

20 May 2024

## **DJAARA forged benefit-sharing agreement despite exclusionary system**

The signing of **Bakaru Wayaparrangu**, a benefit-sharing agreement between DJAARA (the Dja Dja Wurrung Clans Aboriginal Corporation) and Canadian miner Agnico Eagle, operator of the Fosterville Gold Mine, last week marked Victoria's first voluntary agreement between a Traditional Owner group and an active mining operation.

Dja Dja Wurrung Group CEO Rodney Carter said that **Bakaru Wayaparrangu**, which means 'in the middle, we all meet' in Dja Dja Wurrung language, is a significant step towards self-determination of DJAARA Dja Dja Wurrung People.

The multi-million-dollar agreement was settled following seven years of negotiations within a legislative system that favours developers. Cassandra Lewis, DJAARA General Manager noted the challenge:

"We negotiated this agreement with our hands tied behind our backs. We forged a path – finding our way through the colonial structures and laws that deliberately misrepresented and excluded Traditional Owners. But we persisted. We stayed the course. And we thank Agnico Eagle for staying with us," Cassandra said.

Uncle Graham Atkinson was a foundation and central member of DJAARA's negotiation team. On Monday, he said:

"I know through stories passed down to me that the treatment of our Ancestors was pretty poor. Social justice, land justice and economic justice and an equitable compensation arrangement is something we wanted to achieve.

"This is a leading agreement that we would hope other Traditional Owner groups across Victoria and our neighbours would take note of."

The process of colonisation continues to limit the opportunities for Dja Dja Wurrung People to manage Country. Incrementally, DJAARA finds ways to speak for and heal Djandak (Dja Dja Wurrung Country) through decision-making opportunities, partnerships, and agreements.

At the ceremony on Monday, the Hon. Lily D'Ambrosio congratulated DJAARA and Agnico Eagle on

"striking an agreement particular to the needs and aspirations of the Dja Dja Wurrung people and also one that is suitable for the actual mine operations."

"This agreement is an example of how we can make reparations for past practices, for colonisation. Business as usual has got to change," the Minister said.

Acknowledging the lead of DJAARA in development of Benefit Sharing Agreements with industry, Minister D'Ambrosio drew comparison with the clean energy sector, and the desire to both encourage and seek to enforce community benefit sharing between industry and the community.

Rodney Carter said:

"As Traditional Owners, we recognise and celebrate that each Peoples have different aspirations and needs and, necessarily, benefit sharing agreements need to be individual.

However, the instigation for agreements needs to come from regulatory and statutory triggers.”

The initial engagement with Agnico Eagle afforded by DJAARA's Recognition and Settlement Agreement (**RSA**), provided an opportunity to discuss the aspirations of Dja Dja Wurrung People with the Fosterville Gold Mine operators.

Similarly, the growing clean energy sector regulation provides an opportunity for community benefit sharing.

We would encourage all in the resource industry to have discussions with the Traditional Owners of the Country from which they extract minerals, access our cultural resources, or remove Traditional Owner decision making through tenure.

In 2017, Fosterville Gold Mine applied to build a ventilation shaft on Crown land next to their mining lease. Through our RSA, DJAARA had the right to negotiate compensation for this activity. Although the RSA gives us no rights to compensation for activity on private land, DJAARA proposed to negotiate an agreement that covered the whole of the mine.

We were mindful that no wealth from this incredibly prosperous mine was flowing to Dja Dja Wurrung People, who continued to be impacted by the effects of dispossession from 170 years of mining on our land.

Rodney Carter said:

“Due to this agreement and its benefit sharing, for the first time, DJAARA has an income stream that is not tied to a particular activity. For the first time, the DJAARA Board – and not an external entity – can determine how that money can be best used to work towards the goals of our 20-year Country Plan, and meet the needs of Dja Dja Wurrung People.”

**Bakaru Wayaparrangu** will make a material difference to the lives of Dja Dja Wurrung People, now and into the future. It is a significant step towards the self-determination of DJAARA and Dja Dja Wurrung People.

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#### Further Information

- [Media Kit \(interviews and vision\)](#)
- [Photos of the event](#)
- [Media Statement Monday 13 May 2023](#)
- [About Bakaru Wayaparrangu](#)
- [About DJAARA](#)
- [About Agnico Eagle Fosterville Gold Mine](#)

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