

TABLE 1

Deal	Information in the public domain re quantity of native title payments	Sources
BHPBIO Niyiyaparli (2012)	<ul style="list-style-type: none"> • Multibillion dollar native title deal • Believed to be same scope and breadth of to Rio Tinto's deal for about \$2bn over 40 years • In terms of quantum of benefits it is a life cycle of the mine scenario (Simon Hawkins CEO YMAC) • Claimants will have access to a direct benefits trust, with at least half the money set aside for wealth-generating measures • Rest of the benefits will be paid into a charitable trust to benefit the wide Pilbara community through investment in education, training, housing, health and employment, with some set aside for a future fund • Whereas RTIO deal provided for fixed-revenue share of iron ore sales, BHP deal provides for minimum and maximum stream of benefits in a production-based payment system, guaranteeing a long-term income stream • Financial benefits would take into account production from leases granted before native title was recognised (RTIO) 	<i>BHP in \$1b-plus land title deal 8/18/12 (West Australian)</i>
BHP Billiton Barngala, Kokatha and Kuyani Yartah (Olympic Dam, 2012)	<ul style="list-style-type: none"> • \$900m over 30 years (mining info sources in SA) • Parties would not confirm the amount of expected payments • Largest agreement of its kind in Australia • BHP denies there is a firm figure on the scale of payments because payments are linked to production levels and commodity prices • Likely to cap ultimate scale of payments, possible cap less than \$920 million suggested • Payments will go into a community trust rather than paying individuals royalty payments • An independent advisory board will advise of where the funds should be directed, with the final decision resting with an independent trustee • Payments would benefit three communities and other Aboriginal groups and charities 	<i>\$900m Olympic Dam windfall to indigenous groups 5/5/12 (Australian)</i>

Deal	Information in the public domain re quantity of native title payments	Sources
<p>RTIO</p> <p>5 Aboriginal groups across the Pilbara (2011)</p>	<ul style="list-style-type: none"> 50% of income stream goes into a charitable trust for health, education, business development and housing, 30% paid into a "future fund" and 20% for annual payments to individuals in Aboriginal groups. Rio is required to increase its financial payments if it fails to meet seven regional standards Only \$3,500 a year available to individual traditional owners. The rest of the money will be held in trust for housing, business capital and scholarships over several decades RTIO reports it paid \$102mil in 2011 in land use payments Rio made agreements with other Traditional Owners to give them 0.5% in uncapped royalties (Michael Woodley, Yindjibarndi CEO) Reported \$2bil over 40 years (unconfirmed by RTIO) 	<ol style="list-style-type: none"> 1. <i>Rio brokers indigenous deal</i> 03/06/11 (Australian Financial Review) 2. <i>Rio Tinto signs huge \$2b native title deal</i> 05/06/11 (ABC news online) 3. <i>Rio Tinto's 2011 Community Investment Review</i> (RTIO) 4. <i>Aust's FMG accused of corporate bullying over Pilbara project</i> 18/07/11 (Asia Pulse) 5. <i>\$900m Olympic Dam windfall to indigenous groups</i> 5/5/12 (Australian)
<p>Rio Tinto</p> <p>Ngarluma Aboriginal Corporation (2011)</p>	<ul style="list-style-type: none"> Package of benefits up to \$300mil Ngarluma Aboriginal Corporation (NAC) accused Rio of backtracking on initial agreement to make upfront payment of \$25mil in 2009, followed by payments of \$5mil from 2012 for up to 50 years Package of benefits worth up to \$300mil 	<ol style="list-style-type: none"> 1. <i>\$300m sees Rio's Pilbara push clear native-title hurdle</i> 16/04/11 (Australian) 2. <i>Rio in row over land-use deal</i> 02/09/09 (Australian Financial Review) 3. <i>Is the Yindjibarndi native title deal from FMG up to scratch?</i> 11/12/12 (Crikey)
<p>Rio Tinto</p> <p>Unnamed Pilbara Aboriginal group (2010)</p>	<ul style="list-style-type: none"> \$50-100mil a year to fewer than 200 people Group reportedly asking for up-front cash payment, equity stake in mining company, royalty on every tonne of ore shipped and rental payment for railway land Estimated \$3bil will be paid into Aboriginal funds from current projects (Government sources) Rio Tinto told a Federal Inquiry in 2008 that it had committed \$1bil over the next 20 years through agreements with traditional owners in the Pilbara 	<p><i>\$3b for secret trusts as communities rot</i> 22/03/10 (West Australian)</p>

Deal	Information in the public domain re quantity of native title payments	Sources
Woodside Goolarabooloo Jabbir Jabbir (2011)	<ul style="list-style-type: none"> Initiatives in the agreement worth more than \$1bil (US\$1.06bil) over the life of the precinct. Monetary value of \$1.5bil over the life of the project. Includes milestone and annual payments to the claim group, regional benefit payments, job targets, education, employment and training initiatives, support for indigenous rangers and contracting opportunities. Benefits package of \$1.5bil over the life of the project, plus commitments to training, education, employment, support for indigenous businesses, cultural initiatives and payments Initiatives in the agreement worth more than \$1bil (US\$1.06bil) over the life of the precinct Woodside will pay \$15bil to traditional owners \$1bil native title agreement for the Browse export gas precinct near James Price Point, Woodside put its name to \$1bil the figure 	<ol style="list-style-type: none"> <i>\$30bn native title deal heralds new era 07/05/11 (Australian)</i> <i>Australia's Woodside signs Native Title deal for LNG project 30/06/11 (Asia Pulse)</i> <i>Rio Tinto signs huge \$2b native title deal 05/06/11 (ABC news online)</i> <i>\$900m Olympic Dam windfall to indigenous groups 5/5/12 (Australian)</i>
FMG Yindjibarndi (2011)	<ul style="list-style-type: none"> \$4mil a year in direct payments plus a minimum \$7mil annual package of jobs, training and housing Capped A\$4mil a year in cash payments plus a capped \$6.5mil a year in housing and jobs, training and business opportunities \$10.5mil annually for land use agreement with YAC (capped) - \$4m financial compensation (with \$1mil going to the Yindjibarndi Solomon elders foundation) and \$6.5 in training, employment and business development \$315mil over life of agreement Real motivation for group was "carrot on stick" payment of \$500,000 on signing (Michael Woodley, Yindjibarndi CEO) YAC want 0.5% per tonne in royalties (\$50mil a year) 0.5% figure reported for BHP and Rio projects, while other negotiated payments in the Northern Territory have been 1.25-2% (Jon Altman, Centre for Aboriginal Economic Policy research at ANU) 	<ol style="list-style-type: none"> <i>Hope meets with fresh divisions 12/04/12 (Australian)</i> <i>Aust's FMG accused of corporate bullying over Pilbara project 18/07/11 (Asia Pulse)</i> <i>Is the Yindjibarndi native title deal from FMG up to scratch? 11/12/12 (Crikey)</i>
WA Government Noongar (2012)	<ul style="list-style-type: none"> \$1bil deal Offer of \$600mil plus up to 200,000ha of land 	<i>State set of \$1b native title deal 4/02/12 (Australian)</i>

Deal	Information in the public domain re quantity of native title payments	Sources
	<ul style="list-style-type: none"> No cash payments to families/ claimant groups and money controlled by a central body working with six Aboriginal corporations 	
WA Government Yawuru (2010)	<ul style="list-style-type: none"> Australia's biggest native title agreement – a package worth more than \$196mil \$56mil for "capacity building", economic development, social housing and cultural management \$140mil worth of land used for development, cultural and social welfare No royalties or individual payments 	<i>Huge NW native title deal done 25/02/10</i> (West Australian)
Reward Minerals WDLAC for Martu (2008)	<ul style="list-style-type: none"> Martu secured \$7mil unlisted options in Reward Minerals for development of Lake Disappointment project 	<i>Martu's landmark deal 01/04/08</i> (Australian Financial Review)
FMG (Murrin Murrin) 28 indigenous groups (2007)	<ul style="list-style-type: none"> Up to 20% Aboriginal employment and \$1mil a year into an Aboriginal trust fund After mine changed hands in 2002, two claimant groups took Minara Resources to court over alleged failure to pay \$12mil 	<i>Overlooked by the boom 30/01/07</i> (Australian)
KLC Miriuwung Gajerrong	<ul style="list-style-type: none"> Ord Stage Two agreement \$50mil compensation package, jobs, indigenous involvement in environmental management 	<i>Overlooked by the boom 30/01/07</i> (Australian)
Narbalek Gagadju (1979)	<ul style="list-style-type: none"> \$14mil but little used for long term investment (Fred Chaney, former NNTT Deputy President) 	<i>Overlooked by the boom 30/01/07</i> (Australian)
Rio Tinto Alcan Yolngu (2012)	<ul style="list-style-type: none"> \$700mil over 42 years Between \$15mil and \$18mil a year Money paid into a future fund to secure long-term development of the region 	<i>The end of Gove's historic injustice</i> 27/05/12 (Australian)
Rio Tinto Century Zinc Mine 3 native title groups (1997)	<ul style="list-style-type: none"> \$66mil compensation money held in trust for creating indigenous businesses \$1mil per year for training if Aboriginal people 	<i>Overlooked by the boom 30/01/07</i> (Australian)

TABLE 2

Deal	Information in the public domain re native title agreements	Sources
Atlas Iron Ltd Ngarla (2006)	<ul style="list-style-type: none"> Relevant to Pardoo Project Gives Ngarla shares in company and employment opportunities 	<i>Iron company signs native title agreement 16/6/06 (ABC News)</i>
Atlas Iron Ltd Njamal (2008)	<ul style="list-style-type: none"> Relevant to Abydos Iron Ore Project Includes business finding as an alternative to a signature payment 	<i>Atlas signs native title mining agreement for Abydos 5/12/08 (Aspect Financial)</i> <i>Atlas signs native title mining agreement 8/12/08 (Mining Weekly)</i>
Atlas Iron Ltd Kariyarra (2009)	<ul style="list-style-type: none"> Relevant to Wodgina Iron Ore Project Provides for indigenous enterprise opportunities, preserving cultural values and minimising environmental impact 	<i>Atlas Iron Limited signs landmark native title mining agreement for Wodgina Iron Ore project in Western Australia 7/9/09 (ABC Newswire)</i>
Cameco WDLAC for Martu (2012)	<ul style="list-style-type: none"> Kintyre Uranium Development ILUA Secures Martu support for the development of the Kintyre uranium deposit Includes business, employment and cultural initiatives (Teddy Biljabu – WDLAC Chairman). Heritage protection a major focus (Brian Sampson – WDLAC Deputy Chairman) 	<i>Cameco signs landmark Kintyre uranium deposit development agreement 12/10/12 (Mineweb)</i> <i>Martu Signs Milestone Agreement With Cameco 12/10/12 (WDLAC Website)</i>
Hancock Prospecting Pilbara native title agreement (2010)	<ul style="list-style-type: none"> Covers heavy haulage railway corridor from Roy Hill Project to Port Headland "[I]nvolves financial benefits that will assist the people entering the real economy" (Simon Hawkins – CEO of YMAC) "[A]lso provides other economic and contracting opportunities that are flowing from the agreement" (Simon Hawkins – CEO of YMAC) 	<i>Traditional owners welcome Pilbara native title agreement 27/8/10 (ABC News)</i> <i>WA: Native title agreement inked on Pilbara rail corridor 30/8/10 (AAP NewsWire)</i> <i>Chamber welcomes native title agreement for Pilbara railway 13/9/10 (ABC News)</i>

Deal	Information in the public domain re native title agreements	Sources
Iron Ore Holdings Kuruma Marthudunera (2012)	<ul style="list-style-type: none"> Relevant to Buckland Project Covers milestone and production payments before and after mining Also provides for cross-cultural exchanges and employment opportunities 	<i>IOH signs native title agreement for Buckland Project 24/10/12 (Resources Roadhouse)</i>
Iron Ore Holdings Yaburara Mardudhunera (2012)	<ul style="list-style-type: none"> Relevant to Buckland Project Covers milestone and production payments before and after mining and shipping Also provides for cross-cultural exchanges and employment opportunities 	<i>IOH signs another Native Title agreement 27/11/12 (Mining Weekly)</i>
Metals X Limited Ngaanyatjarra (2010)	<ul style="list-style-type: none"> Covers Wingellina Project area and provides consents allowing advancement of Wingellina Nickel-Cobalt Limonite Project Includes cash milestone payments, a gross royalty interest and employment and training initiatives 	<i>Landmark Mining Agreement Secured for Massive Wingellina Nickel Deposit 29/6/10 (Metals X Website)</i>
Pluton Resources Mayala (2011)	<ul style="list-style-type: none"> Relevant to iron ore mining on Irvine Island off Kimberly Coast Worth hundreds of millions over a decade Mayala traditional owners will access a royalty stream and milestone payments as well as become the company's biggest shareholders, should they choose to convert equity options 	<i>Aboriginals get jobs pact at new mine 29/6/11 (West Australian)</i>
Tanami Gold Tjurabalan (2005)	<ul style="list-style-type: none"> Covers mining and exploration south and east of Halls Creek Described by the KLC as "one of the best in Australia" Provides employment, training and business development opportunities for the Tjurabalan People 	<i>Big opening for Tanami Gold's Coyote 23/05/06 (IM – International Mining)</i> <i>New gold mine set for official opening 16/6/06 (ABC News)</i>

Onus of proof omission a native title letdown

06 Jun 2012 | Rachel Siewert

Aboriginal & Torres Strait Islander Issues

The Australian Greens say a key element of native title reform has been overlooked by the government, undermining the effectiveness of their reforms.

"Reversing the onus of proof is the key amendment that is needed to make ensure the native title system is more effective," Senator Rachel Siewert, Australian Greens spokesperson on Aboriginal and Torres Strait Islander Issues said today.

"The extremely high hurdle for Aboriginal people to prove their ongoing connection to the land means that native title claimants are dying before seeing their claims settled.

"It is a requirement that inherently disadvantages those who have experienced higher levels of dispossession and disconnection over the course of the last two centuries.

"I am pleased that two of the Attorney General's announcements are positive moves that are addressed in the Greens' bill to amend the Native Title Act currently before the Senate.

"These reforms, to strengthen of provisions to establish good faith negotiations and the provisions to enable parties to set aside extinguishment to reach agreements are very important for improving the effectiveness of the system.

"My Bill will be debated in June and I expect the government to support the amendments on good faith negotiations and extinguishment. It also provides an opportunity for the government to grasp the opportunity to address a fundamental flaw at the heart of native title and support reversal of the onus of proof.

"I am concerned that the excuse of incremental change will be used to delay amendments in this area. We can't allow another 20 years to pass before this is addressed.

"Rather than being a radical change, this is a considered and measured amendment based on a comprehensive body of evidence. The likes of Chief Justice French, and Mick Gooda, the Aboriginal and Torres Strait Islander Social Justice Commissioner have identified this as a key barrier facing claimants.

"The Government has a great opportunity to address this shortfall when our Native Title Bill is debated in the Senate in the coming weeks," Senator Siewert concluded.

Authorised and printed by Rachel Siewert, Parliament House, Canberra, ACT 2600

Greens continue definitive action to improve Native Title

12 Jul 2012 | Rachel Siewert

Aboriginal & Torres Strait Islander issues

Greens would welcome an opportunity to meet with Warren Mundine, Chief Executive of Generation One, to discuss potential reforms to Native Title which would deliver important economic benefits to Traditional Owners.

"The Greens have been very proactive about improving the native title system, including measures to reverse the onus of proof required for claims and ensuring traditional owners are able to benefit financially from their lands," Senator Siewert said today.

"We're committed to improving the native title system and have legislation before the Senate to achieve this.

"Part of our current legislation to amend the Native Title Act seeks to provide meaningful rights and a basis for economic and community development to Aboriginal and Torres Strait Islander people.

"These reforms have been developed through the based of expert opinion, extensive community consultation and have been through a Senate Inquiry.

"Improving native title and the recognition of rights to land, culture and resources is intended to provide a strong and sustainable basis for community and economic development.

"Currently there is no mechanism to provide for the recognition of commercial rights to enable agreement making that delivers on the stated intent of the NT, such as securing the adequate advancement of Aboriginal peoples and Torres Strait Islanders by providing a vehicle for social and economic development.

"Mr Mundine rightly identifies the importance of addressing the onus of proof burden within native title claims. Changing this onus is a priority for the Greens but unfortunately it does not have the support of either the ALP or the Coalition.

"I'm aware that we need to do more than amend Native Title to address the massive disadvantage face by Aboriginal and Torres Strait Islander peoples and will be reviewing with interest Mr Mundine's proposals.

"Our Bill looks beyond a review process and takes definitive action on Native Title and I welcome an opportunity to discuss both our proposals and also those being put forward by Mr Mundine" Senator Siewert concluded.

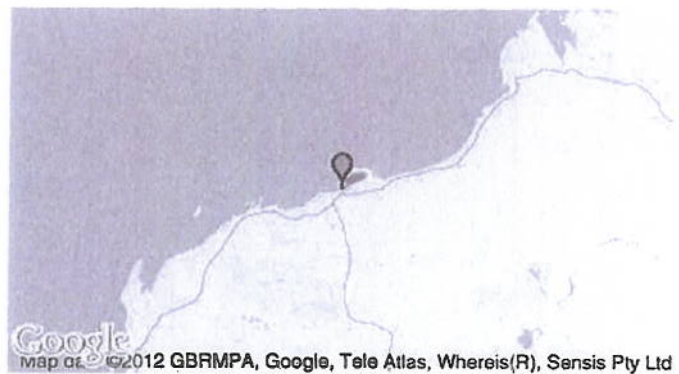
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Iron company signs native title agreement

Posted Fri Jun 16, 2006 10:37am AEST

The emerging iron ore company Atlas Iron has signed a native title agreement to further develop its Pardoo project.

The ore body is situated 75 kilometres east of Port Hedland along the Goldsworthy rail line.



MAP: Port Hedland 6721

Atlas expects to mine up to 3 million tonnes annually from 2008.

The company's deal with the the traditional owners, the Ngarla people, will give them shares in the company and employment opportunities.

Atlas managing director David Flanagan says it will also give first preference to the group when selecting tenders.

"Where they can prove competency and equality and they can align themselves with different mining contractors and do this, on smaller jobs, they will basically be the preferred tenderer," he said.

Topics: mining-industry, land-rights, port-hedland-6721

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Tuesday, December 11, 2012

Is the Yindjibarndi native title deal from FMG up to scratch?

Tom Cowie | Apr 19, 2011 1:16PM | [EMAIL](#) | [PRINT](#)

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Native title disputes are not uncommon — but the difference with the FMG v Yindjibarndi battle is that this bitter brawl has played out online.

Last week in response to a [Yindjibarndi Aboriginal Corporation video](#) which revealed concerns over a native title meeting in Roeburne, Fortescue released their own video which they say tells the “real story”. Yindjibarndi members featured in the FMG video accused YAC CEO Michael Woodley of being greedy for his groups’ refusal to sign on the dotted line. But is it a fair deal from FMG?

Yindjibarndi members in favour of the current deal say it offers them security and the chance to make their own future better. Woodley says the agreement is inadequate and will be doled out to a select group of people willing to sign the contract. Who’s right?

Professor Jon Altman, from the Centre for Aboriginal Economic Policy Research at Australian National University, says it is often unclear exactly how these agreements are reached or what is given up to reach them.

“In some situations you get a good mix of payments, jobs, contracts and government support,” he told *Crikey*. “Companies like local labour. There is no need for ‘fly in fly out’ workers and it’s good for corporate image.”

But Altman says there are weaknesses to the Native Title Act, which has led to the manipulation of negotiations between big mining companies and inappropriately represented native title holders. He says the government should resource Native Title Representative Bodies and Prescribed Body Corporates like YAC properly so they can get the best assistance to take on the lawyers at mining giants like FMG.

In the case of FMG and YAC, Altman says that it would be sensible for the two groups to seek mediation or independent arbitration and possibly seek input from the National Native Title Tribunal.

FMG recently booked a net profit after tax for the six months to December 31 of \$US314.1 million (up 628% from the corresponding period), while revenue more than doubled to \$US2.53 billion. The mining giant already has leases to mine the \$5 billion Solomon Hub project, which is scheduled to produce 60 million tonnes of iron ore a year in its initial phase — a haul worth nearly \$10 billion annually — before ramping up to 100 million tonnes annually.

Fortescue is offering Yindjibarndi members a total annual package of \$10.5 million for the land use agreement with YAC.

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Section: Features
1 - All-round Country

Overlooked by the boom

Victoria Laurie

Land access deals have failed to deliver jobs and benefits to Aborigines, writes Victoria Laurie

IN the southeast mining region of Western Australia, the mining boom is passing the locals by. Goldfields Land Council executive director Brian Wyatt says hundreds of medium and small land-use **agreements** between Aboriginal people and mining parties exist in the Goldfields, but few have translated into jobs or skills training. Wyatt estimates that only about 50 Aborigines out of an indigenous population of about 3000 are employed in the mining sector. An estimated 1900 local job vacancies exist, ``but you'd be lucky if any Aboriginal people will fill them".

Aboriginal unemployment in Kalgoorlie is nearly 15 per cent, or three times non-Aboriginal levels, ``and what's really frightening is that our population is growing at twice the rate of non-Aboriginal people". In a state where even cleaners can earn \$100,000 a year on mining sites, Wyatt says it's shocking that the resources boom is bypassing the Aboriginal population. ``We don't want to be given bread, we want to be breadwinners," he says.

When Ciaran O'Faircheallaigh, Griffith University professor in politics and public policy, studied 45 indigenous land-use **agreements** or ILUAs between indigenous groups and mining and government partners across Australia, he found half were either ``basket cases" that should not have been entered into by indigenous groups, or were deals that have delivered few benefits.

``Some NSW mine **agreements** have offered a total of less than \$100,000 over the life of the mine," O'Faircheallaigh says. ``There is a big problem with **agreements** not delivering and a lot of people are missing out.

The study has found that 15 years after the High Court's Mabo decision, most land-use **agreements** between **native title** claimants and mining companies had failed to deliver significant outcomes for indigenous people.

One major disappointment was Murrin Murrin, a large nickel deposit in WA, where mining entrepreneur Andrew Forrest signed a complex **agreement** with 28 indigenous groups. The deal was praised at the time, generous in its promise of up to 20 per cent Aboriginal employment and a **payment** of \$1million a year into an Aboriginal trust fund.

But the mine changed hands in 2002 and the Goolburthunoo and Bibila-Lungutjarra peoples (two of the claimant groups) have taken new owners Minara Resources to court over their alleged failure to pay nearly \$12million. The company has indicated it will vigorously defend the proceedings. The Murrin Murrin **agreement** should have been a landmark, Wyatt says, ``but it's turned out probably one of the worst. ``The **agreement** was all over the place, no finesse about it. It was policy on the run."

agreements.

Royalties are divided into different funds earmarked to set up a tourism industry, traditional business and community infrastructure, and an Aboriginal trust has so far funded renal health and school development.

“The structure of **agreements** is very important and Argyle is very prescriptive about what money can be used for,” says ex-Rio Tinto senior mining executive Ian Williams, now a trustee of the Argyle trust fund and another BHP-Billiton indigenous **agreement** in the Pilbara.

Williams says indigenous **agreements** represent a huge change in company attitudes towards Aborigines. “When Mabo happened, I was in the Pilbara and I saw industry people say, ‘This is the end of industry as we know it.’” In 1997, Williams led the negotiations for one of the earliest and biggest land use **agreements** in far north Queensland, over Rio Tinto's Century Zinc mine. After protracted negotiations, three native title groups signed up to a \$66 million package, with compensation money held in a legal trust for creating indigenous businesses.

“We said we'd also put aside \$1 million a year for training of Aboriginal people,” Williams says. “In fact, it cost \$2 million a year for the first three years to train indigenous workers, so the company will have ended up spending more than the \$66 million. And there are six full-time people involved in implementing the **agreement**.”

The investment has paid off: Century Zinc, now owned by Zinifex, has 25 per cent to 27 per cent indigenous staff.

“If they're done properly, **agreements** can help with the solution of intractable problems of health and employment,” Williams says.

“In remote Australia, there's very little opportunity for Aboriginal people to become independent of handouts and welfare.”

An ABARE report estimated that 2450 Aboriginal people were working in the mining industry in 2002.

“That would certainly have increased to at least 3000 now, with possibly another few hundred or even up to 2000 more employed by contractors,” says Marcia Langton, a professor in indigenous studies at the University of Melbourne. Langton, coauthor of the forthcoming book *Settling with Indigenous People*, says Comalco's western Cape York **agreement**, signed in 2001, has spawned Aboriginal success stories such as Gina Castelain, a western Cape York woman who at 22 is a director of an earthmoving company, a wetlands charter company, and sits on two trusts. “Where [**agreements**] do work, they work well,” Langton says, adding that Pilbara mining **agreements** have spawned two Aboriginal-owned earthmoving businesses, Ngarda Civil and Mining and Gumula.

“Both of them got financed from **agreements** with Pilbara Iron, and they are both good outcomes.” Ngarda has a work force of about 160, of whom 85 per cent are Aboriginal, and is set to double its revenue to \$88 million in the next year.

Dodgy **agreements** do exist, Langton says. “The local traditional owners who negotiate them don't understand how royalty arrangements are arrived at. Aboriginal people think \$100,000 is a lot of money,” she says.

“The problem is some companies keep their **agreements** confidential, and nobody's going to give me access to a dodgy **agreement**.”

“But we do know the good ones, because they are not afraid to stand up in public and say what they are.”

Victoria Laurie is a senior writer with The Australian.

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June 3, 2011

Section: News

Rio brokers indigenous deal
CARBON DEBATE

Marcus Priest

Rio Tinto Iron Ore has signed deals with five Aboriginal groups guaranteeing it land access across the Pilbara for the next 40 years but imposing financial penalties on the company if it fails to increase employment and business opportunities for indigenous people. The **native title** regional **agreement** – which has taken seven years to negotiate and covers more than 70,000 square kilometres – includes commitments from Rio to increase indigenous employment to 20 per cent of its workforce, give preferential treatment to indigenous sub-contractors and pay 0.5 per cent of annual profits from its Pilbara operations to these groups. Rio recently announced annual profit of \$14.3 billion for 2010. Unlike previous deals, the Rio **agreement** is not project-specific but covers a large part of the Pilbara region and links to separate deals with the five groups involved. Rio Tinto Iron Ore chief executive Sam Walsh said the deal resolved **native title** issues for the company for the next 40 years and had other benefits for the company.

"It is groundbreaking, but this is not a competition, this is about doing the right thing," he said. "As we move into very high tonnage numbers I could envisage a situation where we were opening a new mine and closing an old mine each year, so this **agreement** gives us flexibility. Clearly for the communities it is providing jobs, employment and skills and in relation to Rio it is a great opportunity for us to help bridge the skills shortage by using local people." Under the deal, 50 per cent of the income stream will go into a charitable trust for use on health, education, business development and housing; 30 per cent will be paid into a "future fund" to be drawn only when the capital base enables future generations to enjoy similar levels of benefits to current group members; and 20 per cent will be for annual **payments** to individuals in the Aboriginal groups. Importantly, unlike past **native title** deals, Rio Tinto will also be required to increase its financial **payments** if it fails to meet seven regional standards. "The big change in this is that the business is committed on commercial terms to these **agreements**, unlike best endeavours that we have had historically," Rio Tinto general manager of communities Janina Gawler said. "This is a commercial **agreement** with hard measures and consequences . . . [but] when you overlay the company's growth path with the **native title** claims, the business case is really evident." Yamatji Marlpa Aboriginal Corporation chief Simon Hawkins said the deal enabled Aboriginal people in the Pilbara to benefit from mining boom mark II. One vital aspect was the requirement for Rio mine managers to meet twice a year with the Aboriginal groups to discuss site operations. "Through these meetings, if traditional owners are strategic enough, they can really identify opportunities and start negotiating on them," Mr Hawkins said. "With income streams, regular contact, regional structures and joined vision the potential for developing a real capital base for traditional owners is very real."

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COMPANY: RIO TINTO PLC

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September 2, 2009

Section: News

Rio in row over land-use deal

Andrew Burrell

Rio Tinto's plan to expand its Pilbara iron-ore operations - a key plank of its proposed merger with BHP Billiton - has struck a major hurdle after **native title** holders accused the company of **reneging on a deal intended to pay benefits worth up to \$300 million**. The Ngarluma Aboriginal Corporation (NAC) entered into an "historic" in-principle deal with Rio Tinto in July last year to allow the iron-ore expansion on its land around the West Australian centres of Dampier and Cape Lambert, where the mining giant has operated for four decades. But more than a year later, both sides are accusing the other of **reneging on the agreement**, and the disadvantaged Ngarluma people have described their negotiations with Rio as "disastrous". Rio's plan to expand its Pilbara production beyond 200 million tonnes a year forms a major component of the iron-ore joint venture with BHP Billiton, which is still being negotiated. But Rio must finalise an indigenous land-use **agreement** (ILUA) with the Ngarluma people before it can begin the expansion, which will involve extending its Pilbara rail lines, enlarging its port at Cape Lambert and building a new power station in Karratha. The breakdown in relations between Rio Tinto and one of the Pilbara's major landowner groups comes at a time when the mining industry has expressed a desire to engage with indigenous groups and provide economic opportunities to disadvantaged communities. NAC chief executive Paul Hales said the initial deal had committed Rio to negotiate a more detailed **agreement** that would involve an upfront **payment** as well as benefits including heritage and environmental protection.

It is understood that the confidential **agreement** last July committed Rio to paying \$25 million upfront followed by annual **payments** of about \$5 million from 2012 for up to 50 years. "A more detailed **agreement** was to follow within a month, but it has never been done," Mr Hales said. "Rio has breached our initial **agreement** [by] not paying the money owing despite stating publicly that the upfront **payments** would be made, and seeking that Ngarluma give cultural heritage clearance for expansion way beyond what Ngarluma agreed. "We have come to think of this as a battlefield, not a proper negotiation, and this when we don't in fact oppose respectful development." A Rio Tinto spokesman said the company believed last year's **agreement** remained in place and it had already made a small initial **payment** under the deal. Full **payment** could not be made until certain events took place under the **agreement**, which the Ngarluma were seeking to renegotiate. "From our point of view, there was a binding **agreement** reached with the Ngarluma people. It remains in place, **payments** have been made under that **agreement** and we continue to operate on the basis of that **agreement**," the spokesman said. "Unfortunately, the Ngarluma Aboriginal Corporation is now seeking to go back on that **agreement** and renegotiate those principles. "We have already made one substantial **payment**, and have made partial **payment** for further work yet to be completed." A lawyer representing the Ngarluma Aboriginal Corporation, Marcus Holmes, said other mining companies were using the slowdown in the industry to "bed down a good relationship with indigenous communities". "Everyone else in the mining industry except Rio Tinto is willing to look at the Aboriginal way of doing things," he said. "We find this puzzling." KEY POINTS A Pilbara Aboriginal group has accused Rio of failing to make a promised **payment**. But Rio says the group is seeking to go back on an

Rio Tinto signs huge \$2b native title deal

Updated Sun Jun 5, 2011 5:00pm AEST

Traditional Aboriginal owners in Western Australia's Pilbara have signed a massive native title deal with mining giant Rio Tinto.

The agreement, between five Aboriginal groups, was seven years in the making and gives Rio access to 70,000 square kilometres of traditional land to mine and explore for iron ore and other minerals.

In exchange the traditional owners will be given employment opportunities and compensation, estimated at \$2 billion over the next 30 to 40 years.

The agreement includes mining exclusion zones to protect ceremonial and burial sites as well as important water holes.

Only about \$3,500 a year will be made available to individual traditional owners.

The rest will be tied up in housing, business capital and scholarships over several decades.

Simon Hawkins, who represented four of the groups including Yamatji Marpa, says it is a landmark agreement.

"I think it's fair to say it's the largest native title land use agreement in Australia's history and it is just an enormous opportunity for traditional owners in the Pilbara," he said.

"It requires the company and the traditional owners to meet commitments that bind them for 40 years plus.

"It also involves genuine profit-sharing between the company and traditional owners on activities on their land."

Our engagement with Aboriginal people in Western Australia is based on deep respect and recognition. We are continuously improving our knowledge and understanding of working with Aboriginal people and have active partnerships with communities across the state that aim to achieve better outcomes for the future, while contributing to the process of reconciliation.



Reconciliation Action Plan

As part of National Reconciliation Week, we launched our Reconciliation Action Plan (RAP) with the Prime Minister, the Hon Julia Gillard in June.

Our RAP represents a significant milestone in our ongoing commitment to Aboriginal Australians; promoting reconciliation and detailing our public commitment and targets for all of our Australian businesses. It reflects our belief that working in partnership with Aboriginal communities to ensure they share in the economic benefits of our operations will contribute to the process of reconciliation between Aboriginal and non-Aboriginal Australians.

Targets have been outlined specific to the key platforms of:

- Regional development and land access
- Community capacity building
- Cultural heritage and land management
- Funding bodies that support Indigenous-directed programmes.

Annual reporting on these targets is made to Reconciliation Australia, contributing to their national database on reconciliation.

Participation agreements

We recognise native title and engage with local Traditional Owner groups in the Pilbara, Gascoyne and East Kimberley on that basis.

Land use payments made to Traditional Owners in 2011 were \$102 million.

We sealed land use agreements with five Aboriginal groups across the Pilbara, securing the current and future operations of our iron ore business while ensuring the full engagement and participation of the region's Traditional Owners. We are now in advanced negotiations with the three remaining Pilbara Indigenous groups upon whose land our mining or infrastructure operations are situated. The agreements provide us with consent for all new developments on the Traditional Owners' land, including support for our expansions at Cape Lambert and Wickham.

Integral to our agreements are seven regional standards which are a mutual contract that aim to change how our business operates in engaging with local Traditional Owners and are intended to improve the well being of Aboriginal people throughout the Pilbara. The seven regional standards are:

- Employment and training
- Business development and contracting
- Cultural heritage management
- Land access
- Environmental management
- Cultural awareness training
- Life of mine planning

The participation agreements will deliver substantial financial assistance for Aboriginal communities in the Pilbara with robust governance structures to ensure inter-generational benefit. These agreements are unique and measureable, marking a new approach to the way Aboriginal groups and resource companies work together.

In 2011 we also signed our first heritage agreement with Traditional Owners in Lake MacLeod formalising the relationship between our Dampier Salt operations and the Gascoyne region's Gnulli Native Title claim group.

limonite formations are freely excavatable without blasting and have a very low waste to ore stripping ratio of 1.1 to 1 over the life of the mine with low mining costs and minimal ore dilution. The low magnesium content results in very low acid consumption and subsequently low operating costs compared with typical Australian laterite deposits.

Metals X completed its first phase feasibility study on Wingellina in September 2008, defining a robust plan for the construction of a nickel and cobalt operation that will produce 40,000 tpa of nickel and 3,500 tpa of cobalt in an intermediate concentrate with an initial mine life of 40 years. The average operating cost for the project is expected to be approximately US\$3.34 per pound of nickel after cobalt credits.

Metals X is currently progressing with environmental studies, water exploration and other necessary approval processes to enable development of the project.

Metals X is continuing to work closely with its major shareholders, APAC Resources Limited (HKEX: 1104) and Jinchuan Group Limited (China's largest nickel producer), on financing and development options for the project.

About Metals X Limited

Metals X currently holds cash and receivables of over \$53M, investments in other public listed entities of approximately \$60M (which include 32% of Westgold Resources Limited, 19.9% of Jabiru Metals Limited and direct and indirect interests in 28% of Aragon Resources Limited). Metals X owns 100% of the massive Wingellina Nickel project and 50% of the Renison Tin Operation, which produces approximately 1.5% (MLX equitable share) of the global tin supply.

Through direct ownership, and its major share holdings in other entities, Metals X has a pipeline of assets at all stages of development from exploration through to production, with exposure to tin, nickel, cobalt, gold, copper, lead, zinc, iron and phosphate. For further information visit our website at <http://metalsx.com.au/>.

Enquiries

Warren Hallam
Managing Director

Scott Huffadine
Executive Director

End

The information in this announcement that relates to Exploration Results, Mineral Resources and Ore Reserves is based upon information compiled by Mr Scott Huffadine B.Sc.(Hons), MAusIMM. Mr Huffadine is a full-time employee of the company. Mr Huffadine has sufficient experience which is relevant to the style of mineralisation and type of deposit under consideration and to the activities which they are undertaking to qualify as a Competent Person as defined in the 2004 Edition of the 'Australasian Code for Reporting of Exploration Results, Mineral Resources and Ore Reserves'.

Cameco

Martu Signs Milestone Agreement With Cameco

October 12, 2012

A landmark agreement announced between Western Desert Lands Aboriginal Corporation (WDLAC) (Jamukurnu-Yapalikunu) and Cameco (TSX:CCO) (NYSE:CC) secures the support of the Martu people for development of the Kintyre uranium deposits in the Western Desert region of Australia.

Martu traditional owners joined Cameco representatives and WDLAC staff to announce the Kintyre Mining Development Indigenous Land Use Agreement at a signing ceremony in Perth mid-October, 2012.

The agreement supports the development of the Kintyre project, an advanced-stage exploration joint venture between Cameco (70%) and Mitsubishi Development Pty Ltd (30%).

WDLAC chairman Teddy Biljabu said the agreement allows for a high level of traditional owner engagement.

"Never before have Martu people been able to negotiate for such strong terms over the life of a project," he said. "The Kintyre Agreement opens the door to a range of business, employment and cultural initiatives which ensure Martu have a strong stake in the future of the development."

"For Martu people, it's very important that we have the opportunity to work and do business on our country."

WDLAC deputy chairman Brian Samson said rigorous heritage protections were a major focus of negotiations, with the Kintyre area home to some highly sensitive cultural sites.

"Through strong negotiation, Martu have protected our cultural sites at Kintyre by identifying exclusion areas where no mining activity is permitted," Samson said.

The mining development agreement was developed over a three-year period and was ratified by Martu community members at a special general meeting held in Parnngurr (Cotton Creek) on Wednesday, September 26, 2012.

"We've developed a strong relationship with the Martu leadership and are pleased that the community supports this agreement," said Brian Reilly, managing director for Cameco Australia.

"Securing the social licence to operate in the region is an important step since it allows us to continue to work in the area as we assess the feasibility of the Kintyre project."

Cameco is carrying out further work to advance the Kintyre project toward a development decision.

WDLAC

Martu were granted native title to a 136,000 square kilometre area of the Western Desert region in September 2002. At the time, it was the largest native title determination in Australian history. Western Desert Lands Aboriginal Corporation, or WDLAC (Jamukurnu-Yapalikunu) was formed in 2004 as the Prescribed Body Corporate (PBC) for Martu. As such, WDLAC holds native title rights and interests to Martu country, including the right to control access.

Cameco

Cameco, with its head office in Saskatoon, Saskatchewan, is one of the world's largest uranium producers. The company's uranium products are used to generate electricity in nuclear energy plants around the world, providing one of the cleanest sources of energy available today. Cameco's shares trade on the Toronto and New York stock exchanges.

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Australian Financial Review
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April 1, 2008

Section: News

Martu's landmark deal

James Chessell

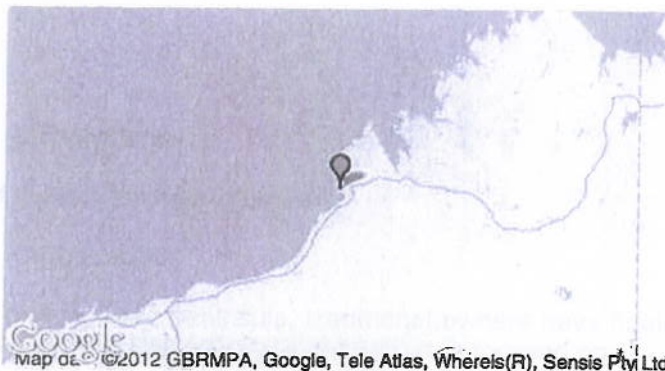
Indigenous Australians are likely to push for equity stakes in resources companies after a significant **agreement** was struck between a little-known potash explorer in Western Australia and a local Aboriginal group. The Western Desert Lands Aboriginal Corporation (WDLAC) yesterday claimed it had become the first group representing traditional landowners to secure equity in a listed company when it emerged with a parcel of options in Reward Minerals as part of **native title** negotiations between the two parties. Traditional landowners previously agreed to passive royalty **agreements** with mining and infrastructure companies wanting to use their land, but the Martu people represented by WDLAC were able to secure 7 million unlisted options in Reward Minerals for the development of its Lake Disappointment potash project in Western Australia. "Hopefully this **agreement** is going to change the way things are done," WDLAC adviser Joe Proctor told The Australian Financial Review.

"Mining companies have traditionally been very reluctant to give indigenous groups equity in projects because it is a more direct and active investment, but this changes the paradigm." Mr Proctor, a former investment banker at Carnegie Wylie, said that traditional landowners had not always received "proper advice" during **native title** negotiations. The Martu are the traditional owners of strategically important 136,000 square kilometres of land in the Central Western Desert region of WA. The group is in the midst of several **native title** negotiations with companies such as Mega Uranium over the Kintyre Rocks project and Newcrest Mining over the expansion of the Telfer gold mine. A large number of smaller explorers are drilling in the region. Earlier this month, the Martu people withdrew their support for Rio Tinto's proposed sale of its high-grade Kintyre uranium deposit in the region, claiming that an undisclosed offer from the mining giant to win their support was "embarrassingly low". Rio responded by saying it had made "significant offers" to the Martu over the past 18 months. Mr Proctor has previously raised the prospect of court action against Rio Tinto but said there were no such problems with Reward Minerals, a \$54 million explorer that listed on the Australian Securities Exchange in 2004. As well as the options, which are exercisable at 50¢ each, Reward Minerals also agreed to cash **payments** and a production royalty based on project development milestones. Once exercised, the options would represent a 10.31 per cent stake in Reward Minerals. "We believe the presence of a generous indigenous equity component as part of the transaction is the way of the future in mining negotiations," he said. "This outcome clearly demonstrates that progressive companies like Reward are respectful of Martu's rights." WDLAC chairman Teddy Biljabu said in a statement: "Gone are the days of the big boys treating us like speed humps in our own country. "By signing the term sheet with Reward, we have clearly demonstrated that we will support companies who respect us as the rightful owners," he said. For his part, Reward Minerals director Michael Ruane described the **agreement** as "amicable". "The negotiating parties are of the belief that the resultant **agreement** represents a win-win for all concerned," he said. KEY POINTS * Traditional owners secure equity holding in a historic **agreement**. * The Martu are negotiating **native title** with several other companies. * Reward says it's win-win for all.

New gold mine set for official opening

Updated Fri Jun 16, 2006 1:59pm AEST

A Perth-based explorer will today officially launch Australia's newest gold mine, close to the Tanami Desert, on the Western Australia-Northern Territory border, in northern WA.



MAP: Broome 6725

The Coyote Gold Mine is the latest in a new line of mining projects in the region.

Hundreds of guests, including Governor-General Major General Michael Jeffery will attend the opening of Tanami Gold's new mine.

The company and traditional owners signed a native title agreement last year, paving the way for mining leases to be granted.

It also included a commitment to employ, train and provide business opportunities for the Tjurabalan people.

Wayne Bergmann from the Kimberley Land Council says there has been a turnaround in the attitudes of mining companies over the past five years.

"Aboriginal people's rights are enshrined in the thinking now in the resource industry, and it's a matter of, 'well, how do we work together, how do we make best of our relationships?'" he said.

The council says there has been a 200 per cent increase in resource activity in the region.

Topics: gold, mining-industry, broome-6725, alice-springs-0870

Traditional owners welcome Pilbara native title agreement

Posted Fri Aug 27, 2010 2:42pm AEST

Traditional owners in the Pilbara have welcomed a native title agreement with Hancock Prospecting. MAP: WA

The agreement covers the company's proposed heavy haulage railway corridor to carry iron ore from its Roy Hill Project to Port Hedland.

Under the agreement, Hancock's employees will undergo cultural awareness training, and the company will develop an Aboriginal Employment Policy.

The CEO of the Yamatji Marlpa Aboriginal Corporation Simon Hawkins says the agreement is proof negotiations can be conducted in a respectful and considerate way.

"Everyone is quite happy, as you would appreciate when you are negotiating agreements on very sensitive agreements particularly on issues affecting country to aboriginal people they are quite tense, however once the deal is struck the people want to go on with having a good relationship," he said.

He says it is a wide ranging agreement.

"It involves financial benefits that will assist the people entering the real economy, it provides heritage protection," he said.

"It also provides other economic and contracting opportunities that are flowing from the agreement."

Topics: native-title, wa, port-hedland-6721

News Article

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WA: Native title agreement inked on Pilbara rail corridor

30/08/2010 - An Aboriginal corporation has signed a native title agreement with Hancock Prospecting to cover a proposed railway to carry iron ore from its Roy Hill project to Port Hedland.

The agreement with the Kariyarra native title group is designed to protect cultural heritage sites throughout the planning and construction of the rail corridor in the Pilbara.

Hancock is planning a \$7 billion, 300km railway with associated port facilities to export 55 million tonnes of iron ore a year from Roy Hill.


The native title agreement provides for a range of financial and non-financial benefits for the region's Aboriginal community including a policy to promote employment of Kariyarra people on the project.

Under the agreement, Hancock employees will go through cultural awareness training and the company will build an Aboriginal arts centre in the Port Hedland area in consultation with the Kariyarra people.

Yamatji Marpa Aboriginal Corporation chief executive officer Simon Hawkins said the agreement gave Aboriginal people the chance to participate in the real economy in the Pilbara through training and business development opportunities.

"This partnership ... will ensure that both parties have an interest in the economic success of the Roy Hill project, while providing for the respectful protection of Kariyarra culture," he said in a statement.

Source: AAP NewsWire



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IOH SIGNS NATIVE TITLE AGREEMENT FOR BUCKLAND PROJECT

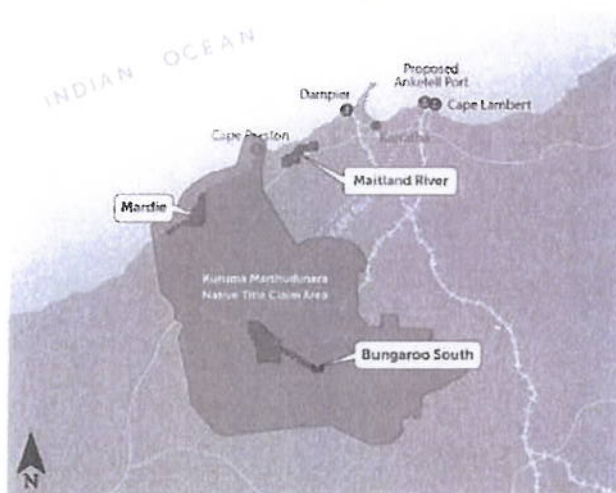
Wednesday, October 24, 2012

THE BOURSE WHISPERER: Iron Ore Holdings (ASX: IOH) has signed a Native Title Land Access Agreement with the Kuruma Marihudunera (KM) Native Title claimant group for the company's Buckland project in Western Australia.

The Buckland Project covers all the activities associated with the potential development of an approx. eight million tonnes per annum Bungaroo South mine producing channel iron type ore.

The development will also include a dedicated private haul road and a small-scale barging facility at or near to Iron Ore holdings' Mardie tenement on the Pilbara coast.

Iron Ore Holdings said the KM Land Access Agreement provides consent for all of the company's exploration, mining and infrastructure activities on tenements in the KM claim area, subject to relevant government approvals.



Kuruma Marihudunera Native Title claim area. Source: Company documentation

The agreement covers milestone and production payments before and after mining commences.

It also provides for cross-cultural exchanges and employment opportunities, as well as consultation on Aboriginal heritage and environmental matters.

"This Land Access Agreement is formalisation of the positive working relationship that IOH has with the KM people and we look forward to this relationship expanding over time," Iron Ore Holdings managing director Alwyn Vorster said in the company's announcement to the Australian Securities Exchange.

ROADHOUSE REGULARS



GAVIN WENDT
One of the most common sense opinions I've heard in recent times...

ONE OFF THE WOOD



MIKE JONES - IMPACT MINERALS
Impact Minerals managing director Mike Jones dropped in to tell us about the company's projects in Botswana and its increased stake in Invictus Gold.

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"Securing the agreement will also trigger the grant of the Bungaroo South Mining Lease which is currently under application."

Iron Ore Holdings indicated it has set the following near term goals for the Buckland project:

- The granting of a Mining Lease for Bungaroo South;
- The declaration of a maiden Ore Reserve at Bungaroo South;
- The finalisation of the project Pre Feasibility Study;
- Execution of a Land Access Agreement with the Yaburara Mardudhunera (YM) people; and
- Securing Government endorsement for the development of a small scale barging facility.

THE BIG SCREEN



THE INSIDE STORY

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Growth priority for Silver

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Justin Tremain - Renaissance Minerals
Dominic Tisdell - Apollo Mining
Rob Tyson - Peel Mining

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IOH signs another Native Title agreement

By: Esmarie Swanepoel

Published: 27th November 2012

PERTH (miningweekly.com) - ASX-listed Iron Ore Holdings (IOH) has signed its final Native Title Agreement over its Buckland project, in Western Australia.

The developer said on Tuesday that it had signed a Native Title land access deed with the Yaburara Mardudhunera (YM) Native Title claimant group, giving IOH consent to explore, mine and construct infrastructure on the YM claim area.

The area included the Cape Preston East area, where IOH proposed to establish a small-scale barging facility.

IOH MD Alwyn Vorster noted that this was the fifth Native Title land access deed that the company had signed, making it one of the most successful Western Australian exploration companies working with traditional owners in securing positive agreements for both parties.

"This land access deed reinforces the strong relationship that IOH has established with the YM people. Furthermore, it provides additional clarity to progress barge facility options for the Cape Preston East area," said Vorster.

The YM land access deed covered milestone and production payments before and after mining and shipping started, as well as providing for cross-cultural exchanges and potential employment opportunities.

Vorster said that it would allow the company to proceed with a mining lease application for the Maitland River project, which was currently the subject of a concept study designed to assess the development of a potential 1.1-billion-ton inferred mineral resource.

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February 25, 2010

Section: GENERAL

Huge NW **native title** deal done

FLIP PRIOR

Australias biggest **native title agreement** - a package worth more than \$196 million - will be signed in Broome today by the State Government and Yawuru traditional owners.

The two land use **agreements** grant the Yawuru people freehold title over lands for commercial, industrial and social development as well as significant coastal conservation reserves to be managed jointly by the Yawuru people, Broome shire and the State Government.

The settlement covers 5298sqkm in and around Broome which was recognised as **native title** by Federal Court Justice Ron Merkel in 2006. Yawuru **native title** rights and interests will be extinguished in some areas in exchange for a \$56 million package for "capacity building", economic development, social housing and cultural management.

The land the Yawuru people will get is worth about \$140 million and will be for development and cultural and social welfare purposes.

The **agreement** is expected to increase land supply dramatically in Broome by freeing up big tracts for residential, tourism, industry and airport developments.

It marks the end of the Yawuru peoples long fight for official recognition of their ownership of the land, which began when the original Rubibi claim was filed in the Federal Court in 1994.

Negotiations with the Government began in 2006.

Yawuru spokesman Peter Yu said the package appeared "quite substantial" but the money was tied to specific purposes aimed at securing the future of the Yawuru people and came with a "significant obligation and responsibility".

"This is not a mining **agreement**. These are not royalties or individual payments," he said.

"Fundamentally, what it means is a long overdue recognition of our interests and rights. We hope that the rest of the community will embrace this **agreement** and that there will be a greater participation of the Yawuru people in the mainstream economy."

The freehold land would be subject to normal development and planning processes.

Attorney-General Christian Porter said the **agreement** was an excellent outcome for **native title** holders and the wider WA community.

Broome shire president Graeme Campbell welcomed the deal, saying the council had been working towards it for many years.

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Australian
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April 12, 2012

Section: Features

HOPE MEETS WITH FRESH DIVISIONS

NATASHA ROBINSON

Returns from the boom are arriving in communities, but the going has not been smooth. A CRUMBLING and abandoned sandstone building is all that remains of the old prison in Roebourne, a town of more than 1000 souls in the West Australian Pilbara. Segregation was the norm in the days before 1960 when Aboriginal people crowded the jail, thrown together in a communal cell. Their homes were camps and reserves on the fringes of what was then a white service town. Years after the original jail was mothballed, a young Aboriginal man died in the town's lockup after being bashed by police, contributing to the triggers for a royal commission into Aboriginal deaths in custody. More than two decades on, the trauma remains fresh.

The slums of Roebourne -- a group of houses known as "the village" -- are slowly being replaced as a drip-feed of inadequate government indigenous housing funds hits the ground. A new subdivision is springing up at the town's edges, the project of an Aboriginal group. Surrounded by the Pilbara's mineral opulence, Roebourne has a chance at rebirth. At Indian Ocean ports, iron ore pours in from the industrial railways. To the west at the Burrup peninsula near Karratha, gas flares dot the horizon, marking a gas hub that stands to become the nation's biggest. Inland, a massive manganese mine is pumping out high-grade product. Royalties packages are on the table. Jobs are there for the taking. Indigenous companies are springing up apace, triggering a chain of contracting and subcontracting that is projecting Aboriginal entrepreneurs beyond welfare, beyond even a wage packet, and towards raw profit in the pocket.

A son of this land, Andrew Forrest, one of Australia's wealthiest individuals who grew up at his family's Minderoo station in the Pilbara, side by side with Aboriginal boys and the man he credits as his mentor, the family's head stockman, Scotty Black, now devotes a large portion of his working time to indigenous philanthropy. As other mining giants pour Aboriginal royalties into trust funds, Forrest's Fortescue Metals Group has dedicated itself to building indigenous capacity. And the Aboriginal trailblazers are beginning to emerge, such as the single mother from a remote Aboriginal community who will don a mining uniform and step out to work for the first time in her life this month after completing FMG's vocational training project at South Hedland, two hours' drive north of Roebourne.

Also in Port Hedland, new Aboriginal homeowners are riding the property boom, reaping chunky capital gains in a town where houses sell for more than \$1 million.

When the company Forrest founded in 2003 graduates its indigenous recruits, it hands them a fishing rod. It is a symbol of FMG's philosophy: we give you the rod. Catching the fish is up to you. The philosophy also finds its expression in the way FMG negotiates royalties packages with traditional landowners. Unwilling to hand over large blank cheques that may be poured into the rivers of grog, or line the pockets of the community strongmen, or be locked up in trusts, inaccessible during the lifetimes of children born tomorrow, FMG is eschewing precedent in limiting the cash component of royalties packages that it is willing to negotiate.

young people. "I don't know what went wrong. All of a sudden I saw the school falling apart. Teachers couldn't control the children any more. Even I couldn't get my grandchildren to get up and go to school." Woodley also names education as a goal, once royalties begin to flow. "In the short to mid-term the issue we would like to see for Roebourne is to make sure that people are being properly educated. The other thing is that we are living in a community that has essential services: housing, health, job choices and employment

"Our long-term vision is to try to somehow relocate ourself back home on the Yindjibarndi country, and to look after what makes us who we are: our country, our identity, our language, our stories." Beneath the obvious markers of the dispute lies a keen generational and cultural schism. Woodley has taken the step of outlining in court papers secret details of boys' initiation ceremonies, saying he had permission from senior law men in the interests of protecting sites of cultural significance. But the action has caused deep disquiet among some Yindjibarndi, including his uncle Bruce Woodley, who has joined the Wirlu-murra group

Michael Woodley says he has the overwhelming support of his community, who voted for YAC's agenda items at a recent AGM by an overwhelming margin. He dismisses his critics, including his uncle. "When you're managing an Aboriginal organisation, your worst critics and your worst enemies are your own people," he says. "It's about power, jealousy and the tall poppy syndrome." The split between YAC and Wirlu-murra is being fought on several fronts: in the Federal Court, where Wirlu-murra is attempting to have several YAC-affiliated members removed as applicants in a **native title** claim, and in the West Australian Supreme Court, where Wirlu-murra is fighting to have a receiver appointed to investigate what it alleges are serious governance and financial management issues

In turn, YAC, which denies the allegations and is vigorously defending the cases, passed a resolution at its last meeting, overwhelmingly supported, that two members of Wirlu-murra should be removed as claimants in a separate **native title** action

As the disputes rage on, Roxanne Adams is sitting on a couch in her miner's uniform. The mother of four children is a field technician for FMG at its Solomon mine and finished her training at FMG's Roebourne Vocational Training and Employment Centre 18 months ago. "Before, I used to be a heavy drinker," she says. "But as soon as I got this job everything just slowed down for me. My kids come first now." >> Natasha Robinson travelled to the Pilbara as a guest of FMG.

---- INDEX REFERENCES ----

COMPANY: YUJIN ROBOT CO LTD; FARMERS MUTUAL GROUP

NEWS SUBJECT: (Race Relations (1RA49); Minority & Ethnic Groups (1MI43); Social Issues (1SO05))

INDUSTRY: (Metals & Mining (1ME07); Steel & Iron (1ST73); Base Metals (1BA71); Natural Resources (1NA60))

REGION: (Australasia (1AU56); Oceania (1OC40); Australia (1AU55))

LANGUAGE: EN

OTHER INDEXING: (FORREST; YINDJIBARNDI ABORIGINAL CORP) (Gloria Lee; Lang Hancock; Michael Woodley; Gina Rinehart; Jimmy Horace; Andrew Forrest; Scotty Black; Natasha Robinson; Deidre Willmott; Bruce Woodley; Roxanne Adams)

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Word Count: 1854

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Chamber welcomes native title agreement for Pilbara railway

Posted Mon Sep 13, 2010 11:05am AEST

The Chamber of Minerals and Energy has welcomed news of a native title agreement between Pilbara Traditional Owners and Hancock Prospecting.

Last month the Kariyarra people and Hancock Prospecting signed a deal to secure access to the land needed for the company's proposed heavy haulage railway corridor from its Roy Hill project to Port Hedland.



MAP: Karratha 6714

Under the agreement, Hancock's employees will undergo cultural awareness training and the company will develop an Aboriginal Employment Policy.

Chamber of Minerals and Energy Director Nicole Roocke says negotiations based on respect and professionalism are growing in number.

"There is certainly enhanced maturity in how both parties are approaching the negotiations and both parties can now see that there now can be mutual benefits, that opportunities do exist by having responsible resource developments occur," she said.

Topics: land-rights, business-economics-and-finance, industry, mining-industry, community-and-society, indigenous-aboriginal-and-torres-strait-islander, law-crime-and-justice, rights, native-title, karratha-6714, australia, wa

Cameco signs landmark Kintyre uranium deposit development agreement

Cameco and the Martu people have signed an agreement that secures aboriginal support for the development of the Kintyre uranium deposits in the Western Desert region of Australia.

Author: Dorothy Kosich
Posted: Friday, 12 Oct 2012
RENO (MINEWEB) -

Although the Kintyre mining project has been placed on Cameco's back burner pending the outcome of a feasibility study, the Saskatoon-based uranium giant announced late Thursday it had secured the support of the Martu, traditional owners for the development of the Kintyre uranium deposits in Australia's Western Desert region.

The Martu were granted native title to a 136,000-square kilometer area of the Western Desert region in September 2002, the largest native title determined in Australian history at the time.

Earlier this year Cameco completed a prefeasibility study on the 70/30 joint venture with Mitsubishi Development, which gave a measured and indicated resource estimate of about 55 million pounds of uranium.

The study was based on an open-pit mine with an estimated life of seven years with total production of about 40 million pounds of uranium at an average production rate of six million pounds annually. The pre-feasibility study indicated the project would require an average realized price of about US\$67 per pound or 62 million pounds of production at spot price to break even.

Cameco CEO Tim Gitzel told analysts last July, "We need more price, or more pounds, or hopefully both" to develop the project.

He warned that Cameco was "not going to develop Kintyre at any cost. As you've seen throughout our history, we are a financially disciplined company and the project must make sense economically for us to go forward to it."

The company estimated that a Kintyre feasibility study would take 18 months to complete or sometime in early 2014. "Despite the challenging economics, we are proceeding to a feasibility study and have accelerated our exploration drilling to determine if we can increase our mineral resource base, which would improve project economics," said Cameco.

Meanwhile, Cameco announced on August 26 that it was undertaking a second major uranium deposit acquisition, Yeelirrie, also in Western Australia.

Thursday's agreement between the Western Desert Lands Aboriginal Corporation (WDLAC)-which holds native title rights and interest to Martu country, including the right to control access--supports the development of the Kintyre project. The mining development agreement was developed over three years and was ratified by Martu community members at a special general meeting in Sept. 26, 2012.

WDLAC Chairman Teddy Biljabu said, "Never before have Martu people been able to negotiate for such strong terms over the life of a project."

"The Kintyre Agreement opens the door to a range of business, employment, and cultural initiatives which ensure Martu have a strong stake in the future of the development," he added.

WDLAC Deputy Chairman Brian Sampson said rigorous heritage protections were a major focus of negotiations, with the Kintyre area home to several highly sensitive cultural sites. "Through strong negotiations, Martu have protected our cultural sights at Kintyre by identifying exclusion areas where no mining activity is permitted."

Brian Reilly, managing director for Cameco Australia, said, "Securing the social license to operate is an important step since it allows us to continue to work in the area as we assess the feasibility of the Kintyre project."



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Big opening for Tanami Gold's Coyote - 23rd May '06'

IM June includes information on Tanami Gold's newly operating Coyote gold mine in the Tanami-Arunta Province of Central Australia. The official opening is to be May 24 and will be conducted by the Governor-General of Australia, His Excellency Major General Michael Jeffery. The ceremony will also be attended by the Chairman of the Tjurabalan Native Title Land Aboriginal Corporation, Tomato Gordon, the Executive Director of the Kimberley Land Council (KLC), Wayne Bergmann, Parliamentary Secretary to the Minister for Resources, Tony McRae MLA, the Hon Tom Stephens MLA, Member for Central Kimberley-Pilbara, the Administrator of the Northern Territory, His Honour Mr Ted Egan, representatives of the Tjurabalan People, Tanami Gold employees and guests.

Over 300 people including employees, guests and a strong representation by the Tjurabalan People are expected on site. The official opening of the mine represents a major milestone for Tanami Gold and the Tjurabalan People, whose partnership – forged over the past decade – has been instrumental in underpinning the development of the new mine and will continue to deliver new opportunities for this part of central Australia over the coming years.

Tanami Gold signed a landmark Mining agreement with the Tjurabalan people, with the support of the KLC, in April 2005 covering mining and exploration in the almost 26,000 km² of Tjurabalan lands lying to the south and east of Halls Creek in Western Australia's Kimberley region. This historic agreement, which the KLC describes as one of the best in Australia, is based on a long-term commitment to the region by both parties and includes a strong commitment to employment, training and business development opportunities for the Tjurabalan People. The agreement followed years of negotiations between Tanami and the Tjurabalan People during which a strong bond of trust and understanding was forged which demonstrates that workable and mutually beneficial agreements can be entered into with indigenous communities.

Coyote gold mine will provide long-term employment for in excess of 100 people, some 40% of which are employed by CDE Capital, which holds the contract for mining and civil works. Approximately 50% of CDE Capital's workforce is Aboriginal.

For Tanami, the official opening signals the most important turning point in its 12-year journey as a junior exploration company, marking its transition to producer status. Since its establishment in 1994, Tanami has assembled one of the largest exploration portfolios in Central Australia, invested in excess of A\$75 million in exploration and development in the region and has secured the support and participation of the region's indigenous communities.

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Tanami Gold's Executive Chairman, Denis Waddell, said the opening of the Coyote mine represents the culmination of 12 years of challenging work as a junior exploration company working in a remote and isolated region with poorly developed infrastructure and difficult access.

"This is a major achievement and very positive step forward for central Australia, and also represents one of the few new gold mine developments in Australia in the past decade," Mr Waddell said. "We are honoured that the Governor-General, His Excellency Major General Michael Jeffery, has agreed to join us to officiate on this special occasion, to mark the official launch of Australia's newest gold mine. We are also very pleased that the event will be attended by a large number of the Tjurabalan People – including their Chairman, Tomato Gordon – to celebrate the community partnership that we expect will continue to deliver tangible benefits to this region for many years to come."

Open pit mining commenced at Coyote earlier in May, with construction of the on-site gold processing facility, accommodation village and associated infrastructure now well advanced and scheduled for completion in early June 2006. Plant commissioning is expected to commence in mid-June, leading to a first gold pour towards the end of the month.

Stage 1 production will ramp up to 60,000 oz/y, with ore sourced from an open pit during the first 10 months of mining and subsequently transitioning to an underground operation. Tanami plans to expand the operation significantly during Stage 2, increasing production levels to over 100,000 oz/y. Importantly, cash flow from the operations will fund intensive ongoing exploration programs to be undertaken on the Company's large and highly prospective ground holdings aimed at discovering the next major deposit in the Tanami-Arunta Province.

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August 18, 2012

Section: GENERAL

BHP in \$1b-plus land title deal

FLIP PRIOR

EXCLUSIVE**PILBARA expansion**

BHP Billiton Iron Ore has signed its first multibillion-dollar native title deal in the Pilbara, clearing the way for a massive expansion of its operations and giving surety of land tenure for the life of its mines.

The agreement with the Nyiyaparli people will allow BHPs output to grow from about 120 million tonnes of iron ore a year to an expected 350 million tonnes by 2020.

It is believed to be the same scope and breadth as last years unprecedented Rio Tinto deal, under which traditional owners from four claim groups - including the Nyiyaparli people - will reap about \$2 billion over 40 years in exchange for up to 40 new iron ore mines over 70,000sqkm of their land.

Yamatji Marlpa Aboriginal Corporation chief executive Simon Hawkins, who led talks with BHP on behalf of the Nyiyaparli people over four years, said: "In terms of quantum of benefits, financial benefits, protections, governance requirements and the length of time . . . its a life-of-mine scenario."

The Nyiyaparli people have consented to all present and future BHP operations on their land, granting approvals in and around Newman and the eastern Pilbara.

In return, several hundred direct claimants and future generations will have access to financial advisers and a direct benefits trust, with at least half the money set aside for wealth-generating measures.

"It means that theyll be able to get off the welfare cycle by having some real capital in the Pilbara," Mr Hawkins said.

The rest of the benefits will be paid into a charitable trust to benefit the wider Pilbara Aboriginal community through investments in education, training, housing, health and employment, with some set aside for a future fund.

Whereas the Rio Tinto deal offered a fixed-revenue share of iron ore sales, the BHP deal provides for a minimum and maximum stream of benefits in a production-based payment system, guaranteeing a long-term income stream.

The company said financial benefits would take into account production from leases granted

before **native title** was recognised.

Mr Hawkins said the deal offered much stronger protection of heritage and cultural sites than the WA Governments **native title** laws.

The Nyiyaparli people struck a claim-wide **agreement** with Hancock Prospecting in 2010 and settled a contentious claim with Fortescue Metals Group in 2005.

---- INDEX REFERENCES ----

COMPANY: BHP BILLITON IRON ORE PTY LTD; RIO TINTO PLC; BHP BILLITON PLC; FORTESCUE METALS GROUP LTD

INDUSTRY: (Steel & Iron (1ST73); Metals & Mining (1ME07); Base Metals (1BA71); Natural Resources (1NA60); Nickel (1NI12))

LANGUAGE: EN

OTHER INDEXING: (YAMATJI MARLPA ABORIGINAL CORP) (Simon Hawkins)

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AUSTRALIA'S WOODSIDE SIGNS NATIVE TITLE DEAL FOR LNG PROJECT

Anonymous. **Asia Pulse** [Rhodes] 30 June 2011.

Abstract (summary)

Woodside said the agreement, with the Western Australian government and the Goolarabooloo Jabirr Jabirr native title claim group, secured the land required for the state's LNG precinct.

Full Text

SYDNEY, June 30 Asia Pulse - Woodside Petroleum Ltd

(ASX:WPL) has executed a native title agreement to facilitate the Browse liquified natural gas (LNG) precinct in Western Australia.

Woodside said the agreement, with the Western Australian government and the Goolarabooloo Jabirr Jabirr native title claim group, secured the land required for the state's LNG precinct.

It includes benefits and initiatives for indigenous people in the Kimberley.

Initiatives in the agreement were worth more than A\$1 billion (US\$1.06 billion) over the life of the precinct and had the potential to "enact meaningful and positive change to the economic and social circumstances of indigenous people in the Kimberley", Woodside said in a statement.

Those commitments included education, training and

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AUST'S FMG ACCUSED OF CORPORATE BULLYING OVER PILBARA PROJECT

Anonymous. **Asia Pulse** [Rhodes] 18 July 2011.

Abstract (summary)

FMG development director Peter Meurs said good faith negotiations hadn't led to a native title agreement but the company had complied with Federal Court and Native Title Tribunal requirements, enabling the project to proceed.

Full Text

PERTH, July 18 Asia Pulse - Australian mining magnate Andrew

"Twiggy" Forrest has been accused of being a "corporate bully"

in pushing ahead with an iron ore project in the Pilbara

without traditional owner consent.

Mr Forrest's Fortescue Metals Group (ASX:FMG) has been

trying to cut a deal with the Yindjibarndi Aboriginal

Corporation since 2007 to develop its Solomon Hub project,

about 200km south of Roebourne.

But no agreement has been reached and Yindjibarndi CEO

Michael Woodley says the FMG offer is totally inadequate for

loss of country.

FMG is offering a capped A\$4 million (US\$4.24 million) a

year in cash payments plus a capped \$6.5 million a year in

housing and jobs, training and business opportunities.

FMG, meanwhile, estimates it could extract 2.4 billion

tonnes of iron ore worth \$280 billion over 40 years.

But Mr Woodley said a different Mr Forrest was seen in negotiations with the Yindjibarndi.

"It is double standards, it is the smoke and mirrors.

"He has come from a position where he says this is our offer, take it or leave it, the ultimatum, the gun to our heads ... he's really a corporate bully," Mr Woodley said.

"We shouldn't be bullied into signing an agreement or given no choice but to sign an agreement because we are poor people living in very harsh conditions."

FMG development director Peter Meurs said good faith negotiations hadn't led to a native title agreement but the company had complied with Federal Court and Native Title Tribunal requirements, enabling the project to proceed.

"It is absolutely our intention to conclude our native title negotiations with the Yindjibarndi ... I don't think it will be very long.

"In our mind, the majority of the Yindjibarndi people are very much in favour of the conditions that are on the table.

"They've indicated that they want to enter into an agreement and it's really a matter of some internal politics within the Yindjibarndi people that have to be sorted rather than the agreement itself."

But Mr Woodley said the Yindjibarndi were "far from signing any agreement" and the majority did not support the proposed deal.

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5th December 2008

ATLAS SIGNS NATIVE TITLE MINING AGREEMENT FOR ABYDOS

Atlas Iron Limited (ASX Code: AGO) is pleased to announce that it has today signed a native title mining agreement with the Njamal people with respect to its Abydos Iron Ore Project located 120 kilometres south of Port Hedland in the Pilbara of Western Australia.

This agreement sets a new improved standard of engagement and opportunity for indigenous enterprise. The agreement is designed to facilitate and fast track mine development and combines strong protection of Njamal country with good community communication and on-going partnering throughout the operations.

The agreement sets up systems for Njamal People and Atlas to develop joint business initiatives. As an alternative to a signature payment, Atlas has agreed to help fund a Njamal business enterprise that will provide further commercial opportunities.

The agreement also establishes an innovative heritage framework under which Atlas can accelerate the heritage survey process through appropriate consultation, thereby accessing its exploration and mining areas faster, while at the same time recognising the importance to Njamal People of their cultural sites.

Njamal Traditional Owner Rodney Monaghan said that the Njamal community was happy that the agreement managed to balance the protection of their country and culture with commercial realities and opportunities.

"This agreement recognises the importance of our culture and country, but still shows that Njamal people are serious and fair with their commercial negotiations," said Mr Monaghan.

David Flanagan, Managing Director of Atlas Iron said, "Both the Njamal People and Pilbara Native Title Service showed a willingness to enter into a mutually beneficial arrangement and that is what this agreement is. It is great for all parties and we are sure it is going to work in the long term.

"This agreement is also a major step forward for Atlas as we deliver the greater Abydos Iron Ore projects in conjunction with and in partnership with the Njamal People," he added

Simon Hawkins, Chief Executive Officer, Pilbara Native Title Service, said that the agreement was negotiated in three meetings over a six week period.



"Atlas' excellent long-term relationship with the Njamal people and the Pilbara Native Title Service helped facilitate engagement on key aspects of this agreement quickly. Atlas came to the negotiating table respecting for the Njamal people's rights to culture and country. Atlas' willingness to make a good offer and its commitment to following the correct process insured that a well considered agreement was finalised very quickly."

Background Atlas Iron Limited

Atlas is fully funded with approximately \$100 million in cash at hand and zero debt as it starts exporting iron ore from its the Pardoo DSO Project. Atlas is planning to export 1 million tonnes during its first 12 months of operations of the Pardoo DSO Project growing to 3 Mtpa within 12 months. Together with additional export tonnages from its Abydos DSO Project, Atlas is targeting exports of 6 Mtpa by 2010, growing to 12 Mtpa by 2012.

For further information please contact

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Garry Plowright, Land Access and Approvals Manager, Tel (08) 9476 7900

Atlas signs native title mining agreement

By: Esmarie Swanepoel

Published on 8th December 2008

JOHANNESBURG (miningweekly.com) – ASX-listed iron-ore producer Atlas Iron on Monday signed a native title mining agreement with the Njamal people, with respect to its Abydos project, located 120 km south of Port Hedland in the Pilbara region of Western Australia.

The agreement set new standards in engagement and opportunity for indigenous enterprise, and was designed to facilitate and fast-track mine development.

“The agreement sets up systems for Njamal People and Atlas to develop joint-business initiatives. As an alternative to a signature payment, Atlas has agreed to help fund a Njamal business enterprise that will provide further commercial opportunities,” Atlas said in a statement.

“This agreement is also a major step forward for Atlas as we deliver the greater Abydos iron-ore projects in conjunction with, and in partnership with the Njamal People.”

The agreement had been negotiated in three meetings, over a period of six weeks.

tonnes of Pardoo Direct Shipping Ore (DSO). Atlas is expanding its production from its Wodgina and Pardoo DSO mines following the commissioning of the Utah Point port facility and is targeting exports at an annualised rate of 6 million tonnes by the end of 2010. When combined with additional export tonnages from its Abydos & Mt Webber DSO Projects, the Company is targeting exports at an annualised rate of 12 million tonnes during 2012.

Contact

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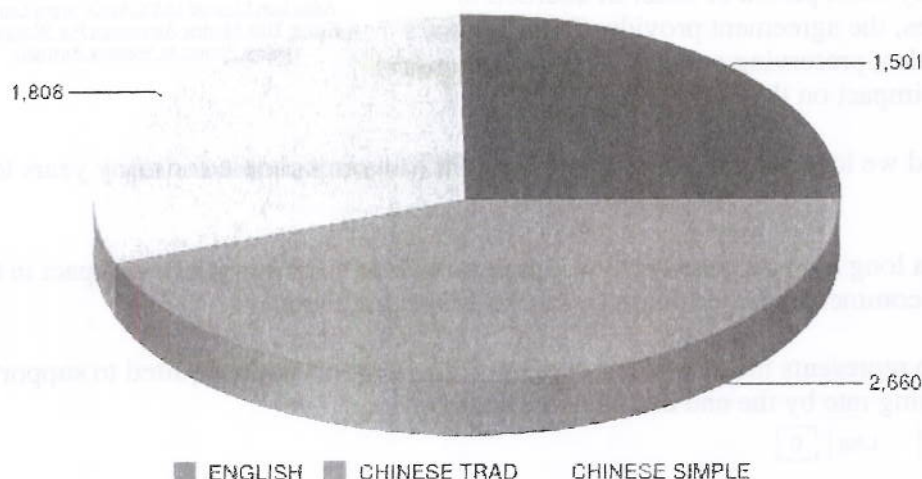
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June 29, 2011

Section: GENERAL

Aboriginals get jobs pact at new mine

FLIP PRIOR

Pluton Resources has achieved 50 per cent Aboriginal employment even before striking a formal agreement with the **Mayala** people yesterday to develop a new iron ore mine on Irvine Island, 250km north east of Broome off the Kimberley coast.

The deal is worth hundreds of millions of dollars over a decade.

Mayala traditional owners will access a royalty stream and milestone payments as well as become the companys biggest shareholders, should they choose to convert their equity options.

Pluton managing director Tony Schoer described the deal as the "best native title agreement, possibly in Australia, if not the world".

"We went in there with a different approach - a lot of mining companies enter native title deals because its something they have to do by law," he said. Mr Schoer said the success of the deal "came down to attitude" after **Pluton** set out to deliver on every promise and had done so.

Meeting in Broome yesterday, traditional owners ratified a heads of agreement signed in December last year which saw **Plutons** shares jump 17.8 per cent.

Pending environmental approval, the deal has cleared the way for **Pluton** to mine and ship up to five million tonnes a year of low-grade ore concentrate directly from the island to Asia for processing to create a superior grade product.

For traditional owners, the deal includes construction of a cultural arts centre and development of a ranger program. The **Mayala** people will also be consulted on environmental matters.

Negotiated by KRED Enterprises - led by former Kimberley Land Council boss chief executive Wayne Bergmann - the package also includes regional benefits to be administered by the charitable Ambooriny Burru Foundation.

While the current indigenous workforce is small, with 25 employees, the company has set targets to train and employ more people as the project develops.

Mayala elder Lorna Hudson commended the company for its respectful approach, saying it had followed cultural protocols by dealing with elders. She wanted the money to be "spent properly" on education and employment programs to benefit the entire community. "We didnt have this opportunity before and now we are getting it," she said.

---- INDEX REFERENCES ----

COMPANY: PLUTON RESOURCES LTD

INDUSTRY: (Natural Resources (1NA60); Metals & Mining (1ME07); Steel & Iron (1ST73); Nickel (1NI12); Base Metals (1BA71))

LANGUAGE: EN

OTHER INDEXING: () (Tony Schoer; Wayne Bergmann; Lorna Hudson)

EDITION: METRO

Word Count: 352

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May 5, 2012

Section: Finance

\$900m Olympic Dam windfall to indigenous groups

BARRY FITZGERALD, SARAH MARTIN

EXCLUSIVE NATIVE title owners stand to share more than \$900 million in payments over 30 years from BHP Billiton's proposed expansion of the Olympic Dam mine in South Australia's outback

Neither BHP nor indigenous groups involved in the Olympic Dam indigenous land use agreement would confirm the amount of expected payments

As is almost universally the case with ILUAs, the terms are confidential. But mining industry sources in SA suggest the Olympic Dam ILUA for the copper, gold and uranium mine near Roxby Downs is for \$920m over 30 years

"The Roxby agreement is likely to be the largest of its kind in the history of Australia," one source close to Aboriginal interests said

There are about 6000 people represented by the three native title groups involved. The intention is for all indigenous people in the northern part of SA to benefit from the cash to be spun out of what will become one of the world's biggest mines

But for indigenous groups to share in Olympic Dam's mineral wealth to the extent suggested assumes the \$30 billion expansion proceeds as planned, with BHP raising fresh concerns on its timetable for the project this week

It said it would be sequencing its raft of mine expansion opportunities to ensure capital outlays delivered a balance of short and long term returns

Next week's federal budget has also raised fears that BHP could stall Olympic Dam in a showdown with the Gillard government if it removes the diesel fuel rebate at an estimated annual cost to Olympic Dam of \$130m, as well as removing the tax concession for overburden removal

At Olympic Dam overburden removal will be a massive task because the ore body starts at depths of more than 400m

BHP is juggling first investment in four mega-projects -- Olympic Dam, a potash project in Canada, a new shale gas business in the US and the expansion of its iron business in the Pilbara region of Western Australia -- which could absorb as much as \$120bn over the next 15 years, according to analysts at Deutsche Bank

Nervousness from investors about the scale of the investments, particularly the long-dated returns in the case of Olympic Dam, potash and shale gas, has Continued on Page 26 Continued from Page 25 escalated because commodity prices have retreated in response to European debt woes

(1BA71); Metals & Mining (1ME07); Olympics (1OL99); Natural Resources (1NA60); Steel & Iron (1ST73))

REGION: (Australasia (1AU56); Oceania (1OC40); Australia (1AU55); Western Australia (1WE82); South Australia (1SO82))

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OTHER INDEXING: (OLYMPIC DAM ABORIGINAL COMMUNITY TRUST; OLYMPIC DAM) (Jay Weatherill; Nick Llewellyn-Jones; Barry Price)

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March 22, 2010

Section: GENERAL

\$3b for secret trusts as communities rot

PAUL MURRAY

A **native title** deal being negotiated with a Pilbara Aboriginal group has the potential to funnel up to \$100 million a year to fewer than 200 people.

Details of the secret deal have been leaked to The West Australian to throw the spotlight on how the **native title** process has brought limited benefits to most of the Pilbaras Aboriginals - but has enriched a few families.

Regional Development Minister Brendon Grylls is leading a State Government campaign to try to unlock hundreds of millions of dollars held in secretive **native title** trust funds and ensure that the benefits are spread more widely than the small family groups that control many of them.

There is a growing realisation among Pilbara miners that the cash paid since the late 1990s for access to land has brought limited social improvement in terms of jobs, better health, education standards and living conditions.

As the Pilbara gears up to more than double its iron-ore exports, a raft of new access **agreements** to mining and port land will send **native title payments** soaring.

State Government sources estimate \$3 billion will be paid into the Aboriginal funds from current projects.

One of the regions biggest players, Rio Tinto, told a Federal inquiry in 2008 that it had committed \$1 billion over the next 20 years through **agreements** with traditional owners in the Pilbara alone.

Some of the companies are now briefing the State Government on the deals they are striking - most of them confidential - because they believe the original aims of the **Native Title** Act are not being met.

"The whole intention of the right to negotiate was that all Aboriginal people, particularly in an area like the Pilbara, would benefit," one senior mining company executive said.

"But instead of that we have this lottery of geography where you have a number of very large mines in quite a small area and we are creating effectively warlords because those people under the system have all the rights.

"Have a look where the mines are. They are not where the big Aboriginal communities are. So most people get left out."

The West Australian has been shown details of a new deal in which a group that has yet to have

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2011 WLNR 8893758
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Australian
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May 7, 2011

Section: Local

\$30bn **native title** deal heralds new era

AMANDA O'BRIEN, ANDREW BURRELL

KIMBERLEY Aborigines have given the go-ahead to Woodside's \$30 billion Browse Basin gas project north of Broome, in a historic **agreement** that signals a new era in **native title** negotiations over resources

In a major slap in the face to environmentalists, Kimberley Land Council board member Wayne Bergmann described the 164-108 vote as an extraordinary moment, saying it was one of the most significant outcomes for Aborigines in the Kimberley since the 1967 referendum. The deal will include a benefits package of \$1.5bn for the surrenderer of the land

Mr Bergmann, who has been arguing against "celebrity" environmentalists such as musicians Missy Higgins and Rob Hirst, who are opposed to the deal, said it had been a long and difficult process. "Despite all the pressure put on us, the opportunities and benefits in this **agreement** are so significant and unheard-of in indigenous, industry and government relationships they will set a new precedent for Aboriginal engagement nationally," he told The Weekend Australian

Woodside and West Australian Premier Colin Barnett applauded the move, but Telstra director and former advertising executive Geoff Cousins said the fight to stop the gas plant would go on for years

Mr Cousins threatened to continue working on a campaign to convince Woodside's shareholders, joint-venture partners, including BHP Billiton, Shell and Chevron, as well as financiers and customers, to oppose the decision

He said the bid to halt the Woodside-led project was following a similar script to his last big environmental crusade: the long-running battle to stop timber company Gunns building a pulp mill in Tasmania's Tamar Valley. Woodside last night welcomed the decision, promising the benefits package would be one of the most comprehensive ever between a resources company and **native title** claimants in Australia

It said the initiatives in the proposal were worth more than \$1bn over the life of the project and included milestone and annual payments to the claim group, regional benefit payments, job targets, education, employment and training initiatives, support for indigenous rangers and contracting opportunities

Woodside said the vote removed one of the key barriers to taking a final investment decision by mid-2012, assuming the federal Continued on Page 2 Continued from Page 1 government granted it environmental approval. It also ended one of the most divisive periods of negotiation between traditional land owners and the resources industry seen in Australia in decades

While a heads of **agreement** was signed in 2009 between Woodside, the state government and

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Section: Finance

\$300m sees Rio's Pilbara push clear **native-title** hurdle

Andrew Burrell

RIO Tinto's \$14 billion expansion of its Pilbara iron ore operations has cleared a critical hurdle, after the mining giant signed a long-delayed **agreement** with **native-title** holders around the key sites of Dampier and Cape Lambert

Under the deal signed quietly late last month, Rio will pay the Ngarluma Aboriginal Corporation a package of benefits worth up to \$300 million to pave the way for development

But the indigenous land use **agreement** is only one of about 10 that Rio is negotiating to enable it to expand its operations across the Pilbara to meet soaring demand from China

The Ngarluma deal was considered the most important because it covered critical areas of land for the expansion, including \$3.1bn worth of rail and port works around Cape Lambert

If an **agreement** had not been reached, Rio would have been forced to negotiate through statutory processes for each infrastructure title, potentially stalling the development for years

The talks between Rio and the NAC over the past four years were at times bitter and at one stage in 2009 they stalled amid claims that Rio was attempting to renege on key aspects of the preliminary **agreement**

The signing of the hard-won deal comes as a rival Pilbara iron ore miner, Fortescue Metals Group, is embroiled in controversy over the methods it used to sign a similar deal with Aboriginal landholders to pave the way for its Solomon project

The fight between the Yindjibarndi Aboriginal Corporation and Fortescue has this week descended into claims by both sides of bullying and misrepresentation, as rival videos of an explosive meeting were released

West Australian Opposition Leader Eric Ripper accused Fortescue chief executive Andrew Forrest of "inappropriately interfering" in the internal politics of the **native title** group. Mr Forrest denies the claim

A Rio spokesman yesterday confirmed the Ngarluma **agreement** had been finalised about three weeks ago

Ngarluma Aboriginal Corporation legal counsel Steven Dhu said he welcomed the signing of the **agreement** with Rio, but warned that "time will tell" whether it proved to be effective

"We are yet to test it," Mr Dhu said. "It was very difficult to negotiate -- we took a simple **agreement** and turned it into War and Peace

