problems and issues and, in some cases, allow for targets for future action also to be identified;
- Experience at past regional workshops in the series has shown that new relationships are formed and existing ones were enhanced through workshop participation and follow-up.

David explained that regional committees had formed as an outcome of the regional workshops held in Rockhampton, Cloncurry, Townsville and Muswellbrook, and these continue to meet on a quarterly basis (in some cases less frequently) with some Departmental support. These committees use a fluid membership structure and are open to all interested stakeholders.

David emphasised, however, that in addition to the Department's ongoing commitment and support, all regional committees formed as the outcome of a regional workshop need a driver at the local level to coordinate future partnership activities.

Where such a structure exists at the regional level to provide a framework for coordination of new initiatives, the Department is sometimes in a position to support specific projects, such as the delivery of training programs, and has done so on several occasions as part of the Working in Partnership Program.

3.1.2 Working in Partnership: A NSW Industry Perspective

Following David's presentation, Ms Georgina Beattie, Deputy Director Environment and Community, NSW Minerals Council (NSWMC), spoke about the role of the NSWMC in the Working in Partnership process.

Georgina explained that the NSWMC, as the peak representative body of the State's mining industry, is committed to building relationships with government and local community groups, and is always prepared to consider innovative ways for improving existing performance. It is in this context that the NSWMC has become involved with the Working in Partnership Program in New South Wales, and has assisted the Department in its endeavours to progress the program in this State.

For the benefit of the wider audience, Georgina identified those issues which are the prime focus for the minerals industry in NSW:

- Securing access to land and resources, which is the precondition to any exploration and mining development;
- Working with the State and relevant stakeholder groups to see the implementation of efficient and effective laws for planning and environmental assessment;
- Ensuring best practice in occupational health and safety;
- Striving for continual improvement in environmental performance and sustainability; and
- Working with local communities to attain good relationships and a genuine understanding of their needs.

Georgina emphasised that all stages in the mining process – from exploration, through project planning, approval, construction, operation and ultimately closure – require good communication between industry and local communities.

Industry relationships with Indigenous communities will often focus, in the initial stages, upon cultural heritage management and native title processes as areas of engagement. Georgina stressed, however, that it is necessary to move beyond this to identify other strategic, shared objectives, particularly in relation to training, employment and business opportunities.

Georgina acknowledged that many collaborative relationships already exist between mining companies and Indigenous community groups. Some of these have been developed voluntarily, and some through external forces such as planning processes. The key to improvement of these existing relationships, and to the forging of new ones, is provided through the lessons learned through past experiences, which can be shared in the context of opportunities such as the current workshop.

In the context of the Central West workshop, Georgina reiterated the NSWMC's support for the Working in Partnership Program. She noted that a previous workshop held in the Hunter Valley in June 2005 had resulted in positive dialogue between stakeholders and a series of additional meetings. An Aboriginal

community strategic priorities document had been developed several months after the workshop and, in response to this, industry had developed its own Commitment Statement supporting the priorities that had been highlighted.

3.1.3 NSW Government Two Ways Together Policy

Ms Donna Jeffries, Regional Manager (Riverina), NSW Department of Aboriginal Affairs presented an overview of the “Two Ways Together” Policy adopted by the NSW Government.

Donna explained that the Policy’s overall objectives were to:

- develop committed partnerships between Aboriginal people and Government; and
- improve the social, economic, cultural and emotional wellbeing of Aboriginal people in New South Wales.

Donna explained that the Policy will operate over a ten year period and will be based upon a whole of government approach, coordinated by the relevant Indigenous Coordination Centres. This approach will require all levels of government to work together in an attempt to change the national indicators for Indigenous well-being and the lack of improvement and outcomes for Indigenous people that has been witnessed over the last thirty years.

Donna stressed that it was important to recognise that this is a long-term plan, running from 2003 to 2012. For the mid-west NSW region, the Department of Aboriginal Affairs has assisted the formation of a regional engagement group, with Donna as Chairperson, comprising members drawn from Commonwealth Government agencies and the Regional Coordination Management Group, and including Indigenous community representatives.

The group coordinates information and data obtained from each of the different agencies that provides services and programs to Indigenous people in the region. It has compiled regional reports providing an overview on the services and programs available within the region, and a summary of the region’s priority issues (for example, in the Wagga Wagga area, there is a major concern about Indigenous education).

Donna explained that the next step in the process will be for groups to work on devising regional strategies to address priority issues. This would be a process which could, and should, work in tandem with initiatives flowing from workshops such as the present one.

3.1.4 Strategic Indigenous Awareness

The introduction and scene setting section of the workshop concluded with the delivery of an abridged version of Grant Sarra's Strategic Indigenous Awareness Program – *To understand the present, we must understand the past.*

Grant introduced his program by explaining that if companies and government agencies were going to work more effectively with Indigenous communities, they must begin to understand the basics in terms of how our Nation's past affects the present lives of Indigenous Australians.

The broad aim of the program is to develop increased awareness and understanding among all participants of the historical impacts of colonisation on Indigenous Australians.

Program topics included:

- An examination of the psychology involved in effective cross-cultural communication and the sociology relating to Australian Indigenous history;
- The three stages in which Indigenous society has evolved: Traditional, Transitional and Contemporary;
- The events and issues that have impacted and continue to impact upon Indigenous Australians in today's society;
- The cultural, structural and other barriers that can inhibit effective consultation and negotiation with Indigenous people and communities;
- An examination of Australia's value system in comparison to the Indigenous values of Care, Share and Respect for the Land, the People and the Environment;
- An analysis of land issues and conflicts between Land Rights, Native Title and Cultural Heritage laws and exploration and mining activities; and
- Developing culturally appropriate and community sensitive strategies that deliver tangible outcomes for business and Indigenous communities.

The session served the purpose of setting the scene for participants to understand in greater depth the social issues behind interactions that take place in the context of mining/exploration development and associated Industry engagement with Indigenous communities.

3.2 Defining Partnerships

The opening presentations, which were designed to provide an overview of the current situation, potential problems and issues in the Central West region, raised a number of themes that would recur throughout the two days of workshop discussions.

The opening presentations also set the scene for a group discussion on the meaning of "partnership" and a consideration of the key stages in the exploration and mining process.

Consensus was reached on a general working definition of partnerships, as the basis for subsequent workshop discussions.

All participants agreed that strong partnerships were effectively:

“...all about trust, commitment and leadership at every level, vision, respect, the long-term view, resolving conflicts, flexibility, clear and effective strategies, sustained competitive advantage, ownership, empowerment, attitude, innovation, removing hidden agendas, teamwork, people, suppliers, customers, customers customers, suppliers’ suppliers, communication, hard work, making/taking time (a lot of it), cooperation, respect, compromise, interdependence, sharing everything (information, strategy, vision, people, ideas, risk), imagination, creativity, initiative, lateral thinking, friendship, under-compromising, over-delivering, unraveling/managing complexity, getting the basics right the first time every time, exceeding requirements and expectations and achieving world class”.

(T Lendum, The Strategic Partnership Handbook – A Practical Guide for Managers, McGraw Hill Book Company Australia)

3.3 Defining the Industry Stages

Mr Greg Morris from Cadia Valley Operations, in collaboration with Grant Sarra, presented the following broad outline of stages² in the industry process as a guide for participants to consider during their respective problem analysis sessions.

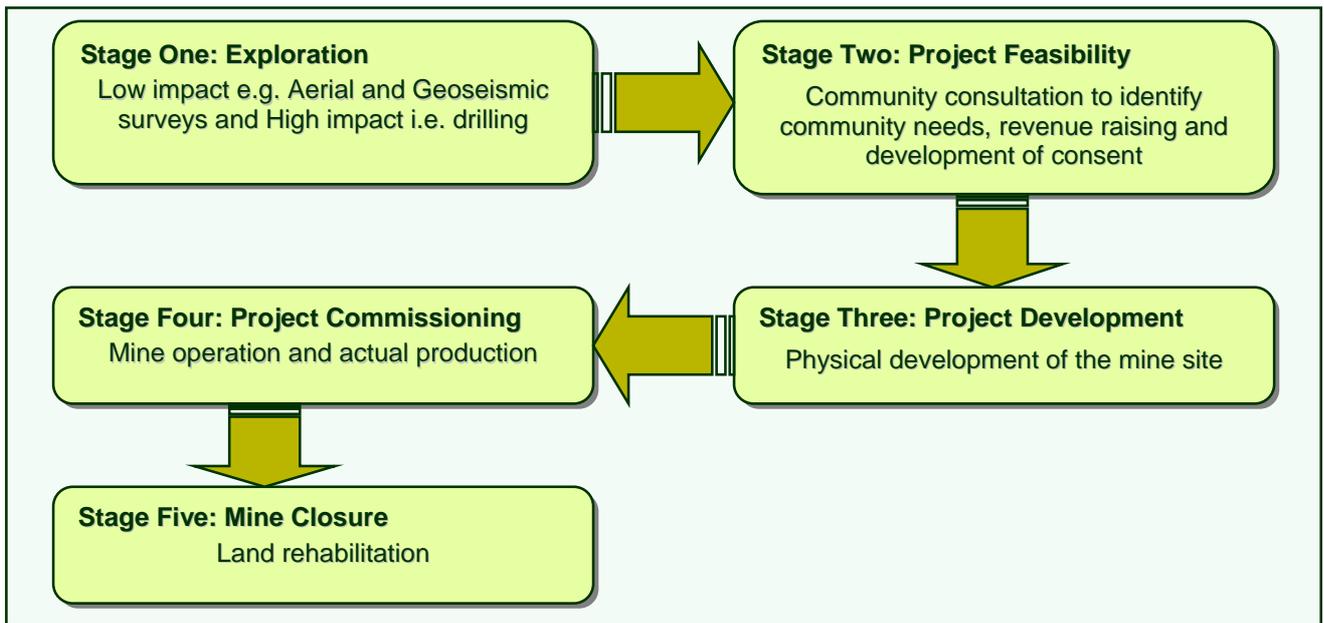
Elaborating on this model, Greg explained that at all stages of the process, mining companies are constrained by economic considerations. For example, at the exploration stage, during which the company is building up a geological picture of what is beneath the earth’s surface in the relevant area, companies are called upon to outlay considerable sums of money with a low expectation of return.

In the project feasibility stage, the primary consideration is whether the resource which has been discovered will pay for the process of mining and associated features of any mining project, such as the delivery of community benefits, training opportunities, etc.

The development of strong processes for community consultation and engagement is critical to the feasibility of a project and the securing of necessary consents to aspects of the project works.

Greg noted that it will often be the case, however, that it is impossible for the company and community to plan, in advance, all future developments that will be associated with a particular project. Most projects will, of necessity, develop incrementally – the initial production stage financing future exploration stages, and so on. The operating life of a given project can be anything from a couple of years to several decades, depending upon a range of considerations.

² In general, the broad stages for exploration and mining in NSW are defined as: Exploration, [Feasibility], Planning and Approval, Development, Operations and Mine Closure.



Because the life of a project will, however, typically be extended, Greg emphasised that although it is important that individual people associated with a project develop good relationships with Indigenous stakeholders, the real challenge and priority must be to develop trust between those persons and the company as an ongoing entity, which will probably endure beyond the term of employment of a particular manager or community liaison officer.

3.4 Problem Analysis

In the next stage of workshop proceedings, participants were divided into their respective stakeholder groups (Industry, Indigenous and Government), and asked to consider within their groups the real challenges faced by them, collectively, at each broad stage in the mining process.

The aim of this session was to provide participants with the opportunity to identify obstacles to successful partnership building that their stakeholder group encounters in the region, and to report these back to and discuss them with other stakeholders.

Like previous workshops in the series held throughout Australia, the Central West workshop exposed a number of consistent, yet critical challenges and issues. The following provides a summation of these problems and issues, with a complete summary presented in **Appendix B**.

3.4.1 Indigenous Representation and Participation

The Industry group identified, as a key problem at the outset of any exploration or project planning process, the difficulties associated with confidently identifying the appropriate Indigenous people to be engaging with in relation to a particular project.

Based on previous workshop experience, this is perhaps the most difficult challenge that confronts all exploration and mining companies and government agencies throughout Australia in the exploration and mining process.

This was also considered problematic for some Traditional Owner groups who either felt that their interests are not properly represented in negotiations, or that they are being left out of discussions relating to exploration and mining activity on their traditional lands. While the Working in Partnership Program cannot be expected to solve this problem, it is worth noting that the problem of identifying key Indigenous people who should be participating in the process is a direct result of history. As highlighted throughout the abridged Strategic Indigenous Awareness program delivered as part of the workshop, dispersal of Indigenous people from their traditional lands continues to impact upon present-day Indigenous people in the exploration and mining process.

The Indigenous group explained that these issues are currently exacerbated because there is currently no central body within New South Wales which can be consulted to authoritatively identify relevant Traditional Owner groups and their representatives on a regional basis. Local Aboriginal Land Councils are representative of current Indigenous residents within a particular area, rather than the Traditional Owners of that area. The New South Wales Aboriginal Land Council no longer functions as a Native Title Representative Body, whilst NSW Native Title Services Ltd does not perform this general function in respect of potential industry and government enquiries. Workshop participants recognised that it would be valuable if a central agency or agencies could validly exercise such a function, in a similar manner to the Indigenous Cultural Heritage Coordination Unit which has recently been established in Queensland, as this would offer great assistance to exploration, mining and government stakeholders in the early stages of the mining process. It was suggested, in this regard, that the regional Catchment Management Authorities could build upon their existing role in order to develop such a broader capacity.

In any event, the Indigenous stakeholder group felt that in order to establish effective partnerships with Traditional Owner groups, it was incumbent upon explorers, miners and government agencies to use all presently available avenues to identify appropriate representatives with whom to deal in negotiations.

3.4.2 Establishing and Maintaining Relationships

The importance of establishing and maintaining effective relationships at the regional level was acknowledged as vital by all stakeholder groups. It was agreed that relationships between explorers and miners, key government agencies and Traditional Owner groups need to be developed as early as possible in the process to ensure that:

- potential project problems and issues are identified and resolved early on;
- key people in the process are identified and factored into relevant negotiations from the outset;
- opportunities for mutual trust, confidence, understanding and respect are established early; and
- certainty for all stakeholders is created.

The Indigenous group also felt that it was extremely important that exploration, mining and government stakeholders understand the range of historical factors that have impacted upon the current cultural, social and economic position of individual Traditional Owner groups.

3.4.3 Developing Mutual Awareness, Knowledge and Understanding

A fundamental issue raised by both exploration and mining companies and Indigenous groups was their respective lack of understanding and respect for each other's situation and culture.

The Indigenous groups highlighted the need for better understanding and respect by companies for Indigenous people's employment and business aspirations, cultural heritage, the significance and importance of land in Indigenous culture, and the protocols which operate within Indigenous communities (as to who should be consulted, in what contexts, etc).

The industry group acknowledged the need for an improved understanding of the significance of these aspects of Aboriginal culture within the industry, but also highlighted the need for the Indigenous stakeholders to understand better the "exploration and mining culture". In particular, Indigenous groups needed to be aware that whilst mining companies have the potential to make substantial profits in the long term, the risk involved in the early stage of the mining process (especially at exploration) is significant, with operating budgets being relatively small.

The Indigenous and industry stakeholder groups both considered it important that the key stages in the exploration and mining process be clearly defined and articulated, particularly for the benefit of Traditional Owner groups. The provision of an appropriate definition and articulation of the key stages in the process would ensure greater clarity, strategic insight and focus, enhanced decision-making processes and a better general understanding of the issues confronting stakeholders.

Similarly, it was acknowledged that this process could be further enhanced through the development of localised cross-cultural and cultural heritage training programs that aimed to increase awareness of Indigenous issues in the context of the exploration and mining industry and that such training would need to include the participation of management and mine workers who worked on-site, including company contractor employees.

3.4.4 Meeting Time and Project Deadlines

The industry group highlighted the importance of meeting time and project deadlines within the mining culture as a matter requiring appropriate recognition by Indigenous stakeholders. In common with the views expressed at previous workshops in the series, industry representatives stressed the importance of Traditional Owners understanding that miners and explorers are subject to contractual and statutory obligations which have to be met within certain timeframes.

It was explained that from an industry and government perspective, a significant premium attaches to the core business values of accountability, effectiveness and efficiency in project management. Both the government and industry stakeholder groups felt that it was important for Traditional Owners to acknowledge this requirement, and accordingly to continue to develop business-minded approaches when dealing with industry and government.

In order to appreciate the perspective of Traditional Owners, the Indigenous group felt that government and industry stakeholder groups need to better understand, comprehend and accept the manner in which historical events have impacted upon individual Traditional Owner groups. For example:

- The geographical displacement of Indigenous people from their traditional lands, and their subsequent formation of historical connections to other areas, often complicates issues of group-identification, making more onerous the time and cost commitments required of Traditional Owners in attending meetings.
- There have been and still are only limited opportunities for Traditional Owners to develop knowledge and skills in time and project management.

- Individual Traditional Owners often carry significant responsibilities requiring them to attend to cultural business within their group as a matter of priority, and this may impact upon their ability to meet externally-imposed requirements and deadlines.

3.4.5 Addressing Resource Disparity

The disparity of resources between Traditional Owner groups, government officials and explorers/miners was a problem that would need to be addressed to ensure that partnerships succeed in the region. Traditional Owner groups typically have limited access to the kind of expert advice which is required to assist them in preparing for negotiations and assessing industry and government proposals. As in other regions throughout Australia, it is often assumed that Traditional Owner representatives are freely available to travel to and from meetings relating to exploration or mining at their own expense. This is generally not the case, and contrasts with the situation of other stakeholder representatives who attend such meetings in the scope of their employment with the relevant industry or government organisation, and whose time and travel costs are borne by the organisation they represent.

Although all stakeholders recognise that some opportunity exists to address the under-resourcing of Traditional Owner groups through the establishment of income streams flowing from cultural heritage clearance work conducted for industry clients and employment, the industry group highlighted the need for government to establish a fair and consistent remuneration rate for cultural heritage monitors used in clearance work.

It was acknowledged by all stakeholder groups that an effective, responsible and consistent response to these problems required a commitment from government, as well as industry and the community, to ensure that partnership outcomes were successfully achieved in the region.

3.4.6 Employment and Business Opportunities

The Indigenous group highlighted the need to generate “permanent employment opportunities” within the mining industry and relevant service industries for members of Indigenous communities affected by mining developments, to allow for a genuine wealth creation process to occur among Indigenous families in the region, displacing the historical reliance on subsidised training opportunities.

The industry stakeholder group acknowledged the employment and business aspirations of Indigenous communities, but explained that the greatest obstacle to higher levels of Indigenous employment within the mining industry was the lack of a pool of suitably qualified personnel within the communities. Many mining jobs require specialised skills and qualifications, and even entry-level positions within the industry presuppose generic qualifications such as numeracy and literacy, fitness for work, the possession of appropriate driver’s licence and the prior completion of relevant workplace health and safety inductions.

For this reason, the Indigenous group suggested that the development of mining industry traineeships, prevocational and/or trade training programs, and/or the delivery of pre-employment workshops would greatly assist potential Indigenous job applicants in accessing opportunities within the mining workforce. The opportunity and success of these courses will depend on the number of Indigenous people that want to work in the mining industry and their overall interest and suitability to maintain full time employment.

3.4.7 Governance and Traditional Owner Strategic Goals and Priorities

The industry group highlighted the importance of maintaining sound governance procedures and practices within Indigenous groups affected by mining, in order to ensure that relevant accountability requirements imposed by exploration or mining agreements are met. Industry representatives explained that exploration and mining companies are typically under pressure from internal and external sources to demonstrate the achievement of relevant targets set by agreements and the proper administration of benefits distributed under them. Because industry is generally regarded as the initiator of such agreements, these matters are seen as an industry responsibility. Sound governance practices and procedures must, therefore, be in place within Indigenous organisations involved in the implementation of agreements in order to ensure that outcomes do not reflect poorly on the industry itself.

It was also acknowledged by all stakeholder groups that the identification by Traditional Owner groups of their individual strategic goals and priorities would significantly enhance their capacities to lead, plan, organise and control activities within their respective groups in accordance with standard business management practices. In turn, it would significantly enhance their capacities to negotiate realistic outcomes with industry, and to operate within reasonable timeframes and budgets.

4. BEYOND PROBLEMS AND ISSUES – POTENTIAL SOLUTIONS

Following the problems analysis session, participants were then organised into mixed stakeholder groups to consider potential solutions that could move them beyond the problems identified. The aim of this session was to provide participants with the opportunity to move beyond the short-term problems to consider a “whole of region” long-term approach to addressing the problems under the theme of partnership-building. The following provides a summation of the broad solutions presented by each of the groups, with a complete outline presented in **Appendix C**.

Employment and Training

- Employment and training initiatives such as scholarships and traineeships need to be targeted to ensure permanent employment outcomes are achieved;
- Industry mentors could be made available for Indigenous people working in the industry;
- Indigenous Liaison Officers could be employed at mine sites to act as the “Go Between” for the company and the Indigenous communities;
- Develop a pro-active Indigenous Employment Public Relations Strategy to promote industry employment opportunities;
- Promote employment opportunities to younger Indigenous people at an earlier stage in their education;
- Diversify opportunities by encouraging Indigenous employment opportunities among support industries;
- Develop a process to outline the qualifications required for positions within the industry.

Capacity Building

- Develop and deliver localised cross cultural communication and cultural heritage programs specifically for industry;
- Develop an industry-based training program to enhance Indigenous people’s overall awareness and understanding of the benefits of mining, business opportunities, work conditions, requirements and expectations;
- Develop a regional industry/government agency profile to enhance Indigenous community knowledge and access to individual companies and government agencies.

Business Development

- Develop and deliver industry-based training programs to enhance Indigenous people’s awareness and capacity to access business opportunities e.g. tender development.

Land Access and Cultural Heritage

- Establish a local cultural heritage body (supported by a local database) to assist all stakeholder groups with their shared interests in land;
- Establish a set of cultural heritage guidelines and procedures that can be followed by all stakeholder groups; and
- Develop a local network of Indigenous Traditional Owner/community contacts and protocols to enhance industry’s capacity to communicate with the appropriate people.

5. WORKSHOP CASE STUDIES

The morning session on Day Two of the workshop was devoted to a consideration of several local case studies chosen for their relevance to the theme of regional partnership building. The following sections synthesise the information presented by the case study speakers.

5.1 Barrick Australia Pacific and the Wiradjuri Condobolin Corporation

A comprehensive presentation detailing aspects of the Barrick Gold mining operation at Lake Cowal, including the involvement of the local Wiradjuri Condobolin Aboriginal Corporation, was delivered by Bill Shallvey, Community Relations Manager with Barrick, and Percy Knight, Chief Executive Officer of the Wiradjuri Condobolin Aboriginal Corporation.

Outlining the background to the mining project, Bill explained that the Lake Cowal mining lease, situated at the western edge of Lake Cowal, approximately 47 kilometres from West Wyalong, was granted in 2003 after 23 years of exploration and project planning by different companies.

From the start of its involvement, Barrick had acknowledged the importance of the site to the local Wiradjuri people as a meeting place and ceremonial and initiation ground, as well as its significance as a wildlife breeding area. Barrick's Indigenous Peoples Policy respects the fact that traditional custodians of areas such as Lake Cowal maintain a special connection with these places and have a right to play a key role in the development of any project affecting such an area.

In keeping with this policy, Barrick commenced a process of engagement with the Wiradjuri Condobolin native title claim group in 1996, a full six years prior to its final decision to commit to developing the project. Formal negotiations towards a native title agreement, which lasted for approximately 15 months, were focused through the Wiradjuri Council of Elders, a negotiation team of five senior people who were nominated to represent communities located at a number of centres within the regional area. During negotiations, protection of cultural heritage and the environment were the Wiradjuri Condobolin People's top priorities, with monetary and other benefits considered as part of "flow on" discussions. Percy emphasised that in securing the final agreement, it was vital that both Barrick and the Local Aboriginal Land Council had recognised that because the Lake Cowal project falls within the Wiradjuri Condobolin people's area, only those people (and not the wider Wiradjuri national group) could speak for the country affected.

The final deed of agreement formalised the role of the Wiradjuri Condobolin Corporation (WCC) as the conduit between the Wiradjuri Condobolin native title group and Barrick. Under the terms of the deed of agreement, the WCC must report back to the wider native title group every six months on its projects and progress made towards achieving outcomes. To this end, the WCC has worked with Barrick to develop a "plain English" version of the deed of agreement, which has been distributed to the community.

The agreement's key features include provisions relating to environmental and cultural heritage protection and for employment, training and business development opportunities for the local Wiradjuri people. In his presentation, Percy summarised for the benefit of the workshop participants some of the project's achievements under each of these headings:

Environmental Protection

- The Cowal Environmental Monitoring Consultative Committee has been established to act as a conduit between the general community and the project and to review regular environmental audits.

The Committee comprises representatives from the local and shire councils, neighbouring landowners, the Lake Cowal Foundation (an independent coalition between the Total Environment Centre, the National Parks Association, Nature Conservation Council and North Limited, sponsored by Barrick for the life of the project), the Wiradjuri Condobolin native title party and Barrick.

- Provision for environmental rehabilitation goes beyond the impacts on the immediate mine site, to address wider issues within the catchment area. The overall intention is to leave the general area in a better condition than it was when Barrick commenced activities. High schools and Green Corps groups have been involved in projects such as tree propagation and the redressing of erosion problems caused by denuding of vegetation.

Cultural Heritage Protection

- The overall agreement incorporates a Cultural Heritage Management Plan negotiated between the Wiradjuri Condobolin people, Barrick and National Parks, the provisions of which bind all Barrick employees and contractors engaged in the project. To date, approximately 1300 contractors and 200 Barrick employees have undertaken cultural awareness induction training under the terms of the CHMP.
- Highly qualified archaeologists have worked alongside local Wiradjuri people in the conduct of heritage studies in the area. Key discoveries include a number of hearths which have been dated to about 6000 BP.
- The CHMP provides for the establishment of a keeping place which houses all artefacts collected during heritage studies. To date, approximately 6000 artefacts have been removed to secure temporary storage pending a future decision by the Wiradjuri people about their long-term fate (it is anticipated that they will probably be repatriated to site).

Employment, Training and Business Development

- The agreement established an Employment, Training & Business Development Committee to maximise employment and business opportunities for the Wiradjuri people of the area.
- Early in the project, a Skills Audit was conducted of the local Aboriginal community. This revealed that many Indigenous people possessed formal qualifications, but were lacking in job experience. The priority was to develop a process which identified real jobs, and the actual people who would perform those jobs, before committing to any further training required for these people actually to achieve the requisite workplace performance.
- It was recognised that many obstacles to employment stem from culturally specific and deep-seated issues: the history of dispossession, inter-generational and long-term unemployment which had produced a lack of awareness of what it means to work, numeracy and literacy problems, and the absence of culturally appropriate learning models in the marketplace (at TAFE, university, etc). As a response, the parties have worked to develop a culturally appropriate Mining Preparation Course which has now delivered prevocational training to more than 50 local people, many of whom are employed at the local mining operations.
- To date, two young Aboriginal people have been employed on apprenticeships, with another four young people sponsored to attend university in Canberra (studying social welfare, medicine, housing and education). The aspiration is to put 50-100 young Aboriginal people through trade apprenticeships and/or university degrees by the end of the project.
- The mine currently employs a total of 28 Aboriginal people as processors, plant operators, geology field assistants, laboratory technicians and other contracted staff. A further nine people work as cultural heritage monitors on the project.
- The WCC has tendered for and won several commercial contracts, starting with local project fencing work (successfully performed) and maturing into larger contracts such as the current five-year contract with Australia Post for local mail delivery. A small landscaping and general maintenance business has also been established, which is expected to grow. A partnership is also being developed with a property management company, which will focus upon crop-growing, cattle grazing and propagation business opportunities.
- The WCC is presently establishing a Wiradjuri Studies Centre which will be culturally appropriate in design and function, and built by local people who will be trained in construction techniques.

The building will be constructed to accommodate a range of uses, including meeting places (a “yarn-up centre”), training/study facilities and a crèche.

In conclusion, Percy and Bill identified a number of benefits that had flowed from the process of working in partnership to achieve these outcomes:

- Individuals had been provided with opportunities and choices that would not otherwise have been available, working in isolation;
- There had been a positive impact on people’s lives;
- A greater appreciation and understanding of Indigenous culture had emerged;
- Stronger relationships had grown up through the process; and
- More open lines of communication had been encouraged and supported.

5.2 Newcrest Cadia Valley Operations

The second case study presented to workshop participants was delivered by Nedra Burns, Community Relations Superintendent at Newcrest’s Cadia Valley Operations, and Greg Morris, the mine’s Environmental Manager.

At the outset of their presentation, Nedra and Greg emphasised that Newcrest’s Cadia Valley gold mining operation, which is located approximately 25 kilometres south of Orange, is at a very different stage of development from Barrick’s Lake Cowal project in terms of its approach to community relations, including Indigenous relations.

Mining operations at Cadia Valley commenced in 1998 with an open cut facility, to which an underground operation was later added. The mine is currently the largest metalliferous mine in New South Wales and one of the largest gold operations in Australia, with an expected life for the open cut and underground operations projecting to 2012 and 2016 respectively, and new, longer-term developments being examined.

Nedra explained that until 2005, Newcrest did not have a Community Relations policy or program in place for its operations at Cadia Valley. However, in that year, the company undertook an extensive process of internal reflection and consultation which led to the adoption of a Communities Policy and the formulation of a five year Cadia District Community Relations Strategy in which the company is keen to involve Aboriginal community members.

The vision underpinning the Strategy is that Newcrest Mining will be recognised as a valued community member in the Cadia district. To this end, the company is committed to developing long-term beneficial relationships with its key stakeholders as the foundation for a sustainable future.

The Strategy strives to achieve consistency and transparency in the application of five key principles:

Be First, Be Honest

- This is a commitment to informing the community of the impacts that the mining operation will have upon them, and being honest in providing this information in advance of relevant actions.
- To this end, the Cadia Valley Operations newsletter is printed on site and mailed directly out to residents in the Cadia Valley district. Its discussion addresses new developments and matters that may impact upon the community.
- A range of information resources is also utilised to increase community awareness of the mine's activities. These include a CD-Rom offering a virtual tour of the mining operations, trade displays, volunteer participation in Speakers Bureau opportunities, regular site tours and an annual Open Day.

Be Fair, Be Seen to be Fair

- Newcrest maintains a commitment to preserving a visible balance of power between itself and smaller individual interests within the community.
- To this end, it has designed straightforward access procedures and guidelines for its exploration activities, which inform landholders clearly what their rights are in advance of exploration work. It also maintains an ongoing process of environmental monitoring.
- The company has gone so far as to undertake to reimburse landowners for the cost of their commissioning independent investigations into concerns they harbour about the impact of mining operations on their interests in the area.

Value Add

- The Cadia Valley Operations community partnership program is concerned to build capacity within the community through strategies such as scholarships and bursaries (including the "learning for life" program targeted at primary schools in disadvantaged parts of the community), vocational training, work experience, apprenticeships, etc.
- The mine has also supported landcare groups within the community, by offering secretariat and other "in kind" assistance.
- A new program is currently being trialed to encourage new employees to become involved in community work: for every 25 hours volunteer service performed for a community service organisation, Cadia Valley Operations will donate \$250 to the organisation.

Two Way Communication

- Cadia Valley Operations recognises the importance of providing community members a say in matters that will affect them.
- To this end, the mine sponsors two meeting groups: the Cadia District Residents Meeting and the Community Consultative Committee Meeting.
- The Cadia Valley Operation also maintains a commitment to individual stakeholder engagement and file management, and strict compliance with its Complaints Management Protocol.

One Voice

- Cadia Valley Operations recognises that, as an organisation of almost 1000 people, it must maintain an internally consistent approach to its operations which is underpinned by a universal workforce commitment to its values.

During questions about the Newcrest presentation, a number of workshop participants expressed concern that, to date, the Cadia Valley Operation had not specifically undertaken a process of engagement with Aboriginal people in the Cadia Valley area. It was noted, for example, that:

- There are limited opportunities for Aboriginal people to be involved in community consultation processes when those processes are weighted in favour of local landowners. The impacts of colonisation and dispossession have removed many traditional owners from the immediate district and trapped others in situations of disadvantage, and this precludes Aboriginal people who do in fact maintain a meaningful connection to the area from participating in the otherwise excellent consultation processes that Newcrest had established.
- Community Employment Strategies typically need to target specifically the very real problem of the disproportionate lack of pre-qualifications held by Aboriginal people, before Aboriginal people can be introduced in significant numbers into the workforce.

Nedra and Greg agreed that these were genuine problems for the company, and ones that the Cadia Valley Operation was committed to redressing, through its participation in forums such as the present workshop. One of the most encouraging outcomes from the workshop was, indeed, the establishment of a new working relationship between Newcrest's Cadia Valley Operations representatives and several workshop participants from the Cadia Valley area who represented Traditional Owner interests in that region.

5.3 Tree of Well-Being

The final presentation in this session was delivered by Rick Powell, a member of Koori Cultural Consultants and the Central West Catchment Management Authority Aboriginal Reference Group for the Narromine region.

Rick's presentation was an impromptu session, which was based not on a study of the mechanism of any particular working partnership between an Indigenous group and the mining/exploration industry, but rather upon ongoing studies that Rick and his community have undertaken concerning the conditions necessary for Aboriginal people to participate effectively in such partnerships.

Rick's discussion took as its point of departure a central metaphor, the "tree of well-being", which is the focus for a life program which Rick's organisation delivers to Aboriginal people who are interested in their potential for individual growth and improved well-being. The program draws upon the parallels that exist between how a tree lives its life, and how Aboriginal people flourish through a balance of different states such as rootedness (connection to the past), regeneration (confronting the past to face the future), vision (a harmonious relationship between family, individual and society necessary for productivity), pollination (a process of people working together to yield rewards), and seasonal change (the notion that when individuals reach maturity, their responsibility is then to pass on their gains to the next generation).

Rick's presentation was a moving vision of the potential of Aboriginal communities, inspired by the positivity of the workshop and participants' openness to the idea of working together to bridge cultural divisions and to yield mutually beneficial rewards.

6. MOVING FORWARD – PRIORITISING THE SOLUTIONS

It was recognised that the development and ongoing success of a regional partnership approach would require a genuine and pro-active commitment from all stakeholder groups to ensure the effective and efficient planning and management of regional problems, issues and expectations.

With this in mind, the final session of the workshop was devoted to determining which of the potential solutions (refer to Section 4 and Appendix C of this report) previously identified would take priority in the short to medium term.

The following four priorities were identified as potential focus points for follow up work stemming from the workshop activities:

6.1 Ongoing Sharing of Information and Resources

- Prior to the development or continuation of any other initiatives, it will be necessary to implement a strategy to ensure better networking and information-sharing among interested stakeholders in the partnership-building process within the region;
- At this early stage, workshop participants favored an initial step of organising and distributing amongst all workshop participants a simple database of workshop attendees, specifying their respective roles and contact details;
- It was agreed that the Working in Partnership team would arrange for the preparation and distribution of this database in conjunction with the workshop report;
- Workshop participants felt that it was appropriate that they then take charge of subsequent steps in the process by using the database details to follow up the workshop with further contact and discussions aimed at progressing key issues (in particular, the further priorities identified below).

6.2 Prevocational Training Strategies

- The next priority identified by the workshop participants was to identify strategies for the delivery of targeted pre-vocational training to Indigenous jobseekers looking to obtain employment within the mining industry;
- Workshop participants recognised that their region could benefit from a broader utilisation of the pre-vocational training model successfully employed by the Wiradjuri Condobolin Corporation in conjunction with the Barrick Gold project at Lake Cowal;
- It was agreed that one of the priorities that workshop attendees would look to advance in follow up discussions was the broader utilisation of similar training programs in conjunction with other mine sites, and more generally throughout the region;
- Workshop participants stressed, however, the importance of training for real jobs, rather than training “for training’s sake”. To this end, they agreed that there was a need to undertake further research to identify:
 - the number, location and likely longevity of available jobs within the industry;
 - the number of Indigenous people that are interested in working in the mining industry
 - the relevant pre-qualifications required to access such positions;
 - the level of industry support that can be guaranteed for Indigenous recruitment to these positions;
 - the location, number and existing skills base of available trainees, and what obstacles exist to their accessing employment opportunities;
 - appropriate Registered Training Organisations and accredited training programs;

- possible sources of funding and other forms of support, including existing strategies and programs offered by service agencies, and financial or in-kind support from industry.

6.3 Business Development Strategies

- A further priority identified was to foster Indigenous business development in conjunction with opportunities provided by the exploration and mining industry; and
- It was identified that particular themes which could productively be addressed in this regard include strategies for encouraging and developing:
 - sustainable information-sharing (for example, whether it may be possible, without detracting from the ongoing activities of an organisation such as the Wiradjuri Condobolin Corporation, to learn from that organisation's experience, and from that of other similar organisations in the region and beyond);
 - capacity development in key areas;
 - future business planning.

6.4 Indigenous Community Engagement Strategies

- The final priority identified by the workshop audience was to identify ways in which the mining and exploration industry in the region can develop its capacity to engage more effectively with Indigenous communities; and
- Examples of the kind of discussions that might be required in this regard included:
 - assisting Newcrest with the development of a possible site-specific Protocol for Indigenous Community Engagement for its Cadia Valley Operations;
 - the identification of specific ways in which government, industry and the community can work to address local obstacles to Indigenous participation in employment (including reasons underlying negative community perceptions of the opportunities that the industry has to offer to Indigenous people in the region).

Like previous workshops in the program series the Central West workshop exposed a clear need for follow-up activities to be conducted at the regional level.

Participants acknowledged that for a Central West regional partnership between the industry, government and Traditional Owner and other Indigenous groups and organisations to develop and succeed, beyond the actual workshop, each of the problems, issues and potential solutions identified during the workshop process would need to be further considered and a coordinated regional approach adopted to attain this outcome.

Appendix A Workshop Participants

Indigenous Representatives	ORGANISATION
Jenny Alcock	Tharawal Local Aboriginal Land Council
Eric Fernando (Snr)	Central West CMA Aboriginal Reference Group – Coonamble
Percy Knight	Wiradjuri Condobolin Corporation
Wendy Lewis	Wilpinjong Native Title Party
David Maynard	Central West CMA Aboriginal Reference Group – Mudgee
Neville Merritt	Central West CMA Aboriginal Reference Group – Gilgandra
Chad Morgan	Central West CMA Aboriginal Reference Group - Orange
Thomas Peckham	Central West CMA Aboriginal Reference Group – Narromine
Warwick Peckham	Central West CMA Aboriginal Reference Group - Bathurst
Barbara Powell	Central West CMA Aboriginal Reference Group – Warren
Rick Powell	Central West CMA Aboriginal Reference Group – Narromine
George Riley	Central West CMA Aboriginal Reference Group – Warren
Frances Robinson	Central West CMA Aboriginal Reference Group – Peak Hill
Terry Robinson	Central West CMA Aboriginal Reference Group – Peak Hill
Lesley Ryan	Central West CMA Aboriginal Reference Group – Nyngan
Tom Ryan	Central West CMA Aboriginal Reference Group – Nyngan
Shirley Scott	Central West CMA Aboriginal Reference Group – Bathurst
Veronica Smith	Central West CMA Aboriginal Reference Group – Gilgandra
Lyn Syme	Wilpinjong Native Title Party
Charley White	Central West CMA Aboriginal Reference Group –
Val White	Joshua Aboriginal Corporation – Dandaloo
James Williams	Central West CMA Aboriginal Reference Group – Orange
Kevin Williams	Murong Gialinga ATSI Corporation
Industry Representatives	COMPANY
Jane Allen	Northparkes Mines
Karen Andersen	Moly Mines
Georgina Beattie	NSW Minerals Council
Jasmin Bond	Greentrees Guesthouse
Nedra Burns	Cadia Valley Operations
Keith Downham	Excel Coal
Greg Morris	Cadia Valley Operations
Wayne O'Neill	Barrick Gold
Warren Paull	Barrick Gold
Brad Radloff	Centennial Coal
Chris Rieksen	Australian Business Limited
Bill Shallvey	Barrick Gold
Michelle Sharpe	Northparkes Mines

Mike Sutherland	Alkane Exploration
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Government Agency Representatives	ORGANISATION
David Abbott	Department of Industry, Tourism & Resources
Will Burns	Central West CMA
Tony Boland	Orange City Council
Pam Boney	Community Working Party
Tony Chantrill	Lachlan Shire Council
Mike Cooper	Department of Transport & Regional Services
Matthew Denyer	Department of Transport & Regional Services
Rachel Eatell	Central NSW Area Consultative Committee
Debbie Frail	Department of Environment & Conservation
Gerry Gillespie	Department of Environment & Conservation
Stephen Glencorse	Department of Primary Industries – Mineral Resources
Linton Howarth	Department of Natural Resources
Donna Jeffries	Department of Aboriginal Affairs
Cheryl Kitchener	Department of Primary Industries
Jennifer Ledger	Department of Education, Science & Training
Ros McDonald	Lachlan Shire Council
Richard Morris	Indigenous Coordination Centre
Kay Oxley	Department of Primary Industries – Mineral Resources
Bob New	Department of Primary Industries – Mineral Resources
Rob Perrin	Department of Employment & Workplace Relations
Gerald Power	Community Working Party
Kylie Provest	Department of Education, Science & Training
Tracey Shillingsworth	Department of Employment & Workplace Relations
Sue Williams	Central West CMA
Mike Young	Department of Primary Industries – Mineral Resources

Appendix B Workshop Problem and Issues Analysis

Mining/Exploration Industry Stakeholder Group

- Who do we deal with? How do we get the right people to the table? Do we need to talk to, and negotiate with, everyone?
- How do we get to reach agreement within a group?
- Information being filtered by non-Aboriginal 'experts'
- Employment opportunities are limited by skill levels
- Governance/accountability – within both Indigenous groups and government – if we come to an agreement, we need to have it honoured – some examples of poor accountability, which reflects back on the mining company as initiator of the agreement (runs counter to aspirations of capacity-building and self-governance)
- Different concept of time – project-development imperative. Major driver.
 - How much time is the company getting, ahead of time, in deciding planning issues? On a day-to-day basis, Aboriginal parties need more than 24 hours notice of the need for a site survey/clearance – and this should generally be possible
 - We have a timetable for project development – can be blown out by extended periods of negotiation
 - Some of the time imperatives come, e.g., from the fact that permits are only held for a certain number of years, and on condition that money is spent
 - If people are negotiating in good faith and with trust there is no reason why people can't meet timeframes
- Often have issues with financial aspects – e.g., compensation. Who sets the rate for cultural heritage work? Traditional knowledge gives a power in negotiations (effectively a monopoly). System isn't always working.
- Often difficult to understand what is and isn't negotiable – is it always possible to reach agreement?
- Mining industry has a certain work ethic and requirements for OH&S, insurances, etc. These sometimes limit opportunities for engagement with the mining business.
- Often are perceived as 'fourth level of government' (able to solve the world's problems) – in a position to provide services outside core business. We are responsible to our shareholders and need to give them a return on their money.
- People need to understand our business – we can't provide information at exploration stage about detail of future development, because we won't yet know those things.
- We recognise that some cultural knowledge and business is secret – but from a mining perspective, the greater the transparency and availability of data, the better we can make decisions
 - We accept that if people say "no, that's sacred", that's ok
 - We need, however, to know where they are in advance
 - But we sometimes need greater details about why we can't go somewhere, to know the limits of what we can and can't do
- Dealings with government are sometimes problematic – time taken to respond to issues. Not a one-stop-shop – multitude of agencies, often lacking resources (human and financial). Government sometimes indecisive – can't always give clear advice and process.
- Need for more Aboriginal community 'champions' – to speak out and lead communities.

Aboriginal Stakeholder Group

- Arrogance of mining company
- Lack of transparency
- No consultation with Aboriginal community
- Lack of respect - mining companies have a legal obligation to discuss with TOs
- Lack of understanding of non-Aboriginal and Aboriginal people toward traditional land boundaries
- Aboriginal people aren't always aware of the right person to contact
- Mining consultants aren't always speaking to the correct community representatives
- Problems with representation and capacity of LALCs to identify TOs (rather than those with historical connection)
- Miners should have to demonstrate how they have consulted with communities

- Native Title Services (NTS) should be consulted first (NNTT Register, etc).
 - There is no central body in NSW to identify TOs on a regional basis.
 - No consultation between LALCs and NTS.
 - Aboriginal people living on country should be contacted as a first point of call.
 - Mining companies should consult widely and early – put out expression of interest.
 - Some issues with the adequacy of published notices – e.g., insufficient use of plain English, maps difficult to read.
 - It is a Department of Environment & Conservation requirement that advertising occurs to a certain standard – local papers, Koori Mail / National Indigenous Times, statewide.
 - Bit of a problem with people who live outside country – although Koori Mail should cover?
 - Lack of understanding of what mining companies want from Aboriginal people.
 - Ignorance within Aboriginal communities of the process for granting exploration and mining licenses.
 - Lack of understanding of Aboriginal community protocols.
 - Money is used to secure consent to mine, rather than honest consultation.
 - Who can Aboriginal people consult to assist them?
 - Communities should be involved from exploration to mine closure.
 - Agreement conditions should bind subcontractors and contractors working for the agreement party/grantee.
 - Issues about identifying the company that will be responsible for mine development – exploration may be carried out by subsidiary companies.
 - From exploration to mine closure a sound consultation strategy should be put in place, which Aboriginal people understand.
 - Expectations from deals environmentally: Cultural Heritage protection to be a core part.
 - Employment deals:
 - Need a Cultural Heritage awareness/induction package for all employees;
 - Need awareness and valuation of Indigenous Cultural Heritage knowledge;
 - Aboriginal participation in contracts, rehabilitation activities, etc;
 - Training opportunities, trade-training opportunities.
 - Question about the role of government agencies? Should they be assisting to broker agreements?
 - Is a problem with government agencies treating eastern and western Indigenous communities unequally?
 - Aboriginal people should have input into the methodology of surveys.
 - Community workshops should target young Aboriginal people – e.g. advertise on JJJ
 - As part of negotiated agreements, mining lands should return to Aboriginal ownership.
 - Try to retain staff within companies to preserve continuity in dealings with local communities.
 - More women in industry.
- ### Government/Service Agency Stakeholder Group
- Exploration: DPI (Mineral Resources) process involves applications by persons for grant of EL – that grantee must negotiate access with the owner / occupier of the area.
 - Community working parties don't necessarily speak for TOs – not always a clear picture of who should be party to negotiations.
 - Gaps between agencies – DPI Mineral Resources don't know what role Agricultural Resources play, etc.
 - Muddy waters re who has responsibility over which part of the process – aren't always sure where other agencies are up to in relation to requirements.
 - Difficulty in balancing interests within non-Indigenous land usage – e.g., miners, pastoralists, agriculturalists – is well-recognised and catered for. So why do we expect unanimity from Aboriginal interests?
 - Explained role of different government departments and agencies, including DPI (Mining), DPI (Natural Resources), DEST, New Apprentices Centres, Dept of Environment & Conservation, Transportation & Regional Services, local government.
 - **Blockages to engagement:**
 - Industry:**
 - Where is mining heading? Where will the next mine be? (obviously mining doesn't know that, either) – It is difficult to introduce funding into the right areas, because don't know where next major mine site will be.

- Uncertainty about role of government departments;
- Industry becomes frustrated in dealing with government because of industry timeframes – these are difficult to meet, because of legislative constraints;
- Problems with communication;
- Questions about the metalliferous mining training package – lack of training pathways in this area (Central West).

Indigenous communities:

- Why is there the need for a homogenous, Indigenous interest? Can't this be broken down into multiple groups?
- Which groups are out there? Are we dealing with a representative group, and is it *really* representative?
- Lack of trust of government by Indigenous people.
- Need a better 'whole of government' approach?

- Is a problem in retaining staff – is good to deal with the same people, but industry/government tend to push the same people all the time (e.g., Indigenous reps) until they burn out – where are the young 'trainee elders';
 - Problem of tall poppy syndrome;
 - Should encourage broader participation and lift expectations from all perspectives;
 - Need to communicate industry requirements re employment and workplace pathways
 - Retention of trainees;
 - Mining doesn't always create a large number of long-term jobs, but there are other jobs in service industries (e.g., nurses, teachers) – must appreciate the employment won't necessarily be on site – need to recognise "spin off" benefits, which come through the increased size of the local community and economy.
- Need to appreciate range of size of mining operations – what can smaller operations do, by way of supporting local employment, training, and business?
- Communications a big issue.
- Breaking down negative expectations on both sides.

Appendix C Workshop Solutions

Group One

- Employment – scholarships, traineeships, training opportunities
 - Ensuring that training is for a particular employment outcome, rather than for training's sake
 - Access to land
 - Cultural heritage issues
 - Cultural awareness training for employees
 - Mentor available for Indigenous employees
 - Aboriginal liaison person in the mine
 - Business opportunities
 - Better information dissemination from the mines
 - Framework development protocols should be developed that everyone signs off on, to give a staged process to work through:
 - Must be developed from a local level and pushed upwards
 - Expectations must be realistic, specific, localised
 - Industry needs to know how to cost the expectations of the local group
 - Database of local contacts
 - To be distributed out throughout a local network
 - Build on existing work – e.g., Catchment Management Authority networks
 - Tendering processes – if there are opportunities, assist people with the process of tendering
 - Trying to create, as part of the training programs, capacity to seek business opportunities – educate about tendering process, assisting with tender development, business plans, etc
 - Seed funding from government to assist business development
 - Mentoring from successful businesspersons
 - Local business level forum and support network
- c. Accept that all stakeholders have a shared interest
 - d. Regional community process – government, community
 - e. Need economic development strategy for cultural assessment
2. At DPI level, at exploration stage, is there a possibility for a facilitator at that level, who has contacts within the Indigenous community, to initiate appropriate contacts for discussions about cultural issues, etc?
 - a. It's not that the facilitator would hold a database, so much as that the facilitator would know who to contact within the communities as points of first contact – then the person within the community is the person who holds a 'database' of appropriate people within the community
 3. Interagency coordination between DPI, DEC, CMA, DNR, NSWALC, NSWNTS, NSWMC, ICC
 - a. Couldn't answer how to do this – needs to happen at a lower level than at which is currently happening
 4. Employment in the industry –
 - a. Need active PR into the community, from people who are involved in the industry already – ie, involve Indigenous people who are already in the industry – take this message back into the community, schools, etc
 - b. Try to get messages to kids at an earlier stage of their education – even back into primary school
 - c. Scholarships – can be worked on
 - d. Diversity of work – get people involved in other jobs generated by the industry (e.g., health, education)
 - e. Mentor-retention role – is such a large turnover of non-Indigenous and Indigenous staff – mentoring is important
 - f. Drivers licenses and prequalification
 5. A number of mining industry employees said that their companies already have strategies in place for employment, cultural heritage, etc.
 - Questions were raised by Aboriginal people in the audience about why these strategies, etc weren't working/well known in the community, etc

Group Two

Four areas:

1. Cultural Assessment

- a. Set of guidelines that people could follow
- b. Database that could be updated for the region – who do we communicate with/talk to?

Group Three

- Employment: how would we kick-start the process?
 - Need a consultation process that outlines what pre-qualifications people need to enter the industry, typical jobs, number of jobs available, life of jobs, other opportunities for work beyond mining
- Need to include families
- Stepped process:
 - Need to map the local Aboriginal community
 - Bear in mind that not all people have access to IT, web sites, etc
 - Meet up with community members and ask those persons to distribute relevant information amongst their membership
 - Use media – radio, TV, etc
- Hold community events – tap into those events, e.g. NAIDOC, Red Ochre day in Dubbo, Koori Day – to advertise your employment strategies
- Be prepared to do this multiple times
- Local Network/Mapping of Key Stakeholders, Community Members, Agencies, etc:
- Helpful to get Aboriginal communities to understand who's who within industry and government
- Use Catchment Areas as regional focus
- Could use the model for community engagement developed and used by the Catchment Management Authorities
- Use NSW Mineral Council as the first port of call for people to contact particular persons within the mining industry in their locality, their role, etc

Appendix D Participant Evaluations

Working in Partnership Central West NSW Workshop Thursday 27 th and Friday 28 th July 2006												
The following is a table of results from participants' evaluation sheets about the workshop. There were 23 respondents.												
		Strongly Agree	%	Agree	%	>Neutral	Neutral	%	Disagree	%	Strongly Disagree	%
Workshop Objectives	The objectives of the workshop were clear to me and relevant to my role in my Organisation.	7	30%	16	70%	100%						
	The structure and format of the workshop allowed the objectives to be achieved.	9	39%	13	57%	96%	1	4%				
Working with Others	As a result of the workshop, I have a better understanding of the things other groups see as important in developing partnerships.	11	48%	12	52%	100%						
	I met a number of people at the workshop that I will probably contact or deal with again	10	43%	12	52%	96%	1	4%				
	The information kit (case studies) provided will be useful in demonstrating to others some of the examples of mining companies working in partnership with Indigenous communities	8	35%	11	48%	83%	3	13%				
Organisation & Format	The workshop was well organised and the time spent on each session/topic was about right.	4	17%	19	83%	100%						
	The time allowed for meeting with and talking to others was about right	4	17%	17	74%	91%	1	4%				
	The facilitators (Grant and Sally) encouraged discussion and the sharing of ideas	18	78%	5	22%	100%						
	The social function was worthwhile and a good chance to network with others	1	4%	16	70%	74%	2	9%				
Workshop Conclusions	The results of the workshop are something I will be able to talk to others about and use to build partnerships in the future	8	35%	15	65%	100%						
TOTAL		80		136			8		0		0	

224 responses out a possible 230

Appendix E Participant Comments

- ❖ Partnerships with Aboriginal Communities need to include all government agencies and departments – Well done;
- ❖ *Obtained a better understanding of each other's culture - cultural awareness session was excellent;*
- ❖ Aboriginal people and mining companies can work together – the workshop is about a journey;
- ❖ *Work together and respect each other in all dealings in life;*
- ❖ By working together we can achieve better outcomes for all in the community;
- ❖ *Need for dialogue to gauge/assist progress;*
- ❖ Learnt how to work in partnership – Grant ran a great workshop;
- ❖ *If in doubt, ask questions and respect others – Much better experience than I was expecting;*
- ❖ Increase partnerships – thank you for conducting the workshop;
- ❖ *Importance of mutual understanding, we need to communicate – I was very impressed and pleased that I came;*
- ❖ Focus on resolution – some thought given to de-briefing those given difficult roles in the cultural issues section of the workshop – this was an actual participant experience.
- ❖ *Clearer understanding of the mining industry – I was impressed by the way the cultural awareness session that took place. It was rewarding to see non-Aboriginal people understand, and feel the emotion about what has happened to our culture;*
- ❖ Importance of dialogue – most enjoyable 2 day workshop I have ever attended;
- ❖ *Time is right for partnerships – thought Grant's introduction to culture and society was one of the best I have seen in 20 years of involvement in Aboriginal affairs;*
- ❖ Keep talking through the issues – Lake Cowal presentation was excellent;
- ❖ *Perhaps we could use a kit for Aboriginal people and mining companies to explain the legal rights in NSW – Great two days, I am exhausted, mind is spinning – let's commence partnerships.*

Participants Comments

Working in Partnership - The Mining Industry and Indigenous Communities

Orange, NSW Workshop Thursday 27th and Friday 28th July 2006