



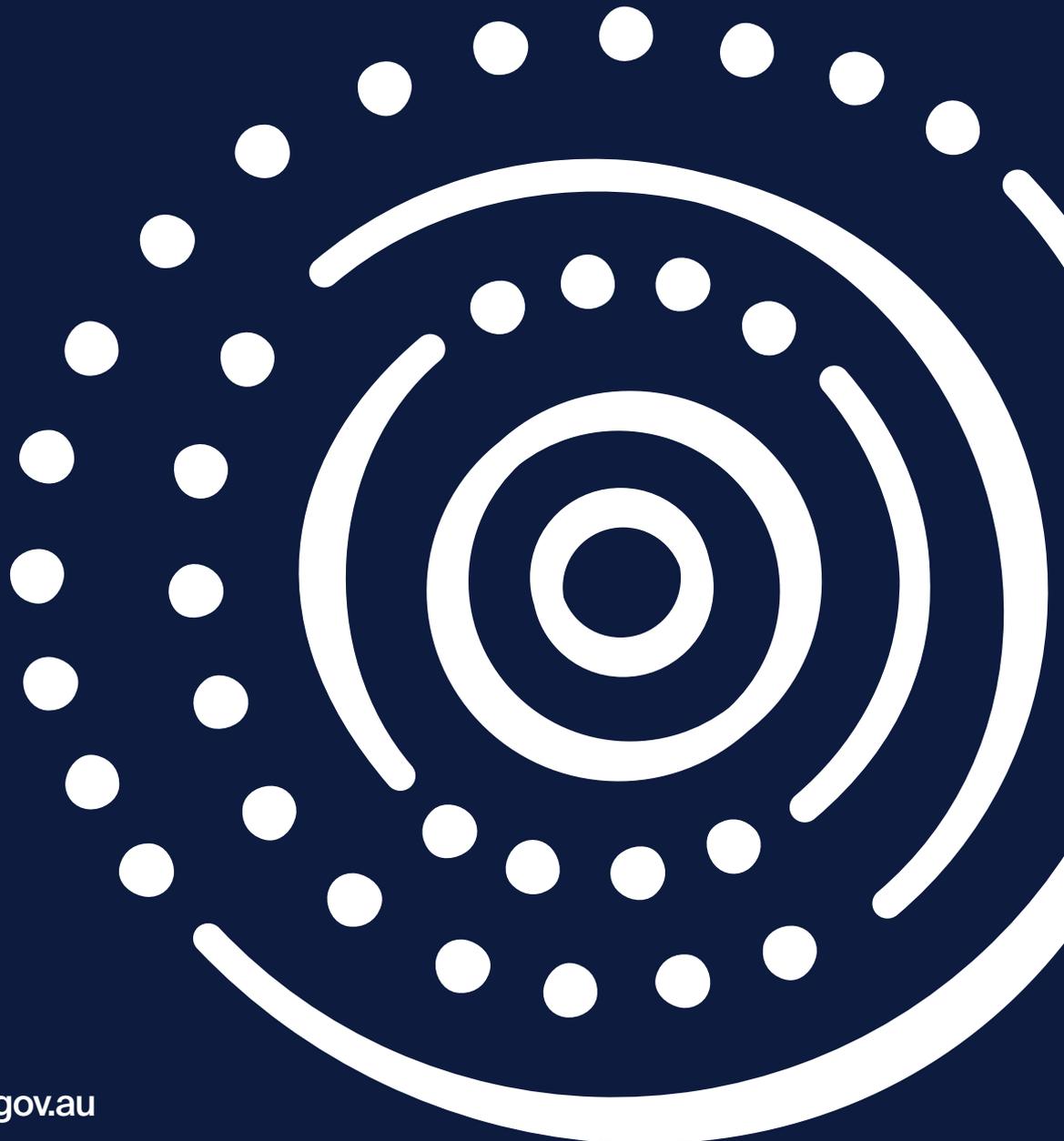
Government
of South Australia

Department for
Energy and Mining

Mineral Regulatory
Guidelines

MG25

Aboriginal engagement, good faith negotiation and agreement making



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Preferred way to cite this publication. Department for Energy and Mining 2023. *Aboriginal engagement, good faith negotiation and agreement making*, Minerals Regulatory Guidelines MG25, Mineral Resources Division. Department for Energy and Mining, South Australia, Adelaide.

Warning. Aboriginal and Torres Strait Islander peoples are warned that this publication may contain images and names of deceased persons.



Date	Comment
November 2019	First published.
Oct 2023	update to content



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Eringa native title claimants watching Targeted Exploration Initiative South Australia bedrock drilling on Tieyon pastoral lease. (Photo 047906)

Purpose

This document was created for the *Stronger Partners Stronger Futures* program to provide information on the process of agreement making.

Secure access to land and community support is fundamental to the success of mining, energy and renewable energy resources developments. It also sets a foundation of trust and credibility, through early engagement, for any future operations if a viable resource is discovered during exploration. Developing a relationship with the Aboriginal group(s) on whose country a project is proposed is key to managing the expectations of both parties,

facilitating mutually acceptable outcomes, and building relationships. Operators who do not engage early risk undermining the credibility of their project, and/or creating future schedule, economic, investor or social risks.

Negotiated land use agreements respect Aboriginal peoples rights and connections to that land, minimise adverse impacts, and maximise local benefits.



Objectives and scope

This document provides general guidance on the engagement, negotiation and agreement making process for resource projects in South Australia.

1. **Engagement.** Defines engagement, the business case for engagement, engagement principles and sets out some practical steps for effective engagement.
2. **Good faith negotiating.** Defines good faith negotiation, the business case for good faith negotiation, and principles and tips on how to proceed.
3. **Agreement making.** Provides background to agreements, the business case, advice for native title groups and exploration companies, and a checklist of some key elements of a good agreement.

Companies wishing to access in the Anangu Pitjantjatjara Yankunytjatjara Lands and the Maralinga Tjarutja Lands and land held by the Aboriginal Lands Trust will need to seek specific advice from those organisations about their preferred methods and timing for engagement as their legislation stipulates that consultation must be undertaken before land access is granted.

Desert landscape near Olympic Dam. (Photo 046755)





L-R: Clem Lawrie (Far West Coast Aboriginal Corporation) and Rian Dutch (Mineral Resources Division) on country during a heritage survey for the Coompana geoscience program. (Photo 416536)

Background

The Mineral Resources Division (of the Department for Energy and Mining, DEM) through the *Stronger Partners Stronger Futures* program has consulted with explorers and native title groups about their perspectives and experiences of current and past interactions with each other.

Both explorers and Aboriginal groups have expressed a strong desire for better working relationships. The following comments made by both parties demonstrate there is an opportunity for improvement, to further build trust and understanding between each other:

- 'The benefits from exploration can be good for everyone.'
- 'All parties want things to run smoothly and be done according to best practice.'
- 'Relationships need to be built on trust and respect.'
- 'More work is needed to build respect and understanding about each other's ways of doing things.'

- 'Cultural awareness between all parties and cultural competency are a key part of doing business successfully.'
- 'There needs to be greater communication between industry, government and native title groups to build better understanding about how each other works and what is important to each sector.'
- 'Trust and certainty are important.'
- 'More openness and transparency including greater sharing of information between all parties is needed.'
- 'Native title groups want to work with government and industry in respectful relationships to maintain, protect and preserve country.'

Relationship building lessons learned apply to all sectors of the resources industry. To complement this work, some native title groups have also produced videos to introduce themselves to industry and talk about their views and preferences with regard to engagement and relationship building.

MORE INFORMATION

- [Ngadjuri Contact First video](#)



Aboriginal communities are diverse. Different beliefs, customs, traditions, social structures and cultural practices exist across Aboriginal language groups. One commonality across Aboriginal communities and groups is a desire for early and direct engagement including face-to-face meetings with explorers and people wishing to undertake activities on their land.

Aboriginal heritage sites are fragile and irreplaceable. The protection and management of these sites is an essential component in maintaining Aboriginal culture, knowledge and tradition. Aboriginal people have a strong sense of responsibility for protecting cultural materials, sites and cultural landscapes, and are responsible to others with interests in that area of country in doing so. These sites are also afforded legal protection under the *Aboriginal Heritage Act 1988*.

Aboriginal people want to see their rights and interests in 'country' recognised and respected. They want to be involved in decision-making regarding development or other impacts on their country. It is a cause of distress when exploration, or any other activity, causes damage to Aboriginal sites, especially if this was avoidable through consultation between explorers and Aboriginal groups.

Aboriginal cultural protocols require an ongoing dialogue about access and movement on country. An explorer's ability to understand how the relevant native title or Aboriginal group likes to interact with other land users and build and maintain good relationships is the foundation for successful negotiation and agreement making.

Lyn from the Mineral Resources Division (centre) with traditional owners Tinpulya Mervin (left) and Josephine Mick (right) during a clearance survey. By liaising with traditional owners, the Mineral Resources Division ensures it is aware and respectful of significant sites whilst working in the Anangu Pitjantjatjara Yankunytjatjara Lands. (Photo 406347)



WHAT IS ENGAGEMENT?

The term 'engagement' refers to the interactions between a company, and its contractors, Aboriginal communities, landowners and other stakeholders. It covers a broad set of activities, ranging from the simple provision of information to stakeholders through to active dialogue and partnering. It is an activity that should occur regularly throughout a project life cycle, from exploration and beyond, to maintain positive working relationships.

MORE INFORMATION

Working with Indigenous communities:
Leading Practice Sustainable Development
Program for the Mining Industry

BUSINESS CASE FOR ENGAGEMENT

Good engagement enhances company reputation within the community, potential investors, shareholders and with other stakeholders. Good engagement reduces the risk of social conflict and the risk of associated delays and/or economic costs.

Last minute engagement may hamper negotiations by failing to enable suitable timeframes for stakeholder decision-making and inquiry. Establishing and maintaining good relations with Aboriginal people is critical to the success of exploration land access negotiations and should be a part of early and core business planning.

Building good relationships takes time. Engaging in the early stages of project planning allows time for relationships to establish and grow. Allowing time for communication and engagement will increase the likelihood of building the understanding of each party's interests, create opportunities for meaningful feedback and participation in exploration planning, and reduce the potential of harm to Aboriginal heritage.

Aboriginal people want to be informed about and give due consideration to developments that affect their rights and interests, including their culture, heritage, property, land, sea and water rights. To allow for these considerations to allocate sufficient time for culturally responsive engagement throughout the project.

PRINCIPLES FOR ENGAGEMENT

Meaningful engagement is based on the principles of communication, transparency, collaboration, inclusiveness and integrity as shown below (Ministerial Council on Minerals and Petroleum Resources 2005):

- **Communication.** Open and effective engagement involves listening and talking, two-way communication, and clear, timely, accurate and relevant information.
- **Transparency.** Clear and agreed information and feedback processes.
- **Collaboration.** Work cooperatively to seek mutually beneficial outcomes.
- **Inclusiveness.** Recognise, understand and involve communities and stakeholders early and throughout the process.
- **Integrity.** Conduct engagement in a manner that fosters mutual respect and trust.



Good practice:

- All peoples to be treated with respect and dignity.
- Recognition of landowners' historical and familial connection with their land.
- Culturally appropriate respectful and adaptive engagement practices.
- Provision of information and timely responses to any queries about potential, existing and/or future negotiation and engagement processes.
- Engagement practices that empower people to make free and informed decisions about all the options available to them.
- Respect for community privacy and confidentiality be maintained by all persons who are involved in documenting and storing information.
- Provision of consistent advice and detailed information about engagement and negotiation processes.
- Observing landowners rights to have a chosen representative and/or advocate attending meetings and negotiations.

In selecting the appropriate engagement tools, it is important to consider the level of engagement required. The [International Public Participation \(IAP2\) Spectrum](#), defines the levels of community engagement as:

- **Providing** balanced information
- **Obtaining** public feedback
- **Ensuring** public concerns are consistently understood and taken into account
- **Partnering** in all decision making
- **Empowering** decision making under public control.

MORE INFORMATION

[First Nations Clean Energy Strategy](#)

STEP 1 UNDERSTANDING ABORIGINAL RIGHTS

Steps 1-7 outline practical advice engagement throughout project life cycle.

Before on-ground work starts, take time to understand the cultural, legislative and policy environment to build an understanding of the rights of Aboriginal people over land and how they may relate to the project. This requires a basic knowledge of human rights, and cultural awareness.

Human rights

International human rights standards and instruments protect Aboriginal peoples' right to self-determination To participate in decisions that affect them.

The following human rights principles are relevant to negotiating with Aboriginal groups and can be found on the [Australian Human Rights Commission](#) website:

- Non-discrimination on the basis of race as required by Article 2 International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) and Article 26 International Convention on Civil and Political Rights (ICCPR).
- Equal protection of property interests before the law as required by Article 5 ICERD and Article 17 Universal Declaration of Human Rights (UDHR).
- Protection of the right to maintain and enjoy a distinct culture as required by Article 2 ICERD and Article 27 ICCPR.
- Right of Indigenous people to effective participation in decisions affecting them, their lands and territories as required by Article 5(c) ICERD, Article 1 ICCPR, and Article 1 of the International Covenant on Economic Social and Cultural Rights.

The resources industry is currently in the midst of a significant transition. The rise of the renewables industry together with the upturn in exploration for critical minerals and the need to address climate change presents an opportunity to industry stakeholders, governments, and Aboriginal peoples alike, to collaborate and build long term, sustainable partnerships.

At the same time, a shift in attitudes towards engagement with Aboriginal peoples is occurring nationally and internationally. In the wake of Juukan Gorge, there are increasing expectations by community and investors for resource companies to 'do better' and actively employ principles such as Free Prior and Informed Consent in their engagement with Aboriginal peoples.

FPIC is enshrined in the United Nations Declaration of the Rights of Indigenous Peoples (UNDRIP) and declares that States should obtain Aboriginal peoples' free and informed consent prior to the approval of any project affecting their lands or territories particularly in connection with the development, utilisation or exploitation of mineral, water or other resources.

In 2009 Australia endorsed but did not ratify UNDRIP. The application of FPIC to agreement making is not binding, however some procedural aspects are embedded in native title and land rights legislation. Increasingly Aboriginal communities' expectations are that companies understand and abide by the principles of FPIC.

In the absence of legislative guidance on FPIC, what companies can do is practice cultural awareness, develop accountable standards for engagement and consent, by developing constructive relationships based on agreed principles, good governance, good faith negotiations, timely engagement, meaningful participation, mutual respect and accountability.

Cultural awareness

Cultural awareness is understanding the differences between people from other cultural backgrounds. Building cultural awareness will enable to effectively communicate with members of Aboriginal communities in a culturally appropriate and sensitive manner.

If exploration or mining company staff have not worked with Aboriginal people before, take the time to learn something about Aboriginal culture and history. For example:

- In South Australia, the term 'Aboriginal' is preferred over the term 'Indigenous' when referring to Aboriginal peoples. Always use a capital 'A' for Aboriginal, and never use any other derivatives of this word.
- Respect cultural practice, governance structures, and the priorities of the community and their leadership. Do not single out individuals to do business with instead of engaging with the elected governance structure.
- Be sensitive to the personal and historical experiences of the people being consulted and respect the culture and heritage of the community a company is working with.
- Understand that Aboriginal people may communicate and make decisions in a different way to how an exploration or mining company operates.
- Be respectful of cultural sensitivities in meetings, and when working 'on country' adhere to cultural protocols where requested and remember to stay with the group. Always be guided by someone when walking on country. Expect that some questions about the cultural values of country may not be answered where gender or other sensitivities pertain to that information.
- If there is a death in the community a company is working with it is reasonable to expect that any engagements planned with that community may be postponed, particularly if the person was directly involved in activities.



- In some Aboriginal communities in the Far North of the state it is offensive to refer to a deceased person by name, unless agreed to by the family. In these circumstances seek advice about how to proceed and ask before using that person's name or image in promotional materials or publications.

MORE INFORMATION

- [Australian Institute of Aboriginal and Torres Strait Islander Studies – History](#)
- [Australian Government – Indigenous culture and history](#)
- [Australian Museum – Indigenous Australians: Australia's First Peoples exhibition 1996-2015.](#)

Cultural competency

Cultural competency is the next step up from cultural awareness. It is a developmental process that evolves over time and encompasses the ability to understand, communicate with and effectively interact with people across cultures on an ongoing basis.

Cultural competence is built on respect for Aboriginal culture. The organisational policies of an exploration or mining company should reflect an understanding of different cultural practices, and ways of communication. This enables everyone in an organisation to demonstrate workplace behaviours that enable all staff from executive through to contractors to work effectively with Aboriginal people.

STEP 2 IDENTIFY HERITAGE AND NATIVE TITLE RIGHTS

Aboriginal site search

Make sure a check of the Central Archive held by [Aboriginal Affairs and Reconciliation \(AAR\)](#) is carried out to identify whether there are any registered or reported Aboriginal heritage sites, objects or remains in the project area. AAR as to whether any cultural heritage surveys or clearances are recorded over the area of interest. AAR can also advise which Aboriginal group to contact for further information.

Seek professional advice from an archeologist as to the correct interpretation of the results of any surveys and the implications for the project plan on the Taa Wika cultural heritage database..

MORE INFORMATION

- [Aboriginal heritage guidelines for resource projects in South Australia.](#)
- [Native title information handbook South Australia.](#)
- [Taa Wika](#)

Identify native title claim or determination

Use [SARIG](#) (the online government geoscientific database) to find out if there are any native title claims or determinations, or any mineral exploration Indigenous land use agreements over the tenement or project area.

Reviewing how many other tenements or Indigenous Land Use Agreements there are in the same native title area will help identify the likely level of understanding or experience the community has engaging with exploration or renewable energy mining companies.

Consider seeking advice from other resource companies who are active in the region as to what existing systems or protocols the Aboriginal community has in regards to engagement.

Importance of native title rights and interests

Native title is the recognition by the Australian legal system of the rights and interests Aboriginal and Torres Strait Islander peoples have in relation to land and waters according to their traditional laws and customs.

In the Mabo decision in 1992, the High Court of Australia rejected the notion that Australia was terra nullius ('nobody's land') when the British asserted sovereignty in 1788. The effect of this is that traditional laws and customs present at the time of settlement survived, and rights and interests held under those laws and customs are recognised by the Australian legal system where they have not been extinguished.

The Indigenous Mining Employer Mentor (centre back) out on women's business with family from Watarru Community, Anangu Pitjantjatjara Yankunytjatjara Lands. (Photo 412784)





The Commonwealth *Native Title Act 1993* provides for the legislative recognition and protection of native title rights and interests. Described as a 'bundle of rights', native title can include the rights to:

- hunt, fish and gather food or traditional resources like water, wood, medicinal plants, resin, ochre and feathers
- conduct ceremonies on the land
- engage and participate in cultural activities including those relating to births and deaths
- exclude other people or control access/ activities
- live or camp on the area
- visit, maintain and protect important places and sites
- teach law and custom on country
- access and move about the determination area
- use the natural water resources
- conduct ceremonies and hold meetings
- share and exchange subsistence and other traditional resources
- cook and to light fires.

Native title is an important right that must be recognised when interacting with Aboriginal communities.

In South Australia, many Aboriginal groups have native title claims and manage determined native title rights and interests.

Prescribed Bodies Corporate (PBCs) manage the native title rights and interests for determined native title holders and are an integral part of the native title system. PBCs have specific statutory functions and obligations under the Native Title Act. They are a special type of Aboriginal Corporation, registered with the [Office of the Registrar of Indigenous Corporations](#).

PBCs face substantial challenges meeting funding requirements to support their activities. Many PBCs have no external income and rely on government funding to maintain their organisation. Some PBCs may be providing services without being paid. Without suitable resources PBCs may find it difficult to respond to inquiries in a manner that accommodates needs or expectations. This is another reason why engaging early and building relationships can assist to understand the project risks, potential constraints or opportunities to partner and support PBCs as relevant to the project.

PBCs are obliged to consult with and obtain consent from their members in relation to any decisions which may surrender or affect native title rights and interests. Negotiation of agreements should recognise Aboriginal governance and allow for the continued observance of Aboriginal laws and customs.

PBC's are entitled to recover reasonable costs for participation in agreement making discussions.

Native title is a group right and the intergenerational aspect of the right must be protected. Native title negotiations should not require native title parties to breach their laws and customs to obtain benefits from their interests.

Engaging with native title groups, particularly during the agreement-making process, can play an important role in providing opportunities for reconciliation between Aboriginal and non-Aboriginal peoples and create enduring relationships of benefit to both parties.

Native title rights and responsibilities

Most land in South Australia is subject to native title claim or a court determination that has confirmed the existence of native title. However, land can be native title land even where there is no native title claim or court determination.

Native title may exist on:

- unalienated (vacant) crown land
- parks and public reserves
- land held by, or for, Aboriginal people
- land held by government agencies
- seas, reefs, rivers and other waters that are not privately owned
- pastoral leases.

Who to contact about native title

Prescribed Bodies Corporation and Native Title Groups

This website is a resource for PBCs and for those engaging with them. It provides information on legislation and policy, events, resources and publications, training and running a PBC.

Office of the Registrar of Indigenous Corporations

www.oric.gov.au

Use to search for Aboriginal corporations including the contact officers.

National Native Title Tribunal

www.nntt.gov.au

Contains a searchable register on native claims and determinations, advice on Indigenous land use agreements, downloadable spatial data on native title claim and determination boundaries and maps of claims, determinations and agreements.

STEP 3 ENGAGE EARLY

To Aboriginal people relationship building is an important part of any process. Aboriginal people like to be involved in partnerships which are beneficial to both parties. Face-to-face, early and regular engagement, rather than transactional style interaction, is important and seen as a commitment to building an honest, respectful and trusting relationship. Provide clear advice on what activity is proposed in an area, what is found or hope to find, and what will happen next.

Good engagement takes planning and patience. First initiate the relationship, seek mutual agreement on the terms of engagement, and then discuss specific issues.

Aboriginal organisations may rely on lawyers to facilitate the negotiation process, but many still prefer to meet in person with proponents. Where there are concerns that early engagement may increase costs, consider that not engaging means that risks are not identified or addressed and misunderstandings can arise which can make negotiating more difficult later.

Instead, building a good relationship early can make it easier to negotiate costs and outcomes that suit all parties. It is noteworthy, that activities considered to be 'low impact', many Aboriginal communities consider the potential for physical exploration impacts to land, sea or water and potential heritage areas of any scale to be significant.

Engaging early in the planning process means contacting the chairperson or nominated representative of the peak heritage or native title organisation to inform them of the intent to explore the area. Not all communities choose to interact in the same way. After introductions, take the time to ask how they wish to proceed.



Be open about the nature of the engagement and any limitations of the process.

Build relationships

Aboriginal people want to know who is working on their land and access to information about the project. The following provides some tips for relationship building:

- If unable to meet at this stage, provide as much as information about the exploration or mining company, and the project plan pending a formal introduction.
- The first conversation is the most important one to have. An initial meeting will provide a chance to establish shared understanding of each other's interests and objectives, include introductions and information sharing and establish preferred communication protocols.
- If early engagement is done right it will provide clarity of process for future meetings/engagement.
- Even if on ground operations are not ready to start it is recommended, and appreciated to meet in person and take time to get to know the chairperson and executive. Face-to-face contact is important in this process.
- Be aware of organisational election cycles. Native title groups are required to have elections around the end of the calendar year which may change who the point of contact is. Keep in touch with the group or their legal representative around this time to monitor any changes.
- Be prepared to have leader-to-leader discussions where possible and make sure company executives are available to meet in the early stages if requested as a demonstration of trust and respect.
- Where possible, hire Aboriginal businesses in which the group has interests in (or supports the use of) on the project. This can provide the potential to share opportunities and benefits.

- The sponsorship of or attendance to community events such as [NAIDOC Week](#) or [National Reconciliation Week](#) activities will be appreciated and offers the potential to support community.

STEP 4 PREPARE AN ENGAGEMENT PLAN

The plan should tailor information and strategies to meet the needs of the group. This is a helpful way to think through and document a plan for all engagement activities, resources, responsibilities and outcomes, and identify any training or awareness needs for staff.

By communicating the plan to community, staff and contractors, it helps everyone to be informed and understand responsibilities and timeframes.

Elements of a simple engagement plan typically include:

- background and purpose
- regulatory framework and company policy
- past engagement activities stakeholders
- communication protocols
- engagement program and schedule
- resources and responsibilities
- grievance mechanism
- monitoring and reporting – record keeping, disclosure.

Consider who is the best person/people to undertake stakeholder consultation. The person with the most technical or scientific knowledge may not always be the best person to talk to Traditional Owners about how the proposed operation may affect their country. Cultural competence, clear communication, an ability to demonstrate trust and empathy as well as an understanding of Aboriginal rights, interests and values is critical.

Tips to create an engagement plan

- Seek community views as early as possible: be proactive, not reactive.
- Maintain consistent engagement and feedback opportunities throughout the life of the project.
- Make time to build relationships, develop capacity and share knowledge before making decisions.
- Allow enough time for issues to be raised and addressed, and for Traditional Owners to review and respond to information.
- Seek advice from the group on what agreement making and conflict resolution looks like for them, and how this may affect the consultation approach.
- Establish clear and realistic timeframes and make critical deadlines and timeframes clear.
- Recognise, respect and accommodate changes to timeframes where necessary.
- Make relevant information easily accessible in appropriate language and cultural styles so it is easy to find and to understand.
- Set clear grievance processes to address how concerns or complaints regarding the project can be resolved.
- Understand the interface with any formal legal processes required for formal group meetings.
- Be inclusive and ask if there is anyone else who needs to be engaged separately for cultural reasons and seek advice on whether there is a need to have regard for any gender-specific issues and how these are to be managed through the consultation and reporting phase of the project.

In this process give some consideration to the fact that for some Aboriginal people English is a second language.

Over the life of the project be prepared to attend multiple meetings with different audiences, eg with the chairperson and executive members, boards of directors and wider community meetings to ensure broad support for project activities which may impact on Aboriginal culture and heritage.

An engagement plan should:

- proactively seek the views of Traditional Owners as early as possible, noting that this may change as the project progresses
- maintain consistent engagement and feedback opportunities throughout the life of the project
- define actions to build relationships, develop capacity and share knowledge before making decisions
- allocate time for issues to be raised and addressed, and for Traditional Owners to review and respond to information
- establish clear and realistic timeframes for input and critical deadlines
- recognise, respect and accommodate changes to timeframes where necessary.

Define the appropriate language and styles for communications to:

- clarify an agreed approach to agreement making and conflict resolution including setting clear grievance processes to address how concerns or complaints regarding the project can be resolved
- clarify the interface with any formal legal processes required for community meetings
- be inclusive.

Personnel considerations

Consider cultural protocols and ask whether there is a need to send male and/or female representatives to the meeting.



Location considerations

- Be prepared to travel to the community, this demonstrates respect and may help keep meeting costs down.
- Always put money back into the community by using community owned venues or caterers, where available. A preferred central location, easily accessible to community members, may be nominated. For people who have to travel in remote areas, consider weather conditions, road conditions, accessibility etc.
- On land held by the Aboriginal Lands Trust, Anangu Pitjantjatjara Yankunytjatjara or Maralinga Tjarutja check what entry permits are required.

Clarify meeting expectations

From an industry perspective certainty is vital and engagement has to be efficient and cost effective. It is important, however, to appreciate that Aboriginal organisations may not have independent funding for meetings and engagement:

- Firstly discuss and confirm up front as to who will be responsible for organising the meeting, meeting costs, sitting fees or time and effort fees, legal fees, venue hire, travel expenses, accommodation and catering. Be clear about when, how and to whom payments will be made.
- Clearly communicate the purpose and proposed outcomes of the project.
- Be open and honest, do not promise what cannot be delivered, and follow up on all commitments in a timely manner.
- Be clear about critical deadlines, the short- and long-term aims of the project and provide progress reports.

NAIDOC week, L-R: Andrea Marsland-Smith (Manager Regulatory & Compliance, Heathgate Resources); Enice Marsh and Geraldine Anderson (Adnyamathanha elders); and Craig Bartels (President Heathgate Resources). (Courtesy of Heathgate Resources; photo 415970)



- Changes in the timeframes for the project, either as an extension or relinquishment, should be communicated to the group, as should the implications of any interest in undertaking a joint venture with a new company. Good engagement at the start of a project can determine its success at the end. The quality or effectiveness of relationships and engagement with the area's Aboriginal community can affect future exploration or other interests in the region.
- Decision-making processes for the project should be in line with community expectations and appropriate to the size and scope of the project.

Make sure it is clear whether the discussion relates to exploration or mining, or feasibility studies development and explain what the difference is. Do not assume that everyone is clear on the difference between these two activities.

Things to consider relating to time

- Allow adequate lead-time in planning when to meet. Aboriginal organisations often have many competing demands on their time from a range of parties wishing to engage with them, as well as family, work and cultural obligations.
- Prepare for changes in meeting times and dates, and always check with the chairperson if the meeting will still go ahead in case circumstances have changed.
- Make sure to allocate enough time to attend the meeting in case there is a need to stay a bit longer than intended if circumstances require.
- For larger community meetings confirm the time and day preferred by community members. Always allow sufficient notice so everyone who wishes to attend can plan accordingly. Avoid meeting on paydays, as

people may like to use these for personal business.

- Be aware that in the Far North and West of South Australia some communities are busy with cultural matters over the summer months and may not be available to meet additionally some areas may be closed to visitors.
- Ask if there are any special days or events that could affect scheduling. Communities often have other commitments during NAIDOC Week or National Reconciliation Week, and like to participate in regional events such as races and sporting carnivals.

Tips for giving presentations

- Seek the assistance of an interpreter when requested. For assistance, contact the Government of South Australia [Interpreting and Translating Centre](#).
- Make sure the terminology used to describe the project, processes and procedures is clear, understandable and reflects any cultural preferences. Remember many people may be unaware or unfamiliar with exploration terms and activities.
- Provide clear, well-informed and fit-for-purpose information. Use plain language, limit and clearly explain jargon.
- Use visual aids to demonstrate how work will be undertaken, the technologies used and the potential impact on country. Use before and after photos if available.
- Reporting must be technically sound but understandable by a wide audience and conveyed in a way that allows for informed decision-making. Clearly describe the project including the possible variations.
- Provide opportunities for answering questions. Make sure the right staff are available to answer any technical questions when required.



- Leave sufficient information to be distributed to community members who were not able to attend the meeting.
- Never use hypotheticals – stick to practical examples.
- Listen as well as present for two-way communication.

Catering

- Always cater with diabetic friendly food in consideration of potential diabetes sufferers who may be present.
- Give preference to using community's own caterers.
- For meetings in a residential Aboriginal community, consider an event such as a BBQ that all members can attend to meet the people they will be working with.

Stay neutral

- Differences of opinion between members of the Aboriginal organisation should be resolved internally. Do not take sides when concerns are raised even if some people are clearly in favour of the project; instead seek to arrive at a mutually agreeable position to all parties. Seek assistance from an independent facilitator or a third party to assist if the matter cannot be easily resolved. The facilitator should have experience in working with Aboriginal cultures and a good understanding of the subject matter.
- Listen to, and respond respectfully, to concerns. Allow time for different views to be heard, respected and equally represented.
- Take responsibility for company actions and be honest if the news is not good.
- Ensure company values and codes of conduct at the corporate level are consistent with practice on the ground.
- Observe legal, ethical and human rights.

Sharing information before the meeting

Before the meeting send an information pack explaining the company, key staff and the project objectives..

Be prepared to discuss:

- timing and location of project (include maps and aerial imagery)
- type of work to be carried out and the equipment to be used (include photos of equipment where available)
- likely impact of on-ground works on natural and cultural values
- likely methods of avoidance
- project personnel
- any further information relevant including expectation for receiving permits and approvals
- workplace health and safety requirements for participants.

Share any other information on the area with the community, eg vegetation or groundwater studies.

Be respectful of traditional cultural and ecological knowledge, seek feedback on plans and incorporate suggestions into project design and mitigation strategies as required.

At the meeting

The following describes different meeting protocols:

- **Welcome to Country.** Given at significant meetings or events and always performed by an Aboriginal person from that country to welcome visitors to their traditional land.
- **Being welcomed.** Acknowledge the invitation and show respect and thanks.
- **Acknowledgement of Country.** At the commencement of a meeting, acknowledge the relevant Aboriginal community's connection to country where everyone is meeting.

MORE INFORMATION

- [Aboriginal Affairs and Reconciliation – Welcome to Country.](#)

Meeting content and process

- Explain the purpose of every visit.
- Introduce key staff and talk about the company and its policies, and what action is being sought from the group.
- Explain what is involved in the project, eg typical timeline, differences between data collection exploration and mining, likelihood of finding an economical deposit, employment opportunities.
- Exchange information to establish the process each party will follow during the discussions.
- Be aware that the group may wish to discuss the matter privately, in which case some attendees may be asked to leave the room until they are done.
- At the close of the meeting, thank the group for their invitation, summarise/confirm the issues discussed and advise what to expect next.
- Confirm the need for any subsequent meetings.
- Ask for suggestions about what the community would be interested in learning more about.
- Establish clear and realistic timeframes for the community to provide a response and agree on methods of feedback.
- Set up the next meeting.
- Consider holding an exit meeting when results are negative.

STEP 5 INFORMATION SHARING

Document all discussions

- Retain copies of all correspondence.
- Keep a list of successful and unsuccessful attempts to engage and actions taken.
- Establish an agreed process for making promises and/or commitments including agreement on who from each party has the authority to make decisions. All promises or commitments must be confirmed in writing. Maintain a list of all commitments made with the date and name of the person(s) the commitment was made to.
- Take records of meetings and retain copies of meeting agendas, participant lists and presentations, summarise presentations and the community's response, and document concerns raised and responses and any verbal agreements.
- Provide a copy of the report of the meeting and agree on a mechanism for people to provide any further feedback on the issues discussed, as not everyone may speak up in a community meeting.



STEP 6 WORKING TOGETHER ON COUNTRY

Undertaking heritage work

- Contact the Aboriginal group before arriving for a field trip to confirm that everything is still okay to go.
- Establish whether there are any gender sensitivities in the visiting area and send appropriate staff.
- Check entry protocols and requirements well ahead of requiring entry to Aboriginal-held lands.
- Establish whether any of the heritage survey participants are considered to be a senior person. If they are, they should be included in planning the day's activities and in making decisions about how best to access particular areas.
- Discuss how traditional knowledge can help to minimise or mitigate potential adverse environmental and social impacts.
- Provide the group with all of the information they need to understand what will be happening on the day ahead of time.
- Hire suitably qualified archeologists and/or anthropologists to provide a report. They are there to ask the right questions and provide a formal report which has professional standing.
- Be mindful of cultural sensitivities and do not wander away from the group without checking if it is okay to do so.
- Do not move or collect anything without asking, and do not collect any cultural materials. These are protected under the Aboriginal Heritage Act.



Dan Podger (Mineral Resources Division) talking about the process of mineral exploration to the Wilyakali #1 Native Title Group at Broken Hill. (Photo 416538)

- Some Aboriginal people have indicated they can feel pressured by companies to make quick decisions in the field that they are not comfortable with. Companies need to seek a balance between undertaking work in a timely manner and allowing appropriate time for discussion and decision-making amongst Aboriginal participants.

Undertaking on ground works

- Ensure all personnel, including contractors, that are provided with a cultural awareness briefing from the traditional owners as part of their site induction and are updated on any recent issues and responses before going to the field.
- Personnel should be informed of agreed protocols for handling any concerns which may be raised in the field.

STEP 7 KEEP ABORIGINAL GROUPS INFORMED

- As a courtesy let people know what any ASX announcements meant for the project.
- Let the local Aboriginal community know if water is found when exploring, as this will be of interest.
- Let them know the results of the project and advise whether there is interest in undertaking further work, or if the tenement or licence will be sold or transferred to another party.



Young Anangu Pitjantjatjara Yankunytjatjara men learn about the stories contained in rocks at a seminar hosted by the Mineral Resources Division at the Glenside Drill Core Storage Facility. (Photo 405079)



L-R: Andrew Cole (OZ Minerals) and Chris Larkin (Kokatha Aboriginal Corporation) signing an innovative partnering agreement for the Carrapateena project. (Photo 415105)

Good faith negotiating

So far we have discussed how engaging with Aboriginal groups early in the project cycle can assist to establish trust and credibility through the exchange of views and information.

Early face-to-face engagement also offers the benefit of developing a relationship to foster realistic expectations, which is key to facilitating mutually acceptable outcomes. Companies who do not engage early risk being regarded as a company who is only interested in the resources and personal gain and do not respect Aboriginal native title or culture. This may cause a barrier to any future relationship building or agreement making.

The next step in the process usually requires negotiation to achieve a specific outcome such as a native title agreement. Negotiation differs from consultation as it seeks to reach agreement on a specific issue or set of issues.

Negotiating in good faith means that parties must negotiate with an open mind and a genuine desire to reach an amicable agreement that recognises the priorities and interests of both parties.

WHAT IS 'GOOD FAITH'?

Good faith is the understanding between parties involved in a negotiation that each party will not seek to act unfairly against the other.

Each party promises to keep their word according to the agreed-upon terms, not avoid their obligations, or use deceit to avoid implied and mutually understood terms of the agreement.

STYLE OF NEGOTIATION

Good faith negotiations work best when conducted according to the rules of 'interest-based' agreements. This approach seeks to deliver an outcome for all parties that satisfies, if not their initial proposals, at least the deeper interests and motivations that lie beneath them.

For example, communities may also request employment opportunities, or assistance with economic development as part of the project. This particular style of negotiation, driven by principles of joint problem solving, tends to strengthen relationships between the negotiating parties and often works best when facilitated by an agreed third party.

Other styles of negotiation that focus on one party seeking to 'win' the best deal it can, regardless of the consequences for the other parties, generally fail to build on the opportunity for relationship building while reaching an agreement.

The outcome, where the good faith negotiation process is successful, is an agreement and evidence of the process to reach it.

GOOD FAITH OBLIGATIONS

Good faith negotiation places the following obligations on all parties.

Be honest in negotiations

The participation of people with authority to make decisions is critical to the success of the process.

Identify what financial and legal advice is needed, and what is required to provide a level playing field for all parties.

Both parties must ensure sufficient information is exchanged to allow them to come to an informed decision. Honesty does not require the need to reveal more information than necessary. It means not making false or misleading statements or representations.

Written agreements must be easily understood by all members of the parties with the inclusion of plain language explanations of legal clauses written into the agreement and any associated documents.

The Aboriginal groups should be empowered to give free and informed consent to the process and its outcomes.

Respond to the other party

Acting in good faith makes the process fair for everyone. Active communication is an important part of good faith negotiating.

When negotiating with another party, a face-to-face or exchange correspondence may be required. Any refusal to communicate with the opposing party makes the process more difficult.



If the other party makes contact, promptly return their phone calls or respond to letters or emails. Not communicating can be a breach of good faith.

Set agreed milestones and protocols to ensure that negotiations progress in a timely manner.

Show willingness to engage in the process and be available to meet at reasonable times as required.

Allow sufficient time for each party to do the necessary consultation with their constituents to come to a decision.

Be professional

Use mutually acceptable procedures for negotiation and allow sufficient time for decision-making.

Act with mutual respect and sensitivity to cultural and other differences, and try to build an understanding of the other party's views, commitments and obligations.

Respect the integrity of the decision-making processes. How the parties conducted themselves during the process is an important aspect of good faith negotiating.

Remember, both parties are negotiating because they have something the other party wants. Good faith agreements are often a compromise, with both sides making accommodations to make the deal beneficial for everyone.

Treat the other party with integrity and professionalism and expect the same treatment.

Both parties must demonstrate flexibility and a willingness to consider the other's position.

To reduce adversarial feelings and promote professional and productive discussion, it may help to explain the company's position as thoroughly as possible, noting any concessions the company is willing to make.

L-R: Anton Mundy (Far West Coast Aboriginal Corporation) and Carmen Krapf (Mineral Resources Division) discuss preliminary results during the Far West geochemical survey. Soil and vegetation samples were collected by helicopter and processed daily in the field with results reviewed in the evenings. By sharing results, the Mineral Resources Division kept the traditional owners well informed. (Photo 416361)



Often the offer of compromise or other choices to meet the needs of the other party can facilitate flexibility from the other party and help build trust in the relationship more quickly.

Resolve misunderstandings

- All parties should show willingness to change initial position and modify offers where possible.
- Where discussions have stalled:
 - try and identify what is the main cause for concern – is it related to the personalities involved, the agreement making process or the matters being discussed
 - seek to identify whether there has been a misunderstanding between the parties on any of the issues.
- If there is a particular issue that is preventing the parties from reaching agreement, ask if there is additional information that can be shared to clarify positions:
 - review the options and see if any other solutions can be found
 - seek professional assistance to manage the meetings where required
 - agree on a grievance mechanism to address any issues arising in the implementation of the agreement.

Koonalda homestead served as a base camp for Far West Coast Aboriginal Corporation members and Mineral Resources Division staff during the Coompana geoscience program. (Photo 416539)





Opening of the Tarcoola gold mine. The opening was attended by stakeholders including representatives of the native title holders - the Antakirinja Matu-Yankunytjatjara Aboriginal Corporation, the project's major contractors and government. (Courtesy of WPG Resources; photo 415122)

Agreement making

Agreements between governments and project operators have a long history in the exploration and mining industry. However, native title agreements are a relatively recent development, with most negotiated in the last 20 years.

Agreement making with Aboriginal peoples is increasingly important in areas relating to land, resources, health, education and research and economic development. Land use agreements have been influenced by various statutory Land Rights Acts, Aboriginal heritage legislation and the Native Title Act.

Secure access to land and community support is fundamental to successful exploration activities. Negotiated agreements with Aboriginal groups respect people's rights or connections to land, minimise adverse impacts and maximise local benefits.

Agreements are business arrangements. They formalise the relationship between an explorer as a new user of the land and those with existing connections to that land. Agreements also provide a means to legally document commitments between parties and codify the behaviours expected from company (and contractor) personnel who work on that land.

Agreements contain mutual obligations that can be enforced and audited. They can help reduce potential negative effects of exploration activities on communities and their environment. Getting agreement on impact mitigation, benefits, opportunities and obligations through good faith negotiations can reduce the risk of conflict or legal action that could delay a project, impact or halt an operation, or damage an explorer's reputation.

GOOD AGREEMENT MAKING PRACTICE

According to the International Council on Mining and Metals (2010), at the project level, the business case for achieving stable and mutually beneficial agreements with Aboriginal groups is fundamental to gaining certainty and security in the access to land and resources over the longer term. This creates confidence for commercial decision-making and capital expenditure and reduces the risk associated with unpredictability.

The business case for agreements that focus on training and employment and business development opportunities for Aboriginal groups can be driven by a need to develop a local workforce to meet labour needs and to build sustainable and responsive business supply chains in remote locations. Companies that act ethically will gain a reputation that will make it easier to access resources in the future.

Companies with a poor reputation or poor skills in negotiating agreements will be more likely to experience delays and hurdles in the negotiation and agreement-making process.

Companies that fail to recognise Aboriginal peoples' rights are more likely to become involved in disputes and conflicts that affect current and future business performance.

Companies that perform well in agreement making will gain reputational benefits including 'improved relations with governments and international organisations, and more constructive engagement with civil society groups' (International Council on Minerals and Metals 2010).

AGREEMENT TERMS AND PRINCIPLES

Agreement making process

All actions related to an agreement and its implementation are part of the 'agreement making processes'. This includes engagement, negotiation, ratification, implementation, monitoring, evaluation and review.

Types of agreement

The type of agreement to be developed depends on the wants and needs of the community and the company, as well as the legal context and obligations. The main types of agreement for resource projects are:

- 1 native title agreements (for land access/ exploration); under Part 9B of the Mining Act.
- 2 Indigenous land use agreements under the Native Title Act.
3. right to negotiate agreements under the Native Title Act.

What does a good agreement contain?

The Australian Human Rights Commission (2009) has defined good agreements as those that provide for:

- financial benefits proportional to the impact of the mine or other operation for the long term, through trusts and regular ongoing payments
- Aboriginal business, employment and training opportunities
- community development payments and initiatives
- Aboriginal involvement in cultural, heritage and environmental projects



- Aboriginal control of funds, combined with mentoring and support by independent parties
- appropriate governance structures aligned with the specific community needs and group composition and the purposes of the agreement
- regular reviews of the long-term objectives of the agreement and the extent to which these are met.

An Aboriginal perspective on the principles of negotiation

The following principles of agreement making are based on those suggested by the Aboriginal Legal Rights Movement in South Australia (Agius et al. 2004):

- **Native title is about people, not legal technicalities.** Agreement building must build relationships between people.
- **Aboriginal claimants have standing as principals in the negotiations.** They are the people who hold native title rights and these are real property rights, as real as any other property rights.
- **Non-extinguishment.** Agreement building should not require extinguishment of native title.
- **Self-determination.** Agreement building involves the exercise of self-determination, rather than leading to self-determination.
- **Fairness.** Agreement building should be fair. All participating groups should be better off and none should be worse off because of an agreement.
- **Inter-generational equity.** Agreements should recognise the principle of inter-generational equity because they are likely to set important aspects of the conditions facing Aboriginal people for several generations. They should not be short-term deals.
- **Sustainability.** Negotiated outcomes should be sustainable for Aboriginal people for other interests and for natural and cultural resources.
- **Meaningful benefits.** Negotiated outcomes should be meaningful to Aboriginal people. Agreement building is only worthwhile if it produces the desired outcomes.
- **Benchmarks.** To be worthwhile, outcomes should not only be better than exist now, but should also be better than what can be achieved through other means (litigation or legislation) and must be reasonable against appropriate benchmarks (comparable international settings). Appropriate benchmarks should be reviewed and improved over time.
- **An act of choice, not the only choice.** Agreement building should not lock Aboriginal people into an 'all-or-nothing' situation, where they rely on complete settlement to achieve any gains at all. Aboriginal people should continue to negotiate only if they judge it to be producing worthwhile outcomes.

ADVICE ON AGREEMENT MAKING FOR COMPANIES

Agreement making is not isolated to any single part of a company's business. Agreements will often include commitments around land use, environment, procurement, social and economic development and employment. The following points are based on advice from Indigenous Support Services and ACIL Consulting (2001).

- Ensure there is full company commitment, up to chief executive officer and board level, to the negotiations. This will give them the best opportunity of success and identify company resources and potential constraints to any agreement outcomes.
- Negotiations should be aimed at finding common ground and mutually beneficial solutions to common challenges. Win-lose approaches are not appropriate in this scenario.
- Ensure negotiations are held with the right people. It is the responsibility of the exploration or mining company to seek advice and ensure this happens.
- Provide clear information on the proposed development and its impact on Aboriginal people to give them a clear idea of how their rights and interests might possibly be enhanced or diminished by the project.

Consultation strategies should:

- be appropriate to the scale and geographical extent of the project
- enable open effective communication channels
- take into account social, cultural, economic and geographic circumstances of the Aboriginal stakeholders
- plan for and use timeframes that consider the culture and needs of the Aboriginal parties, rather than being driven solely by the project's critical path

- allocate adequate resources to negotiations, recognising that Aboriginal parties may have limited funds available to them and require company funding to participate fully and appropriately
- use well-trained negotiators and maintain the same teams until negotiations are completed.

ADVICE ON AGREEMENT MAKING FOR NATIVE TITLE GROUPS

The following points are based on advice from Gibson and O'Faircheallaigh (2015).

Planning to negotiate

- Understand the legal and regulatory context.
- Define the nature/extent of community involvement.
- Consider community character:
 - ability to plan collectively and stay united
 - planning and managing politics and conflict
- Clarify community strategies/negotiating positions (need clarity regarding goals).
- Decide the community's negotiating team composition, roles and legal position.

Information collation and management

- Consider access and confidentiality needs.
- Define the project nature.
- Develop a community baseline.
- Identify the potential impacts of the project.

- Develop an informed budget by considering the project nature, communities, timeframes and legalities.

Negotiating and reaching agreement

- Shaping the agenda – consider locations, language, roles and rules, and document all meetings/consultations.
- Relationship building – respect each other and enable joint problem solving.
- Highlight options and ensure they are clearly articulated.
- Seek agreement/consensus regarding what the community promises to do, or not, in return for benefits.

Agreement needs to reflect community goals

- Transparency and opportunity for further input.
- Renegotiation if needed.
- Ratification of the agreement.

Implementing agreements

- Establish clear goals for the agreement.
- Establish and identify strong management structures and systems – remember flexibility is required for changes to conditions.
- Ensure adequate resources are in place for the implementation of the agreement.
- Develop and implement appropriate monitoring systems to track the success or failure of agreement elements.

INGREDIENTS FOR A SUCCESSFUL AGREEMENT

Gibson and O’Faircheallaigh (2015) also recommend the following elements for a successful agreement:

- **Clear goals.** Precision and clarity in the way that goals and intended outcomes are stated in the agreement will be critical in ensuring smooth implementation.
- **Institutional structures for implementation.** Implementation cannot be expected to occur as an add-on role for the parties to the agreement. New structures such as committees specifically tasked with implementation will be necessary to drive the agreement forward.
- **Clear allocation of responsibilities.** The agreement needs to clearly state who is responsible for doing what, and make sure that the responsible person or organisation has the authority required.
- **Adequate resources.** Dedicated resources, whether funds or human resources, need to be allocated for the implementation of agreements. In a review of 40 agreements in Canada and Australia, it was discovered that less than 20% included dedicated resources for implementation, monitoring and review (O’Faircheallaigh 2003, p. 15).
- **Penalties and incentives for compliance.** Some agreements have included clauses that require the company to spend more on Indigenous training and employment programs if agreed targets are not met.

- **Monitoring.** Provisions for monitoring might include a requirement for regular reporting of data and a list of performance indicators that will be used to track the progress under the agreement.
 - Develop participatory monitoring and evaluation processes that involve company personnel and representatives of the Aboriginal group.
- **Review mechanisms.** Best practice agreements contain a requirement for periodic review of the agreement as well as commitments to fund the review and a process for the findings to be considered and acted upon.
 - Use independent review mechanisms to agree and implement improvements to agreements and their outcomes.
- **Communication and reporting.** Communicate the importance and obligations of the agreement internally with company personnel and contractors. Report on the operation's agreement performance both internally and publicly. Publish the agreement provisions and outcomes, while respecting intellectual property, privacy, commercial and any confidentiality requirements as agreed by all parties.
- **Capacity for amendment.** To ensure agreements remain relevant and can adapt to changing circumstances, the agreement should provide a process for amendment that is not too onerous. Companies may want ongoing certainty about the key commitments in an agreement and these can be made more difficult to amend, but provisions about implementation and governance need to be able to be amended as the need arises. In some agreements, the key commitments are in a strict legal agreement while the other provisions are in a separate agreed 'management plan' that can be amended more easily. Indigenous land use agreements are registered with

the National Native Title Tribunal and are difficult to review and change; so many companies have included only the core provisions in the registered Indigenous land use agreement and complemented these with separate management plans or ancillary agreements.

MORE INFORMATION

- [Agreements, Treaties and Negotiated Settlements database](#)
- [Agreement making with Indigenous groups: Oil and gas development in Australia](#) (Limerick et al. 2012). (PDF 3.2 MB).

References and resources

Agius P, Davies J, Howitt R, Jarvis S and Williams R 2004. Comprehensive native title negotiations in South Australia. In M Langton, M Tehan, L Palmer and K Shain eds, *Honour among nations? Treaties and agreements with Indigenous people*. Melbourne University Publishing, pp. 203–205.

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Gibson G and O’Faircheallaigh C 2015. *IBA Community Toolkit: Negotiation and implementation of impact and benefit agreements*. Summer 2015 edn. The Gordon Foundation.

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Rio Tinto 2016. *Why agreements matter: A resource guide for integrating agreements into communities and social performance work at Rio Tinto*. Rio Tinto.

LAWS

www.legislation.gov.au

www.legislation.sa.gov.au

Commonwealth and South Australian Acts and Regulations are available for free download from the Federal Register of Legislation and South Australian Legislation websites, respectively.

- *Aboriginal Heritage Act 1988*
- *Mining Act 1971*
- *Native Title Act 1993* (Cth)
- *Native Title (South Australia) Act 1994*.

DEPARTMENT FOR ENERGY AND MINING

MINERAL RESOURCES DIVISION

www.energymining.sa.gov.au/minerals
map.sarig.sa.gov.au

Publications are available for free download from both the DEM website and SARIG, or from [Customer Services](#). As publications may be updated at any time, always check on our website for the latest versions.

SARIG provides up-to-date views of mineral, petroleum and geothermal tenements and other geoscientific data. View and download information relating to minerals and mining in South Australia including tenement details, land access, mines and mineral deposits, geological and geophysical data, publications and reports.

- [Forms](#)
 - 27, Notice initiating negotiations with native title parties - section 63M
 - 21, Notice of entry on land
- [Stronger Partners Stronger Futures video project](#).

OTHER RESOURCES

- [Aboriginal Affairs and Reconciliation](#)
 - [Welcome to Country](#)
- [Agreements, Treaties and Negotiated Settlements \(ATNS\) database](#)
- [Australian Government – Indigenous culture and history](#)
- [Australian Human Rights Commission](#)
- [Australian Institute of Aboriginal and Torres Strait Islander Studies \(AIATSIS\) – History](#)

- [Australian Museum – Indigenous Australians: Australia’s First Peoples exhibition 1996-2015](#)
- [Australian Trade and Investment Commission – Engaging with traditional owners](#)
- [Interpreting and Translating Centre](#)
- [Leading Practice Sustainable Development Program for the Mining Industry](#)
- [NAIDOC Week](#)
- [National Native Title Tribunal](#)
- [National Reconciliation Week](#)
- [Prescribed Bodies Corporate and Native Title Groups](#)
- [Ngadjuri Contact First video](#)
- [Office of the Registrar of Indigenous Corporations](#).

SHORTENED FORMS

- AAR** Aboriginal Affairs and Reconciliation, an agency of the South Australian government
- AIATSIS** Australian Institute of Aboriginal and Torres Strait Islander Studies
- DEM** Department for Energy and Mining
- ICERD** International Convention on the Elimination of All Forms of Racial Discrimination
- ICCPR** International Convention on Civil and Political Rights
- PBC** Prescribed Bodies Corporate
- SARIG** South Australian Resources Information Gateway – @ map.sarig.sa.gov.au
- UDHR** Universal Declaration of Human Rights

ACKNOWLEDGEMENT OF COUNTRY

As guests here on Kurna land, the Department for Energy and Mining (DEM) acknowledges everything this department does impacts on Aboriginal country, the sea, the sky, its people, and the spiritual and cultural connections which have existed since the first sunrise.

Our responsibility is to share our collective knowledge, recognise a difficult history, respect the relationships made over time, and create a stronger future.

We are ready to walk, learn and work together.

FURTHER INFORMATION

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