

31 January 2007

The Secretary
Standing Committee on
Legal and Constitutional Affairs
The Senate
Parliament House
CANBERRA ACT 2600

Via email: legcon.sen@aph.gov.au

Dear Secretary,

Re: Inquiry into the Native Title Amendment Bill 2006

At the Senate Inquiry into the Native Title Amendment Bill on Tuesday 30 January 2007 I undertook to provide the Committee with further information in relation to the MCA and Federal Government Memorandum of Understanding on Indigenous Employment and Enterprise Development (MoU).

MCA consultation with the National Indigenous Council

In negotiating the MoU with the Federal Government the MCA did not consult with the National Indigenous Council (NIC). It is understood that NIC was established in November 2004 and first met in December 2004. It is not known whether the Government consulted with its own Indigenous advisory body, the National Indigenous Council prior to signing the MoU in June 2005.

The MCA has since June 2005 met with NIC on two occasions and provided extensive briefings on the MoU. At these meetings members of NIC welcomed industry engagement through projects such as the MoU, in supporting improved outcome for Indigenous employment and enterprise development.

The MCA consulted with members of its own Indigenous Leaders Dialogue in the development of the MoU. The MCA's Indigenous Leaders Dialogue was established in 2004 by the MCA to facilitate high-level discussions between the MCA's Board members and Indigenous leaders on issues of mutual interest. The co-chair of this Dialogue is Professor Mick Dodson. Professor Marcia Langton, who is a member of the Dialogue, is also engaged in the evaluation of the two-year pilot phase of the MoU.

Further documentation relation to the MoU.

I enclose the following supporting documents:

1. copy of MoU;
2. copy of Regional Partnership Agreement, Port Hedland;
3. copy of Regional Partnership Agreement, East Kimberley; and
4. short brief on the MoU including a listing of the eight 'lead sites' or priority areas.

Should you have any further queries in relation to inquiry, please do not hesitate to contact me directly on 6233 0600.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Anne-Sophie Deleflie".

ANNE-SOPHIE DELEFLIE
ASSISTANT DIRECTOR, SOCIAL POLICY



Australian Government



Memorandum of Understanding
Between

The Commonwealth
of Australia

and

The Minerals Council
of Australia

Purpose

The purpose of the MOU is to formalise a partnership between the Commonwealth of Australia (the Commonwealth) and the Minerals Council of Australia to work together with Indigenous people to build sustainable, prosperous communities in which individuals can create and take up social, employment and business opportunities in mining regions.

Parties

The MOU is between the Commonwealth and the Minerals Council of Australia.

The Commonwealth will coordinate its participation across all agencies, and draw on other levels of government consistent with the National Framework of Principles for Delivering Services to Indigenous Australians.

The Minerals Council of Australia will coordinate participation of its member companies.

Scope

Actions under the MOU will focus on Indigenous communities in mining regions where MCA member companies operate. They will be applied on a local and regional basis, within agreed regional frameworks. Each party to this agreement will contribute within the scope of its responsibilities and operations.

Principles

The MOU establishes broad principles to guide activity at the regional level. These principles are:

- 1.** Collaboration and partnership between the parties based on mutual respect.
- 2.** Collaboration and partnership between the parties and Indigenous communities based on shared responsibilities and respect for culture, customs and values.
- 3.** The integration of sustainable development considerations within the MOU partnership decision-making process.
- 4.** Joint commitment to social, economic and institutional development of the communities with which the parties engage.

Deliverables

- Increased employability and jobs for Indigenous people.
- Increased business enterprises for Indigenous people.
- Prosperous Indigenous individuals, families and communities that endure beyond the life of mining in the region.
- A strong partnership between industry and government that works with Indigenous people locally to generate solutions to complex issues on a local or regional basis.
- A working group to progress implementation.
- A methodology for working together that includes regional frameworks and the promotion of best practice.

Regions

Activities under this MOU will focus on specific regions as agreed by the parties.

Timetable

The partnership will operate for five years.

Launch – June 2005

Working group established and methodology finalised – by end June 2005

Regional frameworks finalised – by end September 2005

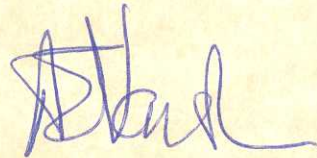
First regional activity underway – October 2005

Review – early 2007.

**Execution clause for the Memorandum of Understanding between
the Commonwealth of Australia and the Minerals Council of Australia**

Signed, for and on behalf of the Commonwealth
of Australia by the Minister for Immigration and
Multicultural and Indigenous Affairs,

Senator the Hon Amanda Vanstone



.....
Canberra, June 2005

and the Minister for Industry, Tourism and
Resources,

the Hon Ian Macfarlane MP



.....
Canberra, June 2005

and the Minister for Employment and Workplace
Relations,

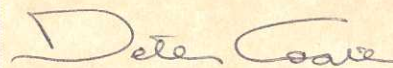
the Hon Kevin Andrews MP



.....
Canberra, June 2005

Signed, for and on behalf of the Minerals
Council Of Australia, by the Vice-Chairman,

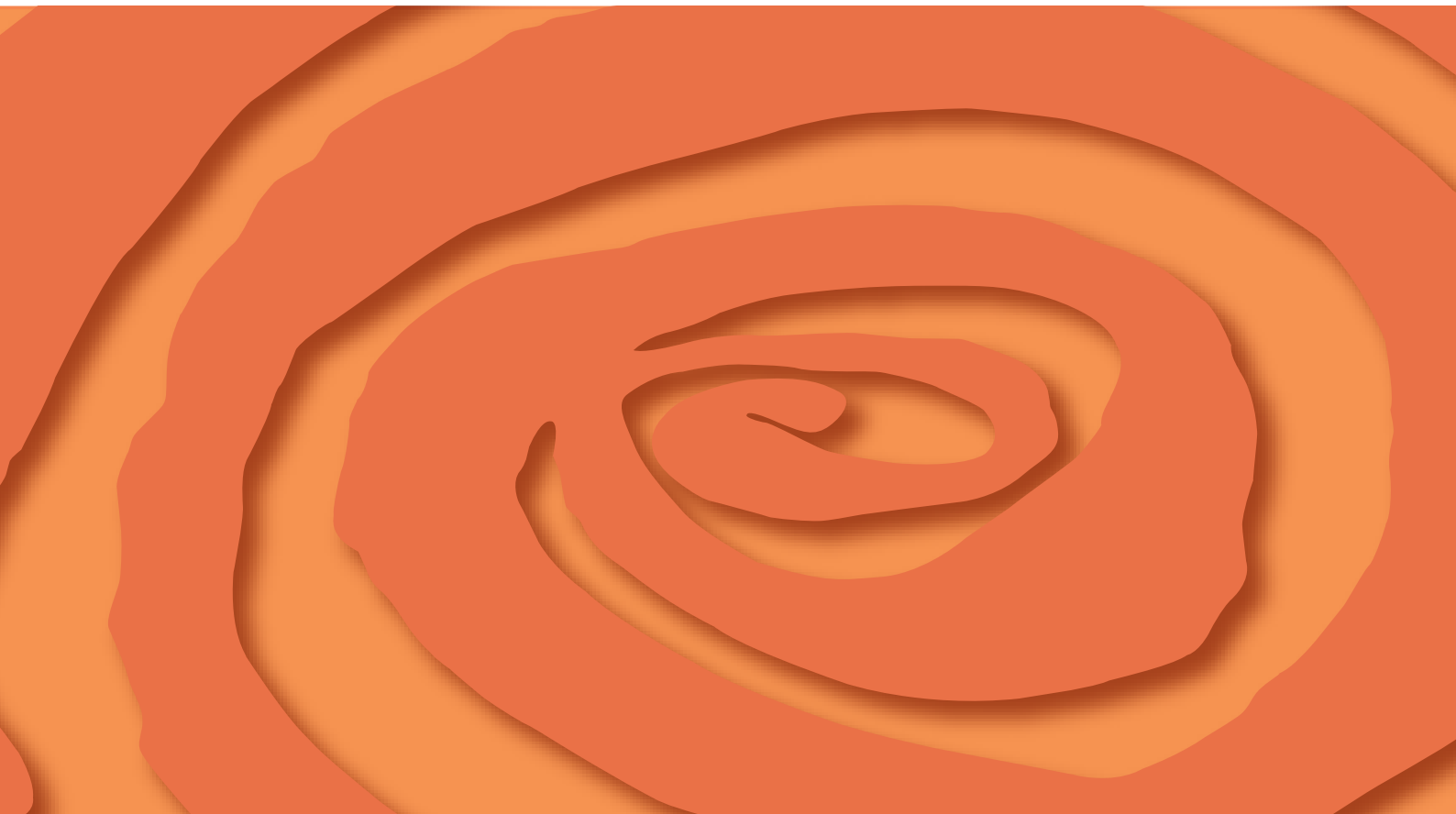
Peter Coates



.....
Canberra, June 2005



Australian Government



**REGIONAL
PARTNERSHIP
AGREEMENT**

on Indigenous Employment in Port Hedland



Australian Government



Government of
**Western
Australia**

REGIONAL PARTNERSHIP AGREEMENT

on Indigenous Employment in Port Hedland

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1. OVERVIEW

1.1 Parties

The parties to this Agreement are:

- Indigenous organisations;
- employers;
- Local Government;
- the Commonwealth of Australia (Australian Government); and
- the State Government of Western Australia (WA Government).

Full list of parties is at ATTACHMENT 1.

1.2 Targets

The 2001 Census data indicated that 41% of the Indigenous labour force in the Pilbara aged 15 years and above was unemployed compared with just over 7% of the non-Indigenous population aged 15 years and above. The parties to the Agreement are committed to ambitious targets to address this inequity.

The key targets are:

- within five years, to reduce the rates of Indigenous unemployment in the Port Hedland region by 50%; and
- to place at least 90 additional local Indigenous people in jobs in the Port Hedland region each year for the next five years.

1.3 Purpose

This Regional Partnership Agreement is a commitment by local Port Hedland Indigenous people, companies and the Australian, WA and Local Governments to work together to bring about demonstrable improvements in employment outcomes.

This Agreement sets out strategic approaches and projects for joint innovative action by Indigenous owned businesses, Indigenous organisations, Industry, non government organisations and Governments to increase employment levels of Indigenous people in the Port Hedland region. In doing so, the parties to this Agreement seek to build sustainable, prosperous communities through maximizing the opportunities for individuals to:

- gain long term employment;
- seek and engage in training and education; and
- enjoy the rewards that stem from participating in mainstream employment.

The parties share a vision for the region which aims to address Indigenous disadvantage and supports Indigenous people to take up opportunities in the mainstream economy.

This Agreement relies on the parties taking a different approach in terms of their commitment of financial and other resources.

This Agreement is made in a spirit of partnership and shared responsibility.

This Agreement is intended to be a statement of the mutual intentions of the parties and is not intended to give rise to any enforceable rights or binding obligations on the part of any party.

1.4 Key Principles

The National Framework Principles for Service Delivery to Indigenous Australians, endorsed at the COAG meeting on 25 June 2004, underpin the approach that the WA and Australian Governments wish to take.

These principles are:

- Sharing responsibility;
- Harnessing the mainstream;
- Streamlining service delivery;
- Establishing transparency and accountability;
- Developing a learning framework; and
- Focusing on priority areas.

These are:

- Early childhood development and growth;
- Early school engagement and performance;
- Positive childhood and transition to adulthood;
- Substance use and misuse;
- Functional and resilient families and communities;
- Effective environmental health systems; and
- Economic participation and development.

Further, this Agreement is founded on the following principles agreed to in the Memorandum of Understanding between the Minerals Council of Australia and the Australian Government (MCA MoU):

- Collaboration and partnership between the parties based on mutual respect;
- Collaboration and partnership between the parties based on shared responsibilities and respect for culture, customs and values;
- The integration of sustainable development considerations within the MOU partnership decision-making process; and
- Joint commitment to social, economic and institutional development of the communities with which the parties engage.

2. OBJECTIVES, OUTCOMES AND PRIORITIES

The purpose of this Agreement is to increase employment and economic development outcomes for Indigenous people living in the Port Hedland region. In making this Agreement the parties have agreed to work together to establish partnerships and share responsibility for achieving measurable and sustainable improvements for people living in the Port Hedland region, with a particular focus on employment but recognising that effort is required in other areas to support improvements in employment outcomes.

The parties will focus on three key areas:

1. Work readiness – preparation for employment;
2. Indigenous business development – creating employment and economic development opportunities; and
3. Education and training leading to employment.

The outcomes of the Agreement will be:

- Increased employability and jobs for Indigenous people from the Port Hedland region;
- Increased business enterprises for Indigenous people from the Port Hedland region;
- Prosperous Indigenous individuals, families and communities that endure beyond the life of mining in the region;
- A strong partnership between Industry and Government that works with Indigenous people locally to generate solutions to complex issues in the Port Hedland region;
- A working group to progress implementation; and
- A methodology for working together that includes regional frameworks and the promotion of best practice.

2.1 RPA Objective 1: To improve the work readiness of Indigenous people in the Port Hedland region who are not currently engaged in the labour market

The parties will develop a highly coordinated business practice in Port Hedland. Government services will be linked together by Australian and WA Government managers and service agencies will act as an integrated support network in a case management approach. Projects have been scoped out and will be implemented. These projects aim to make a significant impact on the ability of Indigenous people in the Port Hedland region to move from unemployment or CDEP into mainstream employment. The projects focus on the following areas:

- coordination, motivation and mentoring;
- drivers licences;
- child care availability;
- drug and alcohol dependency support services;
- housing; and
- youth pathways.

The attached Project Plans form part of the Agreement.

2.2 RPA Objective 2: The provision of effective Indigenous business development support and facilitation services.

Investigate business and economic development opportunities as a means to create employment including self employment and to enhance economic independence. This will be achieved by:

- exploring the feasibility of establishing an Indigenous Business Chamber; and
- exploring options for joint ventures and contract tendering.

The attached Project Plan forms part of the Agreement.

2.3 RPA Objective 3: The provision of better coordinated and resourced Indigenous education and training solutions more closely linked to employment

The parties will develop a focussed education and training strategy that:

- maximises the potential of young people to successfully complete year 12 and to make the transition to further education or employment including new apprenticeships; and
- supports Indigenous Australians engaging in education and training to enhance employability and skill level and thereby make the successful transition from unemployment to employment.

The attached Project Plan forms part of the Agreement.

3. PARTNERSHIP STRUCTURES

3.1 Regional Partnership Committee

The parties will nominate at least one representative each to form the Port Hedland Regional Partnership Committee which will be established to ensure that the parties are working well together and that better outcomes are being achieved. The Regional Partnership Committee will meet at least quarterly.

The Committee will provide strategic leadership for the Agreement, ensuring a cohesive approach between partners, stakeholders and service delivery bodies. The Committee will:

- oversee the implementation of the Agreement;
- monitor progress against the attached Project Plans;
- agree on new priorities and areas for joint action;
- oversee the performance management of the Agreement including projects and analyse reports to ensure that better outcomes are being delivered as a result of the efforts of all of the parties;
- monitor the work of the Implementation Team (as outlined at Project A); and
- solve any problems and address any lack of progress or poor performance.

The South Hedland Indigenous Coordination Centre (South Headland ICC) and the Regional Office of the Department of Indigenous Affairs (DIA) will provide secretariat services to the Regional Partnership Committee.

3.2 Implementation Team

The Implementation Team will report to the Regional Partnership Committee. It will work directly with Indigenous organisations, service agencies, employer groups and Governments to deliver the key outcomes of the Agreement. The Implementation Team will consist of Australian and WA Government representatives. Additional membership will be drawn from the Regional Partnership Committee. Membership is not fixed but flexible so that those involved are those needed to complete relevant tasks.

The Implementation Team will:

- gain support and assistance for the implementation of the projects;
- negotiate, where appropriate, Government wide positions and perspectives to ensure that future policy development is synergistic with the RPA and vice versa;
- manage the implementation of the projects and associated activities under the RPA;
- ensure that information and communication flows are effective;
- maximise linkages between this, other RPAs, SRAs and any other strategies and agreements which may subsequently be developed in the region;
- report on a quarterly basis to the Regional Partnership Committee; and
- provide support to the Manager of the South Hedland ICC and the Regional Manager of the DIA in coordinating outcomes and gathering data associated with the RPA.

4. PERFORMANCE MEASUREMENT AND EVALUATION

The parties will:

- jointly develop baseline data for this Agreement focussing primarily on reporting against the key targets outlined in this Agreement, and agree on a relevant dataset that can be reported against on a quarterly basis;
- monitor and evaluate progress against the timeframes and performance indicators outlined in the Project Plans contained in the attachments through the Regional Partnership Committee and provide sufficient information to the Committee for that purpose;
- undertake a formal evaluation of progress against the targets and key performance indicators contained in the Agreement in July 2007 with annual reviews thereafter for the duration of the Agreement; and
- provide performance information for evaluations, as agreed to, from time to time, and such permission will not be unreasonably withheld.

5. DURATION AND AMENDMENT OF THE AGREEMENT

This Agreement commences on the date of signing by all parties and will continue until the end of June 2011 or until all of the parties agree to terminate the Agreement or prepare another document that replaces this Agreement.

The Regional Partnership Committee can amend this agreement by:

- with their consent, adding additional parties to the Agreement at Attachment 1
- adding new project plans or amending existing project plans in order to meet the targets contained in the Agreement.

This Agreement was made on the 7th day of November 2006
Signed for and on behalf of PARTIES

.....
The Commonwealth of Australia
The Hon Mal Brough MP, Minister for Families,
Community Services and Indigenous Affairs

.....
Pilbara Meta Maya
Donny Wilson, chair

.....
State Government of Western Australia
The Hon Sheila M McHale MLA,
Minister for Indigenous Affairs, Culture
and the Arts

.....
Pilbara Logistics
Geoff Stocker, Managing Director

.....
Indigenous Mining Services Pty Ltd
Maureen Bell, Manager

.....
Pilbara Job Futures

.....
BHP Billiton Iron Ore
Stedman Ellis, Vice President, External Affairs

.....
Apprenticeships WA
Geoffrey Wrigley, General Manager,
Employment Services

.....
Newcrest Mining Ltd
Leon van Earp, External Affairs Manager

.....
Town of Port Hedland
Stan Martin, Mayor

.....
Bloodwood Tree
Doreen Turland, Chairperson

.....
Ngarda Civil and Mining
Barry Taylor, Executive Chairman

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Hedland CDEP
Alfred Barker, Chairperson

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Fortescue Metals Group
Blair McGlew



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ATTACHMENT 1

LIST OF PARTIES

Bloodwood Tree
Hedland CDEP
Pilbara Meta Maya

Pilbara Job Futures
Apprenticeships WA (Chamber of Commerce and Industry WA)

BHP Billiton Iron Ore
Newcrest Mining
Ngarda Civil and Mining
Fortescue Metals Group
Pilbara Logistics
Indigenous Mining Services

Town of Port Hedland

State Government of Western Australian

The Commonwealth of Australia

ATTACHMENT 2

PROJECT PLANS

PROJECT A – Coordination, Motivation and Mentoring

PROJECT B – Drivers Licence Program

PROJECT C – Child Care

PROJECT D – Drug and Alcohol Support

PROJECT E – Housing

PROJECT F – Youth Pathways

PROJECT G – Indigenous Business Development

PROJECT H – Indigenous Education and Training for Employment

Project Title: Coordination, Motivation and Mentoring (Project A)

Project Description: To create improved linkages between Government, Industry and Indigenous people in the Port Hedland region to assist more people to successfully enter the workforce and to remain in ongoing mainstream employment. The project will see additional resources placed in Port Hedland to form an Implementation Team. The Implementation Team will link service providers to each other, to Industry and to the Indigenous community. The Implementation Team will develop a communication strategy to ensure that Indigenous people are aware of employment opportunities and are supported and guided through the services provided by the stakeholders to make a successful transition from unemployment (including CDEP) to sustained employment.

Project Rationale: Government needs to ensure that services are aligned to support the objectives of the RPA. This project provides a framework for working with individuals linking them to the services which can help them make a successful transition to employment as well as providing ongoing support to maximise retention and sustained employment outcomes. This project includes the establishment of an Implementation Team – it will require a team approach from stakeholders involved in this RPA to ensure that Indigenous people are provided with the best opportunity to gain and maintain employment. It is about ensuring projects under this Agreement are successfully implemented.

| Mutual Obligations | By Who: (Lead agent) | Targets: | When: | Measure Used: | Tracking Method: | Baseline Data: |
|---|---|---|--------------------------------------|--|-------------------------|-----------------------|
| Place Implementation Team in Port Hedland to build effective linkages between Government, service providers and employers, to broker employment opportunities and to implement and monitor all RPA projects | DEWR/OIPC DEST AED/DIA DoHA/Centrelink Industry | 4 new positions 2x WA Govt (L6 & L8) + 1x DEWR EL1; 1x DEST EL2 | Positions recruited by December 2006 | Number of jobs filled by local Indigenous people | Implementation Team | Employment statistics |
| Employers to communicate job opportunities to Job Futures, Hedland CDEP, Bloodwood, and Karriyarra people representatives. | BHP Recruitment Officers; other employers Government ToPH | Locals employed represented | Weekly | Number of jobs registered | Implementation Team | |

Project Title: Coordination, Motivation and Mentoring (Project A) – cont'

| | | | | | | |
|--|---|---|---------------|--|---------------------|--|
| Establish an Indigenous Employment Centre in Port Hedland | Hedland CDEP DEWR | IEC established | Completed | IEC operating | Implementation Team | |
| Formal cooperative arrangements entered into around job training, placement and case management of all unemployed Indigenous Australians (including CDEP participants) | BHP Recruitment Officers Hedland CDEP Job Futures PSP/CWC ; Centrelink | Agreement reached and process implemented | December 2006 | Improved coordination | Implementation Team | |
| Enhance mutual obligations of welfare recipients through an improved compliance framework | Centrelink DEWR Contracted employment service providers | RAE lifted in all locations in Pilbara | January 2007 | Participation reporting Increased participation | Implementation Team | |
| Fund 5 additional case managers/mentors to work with employers and other employment services providers to support transition to and retention in employment | DEWR | 5 new positions | March 2007 | Case Managers commenced | | |
| Introduce CDEP reforms to maximise successful transition to mainstream employment and develop viable business opportunities and increased contracts | Hedland CDEP DEWR BHP | CDEP employment targets | Ongoing | CDEP employment target achieved | Implementation Team | |

Project Title: Drivers Licence Program (Project B)

Project Description: There are two parts to this project which aim to increase the number of licenced Indigenous drivers to address this barrier to employment.

Part 1: Provide additional focus and support for Indigenous people to obtain C class drivers licences, including provision of driver education as part of the school curriculum for young people.

Part 2: Undertake a scoping exercise to determine supply and demand for training and supporting Indigenous people to obtain and retain C class and HR licences and thereby determine the viability of an ongoing driver training and assessment services. This will include an analysis of the current situation regarding fines and traffic infringements/ offences which lead to disqualification and fast tracking processes for reinstatement.

Project Rationale: Obtaining and retaining a drivers licence has been identified as a significant barrier to gaining employment. This project plan will focus on two identified areas and groups of people:

Part 1: For individuals who don't have/ have never had a drivers licence, it is proposed to properly equip and design a local service which enables access and use.

Part 2: Many individuals hold HR licences yet are not employable due to lacking suitable experience regarding on site operations. It is proposed to evaluate a proposal to set up and run a mock mine site to provide relevant experience.

Mutual Obligations

Undertake a scoping study to establish supply and demand of driver licence training and assessment issues. Subject to the outcome of the study the following actions may then be implemented (as detailed below)

Explore options for the establishment of drivers licence program including sourcing and funding vehicles and staff

| | By Who: (Lead agent) | Targets: | When: | Measure Used: | Tracking Method: | Baseline Data: |
|--|--|--|--------------------------|-------------------------------|--------------------------------------|-----------------------|
| | AED | Study undertaken; report received April 2006 | Completed end March 2006 | Report completed and received | Report completed Implementation Team | |
| | AED Newcrest Mining BHP FACISIA | Locals employers resented | December 2006 | Recommendations implemented | Implementation Team | |

Project Title: Drivers Licence Program (Project B) – cont'

| | | | | | | |
|---|-----------------------------------|-------------------|----------------------|--|---------------------|--|
| Provide up to 20 places per year in training programs for Indigenous people to become Driver Trainers. | Pilbara TAFE DEWR | | End December 2006 | Driver trainers qualified | Implementation Team | |
| Develop a business plan for a C class driving school business | AED DEWR/IBA | | End December 2006 | Business plan completed | Implementation Team | |
| Undertake evaluation of training available for HR licence holders/ plant operators – supply & demand issues | AED | | End December 2006 | Training course identified | Implementation Team | |
| Incorporate Driver Education (Keys for Life) and initial assessment for learner drivers in school curriculum for 15–17 year olds | DET – Hedland SHS Pilbara TAFE | Course introduced | 1st term 2007 | Number school leavers successfully completing learner driver assessment | Implementation Team | |

Project Title: Child Care (Project C)

Project Description: To implement a two part project designed to increase the number of child care facilities and child care workers that will allow Indigenous women to gain employment and will allow working families to cater for their children's needs. To provide additional child care places and more flexible child care services in the Port Hedland area. To reinvigorate a child care course at TAFE specifically designed for Indigenous women.

Project Rationale: Lack of child care facilities and suitably trained child care workers impacts on the ability for many Indigenous women to be able to enter the workforce.

| Mutual Obligations | By Who: (Lead agent) | Targets: | When: | Measure Used: | Tracking Method: | Baseline Data: |
|---|---------------------------------|--------------------------------|---------------|---------------------------------------|-------------------------|-----------------------|
| Investigate the demand (and additional funding if demand is determined) for a service specifically targeted to support Indigenous welfare-to-work participants – for example a Multifunction Aboriginal Child Care Service or similar | DCD/FACCSIA Pilbara TAFE | Increased services | December 2006 | Number of child care places available | Implementation Team | |
| Investigate opportunities for and barriers to Family Day Care Services as employment opportunities for local women within the Town of Port Hedland | DCD/ FACCSIA ToPH | Increased FDC places available | December 2006 | Number of FDC places | | |
| Assess the Newman Family Day Care project to determine applicability in Port Hedland | ToPH DCD | Assessment completed | December 2006 | | | |

| Project Title: Child Care (Project C) – cont' | | | | | | |
|---|---|--|---------------|--|---------------------|--|
| Make available up to 25 places each year in a TAFE child care course for Indigenous women to become qualified child care workers. This would be linked to the Multifunction Aboriginal Child Care Service should one be established (see above) | Pilbara TAFE | New course commenced, 25 enrolments per year | February 2007 | Course running Number of enrolments | Implementation Team | |
| Investigate viability of establishing new Child Care facilities including possible expansion of current and existing service and/or re-opening and refurbishment of shopping centre crèche | DCD/FACSIA ToPH | Study undertaken | December 2006 | Report received | Implementation Team | |
| Provide detailed information about child care rebates and other forms of Government assistance to newly recruited employees. | FACSIA, Centrelink, Family Assistance Office, DCD | Improved knowledge of support available | December 2006 | Increased access to and uptake of full range of family and child care benefits and rebates | Implementation Team | |

Project Title: Drug and Alcohol Support (Project D)

Project Description: Funding for one additional drug and alcohol worker for Port Hedland and a coordinator for the whole Pilbara region are to be placed immediately in the Port Hedland area. Mentors/Support workers are to be engaged to assist by case managing individuals through tailored self help programs and ensuring these individuals receive encouragement from prospective employers and support from all current and newly established service providers.

Local GPs and Aboriginal Health Workers at Wirrika Maya Aboriginal Health Service will form part of the assessment of health and fitness of clients under this RPA, and contribute to holistic treatment of both health conditions and drug and alcohol strategies.

Project Rationale: Indigenous people are failing Industry standard drug and alcohol tests which either prevent them from gaining employment in the mining industry or cause them to lose their jobs. There are not enough resources allocated to ensure suitable services are provided to address this problem. It has also been identified that those services which are currently provided are not being fully utilised.

An integrated regional drug and alcohol service is to be developed across the Pilbara in line with the MOU between OATSIH and DAO. This will include the resources of the Community Drug Services Team, existing OAH funded worker in Onslow and additional workers located in four sites across the Pilbara.

As part of this regional strategy, and in recognition of the priority to address the implementation of the RPA, it is proposed that a new drug and alcohol worker and a service coordinator are placed immediately in the short term.

| Mutual Obligations | By Who: (Lead agent) | Targets: | When: | Measure Used: | Tracking Method: | Baseline Data: |
|--|---|--|----------------|---------------------------|-------------------------|-----------------------|
| Provider consultations and information sessions delivered to agree processes and map work and information flows | DoHA/DAO/OAH | Initial sessions | March 2006 | Consultations completed | Implementation Team | |
| Place new drug and alcohol counselling worker and a regional coordinator in Port Hedland | DoHA x 1.5 | Positions Advertised | End April 2006 | New services commenced | Implementation Team | |
| Establish processes for sharing of client information and consent processes to facilitate service cross referral and progressing clients through to employment placement | Community Drug Services Team BHP/ Newcrest Job Network and PSP case managers Centrelink Social Worker Medical services/GPs | Protocols developed and consent forms agreed | December 2006 | Improved service delivery | Implementation Team | |

| Project Title: Drug and Alcohol Support (Project D) – cont' | | | | | | |
|---|---|---|---------------|-------------------------------------|---------------------|--|
| Education program to be developed and delivered to explain Industry and CDEP requirements around alcohol and drug testing for CDEP participants, trainees and workers | Drug & Alcohol Team BHP/Employment Case Managers/ Centrelink Social Worker & Indigenous Community Development Officer | Program developed Schedule of sessions for 2006 agreed & implemented | December 2006 | Decreased levels of substance abuse | Implementation Team | |
| Drug and alcohol testing for CDEP participants at Hedland CDEP matched with counselling support services | DoHA contracted services Hedland CDEP DEWR | Counselling & testing take place | Ongoing | Decreased level of substance abuse | Implementation Team | |
| CDEP workers engaged in contract work with Industry or potential trainees or employees to be randomly tested in accordance with Industry policy | DoHA contracted services Hedland CDEP | Random testing | Ongoing | Decreased level of substance abuse | Implementation Team | |
| Drug and alcohol counselling worker and a regional coordinator work with and form part of Implementation Team (Project A) | DOHA Drug & Alcohol Office | Attend all meetings | Ongoing | | Implementation Team | |

Project Title: Housing (Project E)

Project Description: Work to increase the availability of affordable accommodation increasing the likelihood for Indigenous people to either rent or own their own houses and units.

Part 1: Make changes in the short term which improve the availability and accessibility of a range of accommodation options

Part 2: Work to achieve policy changes around access to public housing with a view to improving home ownership levels in the medium to long term

Part 3: Increase the supply of housing generally available in Port Hedland thereby improving availability and affordability for both rental and purchase

Project Rationale: Housing and accommodation shortages have been identified as obstacles to Indigenous employment. Addressing this issue will involve considerable resources and time. However there are short term measures which can have an immediate positive effect on employment outcomes.

Part 1: (Short Term): To consider changes to the current rental calculations allowing apprentices and trainees to remain in public housing and to make available additional housing and alternative accommodation types – especially for single, young people

Part 2: (Medium Term): To review Homeswest policies, especially in regional areas where there are significant housing shortages, to enable employed people to remain in public housing with an increased rental rate commensurate with salary for up to two years during which time they must plan to identify alternative rental accommodation or engage in the home ownership program. Improve and fast track new building and construction and maintenance programs for public housing in order to reduce waiting lists and overcrowding and increase home ownership.

Part 3: (Long Term): To increase the available public housing stock and to ensure that an affordable private sector housing market is established in Port Hedland.

| Mutual Obligations | By Who: (Lead agent) | Targets: | When: | Measure Used: | Tracking Method: | Baseline Data: |
|---|--|--|---|-------------------------------------|-------------------------|-----------------------|
| <p>NEW LIVING PROJECT:</p> <ul style="list-style-type: none"> DHW to actively promote home ownership options, targeting local people; Provide greater availability of land; Provide housing and land packages; Enhance community consultation to educate the community on employment and housing options; and Provide employment & training opportunities in building and construction. | DHW/Homeswest Pilbara Meta Maya Pilbara TAFE ToPH | Appoint 2 Community Development Officers Reduce South Hedland Homeswest tenancy from 31% to 12%, by 2011 | MOU signed 30 June 2006 Ongoing Trainees commence by end June 2006 | Project successfully implemented | Implementation Team | |

| Project Title: Housing (Project E) – cont' | | | | | | |
|---|--|--|----------------------|--|----------------------------|---|
| <p>Providing affordable housing options, particularly for apprentices/trainees through improved access to:</p> <ul style="list-style-type: none"> • rent assistance and/or living away from home allowance; • company or public housing; • home ownership incentives; and • salary sacrifice/other employment based incentives. | <p>Centrelink, New Apprenticeship Centre DHW, BHP, Homeswest, ILC, Gumala, AED Indigenous Housing Organisations Aboriginal Hostels</p> | <p>Improved options and access to affordable housing</p> | <p>Ongoing</p> | <p>Assistance accessed / number of apprentices supported</p> | <p>Implementation Team</p> | <p>Industry rent standards</p> |
| <p>Revise Homeswest policies to enable tenants of public housing to remain for a period of up to two years (with increased rents commensurate with salary) with a view to seeking access to alternative rental accommodation or to engage in home ownership during or at the end of that period</p> | <p>Homeswest IBA (HOP) FACSIA</p> | <p>Policy changed and implemented</p> | <p>July 2007</p> | <p>Policy changed Increased stability in housing</p> | <p>Implementation Team</p> | <p>Improved maintenance Increased rental income</p> |
| <p>Consider and investigate options for the release and development of available freehold land for use to increase public housing stock and for private development</p> | <p>DHW/Landcorp IBA (Equity & Investments), ILC</p> | <p>Land tenure arrangement agreed Land releases for sale</p> | <p>December 2006</p> | <p>Agreement</p> | <p>Implementation Team</p> | <p>Housing lots sold and developed</p> |
| <p>Increased home ownership by Indigenous people in the region including former tenants of public housing – review incentives for long term public housing tenants to enter home ownership</p> | <p>IBA (HOP), FACSIA DHW/Homeswest</p> | <p>Home ownership and savings increased</p> | <p>July 2007</p> | <p>Increased level of home ownership</p> | <p>Implementation Team</p> | |

Project Title: Youth Pathways (Project F)

Project Description: This project provides a framework to decrease adverse contact with the legal system and to provide rehabilitative support to young Indigenous Australians who have been incarcerated or are in custody or are at risk of coming into contact with the criminal justice system. The proposed strategy will centre around the development and implementation of culturally appropriate initiatives and support services for young people at risk (cross reference with project A, D & H). The project will look at ways the community can support young people and their families to re-engage with education and training and facilitate a successful transition to work.

Project Rationale: There is a need to develop and implement prevention and diversion initiatives for youth to advance wellbeing and minimise contact with the criminal justice system, with the view of enabling further education, training and other services, and therefore enhancing employability.

| Mutual Obligations | By Who: (Lead agent) | Targets: | When: | Measure Used: | Tracking Method: | Baseline Data: |
|---|--|---------------------------|---------------|--|-------------------------|-----------------------|
| Implement culturally appropriate youth and restorative justice initiatives which link in with other services to promote access to education, training and employment and divert contact with the legal system | AGD FACSIA DET Youth Involvement Council | Youth at risk Families | December 2006 | Number of youth assisted. Improved services Reports | Implementation Team | |
| Provide youth patrol services and diversionary activity to minimise anti-social behaviour and truancy through sport and recreation and similar activities to increase participation in education, training and employment | DCITA/DSR AGD FACSIA ToPH DET Corrective Services | Youth at risk Families | December 2006 | Number of youth assisted. Improved services Reports | Implementation Team | |
| Provide rehabilitation services which link in with other services to increase participation in education, training and employment | AGD Corrective Services Hedland CDEP DCITA | Youth at risk Families | December 2006 | Number of youth & families assisted. Improved services Reports | Implementation Team | |

Project Title: Indigenous Business Development (Project G)

Project Description: Investigate and create business and economic development opportunities as a means to create employment including self employment and to enhance economic independence

Project Rationale: Local business is responsible for maximising opportunities within their own organisations for Indigenous people and ensuring that relevant committees, the Implementation Team and all parties to this Agreement are informed of these opportunities. Local business will facilitate and coordinate activities amongst themselves that will provide alternative employment economic development options separate to or associated with the mining industry.

| Mutual Obligations | By Who: (Lead agent) | Targets: | When: | Measure Used: | Tracking Method: | Baseline Data: |
|--|---|----------|--------------------------|---|---------------------|----------------|
| Investigate the feasibility of establishing an Indigenous Business Chamber to support the overall objective of increased Indigenous employment opportunities | AED/DoIR BHP/Ngarda/Newcrest Pilbara Industry Council | | December 2006 Ongoing | Increased number of Indigenous businesses | Implementation Team | |
| Investigate and explore joint venture opportunities | IBA/AED BHP/Ngarda/Newcrest | | December 2006 Ongoing | Increased number of Indigenous businesses | Implementation Team | |
| Develop new business capability and small business development opportunities | AED/DoIR DEWR IBA Pilbara Industry Council | | July 2007 Ongoing | Increased number of Indigenous businesses | Implementation Team | |
| Increase contracting opportunities and review contract tendering arrangements | Industry AED/DoIR DHW/DIA | | July 2007 Ongoing | Increased number of Indigenous businesses | Implementation Team | |

Project Title: Indigenous Education and Training for Employment (Project H)

Project Description: This project is designed to contribute to an increase in the number of Indigenous people in new jobs in Port Hedland by focussing on addressing education and training barriers.

The strategy to achieve this will include maximising local Indigenous people's completion of Year 12 (or its vocational equivalent), post school qualifications and participation in the workforce particularly in the resources sector. The RPA partners will work together to improve and increase the range of collaborative education and training opportunities available to Indigenous people in the region. The objectives of the project are to:

- build the skills base of the Pilbara Indigenous community by providing high quality education and vocational skills training (including literacy and numeracy tuition) to enable them to gain satisfying employment in areas of regional need;
- increase significantly the number of Indigenous people employed in the resource sector in the Pilbara, particularly in the trades and other skill shortage occupations;
- improve the retention, participation and achievement of Indigenous students in education and training, and to provide equitable access through the provision of wider and more flexible combinations of courses; and
- decrease high rates of truancy and improve attendance and participation by Indigenous students in all levels of education and training.

Under the auspices of the RPA, the partners will commit to ensuring that there are sufficient resources (financial, human and infrastructure) to develop and deliver collaborative employment focussed education and training strategies. A key feature of these strategies will be the strong linkages that they have to resource companies' employee recruitment activities. All stakeholders will be actively engaged in the development and delivery of these programs.

Project Rationale: Through collaboration, the stakeholders will develop strategies to better address the education and training barriers experienced by local Indigenous people seeking to take advantage of the many employment opportunities available in the region, especially in the resources sector.

| Mutual Obligations | By Who: (Lead agent) | Targets: | When: | Measure Used: | Tracking Method: | Baseline Data: |
|--|-----------------------|----------|---------------|---------------|---------------------|----------------|
| Establish a mechanism to map pathways and destinations for Indigenous students leaving school | DET Bloodwood Tree | | December 2006 | Report | Implementation Team | |
| BHP to provide its HR report to WA and Australian Government Departments of Education & Training | BHP | | December 2006 | Report | Implementation Team | |

Project Title: Indigenous Education and Training for employment (Project H) – cont'

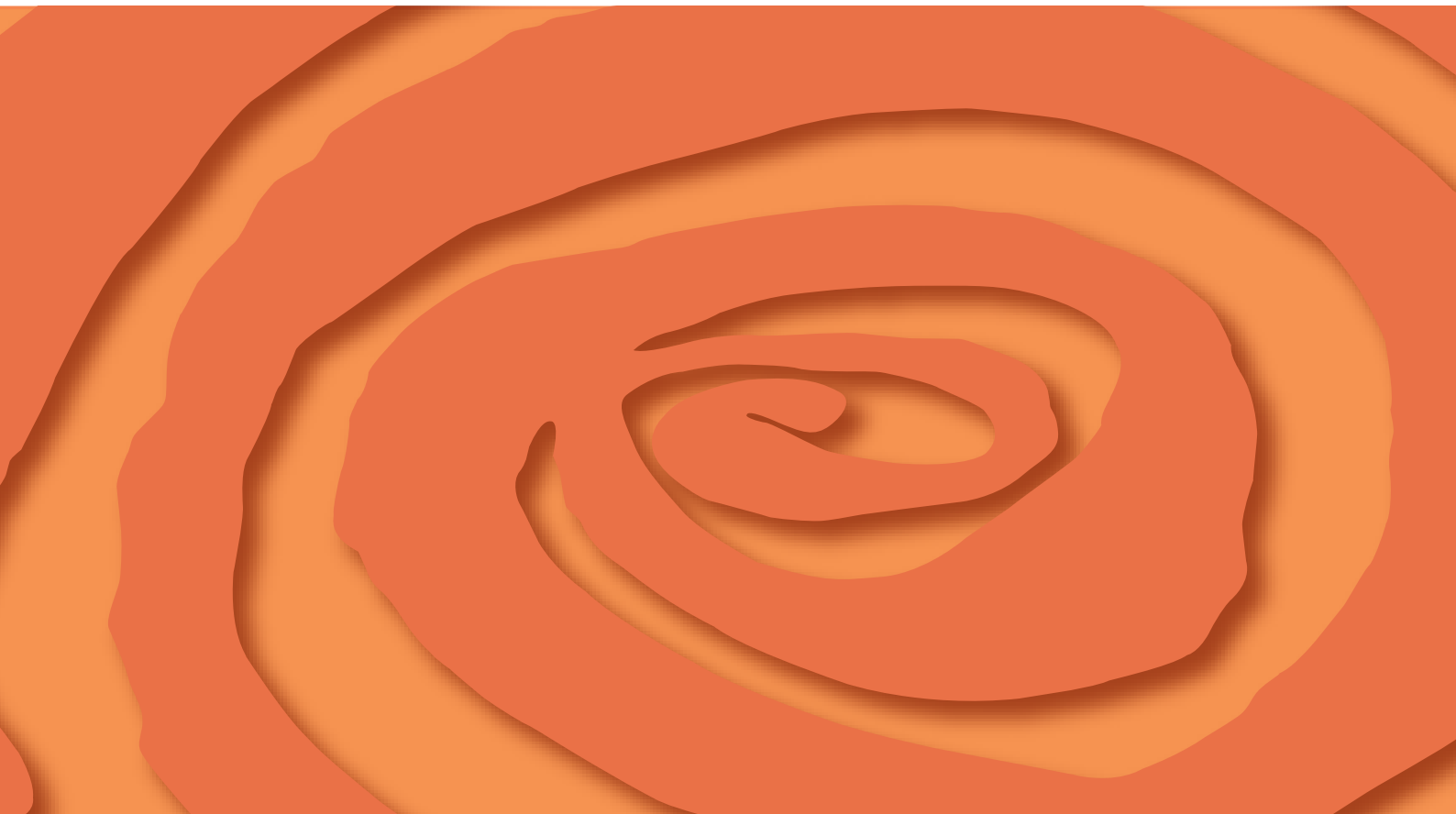
| | | | | | |
|---|--|--|--------------------------------|---|---------------------|
| Establish an Australian Technical College in the Pilbara | DEST Chamber Minerals & Energy Industry DET/Pilbara TAFE | Increased Year 12 retention Increased trade quals | Commence operation Term 1 2007 | Increased retention Improved outcomes | Implementation Team |
| Investigate the potential to establish an Indigenous residential college as part of Pilbara TAFE on a pastoral property near Hedland focusing on the pastoral, resources and cultural and heritage tourism industries | Pilbara TAFE BHP DET ILC/Ngarda | Investigation undertaken | December 2006 | Report produced | Implementation Team |
| Improving retention, attendance and achievement of Indigenous school students through development and implementation of local projects, in partnership with schools, parents and Industry | DEST DET – Hedland SHS Pilbara TAFE Industry /employers Bloodwood Tree | Decreased gap in retention and achievement levels between Indigenous and non-Indigenous students | Ongoing | Increased retention Reduced truancy Improved outcomes | Implementation Team |
| Facilitating an increase in the availability of and support for structured workplace learning opportunities, career and transitions support, individual learning pathway plans and Industry-school engagement, including school-based new apprenticeships | DEST DET – Hedland SHS DEWR Industry /employers Apprenticeships WA | 30 local Indigenous students undertake SNA each year of RPA | Term 1 2007 Ongoing | Number of available Number of participants | Implementation Team |
| Increased availability of scholarships and cadetships for Pilbara Indigenous residents to undertake Higher Education courses. | Industry /employers DEWR DEST Apprenticeships WA | 10 local Indigenous students offered scholarship each year | December 2006 | Number of available Number of participants | Implementation Team |

Project Title: Indigenous Education and Training for employment (Project H) – cont'

| | | | | | |
|---|---|---|---------|--|---------------------|
| Develop and implement 10 'work readiness' programs to re-engage Indigenous youth into education and training which includes life skills, work specific skills and literacy and numeracy to enable the successful transition to employment (links with Project A and D) via a program of individualised assistance (case management) | DET – Pilbara TAFE DEST Industry/employers AED DEWR Job Futures Hedland CDEP | 100 local unemployed Indigenous people are enrolled in work readiness programs each year of the RPA | Ongoing | Number of of enrolments Participation rates Employment rates | Implementation Team |
| Implement and deliver 10 industry/company and job specific pre-employment programs each year that focus on preparing Indigenous people for upcoming jobs that have been identified by the RPA partners and other employers | DET – Pilbara TAFE DEST Industry/employers AED DEWR Job Futures Hedland CDEP | 50 local unemployed Indigenous people and 30 CDEP participants get jobs each year of the RPA | Ongoing | Number of of enrolments Participation rates Employment rates | |
| Provide financial literacy training and information services to Indigenous people (across all RPA sites in the Pilbara) making the transition from unemployment (including CDEP) to mainstream employment | FACISIA – Indigenous Financial Management Initiative (for example Money Business) Employers/TAFE | Improved money management | Ongoing | Participation Savings | Implementation Team |
| Implement a mentoring and monitoring program that will provide ongoing mentoring and general support for Indigenous trainees, apprentices and other employees (and their families if necessary). | DEWR DET - Hedland SHS and Pilbara TAFE Job Futures Hedland CDEP | Improved retention; reduced truancy | Ongoing | Number of available Number of participants | Implementation Team |



Australian Government



REGIONAL PARTNERSHIP AGREEMENT

on Indigenous Employment in the East Kimberley



Australian Government



Government of
**Western
Australia**

REGIONAL PARTNERSHIP AGREEMENT

on Indigenous Employment in the East Kimberley

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1. OVERVIEW

1.1 Parties

The parties to this Agreement are:

- Indigenous organisations;
- employers;
- Local Government;
- the Commonwealth of Australia (Australian Government); and
- the State Government of Western Australia (WA Government).

Full list of parties at ATTACHMENT 1

1.2 Purpose

This Agreement sets out strategic and innovative approaches and projects for joint action by Indigenous organisations and individuals, Industry and Governments to address the unacceptably high levels of unemployment experienced by young Indigenous people in the East Kimberley. In doing so, the parties to this Agreement seek to build sustainable, prosperous communities to maximize opportunities for individuals to:

- gain and create employment in mining and other industries;
- seek and engage in training and education; and
- share in the wealth created by the presence of the mining industry in the region and that arises from engagement in mainstream employment.

The parties share a vision for the region which aims to address Indigenous disadvantage and supports Indigenous people to take up opportunities in the mainstream economy.

The Agreement is made in a spirit of partnership and shared responsibility and with the understanding that this work benefits the whole community of the East Kimberley. (Throughout this document 'community' is intended to cover discrete Indigenous communities and towns.)

This Agreement is intended to be a statement of the mutual intentions of the parties and is not intended to give rise to any enforceable rights or binding obligations on the part of any party.

This Agreement has no effect on native title agreements currently in place in the region. Projects under this Agreement may complement activity undertaken in accordance with other arrangements or agreements.

1.3 Targets

The 2001 Census data indicated that only 13.6% of the Indigenous population aged 15 years and above was employed compared with 66.1% of the non-Indigenous population aged 15 years and above. The parties to the Agreement are committed to ambitious targets to address this inequity.

The key targets are:

- to place at least 300 additional Indigenous people in jobs in the East Kimberley on an annual basis over the next five years, as a significant step towards achieving equity in rates of Indigenous and non-Indigenous employment;
- to reduce to the rate of Indigenous unemployment in the East Kimberley by 50% within five years; and
- to equalise the rates of Indigenous and non-Indigenous employment in the region within ten years.

1.4 Geographic Scope

The geographic scope of the Agreement will initially cover the towns of Kununurra, Halls Creek, Wyndham and the Warmun Indigenous Community and outstations. Actions will extend further through the East Kimberley during the next five years. It is recognised that initial projects or actions within this scope will also provide some services to those who generally live elsewhere in the region.

1.5 Key Principles

The National Framework Principles for Service Delivery to Indigenous Australians, endorsed at the Council of Australian Governments (COAG) meeting on 25 June 2004, underpin the approach that the WA and Australian Governments wish to take. These principles are:

- Sharing responsibility;
- Harnessing the mainstream;
- Streamlining service delivery;
- Establishing transparency and accountability;
- Developing a learning framework; and
- Focusing on priority areas.

These are:

- Early childhood development and growth;
- Early school engagement and performance;
- Positive childhood and transition to adulthood;
- Substance use and misuse;
- Functional and resilient families and communities;
- Effective environmental health systems; and
- Economic participation and development.

Further, this Agreement is founded on the following principles agreed to in the Minerals Council of Australia and Australian Government Memorandum of Understanding (MCA MOU):

- Collaboration and partnership between the parties based on mutual respect;
- Collaboration and partnership between the parties based on shared responsibilities and respect for culture, customs and values;
- The integration of sustainable development considerations within the MOU partnership decision-making process; and
- Joint commitment to social, economic and institutional development of the communities with which the parties engage.

1.6 Roles and Responsibilities

All parties to the Agreement will contribute to achieving the desired outcomes, at a level determined by the capacity of each party.

Indigenous Organisations

Indigenous organisations provide an important coordinating and promotional function in encouraging Indigenous individuals and communities to participate in the economic pathways to Indigenous prosperity. Indigenous organisations will contribute to the coordination of local efforts to inform and engage community members in the opportunities that this RPA will present.

Government

Australian Government

The Australian Government will coordinate service delivery and development of actions, including those under Shared Responsibility Agreements (SRAs), with identified communities through the Kununurra Indigenous Coordination Centre (Kununurra ICC). The Kununurra ICC will provide:

- a point of contact for Australian Government programs and services and resources to the Indigenous people and communities of the East Kimberley; and
- a primary contact point for the development and implementation of SRAs and RPAs with the communities on behalf of the Australian Government.

The Government of Western Australia

The WA Government will coordinate service delivery and contribute to the development of project plans under this Agreement through the East Kimberley office of the Department of Indigenous Affairs (East Kimberley DIA).

East Kimberley DIA will provide:

- a point of contact for WA Government programs, services and resources.

The Australian Government, the WA Government and Local Government, represented by the Shire of Wyndham-East Kimberley agree to:

- provide efficient and effective Government services;
- provide maximum opportunities for employment of Indigenous people;
- encourage individual and community participation in its initiatives; and
- pursue new opportunities for enhancing cooperative approaches.

Industry and Employers

Industry and employers will work within the spirit and principles outlined in the MCA MOU with the Australian Government. Industry will:

- work together to support local businesses that are committed to expanding and employing more Indigenous people; and
- participate in a leadership group of East Kimberley businesses to support actions that will increase employment of Indigenous people.

2. OBJECTIVES, OUTCOMES AND PRIORITIES

In making this Agreement the parties have agreed to work together to establish partnerships and share responsibility for building social assets in the East Kimberley that provide opportunities for sharing the wealth created by the mining, agricultural, tourism, service, pastoral and other industries in the region. The Agreement will seek to build prosperity in the region by contributing to an enduring legacy of opportunity that continues beyond the life of mines in the East Kimberley.

The key outcomes will include:

- Increased employability and jobs for Indigenous people;
- Increased business enterprises for Indigenous people;
- Stronger families and early childhood engagement with the education system;
- A strong partnership between Indigenous people, Industry and Government that works to generate solutions to complex issues on a local or regional basis;
- A dedicated team to progress implementation; and
- A framework for working together and the promotion of best practice.

The objectives focus on key areas limiting opportunities for Indigenous individuals to gain employment.

These are:

- Local industry and employer engagement;
- Work readiness;
- Business development; and
- Education and training for employment.

It is acknowledged that barriers to employment are not limited to these areas. Other barriers need to be addressed concurrently in order to achieve the goals of the RPA. Other enabling objectives under the RPA will focus on areas identified as barriers limiting opportunities for Indigenous individuals to gain employment, in particular:

- Sustainability.

2.1 RPA Objective 1: Local Industry and Employer Engagement

The parties agree to establish a *300 Club* (East Kimberley Corporate Leaders Group) which will be made up of local employers committed to achieving the objectives and outcomes of the RPA. See ATTACHMENT 2.

The parties agree to:

- work to achieve and promote the 300 target;
- work with the Regional Partnership Committee to monitor progress against specific targets around Indigenous employment;
- share labour market information and promote job matching and work experience opportunities;
- support local business involvement in the Agreement through the *300 Club*; and
- where necessary, bring in new partners to achieve the targets set by the RPA.

2.2 RPA Objective 2: Work readiness

Work readiness is a major barrier preventing the uptake of available jobs by Indigenous people. The RPA will address work readiness through projects designed to overcome common barriers such as poor literacy and numeracy skills, lack of life skills and lack of support to retain Indigenous people in employment and provide opportunities for advancement.

The parties initially agree to focus on:

- motivation and mentoring to bring employers and prospective Indigenous employees together through increased case management, employment brokerage, mentoring and work readiness support, including continued support after employment has commenced; and
- appropriate education and training options for enhancing job readiness.

2.3 RPA Objective 3: Business Development

Business development provides an area where the parties can explore how to capture opportunities for supporting business development to build sustainable enterprises and ongoing opportunity within the region.

The parties initially agree to focus on:

- support for business and economic development opportunities as a means to create employment, including self-employment, and enhancing economic independence through a business incubation model, including continued support for newly established Indigenous businesses.

2.4 RPA Objective 4: Education and training for employment

Early school engagement and better educational outcomes are essential in addressing the disparity between the rate of Indigenous people in employment compared with that of non-Indigenous people and in making a sustainable improvement in these rates.

To address these issues, the parties agree to focus on:

- better outcomes from existing educational options;
- early engagement in schooling by parents and children;
- improving school attendance and student achievement; and
- supporting remote community access to final years of schooling.

2.5 RPA Objective 5: Sustainability

Sustainability will be an underlying principle of all the projects arising from the RPA, ensuring that the benefits gained through the work of the RPA are long-term building blocks to a better future for Indigenous people and the whole region. Sustainability encompasses the linkages to be made between Governments and other parties to the Agreement.

To do this, the parties will encourage and support:

- building stronger families and communities;
- developing career pathways for Indigenous people; and
- breaking down other barriers to Indigenous employment in the region.

3. PARTNERSHIP STRUCTURE

3.1 Regional Partnership Committee

The parties agree to commit to developing a partnership approach to the implementation of the Agreement.

The parties will establish a Regional Partnership Committee to ensure that all parties are working well together and that better outcomes are being achieved. All parties that are signatory to the RPA will have representation on the Regional Partnership Committee. In particular, parties will ensure Indigenous leadership representation on the partnership structure. The Regional Partnership Committee will meet at least twice a year and will:

- Oversee the implementation of the Agreement;
- Agree on and oversee baseline data collection;
- Monitor progress against the attached Project Plans;
- Agree on new priorities and areas for joint action;
- Oversee the performance management of the Agreement including analysis of project reports and a biennial review of the progress of the Agreement itself, to ensure that better outcomes are being delivered as a result of the efforts of all parties;
- Monitor the work of the Coordination and Implementation Team (as outlined below)

The Kununurra ICC and East Kimberley DIA will provide secretariat services to the Regional Partnership Committee.

3.2 Coordination and Implementation Team

The Coordination and Implementation Team will consist of Australian and WA Government representation and additional membership that will come from the Regional Partnership Committee. The Coordination and Implementation Team will work directly with Indigenous organisations, service agencies, employer groups and Governments to deliver the key outcomes of the Agreement. Membership is not fixed but flexible so that those involved are those needed to complete relevant tasks.

The Coordination and Implementation Team, within a whole of government context, will:

- Liaise with Australian and WA Government agencies, Local Government and Industry partners to gain support and assistance for the implementation of the projects associated with the RPA in a cohesive manner;
- Work with those staff within Industry responsible for their relevant Indigenous employment strategies;
- Negotiate, where appropriate, Government wide positions and perspectives to ensure that future policy development is synergistic with the RPA and vice versa;
- Oversee the implementation of the projects and associated activities under the RPA;
- Play a significant role in ensuring that information and communication flows are robust;
- Maximise linkages between this, other RPAs, SRAs and any other strategies and agreements which may subsequently be developed in the region;
- Report on a quarterly basis (against key performance indicators) to the Regional Partnership Committee; and
- Provide support to the Manager of the Kununurra ICC and the Regional Manager of East Kimberley DIA in coordinating outcomes and gathering data associated with the RPA.

4. PERFORMANCE MEASUREMENT AND EVALUATION

The Regional Partnership Committee will:

- jointly develop baseline data for this Agreement, focussing primarily on employment trends in the East Kimberley Indigenous community, and agree on a relevant dataset that can be reported against on a quarterly basis;
- monitor and evaluate progress against the timeframes and performance indicators outlined in the Project Plans contained in the attachments through the Regional Partnership Committee and provide sufficient information to the Committee for that purpose;
- undertake a formal evaluation of progress against key performance indicators in July 2007 with annual reviews thereafter for the duration of the Agreement; and
- provide performance information for evaluations, as agreed to, from time to time, and such permission will not be unreasonably withheld.

5. DURATION OF AGREEMENT

This Agreement commences on the date of signing by all parties and will continue until 30 June 2011 or until all of the parties agree to terminate the Agreement or prepare another document that replaces this Agreement. Individual parties are free to withdraw from this Agreement where they cease to exist or for other reasons.

It is planned that over the life of the Agreement, the Partnership will grow to include parties not initially signed up to the Agreement and will expand the suite of projects currently being undertaken through the auspices of the Partnership.

This Agreement was made on the 7th day of November 2006
Signed for and on behalf of PARTIES

.....
The Hon Mal Brough, MP
Minister for Families, Community Services
and Indigenous Affairs
Australian Government

.....
Mr Mark Harris
Regional Manager
Kimberley TAFE

.....
The Hon Sheila M McHale, MLA
Minister for Indigenous Affairs, Culture and the Arts
Western Australian Government

.....
Mr Neil Yarrnguli
Director
East Kimberley CDEP

.....
Mr Tom Birch
Chairman
Wunan Foundation

.....
Ms Millie Hills
Chairperson
Ngoonjuwah Council Aboriginal Corporation

.....
Mr Kevin McLeish
General Manager
Argyle Diamond Mine

.....
Work Base

.....
Mr David Henry
General Manager
Voyages El Questro

.....
Mr Ted Carlton
Chairman
Kununurra Waringarri Aboriginal Corporation

.....
Mr Daniel Archer
Roche

.....
Ms Michelle Pucci
Shire President
Shire of Wyndham-East Kimberley

.....
Mr John Gummery
Chief Executive Officer
Kimberley Group Training

.....
Mr Ian Trust
East Kimberley Job Pathways

ATTACHMENT 1

LIST OF PARTIES

Wunan Foundation
East Kimberley CDEP
Ngoonjuwah Council Aboriginal Corporation
Kununurra Waringarri Aboriginal Corporation
Warmun Community (Turkey Creek) Incorporated

Argyle Diamond Mine
Voyages El Questro
Roche

Work Base
Kimberley Group Training
East Kimberley Job Pathways

Shire of Wyndham East Kimberley
Kimberley TAFE

WA State Government

Australian Government

ATTACHMENT 2

The 300 Club (East Kimberley Corporate Leaders Group)

Rationale:

The *300 Club* recognises the very low levels of Indigenous employment in the East Kimberley and further recognises the demographic profile of the East Kimberley as a region with a fast-growing young population. Current statistics indicate that the education system is not serving these young Indigenous people well. They are, for the large part, lacking in the basic literacy, numeracy and life skills required to gain and retain employment. The social implications of a growing underclass of unemployed, illiterate and disenfranchised Indigenous youth are dire. Similarly, the economic implications for the East Kimberley region as a result of the failure to engage and realise the potential of this group are severe. Without access to the numbers of potential workers, Industry in the East Kimberley will be unable to keep pace with demand for service and production. Social problems including increased crime rates are likely by-products of this failure.

The *300 Club* also recognises the social responsibility incumbent upon organisations and companies that have benefited from the great wealth creating opportunities provided by this region. In the interest of equity and in recognition of the respect befitting the Indigenous people of the East Kimberley, every effort should be made to find ways to share the wealth and prosperity with the traditional owners and other Indigenous people of the East Kimberley.

Purpose:

The purpose of the *300 Club* is to:

- make a significant difference to Indigenous people in the region by identifying barriers to employment and ways these can be overcome;
- work with Government and other employers to leverage off already existing skills and experience in developing effective employment programs for local Indigenous people; and
- build momentum for change and drive attitudinal change within the East Kimberley corporate community.

Planned action:

The *300 Club* will drive change by responding to issues of:

- employer needs and the needs of potential employees;
- demographics;
- Industry experience;
- Government perspective;
- access to 'good people'; and
- planning a way forward for the region.

Outcomes:

The *300 Club* will:

- gain pledges of commitment from local employers and employer groups; and
- work with the RPA partners to design supply efforts to meet demand effectively.

Key Principles:

- Influence by doing
- Seek like-minds
- Illustrate the benefits and realities
- Set ambitious targets and drive change

ATTACHMENT 3

PROJECT PLANS

Project 1 – Implementation and the *300 Club*

Project 2 – Work Readiness – Case Management, Motivation and Mentoring

Project 3 – Business Development

Project 4 – Child Care

Project 5 – Building accommodation for trainees

Project Title: Implementation and the 300 Club (Project 1)

Project Description: This project has two parts:

1. The establishment of a Coordination and Implementation Team to ensure that projects under this Agreement are successfully implemented. Implementation will require a team approach from stakeholders involved in this RPA to ensure that Indigenous people are provided with the best opportunity to gain and maintain employment. The Coordination and Implementation Team will work directly with Indigenous organisations, service agencies, employer groups and Government to negotiate through barriers and deliver the outcomes of the Agreement.
2. The establishment of a 300 Club to work as a driver to engage local employers with the goal of lifting Indigenous employment in the region. The 300 Club will build an understanding that local employment supports business and supports the region.

Project Rationale: To create improved linkages between Government, Industry and Indigenous people in the East Kimberley region to successfully implement the Regional Partnership Agreement on Indigenous Employment and meet the ambitious targets set by the parties. This will only be achieved by linking employers with each other and with Government.

| Mutual Obligations | By Who: (Lead agent) | Targets: | When: | Measure Used: | Tracking Method: | Baseline Data: |
|---|---|---------------------------|---------------|--------------------------------------|--------------------------------------|----------------|
| Place Implementation Team in Kununurra to build effective linkages between Government service providers and employers, to broker employment opportunities and to implement and monitor all RPA projects | DEWR/OIPC/ Centrelink AED/DIA Industry | 2 new full time positions | January 2007 | 300 placements per year over 5 years | Coordination and Implementation Team | TBC |
| Establish 300 Club – local employers group to drive employer engagement with the RPA (ATTACHMENT 2) | RPC Local Corporate Leaders Group | Locals employers resented | December 2006 | Active membership | Coordination and Implementation Team | TBC |

Project Title: Work Readiness – Case Management, Motivation and Mentoring (Project 2)

Project Description: This project provides a framework for working with individuals linking them to the services which can help them make a successful transition to employment as well as providing ongoing support to maximise retention and sustained employment outcomes. The project will see additional resources (case managers) placed in Kununurra, Wyndham and Halls Creek to support the placement of Indigenous people in jobs. Case managers will provide ongoing support and advice to employers and employees in developing positive and sustainable workplace relationships.

Project Rationale: To create improved linkages between employers, service providers and Indigenous people in the East Kimberley region to assist more people to successfully enter the workforce and to remain in ongoing mainstream employment. This project includes the resourcing of a case management approach to address the intensive nature of the support required to get the target group into sustained employment.

| Mutual Obligations | By Who: (Lead agent) | Targets: | When: | Measure Used: | Tracking Method: | Baseline Data: |
|--|--|--|---------------|--|--------------------------------------|-----------------------|
| Place additional resources (case managers) in the East Kimberley to build effective linkages between Government service providers, non-government service providers, employers and prospective Indigenous employees and to broker employment opportunities | DEWR/OIPC | 5 new full time positions | December 2006 | Number of jobs filled by local Indigenous people | Coordination and Implementation Team | Employment statistics |
| Employers to communicate job opportunities to employment services providers and the IEC | Employers IEC Employment service providers | 300 new jobs per year | Weekly | Number of new positions notified and filled by local Indigenous people | Coordination and Implementation Team | Number of referrals |
| Formal cooperative arrangements entered into around job training, placement and case management of all unemployed Indigenous Australians (including CDEP participants) | CDEPs/IEC Employment services providers RTOs Centrelink | Formal arrangements agreed and implemented | December 2006 | Number of positions filled | Coordination and Implementation Team | TBC |

Project Title: Work Readiness – Case Management, Motivation and Mentoring (Project 2) – cont'

| Mutual Obligations | By Who: (Lead agent) | Targets: | When: | Measure Used: | Tracking Method: | Baseline Data: |
|---|--|---|---------------|------------------------------------|--------------------------------------|-----------------------|
| Enhance mutual obligations of welfare recipients through lifting of remote area exemptions and introduction of improved compliance framework | Centrelink DEWR Employment service providers/CDEPs | Remote area exemptions lifted across the region | December 2006 | Increased participation PFWAs | Coordination and Implementation Team | |
| Work readiness projects to develop formal liaison and referral protocols with CDEPs', Registered Training Organisations' (TAFE, KGT), IEC's and employment service providers' case managers | CDEPs/IEC TAFE KGT Employment service providers | Protocols developed and implemented | December 2006 | Projects developed and implemented | Coordination and Implementation Team | |
| Introduce CDEP reforms to maximise successful transition to mainstream employment | All local CDEPs/IEC DEWR | CDEP reforms introduced | Ongoing | Employment KPIs agreed and met | Coordination and Implementation Team | |
| Apply Beacon Foundation's 'Real Jobs' template for real job creation in Kununurra | Beacon Foundation | | January 2007 | | | |

Project Title: Indigenous Business Development (Project 3)

Project Description: Use a business incubation model to support business development, build sustainable enterprises and promote ongoing opportunity within the region as a means for creating employment (including self-employment) and enhancing economic independence. The project will support the establishment of a single business development unit that will assist both traditional owner (TO) groups and non-TO groups in the region by creating links and filling gaps between resources available for specific groups.

Project Rationale: A business incubation program will contribute to the creation of jobs, enhance the community's entrepreneurial climate, retain businesses, build and/or accelerate growth in local industry and diversify local economies. Local business is responsible for maximising opportunities within their own organisations for Indigenous people and ensuring that relevant committees, the Coordination and Implementation Team and all parties to this Agreement are informed of these opportunities. Local business will facilitate and coordinate activities amongst themselves that will provide alternative employment economic development options separate to or associated with the mining industry.

| Mutual Obligations | By Who: (Lead agent) | Targets: | When: | Measure Used: | Tracking Method: | Baseline Data: |
|--|--|--|------------------------------|---|--------------------------------------|----------------|
| Develop business incubation model appropriate to region and appropriate to Indigenous people | IBA/AED DEWR Gelganyem; MG Group (Ord Stage II) | Business support available | December 2006 | Increased number of Indigenous businesses | Coordination and Implementation Team | TBC |
| Investigate and explore joint venture opportunities | IBA/AED DEWR | Increase number of joint ventures in region | Ongoing | Increased number of Indigenous businesses | Coordination and Implementation Team | TBC |
| Develop new business capability and small business development opportunities | AED/DoIR DEWR, IBA | Increase number of Indigenous-owned small businesses | Ongoing from date of signing | Increased number of Indigenous businesses | Coordination and Implementation Team | TBC |

Project Title: Child Care (Project 4)

Project Description: Implement a two part project designed to increase the number of child care facilities and child care workers that will allow Indigenous women to gain employment and will allow working families to cater for their children's needs:

1. Provide additional child care places and more flexible child care services in the East Kimberley;
2. Develop and implement a child care course at TAFE specifically designed for Indigenous women.

Project Rationale: Lack of child care facilities and suitably trained child care workers impacts on the ability for many Indigenous women to be able to enter the workforce.

| Mutual Obligations | By Who: (Lead agent) | Targets: | When: | Measure Used: | Tracking Method: | Baseline Data: |
|--|---|--------------------------------|---------------|--|--------------------------------------|----------------|
| Investigate the demand (and additional funding if demand is determined) for additional child care services, including the provision of services specifically targeted to support Indigenous welfare-to-work participants | DCD/FaCSIA East Kimberley TAFE | Increased & improved services | December 2006 | Number of child care places available | Coordination and Implementation Team | |
| Investigate opportunities for and barriers to increased Family Day Care Services as employment opportunities for local women within the East Kimberley | DCD/ FaCSIA Shire of Wyndham /East Kimberley | Increased FDC places available | December 2006 | Number of FDC places | Coordination and Implementation Team | |
| Investigate feasibility and design TAFE course in child care for Indigenous women | East Kimberley TAFE | New course commenced | December 2006 | Course running number of of enrolments | Coordination and Implementation Team | |

Project Title: Building accommodation for trainees (Project 5)

Project Description: The project will involve building accommodation units using a new construction method that utilises pre-cast concrete blocks. Indigenous apprentices and trainees will work alongside qualified tradespeople to construct a group of units. The accommodation units will then be utilised to provide accommodation for Indigenous trainees and apprentices.

Project Rationale: Lack of suitable accommodation in town makes it difficult for young Indigenous people to come to Kununurra to take up training/employment opportunities, particularly those who have not experienced living away from home before. This project will provide training in skilled work that results in accommodation which will be suitable and which will provide a setting for encouraging independent living skills in a supportive environment.

| Mutual Obligations | By Who: (Lead agent) | Targets: | When: | Measure Used: | Tracking Method: | Baseline Data: |
|---|--|--|--------------------------------|---|--|----------------|
| Provide funds for purchasing land | ALT | Purchase of land | Completed | Purchase completed | Coordination and Implementation Team | |
| Provide funds for building and construction of suitable housing for young Indigenous trainees and apprentices | FaCSIA/DHW Wunan/Beacon Ready mix, Komatsu, JSW, Industry | Increased accommodation for Indigenous trainees/ apprentices | Funding approved and available | Number of accommodation units built/ constructed | Coordination and Implementation Team | |
| Establish a partnership with a builder to undertake the project, including providing an Indigenous workforce utilising young people from the Skilling For Employment program. | Wunan KGT/TAFE Beacon Foundation | Completion of triplex accommodation in (Pindan Ave) | First quarter 2007 | Number of people in traineeships/ apprenticeships | Coordination and Implementation Team | |
| People utilising accommodation are undertaking traineeship or apprenticeship | Locally employed Indigenous people | Accommodation linked to employment & training | Ongoing | Number of locally employed Indigenous people housed | Wunan/Beacon Coordination and Implementation Team | |



MCA and Federal Government MOU on Indigenous Employment and Enterprise Facilitation

The Minerals Council of Australia (MCA) established a strategic partnership with Federal Government through signing a five-year Memorandum of Understanding (MoU), launched in June 2005. The MoU establishes a platform for Government and industry to work together with Indigenous people to build sustainable and prosperous communities in which Indigenous people can create and take up employment and business opportunities in mining regions.

The MoU is founded on principles that guide activity at the regional level:

- collaboration and partnership between the parties based on mutual respect;
- collaboration and partnership between the parties and Indigenous communities based on shared responsibilities and respect for culture, customs and values;
- the integration of sustainable development considerations within the MoU partnership decision-making process; and
- joint commitment to social, economic and institutional development of the communities with which the parties engage.

The implementation of the MOU provides an opportunity for MCA member companies, the Australian Government, State/Territory Governments and Indigenous organisations to establish a new way of working together. It builds on previous relationships and practices, but requires parties to agree on principles for engagement to ensure that increased employment outcomes for local Indigenous people, is the number one priority.

This new collaborative, localised and focused approach will establish a process to ensure that the delivery of such government programs is better coordinated, better aligned with employment and business opportunities in the minerals and other industries, and that they deliver better outcomes for Indigenous communities.

Specifically, the MoU encourages parties to work together through the development of an overarching Regional Agreement that provides a strategic approach, with a focus on achieving high-level alignment between the parties before consideration of project details. In this, mining companies' existing relationships with traditional owners are the core relationships and the first priority. What the MoU does is it formally establishes the role of government as an 'enabler' to assist communities to realise opportunities for socio-economic development.

It is intended that the MoU will deliver enhanced Government accountability and service delivery to Indigenous people through improved access to:

- literacy and numeracy education;
- work readiness initiatives such as Fitness to Work programs;
- drug and alcohol services;
- financial services;
- family support services including child care and counselling services; and
- human and financial capital to facilitate Indigenous enterprise development.

The parties to the MoU have engaged with Indigenous communities and agreed to eight priority areas for the implementation of the MoU during its pilot stage. They are:

- Western Cape York (Qld) - involving Comalco Aluminium;
- Tanami (NT) - involving Newmont Australia;
- East Kimberley (WA) – involving Argyle Diamond Mine and Roche Mining;
- Pilbara, Port Hedland (WA) – involving BHP Billiton;

- Pilbara, Newman (WA) – involving BHP Billiton and Newcrest;
- Pilbara, Karratha and Roebourne (WA) – involving Pilbara Iron;
- South-West Perth (WA) - Boddington – involving Newmont Australia; and
- Wiluna (WA) –involving Newmont and BHP Billiton.

A MoU National Steering Committee has been established to oversee the implementation of the MOU. It includes representation from the Office of Indigenous Policy Coordination, the Department of Industry, Tourism and Resources, the Department of Employment and Workplace Relations and the MCA, including member companies participating in the pilot phase.

The first 12 months has focussed on establishing relationships and the development of processes, particularly between levels of government and within governments across the various departments. The MoU has also encouraged increased collaboration within the minerals industry and with other employers in the achievement of improved outcomes for Indigenous people.

The first year has also reinforced the need for flexibility in approaches, given regional differentiations in histories, circumstances and relationships. It has highlighted the importance of building local solutions to local problems, the value of not always re-inventing the wheel but also building upon those existing programs that are successful.

There is a strong focus on evaluation of the MoU at both the national and regional level, not only to assist effective communication of the successes and learnings of the project, but also to support the replication of these new working arrangements between government and industry to other mine sites.

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