



WORKING TOGETHER – A NEW COMMUNITY OF PRACTICE FOR MINERALS INDUSTRY AND INDIGENOUS PARTNERSHIPS

TERMS OF REFERENCE

Purpose

The Community of Practice is an initiative of the [Minerals Council of Australia](#) (MCA) and [National Native Title Council](#) (NNTC) with support from partners including [Aboriginal Enterprises in Mining, Energy and Exploration](#), the [MoU to Increase Indigenous Participation in the Queensland Resources Sector](#) and the [Centre for Social Responsibility in Mining](#). Other partners are welcome to join.

The CoP aims to maximise outcomes from the implementation of minerals-related agreements and partnerships (partnerships) between the industry and Indigenous Australians by enhancing collective knowledge and advancing identified priorities.¹

To achieve this, the CoP will:

- Provide an inclusive, practically-focused network to share, learn and advance understanding
- Provide opportunities to share and discuss good practice, lessons learnt and emerging research and guidance
- Where appropriate, use insights from the CoP to inform government policy development
- Connecting Aboriginal and Torres Strait Islander peoples, including Traditional Owners, groups and organisations, the minerals industry, governments, academia and other groups.

The CoP can support collective knowledge building and priority actions by:

- Identifying opportunities to work with and learn from other organisations, agencies and groups to enhance outcomes on relevant matters
- Holding events, including education seminars and workshops, to share and enhance knowledge
- Contributing to government policy development as it relates to relevant matters
- Developing resources and guidance materials, as appropriate, to support best practice
- Facilitating piloting and testing of new approaches between CoP parties.

Scope

The CoP scope centres on implementation of minerals-related partnerships, with respect to:

- **Best practice approaches to implementation:** Opportunities and lessons for maximising outcomes from minerals-related agreements and partnerships and measuring success.
- **An environment for success:** Opportunities and lessons to ensure legal, structural and other factors provide an enabling operating environment.

¹ Indigenous Australians is used in this context to refer to Aboriginal and Torres Strait Islander peoples. In this context, minerals-related agreements and partnerships include statutory agreements, cultural heritage management arrangements, voluntary initiatives and other partnerships between minerals companies and Indigenous Australians.

- **Collective and regional impact:** Opportunities and lessons for leveraging focus, investment and resources to enhance cultural, social, economic and environmental outcomes.

The focus is sharing best practice and collaborative, constructive discussion. Matters should be raised with consent of relevant parties and exclude commercially-sensitive information.

Priority actions

CoP participants collaboratively identified five focus areas:

1. Sharing best practice approaches and partnerships that support Aboriginal and Torres Strait Islander peoples, including Traditional Owners, to achieve cultural, spiritual and social aspirations and connection to Country
2. Supporting work readiness and career advancement and addressing barriers to greater Indigenous business involvement in mining and non-mining supply chains.
3. Supporting cross-sectoral place-based planning and alignment, drawing on opportunities to facilitate mining and non-mining related economic opportunities
4. Facilitating fit-for-purpose and functional trust structures with efficient, operational trustees, strong reporting practices, fee transparency and appropriately qualified directors
5. Securing legislative change (Native Title Amendment Bill 2019) to resolve procedural and administrative issues.²

Operation

The CoP will initially operate for 12 months, after which a shared evaluation process will determine whether it should and how to continue. CoP co-chairs Linda Dawson and Kevin Smith were nominated by the MCA and NNTC respectively and endorsed by participants at a 5 June collaborative workshop.

Participation

Participation is open to MCA member companies, representatives from Traditional Owner groups and Aboriginal and Torres Strait Islander peoples and organisations from mining regions, relevant non-government organisations, and academia and government agencies. Participants are asked to adhere to three core engagement principles.

- Members share a genuine commitment to work together to enhance shared benefits and manage risks and impacts of mining activity
- Members contribute to a safe and collaborative environment for discussion, sharing and learning
- Matters are raised with the consent of relevant parties with confidentiality respected as appropriate. Commercially-sensitive information will be excluded from discussion.

Meetings

Two in-person meetings will be held around the National Native Title and AEMEE Conferences.³ Outside of this, webinars and teleconferences will be held on a quarterly basis to share knowledge. Additional ad-hoc meetings may also be held.

Secretariat support and resourcing

The MCA will initially provide secretariat support, with assistance from CoP partners and participants. Input and shared action is required by all participants.

² Priorities were identified at a collaborative workshop on 5 June 2019.

³ Hosting around these well-attended events would support broader participation and engagement with CoP activities.