

Appendix 1

KRSIS Terms of Reference

General

A comprehensive and independent study of the social impact of development on Aboriginal communities in the Kakadu Region is to be undertaken.

The key outcomes from the study will be:

- a clear statement of Aboriginal experiences, values and aspirations regarding development of the region, and
- a proposed community development programme to enhance/mitigate impacts associated with development of the region.

The social impact study process will also offer the opportunity of assisting in the development and empowerment of the Aboriginal community, and improving the relationship between the Aboriginal community and industry and government.

The study will be conducted in a way which ensures Aboriginal views and perceptions are foremost, with involvement of the Aboriginal community central to the study. The study will also involve government and industry as they are responsible for many of the developments and also have the capacity to deliver programmes, initiatives and policies.

The study will examine social and cultural impacts on Aboriginal people, identify the causative factors, and develop responses to deal with the impacts. The study will recognise that impacts have come from a variety of sources, including mining, tourism, conservation and urban development.

The independence of the study will be provided through the appointment of an independent chair and independent expert to the study's Advisory Group. Key stakeholders will be represented, including the Northern Land Council (NLC), the Aboriginal community, Energy Resources of Australia (ERA), and the Northern Territory and Commonwealth Governments.

An APC will be established and will be responsible for coordinating and managing Aboriginal involvement in the study and producing a report on Aboriginal concerns and aspirations for the future. The Aboriginal community will determine membership of the Project Committee, and select and appoint a project team. A nominee of the APC will also be a member of the SAG.

The APC's report will provide the basis for a proposed community development programme. The community development programme will be prepared by the SAG, with the assistance of the APC. Other smaller projects will also be undertaken by the SAG to ensure information is available on the activities of individual organisations, and also comparisons with other regions.

Objectives

- To provide a clear statement of Aboriginal experiences, values and aspirations regarding development of the region.
- To produce a proposed community development programme to enhance/mitigate impacts associated with development of the Region.

- To place Aboriginal people in a position to make informed assessments in relation to proposed developments.
- To place Aboriginal people in a position to maximise benefits to them, and minimise the costs, of any developments which do proceed.
- To provide a basis for long-term satisfactory relationships between the Aboriginal community, industry and government.

Scope

The study will focus on Aboriginal residents and traditional owners of Stages 1 and 2 of Kakadu National Park ('the Region').

The study will include:

- A brief review of historical and more recent social, economic, cultural and political developments in the region.
- A review of relevant literature, and an indication of findings from previous research which can be utilised in the study. This may include research undertaken in other areas to enable comparisons (eg non-mining areas)
- A profile of contemporary Aboriginal society in the region.
- Identification of major impacts associated with mining, tourism, conservation, retail, and government activity and of Aboriginal responses to those impacts; and an analysis of the causal processes involved.
- A discussion of major proposed developments in the region and their likely implications for Aboriginal people.
- Identification of strategies and initiatives which could be employed to deal with recent developments and proposed future developments.

Method

- Both qualitative and quantitative impact methodologies will be employed.
- The methodology employed will provide the opportunity for extensive Aboriginal involvement in the conduct of the study.
- Culturally appropriate techniques will be utilised both in obtaining information from and disseminating information to Aboriginal people.

Management structure

The independence of the study is essential to its success. To this end, a management structure has been established which will ensure the study is not controlled by any one organisation or industry, and equally as importantly, allow for Aboriginal management of the key project to be undertaken during the study.

The study will be conducted by an independently chaired Advisory Group, with an independent expert and representatives from the major stakeholders. Membership of the SAG will be agreed to by the NLC, ERA, and the Commonwealth and Northern Territory Governments.

The most fundamental aspect of the study will be the Aboriginal Project. This project will involve extensive research and community participation, and will provide a clear statement of Aboriginal experiences, values and aspirations regarding developments in the Region. The Aboriginal Project will be managed by an APC who will coordinate the community participation and produce a report on Aboriginal concerns and aspirations.

The APC will be elected by the Aboriginal community, and it is expected that it will include Aboriginal representatives of local organisations, traditional owners, and a member of the NLC Full Council. A nominee of the APC will also be a member of the SAG.

Other much smaller projects will be undertaken by the SAG and will include comparative studies and an analysis of agency programmes. Ongoing communication between the APC and the SAG will ensure that the projects are complementary.

The APC's report, along with the results of the other smaller projects, will provide the basis for a proposed community development programme. The community development programme will be prepared by the SAG with the assistance of the APC.

Further details on the roles and functions of the SAG and the APC are provided in Attachments 1 and 2.

Timeframe

The study will be undertaken over eleven months, with the final report of the APC provided to the SAG by 30 June 1997, and the proposed community development programme completed by 31 July 1997.

Further details on reporting are provided in Attachment 3.

Budget

The total budget for the study is \$330,000, and will be funded by ERA, and the Commonwealth and Northern Territory Governments. Of the total budget, \$275,000 is allocated for the Aboriginal Project.

Further details on the budget for the study are provided in Attachment 4.

Attachment 1

Study Advisory Group

Roles and functions

- Conduct the Kakadu Region Social Impact Study.
- Undertake projects considered necessary to the study.
- Receive and comment on interim and draft final reports from the APC.
- Develop, with the assistance of the APC, a proposed community development programme.
- Consider and decide, with the APC, on any changes to the Terms of Reference after the study has commenced.

Membership

The Study Advisory Group will have an independent chair and an independent expert, and the major stakeholders will be represented. Membership of the Study Advisory Group will be agreed to by the NLC, ERA and the Northern Territory and Commonwealth Governments.

Support

The Commonwealth Government will provide administrative and logistical support to the Study Advisory Group.

Projects

Projects should include

- relevant comparative studies
- an analysis of government/industry programmes and activities in the region

Attachment 2

Aboriginal Project Committee

Roles and functions

- Select and appoint project team, in consultation with the Study Advisory Group.
- Direct and advise project team in undertaking the project.
- Provide interim and draft final reports to the Study Advisory Group, and receive any comments made by the Study Advisory Group.
- Provide final report of the APC to the SAG.
- Assist the SAG in the development of a proposed community development programme.
- Provide financial reports to the SAG acquitting expenditure.
- Consider and decide, with the SAG, on any changes to the Terms of Reference after the study has commenced.

Membership

The Aboriginal community will elect the Project Committee, and it is expected that it will include Aboriginal representatives of local organisations, traditional owners, and a member of the NLC Full Council. A nominee of the APC will also be a member of the SAG.

Support

The NLC will provide administrative and logistical support to the APC.

Preliminary project outline

1 Contemporary social environment

- demographic and social profile of Aboriginal population
- land ownership
- Aboriginal incomes and economic activity
- broader social and economic context of the Region
- Government policy
- Administration and service provision

The project should examine how these profile issues contribute to Aboriginal responses to impacting situations.

2 Impact factors and processes and Aboriginal responses

The project should examine the impact on Aboriginal culture, society, economy and politics of the following factors and of Aboriginal responses to them:

- exploration and mining
- tourism and retail

- urban development
- park management
- government policies and administrative arrangements

It should also examine the overall impact of, and the interrelationship between, these factors.

3 Future developments

The project should examine the likely implications for Aboriginal people in the region of proposed future developments, including:

- Jabiluka
- Ranger
- Koongarra
- growth of tourism and of related activities
- urban issues

The project should also examine how these proposed developments might interact with other contextual factors.

4 Aboriginal strategies and initiatives

The project should:

- seek to identify strategies and initiatives nominated by Aboriginals for maximising positive opportunities and addressing negative impacts under various scenarios
- consider the sorts of institutional structures and arrangements within which these strategies and initiatives could be pursued

Attachment 3

Timeframe

The study will be undertaken over eleven months, with the final report of the Aboriginal Project Committee provided to the Study Advisory Group by 30 June 1997, and the proposed community development programme completed by 31 July 1997.

Actions	Time	Date Completed
Phase one – Establishment <ul style="list-style-type: none"> • Establish Study Advisory Group • Establish Aboriginal Project Committee • Appoint Aboriginal Project Team 	2 weeks	15 September 1996
Phase two – Project development <ul style="list-style-type: none"> • Review literature • Develop project work programs • Aboriginal Project Committee interim report 	6 weeks	31 October 1996
Phase three – Research and consultation <ul style="list-style-type: none"> • Participant research, stakeholder consultation • Aboriginal Project Committee interim report 	17 weeks	28 February 1997
Phase four – Project reporting <ul style="list-style-type: none"> • Aboriginal Project Committee <ul style="list-style-type: none"> - draft report - final report • Study Group projects <ul style="list-style-type: none"> - draft reports - final reports 	13 weeks 4 weeks 13 weeks 4 weeks	31 May 1997 30 June 1997 31 May 1997 30 June 1997
Phase five – Community development program <ul style="list-style-type: none"> • Proposed community development program 	5 weeks	31 July 1997

Attachment 4

Budget and Funding

The total budget for the study is \$330,000, and will be funded by ERA, and the Commonwealth and Northern Territory Governments.

Study Budget

Study Advisory Group

Independent chair	10,000
Independent expert	30,000
Consultancies	10,000
Report preparation	5,000

\$55,000

Aboriginal Project Committee

Study Co-ordinator	95,000
Support staff (2)	55,000
Meetings and Committee operations	40,000
Consultancies	70,000
Report preparation	15,000

\$275,000

TOTAL	\$330,000
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Study Funding

Northern Territory Government	50,000
Commonwealth Government	115,000
ERA	165,000

TOTAL	\$330,000
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Other Contributions

Study Advisory Group

Administrative and logistical support	Cth Govt
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Aboriginal Project Committee

Administrative and logistical support	NLC
Office accommodation	NT Govt
Office equipment and running costs	ERA
Housing (1 unit @ subsidised rate)	Cth Govt

Budget Management

Study Advisory Group

The Advisory Group's budget will be managed by the Commonwealth Government, and funded directly by the Commonwealth. Financial reports will be provided to the Study Advisory Group at each meeting of the Study Advisory Group.

Aboriginal Project Committee

The Aboriginal Project Committee's budget will be managed by NLC, and funded by ERA, and the Commonwealth and Northern Territory Governments. Financial reporting will be included in the Aboriginal Project Committee's interim, draft and final reports to the Study Advisory Group.

It is intended that four funding instalments will be made to NLC by the funding agencies, with an initial contribution when the project team is appointed, and three further instalments on the basis of the Aboriginal Project Committee's interim and draft reports.

Appendix 2

Members of the Aboriginal Project Committee

Victor Cooper (Chairman)

Minitja Aboriginal Corporation

Jacqui Katona (Deputy Chair)

Gundjehmi Aboriginal Corporation

Jessie Alderson

Gagudju Association

Mick Alderson

Kakadu Board of Management

Jonathon Nadji

Bunitj clan

Valerie Balmoore

Djabulukgu Association

May Nango

Jabiluka Mine traditional owner

Nida Mangarbarr

Ranger Mine traditional owner

Jeff Lee

Koongarra Mine traditional owner

Jacob Nayinggul

Northern Land Council (proxy Ronald Dirdi)

Lyn Miller

Health

Kevin Buliwana

Health and Resident

Mark Djandjomeer

Employment and training

NaBadmardi

Culture

Cheryl Cahill

Resident

Appendix 3

Members of the Study Advisory Group

Patrick Dodson (Chairman)

Chairman, Council for Aboriginal Reconciliation

Professor Jon Altman

Director, Centre for Aboriginal Economic Policy Research, Australian National University

Barry Carbon

Consultant, Commonwealth Government

Victor Cooper

Chairman, Aboriginal Project Committee

John Hicks

Assistant Secretary, Parks Australia - North, Commonwealth Government

Andrew Jackson

Environment, Safety and Health Manager, Ranger Mine, Energy Resources of Australia

Dr Arthur Johnston

Director, Environmental Research Institute of the Supervising Scientist, Commonwealth Government

Mandy Jones

Chairman, Jabiru Town Council

Neville Jones

Director, Office of Aboriginal Development, Northern Territory Government

Steve Roeger

Senior Policy Officer, Northern Land Council

Doug Scott

Senior Policy Officer, Department of Mines and Energy, Northern Territory Government

Galarrwuy Yunupingu

Chairman, Northern Land Council

Appendix 4

Study Advisory Group meetings and workshops

There were six meetings of the full Study Advisory Group, all held in the Kakadu Region. There were also two workshops in June and July for drafting the SAG's final report. Both workshops were attended by the Chairman Patrick Dodson and his assistant Paul Lane, Professor Jon Altman, Barry Carbon and the SAG Executive Officer Michelle Andrews. The workshop in Canberra was also attended by Robert Levitus, the APC's Project Coordinator.

Meeting Location	Dates
Gagudju Crocodile Hotel, Jabiru	5 November 1996
Jabiru Town Council, Jabiru	12 December 1996
Parks Australia North Headquarters, Kakadu National Park	19, 20 February 1997
Environmental Research Institute of the Supervising Scientist, Jabiru East	2,3 April 1997
Ranger Mine, Jabiru East	12, 13 June 1997
Gagudju Crocodile Hotel, Jabiru	22, 23 July 1997
Workshop Location	
Office of the Council for Aboriginal Reconciliation, Broome	9, 10 June 1997
Australian National University, Canberra	1, 2 July 1997

Appendix 5

Agency commitments

During the course of KRSIS, the major employers in the Region represented on the SAG (ERA, PAN, ERISS) have reviewed and revised their Aboriginal employment and communication strategies. This has been done in consultation with the APC, and some initiatives have already been introduced. A brief overview is provided here, and more detailed information should be sought directly from the organisations.

Energy Resources of Australia

Aboriginal employment strategy

- introduce preferential recruitment (all positions filled by local Aboriginal people if possess required skills, data base of local Aboriginal job seekers to be developed)
- appoint an Aboriginal training coordinator
- introduce an Aboriginal training program (Aboriginal trainee positions to be created in each work section overseen by Aboriginal Training Coordinator, training programs will include pre-vocational and work preparation programs such as English in the workplace and workplace practices)
- establish an Employment and Training Steering Committee (representatives from Aboriginal Associations, Northern Land Council, Northern Territory University, Ranger employee)
- establish a mentor program to support all Aboriginal employees and their supervisors, and to monitor progress

Cultural awareness

- introduce cultural awareness programs for all ERA staff

Business ventures

- establish a business venture arrangement with local Aboriginal people to increase employment and training opportunities through increased economic independence (eg environmental rehabilitation work at Ranger Mine, building and maintaining ERA houses, building and maintaining roads at Ranger Mine)

Jabiru Area School

- form a closer relationship with the Jabiru Area School to enhance future employment opportunities for local Aboriginal people (develop a more suitable curricular and promote an environment conducive to increased Aboriginal participation)

Alcohol strategy

- 6 month ban on takeaway alcohol from the Jabiru Sports and Social Club, 1 April - 30 September 1997
- Dr Peter d'Abbs engaged to monitor and assess the impact of the restrictions on alcohol
- financial support provided to the Gunbang Action Group to assist in the employment of an alcohol counsellor

Parks Australia North

Employment

- current ratio of Aboriginal employment 30%: goal is achieve majority of permanent employment positions held by suitably qualified relevant Aboriginals.
- current classification levels of Aboriginal staff mostly at the lower levels: two strategies are being implemented - more intensive training in Western competencies, and redefining positions in work arrangements to recognise Aboriginal competencies and needs
- job descriptions will be reviewed to recognise Aboriginal competencies (an Aboriginal staff member is currently working on a project to specify Aboriginal competencies which could be formally recognised as appropriate for Aboriginal rangers to hold; consideration is also being given to pairing positions at all levels with one person having Western competencies and the other having Aboriginal competencies)
- work arrangements will be reviewed to introduce more flexibility (eg part-time positions, job sharing)
- recruitment processes will be reviewed to ensure they are culturally appropriate (alternatives to the standard requirement for written applications, interviews and references are being considered; training may be introduced for traditional owners to increase their role in selection panels, and convening such panels)
- current ratio of Aboriginal employment on day labour is 50%: a compulsory target of 70-80% is being considered

Training

- local Aboriginal person appointed to the Aboriginal Staff Training Officer position in late 1996 (develops and implements strategies for training and career development of all Aboriginal staff, mentor for Aboriginal staff, secure funding for training programs, facilitate cross cultural awareness training)
- local Aboriginal people will continue to be recruited and trained
- skills training will continue to be provided to Aboriginal staff (Kakadu Aboriginal Staff Training Strategy will be developed)
- staff training team, the Kakadu Training Committee, has been established to coordinate general staff training (cross cultural training, language courses, increasing staff public relation skills)

Business contracts

- in 1996/97 PAN let contracts to Aboriginal Associations in the Kakadu Region for works and services with a total value of \$325,100: other opportunities are being examined (eg entry station and campground management contracts, art site surveillance and interpretive activities)

Environmental Research Institute of the Supervising Scientist

Aboriginal communication and accountability

- appoint an Aboriginal communications officer
- develop an Aboriginal communications plan (an Aboriginal Issues Focus Group has been established with representation from all sections)
- develop appropriate community consultation mechanisms (plain english versions of project proposals and project outcomes now a requirement, program of outstation consultations planned, encouraging informal visits to ERISS by Aboriginal people, staffed displays for NAIDOC week, Gunbalanya Open Day, Wind Festival, ERISS open day planned for late 1997)
- develop cultural awareness and communication skills in ERISS staff (cross cultural training commenced in April 1997, 2 staff undertaking NTU's Aboriginal Studies course, selected staff to be given introductory language training, internal seminar program focusing on Aboriginal issues)

Aboriginal employment and training

- develop an Aboriginal employment strategy (target Aboriginal employment of at least 10%)
- appoint for twelve months a local Aboriginal person to assist the communications officer
- introduce an Aboriginal training scheme in conjunction with the Department of Employment, Education, Training and Youth Affairs (a training position in 'Impact of Mining' section has been created)
- examine the day labour scheme operated by Parks Australia North to determine best way to adapt it to the ERISS programs.

Appendix 6

Evaluation of the KRSIS process

The aim of the KRSIS was to have a comprehensive study of the social impact of various developments on the Aboriginal people in the Kakadu Region. While this is not the first time that such a study has been undertaken, the study was certainly pioneering in that it worked through two parallel and interacting committees.

Aboriginal people have had the opportunity to consider impacts from their own perspective and identify their issues; and representatives of decision-makers and service providers have interacted with the Aboriginal committee to recommend opportunities for change and improvement.

This approach of two parallel committees was an integral component of the Terms of Reference, and was based on past experiences in other areas. Studies that have involved 'outside' researchers producing a report about and for an Aboriginal community have often failed because the process has lacked any real involvement of the community. These studies have also been criticised for missing the opportunity of the process itself being a positive impact by informing and motivating the community.

Conversely, studies which have been limited to a local Aboriginal community and not involved other stakeholders in a region, often produce well-regarded reports that have absolutely no impact on how the rest of the organisations and individuals in a region go about their business.

The SAG itself reviewed the study process at its last meeting, and in particular whether it responded well to the objectives identified in the Terms of Reference. The unanimous view is that it was successful and appropriate to the needs of the Kakadu Region. That is:

- the independence of the APC was maintained in terms of their staff, operation and research, and the APC's final report provides a statement of Aboriginal experiences and aspirations;
- the key stakeholders and decision-makers in the Region, through membership on the SAG, were kept informed of the APC's activities and had the opportunity to comment and make suggestions;
- the SAG has recommended a Community Action Plan to address the report of the APC, with substantial goodwill and most importantly, commitment to implementing the Action Plan; and
- the study process itself has provided incentive for change, with key organisations committing to significant changes and improvements during the study, particularly in the areas of Aboriginal employment and Aboriginal communications.

Examining the process in detail, the following is a list of comments and suggestions made by the SAG members at its last meeting:

- the timeframe for the study (10 months) meant that a number of issues were either not resolvable, given inadequate attention, or not considered at all (eg continuing dispute between two Aboriginal associations, future governance, funding substitution, primary data collection on fiscal flows and household economies);

- the timeframe for the study created difficulties for commissioning research (several consultancies were commissioned by the NLC before the APC existed), and also in effectively monitoring the progress of the research;
- the consultancies commissioned by the APC may have benefited from more specific 'terms of reference', and ongoing monitoring mechanisms to ensure high quality outputs;
- the KRSIS Terms of Reference could have been more specific (eg relationship between the SAG and the APC, scope of the study, availability of research after the study is completed).
- having an independent chair and independent expert on the SAG was essential for its credibility;
- the role of the NLC in providing administrative support and budget management for the APC could potentially have compromised the independence of the APC and also restrained the NLC in its role on the SAG;
- the process would have been improved with more interaction between the two committees, and this would have increased the trust between the committees;
- the current political situation in the Region caused difficulties for the APC and their staff, but this was probably unavoidable;
- As in previous regional studies, the research itself became a social impact;
- the study process was able to provide extra momentum to other important activities occurring in the region (eg Gunbang Action Group, Women's Resource Centre);
- the APC has felt the pressure of other demands: because organisations in the Region viewed the APC as a representative body for the Aboriginal community, it has been approached to consider many issues outside the scope of KRSIS; and
- the quality of the outcomes from the process has been dependent on the quality of the staff working for the two committees.

From the APC's perspective, their Report opens with the following quote from an APC member.

'I reckon it's good. It's the first time we've done this, never happened before. It's been good from the start. This is the beginning of what we know, and we've done it as a group. We've got more to go, all of us. See what reaction we get from the Study Advisory Group. Then next time, we'll do better. This one is good already. Things change every year, and I think we've gotten this off the ground. It should have happened a long time ago, back in the 70s. But it's been picked up before things get worse.'