

## ZINIFEX CENTURY MINE



### **Working with Indigenous people and communities in North West Queensland**

Zinifex Century Mine is a zinc, lead and silver mine located 250 kms north-west of Mount Isa. An associated port and dewatering facility is located at Karumba on the coast of the Gulf of Carpentaria, with the two sites connected by a 304 km pipeline. The mine is projected to operate until 2015.

The mine site is a fully fly-in/fly-out operation with the workforce commuting from the Gulf communities of Doomadgee, Burketown, Normanton and Mornington Island and regional centres of Mount Isa and Townsville. Commute employees are accommodated on site at Darimah Village.

## GULF COMMUNITIES AGREEMENT

The Gulf Communities Agreement (GCA) was negotiated under the Right to Negotiate provisions of the *Native Title Act (1993)*. It was signed in February 1997 and is a partnership between the Native Title groups, the Queensland Government and Century Zinc Limited, now Zinifex Century Limited. The Native Title groups are:

- Waanyi
- Mingginda
- Gkuthaarn
- Kukatj.

### Native Title groups' desired outcomes

In negotiating the GCA, the desired outcomes of the Native Title groups were to:

- Remove their people and other members of their communities from welfare dependency and, to the greatest extent possible, promote economic self-sufficiency
- Participate as fully as possible in Century Mine and related ventures
- Be able to live on their traditional lands
- Protect fully the natural environment and its resources
- Identify and protect sites of cultural significance
- Ensure that the material benefits gained do not corrupt Indigenous cultures, but enable people to reaffirm their beliefs and enhance the lifestyles of the people of the Gulf through community and cultural development initiatives
- Ensure that the standard of health, employment rates, education opportunities and other social indices of the people of the Gulf are comparable to ordinary Australian standards.

### Zinifex Century Mine's role

The GCA requires Zinifex to provide Native Title groups and the people of the Gulf of Carpentaria communities with:

- Opportunities to participate in jobs relating to Century Mine
- Training programs to assist Aboriginal people in learning and maintaining relevant skills
- Apprenticeships
- Business opportunities for local Aboriginal people at both the mine and port sites, as well as within their local communities
- Ongoing assistance for the establishment and operation of businesses
- Assurances regarding environmental protection

- Assurances about the identification, protection and management of significant Aboriginal sites
- Gradual transfer of five pastoral leases to local Aboriginal ownership
- Monetary payments to the Native Title groups for land access
- Continual consultation and communication with local Aboriginal communities.

### Queensland Government's role

The Queensland Government contributes to cultural and social improvements in the region through the provision of a range of regional services, such as roads and infrastructure.

### Aboriginal people's role

The local Aboriginal people allow Zinifex access to the area to mine and conduct its operations.

### The 10 Schedules of the GCA

The GCA is divided into 10 main Schedules. Each Schedule deals with specific areas and describes the responsibilities of Zinifex, the Native Title groups and the Queensland Government to achieve the objectives of the Agreement. These Schedules are:

- Schedule One: Queensland Government commitments
- Schedule Two: Employment and Training
- Schedule Three: Environment
- Schedule Four: Heritage and sites of cultural significance
- Schedule Five: Lands
- Schedule Six: Aboriginal Development Benefits Trust
- Schedule Seven: Other benefits
- Schedule Eight: Gulf Aboriginal Development Company
- Schedule Nine: Project rights
- Schedule Ten: Liaison and rights.



## SCHEDULE ONE – QUEENSLAND GOVERNMENT COMMITMENTS

Under the Gulf Communities Agreement (GCA), the Queensland Government's responsibilities and obligations are as follows:

### Social impact assessment

The Department of the Premier and Cabinet is responsible for conducting a social impact assessment to identify regional issues and concerns, including future social infrastructure and service needs. The social impact assessment is to establish an ongoing framework for the monitoring and assessment of social change in the region.

### Boodjamulla National Park

The Department of Natural Resources is to assist the Waanyi Native Title group with their claim under Queensland legislation for Boodjamulla National Park.

### Birthing centres

Through Queensland Health, the State Government will develop culturally appropriate birthing centres for Aboriginal women living in remote areas, such as Doomadgee and Mornington Island.

### Training and vocational education

The Department of Employment, Training and Industrial Relations will contribute funding for the training and vocational education of local Aboriginal people.

### Education

Education Queensland will provide funds and support for the education and training policies developed by the Employment and Training Committee referred to in Schedule Two of the GCA.

### Improvement to roads

The Queensland Government, through Queensland Transport, will undertake specific improvements to certain roads in the Gulf region.

### Outstation project

The Queensland Government is assisting with improving community infrastructure at Gregory Outstation in consultation with Bidjungu Aboriginal Corporation.

### Outstation resource centre

The Department of Families has provided funding to the Gulf Aboriginal Development Company to conduct consultation with local Aboriginal people on the location and functions of an outstation resource centre. This centre will be designed to develop programs for outstation water supplies, waste disposal, shelter, storage, airstrip construction, and radio and telephone networks.

### Men's business association

The Queensland Government recognises that local Aboriginal people would like to revive their culture, train young men in traditional laws, teach ways to care for their country through activities such as initiation ceremonies, songs and stories, land care, hunting and fishing, cultural heritage and the protection of sacred sites. The Queensland Government has provided the Gulf Aboriginal Development Company (see Schedule Eight) with funds to develop a plan for a men's business association.

### Acquisition of infrastructure corridor

The Queensland Government will pay compensation to the land and Native Title holders for acquisition of land along the slurry pipeline from Century's mine site at Lawn Hill to its port and dewatering facility located in Karumba.

## SCHEDULE TWO – EMPLOYMENT AND TRAINING

Schedule Two of the Gulf Communities Agreement (GCA) aims to provide local Aboriginal people with employment and training opportunities to assist them in developing skills.

### Benefits of employment and training initiatives

The aim of the GCA's employment initiatives is to give local Aboriginal people real employment opportunities. Training initiatives of the GCA aim to provide training opportunities that provide skills that could be used in the mining industry or within the wider community. These training initiatives are intended to lead to meaningful employment.

Under Schedule Two of the GCA, Zinifex is required to:

- Contribute an agreed significant amount annually towards the employment and training of local Aboriginal people
- Establish an Employment, Education and Training Committee
- Take advice from and inform the Committee on employment and training activities
- Provide employment statistics and other information to the Committee on a regular basis
- Employ Community Liaison Officers (CLOs) and on site trainers and mentors
- Provide transport for local employees to meet work rosters
- Undertake a skills audit throughout the communities and develop an employment registration process
- Ensure relevant systems are in place to restrict access to significant Aboriginal sites
- Ensure employees, contractors and their employees:
  - Are respectful towards Aboriginal people and their traditions
  - Participate in induction programs, which aim to:
    - Familiarise participants with Aboriginal culture
    - Promote knowledge and understanding of Aboriginal relationships with the land and non-Aboriginal people
    - Create awareness of the GCA.

### Employment, Education and Training Committee

The Employment, Education and Training Committee's role is to facilitate the flow of communication about employment and training opportunities between the local Aboriginal communities and Zinifex Century Mine. It comprises a representative from each of the Native Title groups, Zinifex and the Queensland and Commonwealth Governments. The objectives of the Committee are to:

- Assist Zinifex in developing and maintaining a recruitment and training policy, which provides significant employment opportunities for local Aboriginal people
- Promote an understanding of local Aboriginal culture throughout the non-Aboriginal workforce at Century Mine
- Maximise Government funds and programs for vocational education, employment and training to the benefit of local Aboriginal people and corporations.

## SCHEDULE THREE – ENVIRONMENT

The environment is very important to Aboriginal people so it is essential Zinifex protects this most important asset. Aboriginal people view Century's work in protecting the environment as an essential measure of Zinifex's commitment to the Gulf. This commitment is further enhanced by Zinifex's employment of an open and honest approach to environmental management with Aboriginal people, which assists in building positive relationships with local communities.

### Environmental commitments

Under Schedule Three of the Gulf Communities Agreement (GCA), Zinifex Century Mine's environmental obligations are to:

- Establish and fund the Century Environment Committee
- Establish a bank guarantee as an environmental performance bond
- Fund a full-time Environmental Liaison Officer for at least five years, reporting to the Committee
- Maintain consistently high standards of environmental planning and management
- Monitor and report on the general wellbeing of the environment at the mine site, the pipeline route and the dewatering facility in Karumba
- Comply with legal requirements
- Adopt higher standards where considered necessary
- Regularly monitor the environmental performance of the mine and port sites, and ensure that proper management procedures are in place to meet all responsibilities
- Ensure that all employees work to continuously improve Century's environmental performance
- Anticipate changing community values and be alert to technical advances that may improve environmental standards
- Give special consideration to issues that concern Aboriginal people, e.g. river levels, spillage, the pipeline, the transfer vessel operations and ship loading
- Refer to a tribunal to resolve disagreements regarding any part of the operation that might be considered to be having a detrimental impact on the environment.

### Century Environment Committee

The Century Environment Committee's (CEC) role is to monitor and advise on environmental issues relating to Century Mine and the surrounding region. The focus of the CEC is regional as it is recognised that an environmental incident at Century may affect the whole of the Gulf area.

The CEC comprises a member from each of the Native Title groups, community membership from the Wellesley Islands and a representative from both Zinifex and the Queensland Government.

Zinifex provides the Committee with an agreed and significant amount each year to obtain independent environmental advice.

### Environmental Liaison Officer

The CEC employs an Environmental Liaison Officer whose role is to represent the Committee on a day-to-day basis as part of Century's operations and in the communities. The Liaison Officer reports directly to the Committee.

### Areas of concern

In addition to monitoring environmental aspects of Century Mine, the CEC has identified and developed specialised environmental plans for key environmental risks and actively oversees these identified risks on an ongoing basis.

## SCHEDULE FOUR – HERITAGE AND SITES OF CULTURAL SIGNIFICANCE

The Gulf Communities Agreement (GCA) recognises that the people of the Gulf have a special cultural connection to the land and area they are from. Therefore, the GCA requires Zinifex Century Mine and the Queensland Government to ensure there is minimal interference to culturally significant sites. This involves identifying significant Aboriginal sites and establishing a management process to ensure their protection.

### General requirements

The intention of this Schedule is to acknowledge the importance of cultural issues by ensuring that no ground disturbing work occurs unless a full cultural clearance has been conducted. A consultative approach to clearance work is used, which is an integral part of Century's operations. The approach involves a clearance crew, comprising key local Aboriginal people and an archaeologist to ensure that the cultural, scientific and technical aspects of the survey of any land have been covered.

Zinifex's and the Queensland Government's obligations under Schedule Four are to:

- Operate Century Mine with proper regard to the protection of significant Aboriginal sites
- Consult with the Native Title groups to identify, protect and manage these sites.

### Surveys

Zinifex and the Queensland Government have surveyed Century's mine site, pipeline route and port facility to identify sites of cultural significance. Cultural surveys continue to be conducted for any new projects that are undertaken for Century Mine.

These surveys are undertaken by appropriate local people who have knowledge of, and traditional responsibilities relating to, the area.

### Supervision of excavation work

Excavation or ground disturbing work is supervised by a cultural heritage clearance team, that comprises members from the relevant Native Title group. This team is responsible for providing ongoing monitoring to ensure that Zinifex continues to identify, protect and maintain sites of cultural clearance.

## SCHEDULE FIVE – LANDS

When the Century project was purchased in 1997, several pastoral holdings (Lawn Hill, Riversleigh, Turn Off Lagoons, Pendine and Konka), some of which are working cattle stations, were also acquired. Under Schedule Five of the Gulf Communities Agreement (GCA), these five pastoral leases are to be transferred to the appropriate Native Title groups. It was agreed that Zinifex would provide some ongoing managerial support with the aim of assisting these properties to become viable businesses managed by local Aboriginal people.

Zinifex is obliged to undertake the following activities for these specific pastoral properties:

### Lawn Hill and Riversleigh

- Establish the Lawn Hill and Riversleigh Pastoral Holding Company, which is jointly owned by Zinifex and the Waanyi people, to manage the Lawn Hill and Riversleigh pastoral properties
- Gradually transfer its majority shareholding in the Holding Company to the Waanyi Native Title group. In 2001, Zinifex and the Waanyi people were equal shareholders in the Pastoral Holding Company. By 2005 the majority shareholding will shift to the Waanyi Native Title group
- Allow access for the Waanyi people to these lands to conduct traditional activities.

## Turn Off Lagoons

- Establish a pastoral holding company between Zinifex and the Waanyi people to hold the Turn Off Lagoons property where the traditional owners have 100 percent ownership
- Access for the Waanyi people to this property to conduct traditional activities
- A board of directors comprising Zinifex personnel and the Waanyi people responsible for managing this lease.

## Pendine and Konka

As soon as practical, Zinifex will transfer all of its rights, title and interest in Pendine and Konka to a proper legal entity representing the Ganggalida people.

## SCHEDULE SIX – ABORIGINAL DEVELOPMENT BENEFITS TRUST

Schedule Six of the Gulf Communities Agreement (GCA) establishes an independent group, the Aboriginal Development Benefits Trust (ADBT), to manage and distribute loans and grants that enable the development of local Aboriginal business opportunities and to provide ongoing assistance and support. The ADBT aims to achieve this by:

- Providing loans or grants for start-up funding for new business ventures
- Providing finance for equity in other ventures and/or land purchases
- Providing finance for business related training
- Assisting in community development programs.

The ADBT is made up of representatives of the Native Title groups and the Gulf communities, a professional accountant, an Aboriginal business leader and an employee of Zinifex Century Mine.

Zinifex Century Mine's obligations are to:

- Contribute an agreed amount annually for the life of the mine
- Provide the Trust with annual funds for administration purposes.

The ADBT is also responsible for the management of a one-off trust fund from Zinifex and the Queensland Government for personal development programs based on sporting activities.

## SCHEDULE SEVEN – OTHER BENEFITS

The Gulf Communities Agreement (GCA) enables Zinifex to access and use lands that traditionally belong to the Native Title groups. These groups receive annual compensation payments for allowing Zinifex continual access to these traditional lands.

The Gulf Aboriginal Development Company (see Schedule Eight) is responsible for receiving from Zinifex the annual Native Title compensation payments and distributing these to the seven eligible bodies.

The seven eligible bodies represented in the Gulf Communities Agreement are:

- North Ganalanja
- Ngumarryina
- Traditional Waanyi Elders Aboriginal Corporation
- Bidunggu
- Minggindda
- Gkuthaarn and Kukatj
- Waanyi Nation Aboriginal Corporation.

For a body to be eligible to receive payment, the GCA requires that it be properly constituted under Corporations Law or equivalent. Each of the eligible bodies is responsible for managing the compensation payments on behalf of the people that they represent. If the bodies become ineligible, then their payments are not passed on at that time but remain in trust held by the Gulf Aboriginal Development Company.

Effective bodies are important for the ongoing success of the GCA as they assist in communication, but more importantly represent the different members of the Native Title parties to the Agreement.

## SCHEDULE EIGHT – GULF ABORIGINAL DEVELOPMENT COMPANY

The Gulf Aboriginal Development Company (GADC) has been established under the Gulf Communities Agreement (GCA) as an independent body representing the Native Title groups. Governed by a board, the GADC is responsible for:

- Administering certain aspects of the GCA as a representative of the Native Title groups
- Managing all funds received by the GADC
- Assisting with the management of a number of the Queensland Government commitments
- Providing a central point and voice for the Native Title groups.

Zinifex Century Mine and the Queensland Government have contributed funds for the establishment and ongoing operation of the Gulf Aboriginal Development Company.

## SCHEDULE NINE – PROJECT RIGHTS

The construction and operation of Zinifex Century Mine does not extinguish Native Title on the lands and waters relating to the Mine. The Native Title groups are recognised as the traditional owners of these lands and waters.

### Role of Native Title groups

The Gulf Communities Agreement (GCA) sets out that the Native Title groups:

- Will not impede Century Mine's operations but will assist the mine and port sites where possible and within reasonable time frames to continue operating
- Will enter into other agreements with the Queensland Government that are consistent with the GCA to ensure Century Mine's continued operations
- Along with the Gulf Aboriginal Development Company, acknowledge that the GCA is an agreement for the purposes of the Native Title Act.

### Extended project rights

It is expected to take until 2018 to mine Century's zinc, lead and silver ore body. Schedule Nine of the GCA caters for the event that mining activities undertaken by Zinifex extend beyond this period. These extended project rights include:

- If Zinifex discovers and wishes to mine another ore body on the existing mining lease, then the benefits provided by Zinifex under the GCA will continue and will satisfy any compensation entitlement to the Native Title groups
- If Century's operations continue beyond 2020 then Zinifex will continue to meet all its obligations and make payments as outlined in the GCA.

## SCHEDULE TEN – LIAISON AND RIGHTS

Schedule Ten of the Gulf Communities Agreement (GCA) establishes the Century Liaison and Advisory Committee (CLAC), whose role is to maintain an overview of the operation of the GCA.

The Century Liaison and Advisory Committee comprises a total of 13 members from the Native Title groups, Zinifex Century Mine and the Queensland Government.

The functions of this Committee are to:

- Discuss the progress of the GCA and Zinifex Century Mine
- Provide a forum for discussing, monitoring and reviewing plans and the operation of Zinifex Century Mine
- Act as a forum to resolve any questions or differences that arise between Native Title groups, Zinifex and the Queensland Government
- Make recommendations concerning the implementation of the GCA and the operation of Zinifex Century Mine
- Make recommendations concerning any amendments to the GCA
- Maintain communication between all parties of the GCA, ie Native Title groups, Zinifex and the Queensland Government.



**Contact for further information:**

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Vacant

Artwork, *The Creation of Lawn Hill Gorge (Boodjamulla)*  
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