

3 The Community Action Plan

3.1 The nature of the relationship between the APC and SAG was outlined in Chapter 1. The SAG role is to develop a 'Community Action Plan' to progress the articulated aspirations of the APC.

3.2 The Action Plan provides a comprehensive and coordinated response to the obvious imbalance of impacts from developments in the Region. The imbalance has been caused by the failure of the social contract imposed almost 20 years ago as part of the decision to approve uranium mining in the Kakadu Region. If the Action Plan is implemented it will provide a basis to improve the condition of Aboriginal people's lives, and increase their capacity to effectively engage in decision-making in the Region.

3.3 It is important that the Action Plan has clearly articulated agendas and strategies: as a global observation many services are available from government and non-government sectors; however services are not always effectively delivered or accessed. There is a need to get appropriate government support and reduce any unjustified funding substitution.

Recognition and empowerment

3.4 A recurring theme in the APC Report (1997) and the consultancy reports commissioned by the APC is a concern for the disempowerment of Aboriginal residents. This is stated in relation to mining, the town, distribution of mining moneys, provision of services, and research and monitoring in the Region. The SAG has considered the issue and accepts the validity and importance of this concern.

3.5 The feeling of disempowerment contrasts with a clear objective of the original social contract to introduce arrangements intended to ensure that the views and wishes of Aboriginal people are recognised and accommodated. The original social contract has failed in this particular area, and the SAG believes the existing structures and administrative arrangements need to be reformed to ensure greater genuine participation by Aboriginal people in decision-making.

The future of Jabiru

3.6 The history of Jabiru is remarkable for its lack of consideration of the position of Aboriginal people and the lack of a mechanism for their participation (Lea & Zehner 1987). Jabiru was planned as a major non-Aboriginal precinct where Aborigines would have no permanent presence. This is clearly demonstrated at three levels. Firstly, the town was built on land within Kakadu National Park, but not made available for claim by traditional owners. Aboriginal traditional ownership has never been formally recognised, in contrast to other adjoining areas. Secondly, Aboriginal involvement in the governance of Jabiru is limited to an oversight role through the Kakadu Board of Management. Thirdly, day-to-day involvement in the management of the town has always been minimal, with occasional representation on the JTC, and more recently, fortnightly visits by the town clerk to Manaburduma (Kesteven & Lea 1997: 20).

3.7 The APC (1997: 64) suggested that, because of the previous lack of involvement in decision-making, legal and institutional complexities, and the cultural strangeness of town planning, the issue of Jabiru and its future will probably require more time than any other to allow Aboriginal people to form opinions and develop positions. More specifically, the APC (1997: 66) stated that Aboriginal land ownership should be legally recognised in Jabiru, and endorsed the need for much more information and communication.

3.8 The SAG believes that the current status of Jabiru as a 'closed' mining town is an anachronism, and does not reflect the contemporary reality nor future aspirations for the Kakadu Region.

3.9 Further, the SAG endorses the APC's view that Jabiru should be legally recognised as Aboriginal land. The KRSIS process has provided a focus on the future of Jabiru and has brought together the major industry and government stakeholders. The SAG believes that this momentum now provides the opportunity for achieving Aboriginal ownership in conjunction with an extension to the head lease for the town, with all necessary safeguards attached. It is important that this opportunity is not lost and the commitment by all the parties involved is maintained.

3.10 The SAG supports the APC's call for more information and communication on the future of Jabiru. Some of the stakeholders have already stated their vision for the future of Jabiru and the Region, such as a growing, diversified and open regional centre, with community government and an extended head lease. However, Aboriginal people have not had the opportunity to consider and articulate their views as yet. It is clear that the current land use planning arrangements are inadequate and do not reflect current needs. Equally, 'normalisation' of Jabiru should not be accepted as a historical inevitability – while the current situation may not be appropriate, it is important to recognise that Jabiru is not a 'normal' town. Any proposals to change the governance and planning of Jabiru must be specifically justified and accommodated to Aboriginal concerns, and must involve consultation with all stakeholders.

3.11 Ahead of a comprehensive consultation and review process, the SAG supports the ongoing activities of the JTC to improve Aboriginal participation in its activities. In particular, the SAG notes that the JTC has examined ways of increasing Aboriginal involvement in the planning and management of Jabiru. Also, a Memorandum of Understanding between the JTC and the Kakadu Board of Management is expected to be finalised later this year.

3.12 The SAG recommends that:

- **it be recognised that defining Jabiru as a closed mining town is an anachronism;**
- **the importance that the Aboriginal Project Committee attaches to having Jabiru legally recognised as Aboriginal land be endorsed;**
- **the momentum generated by the current social impact study provides a significant opportunity for achieving Aboriginal ownership provided the head lease is extended in a manner that safeguards commercial interests. The SAG notes that the preliminary final Kakadu Plan of Management includes the safeguard that the Director of National Parks and Wildlife will not change the status of Jabiru without the consent of relevant Aboriginal people;**
- **the Commonwealth and Northern Territory Governments immediately sponsor a community consultation program to:**
 - **provide information on existing and potential governance arrangements, -**
 - develop a vision for the future of Jabiru and the Region, and**
 - **discuss options for achieving Aboriginal ownership of the town while extending the term of the head lease under conditions that protect commercial as well as Aboriginal interests; and**

- the consultation program be used as inputs to negotiations and decisions on the future of Jabiru and the Region

Governance and service provision

3.13 The SAG recognises that the issue of governance and service provision throughout the Kakadu Region is one of the outstanding items of unfinished business, and one that the SAG believes needs further consideration before incorporation into the Community Action Plan.

3.14 Governance in Kakadu is complex and confusing. There are extra layers imposed beyond those experienced by most Australians. There is the layer of governance and service provided by the Northern Territory Government; education, police, health and so on, although these are centred on Jabiru which is designed as a non-Aboriginal town. There is also the JTDA and JTC, strictly limited by the town's status as a 'closed' town, and strictly limited in geographical coverage.

3.15 At another level are the Aboriginal layers; the NLC and the various Aboriginal Associations. The NLC and particularly the Gagudju Association have at various times been placed in the role of Aboriginal governance and service provision through default, although this is difficult in times of financial stricture. ATSIC has the potential for impact on important service issues, like housing and infrastructure, but its role is not well understood in the Region.

3.16 There is still a further level through the Commonwealth Government's park management, which has an overarching and policy role, but a limited and reducing function in Aboriginal service provision. Other Commonwealth functions like employment programs and social welfare exist as elsewhere, but assume increasing importance where employment and community support are so critically needed.

3.17 Despite these multiple layers, giving the appearance of over-governance, service provision for many Aboriginal people is sub-standard. Issues as simple as uncollected rubbish and unserviced roads are symptomatic and obvious. The SAG recognises the actuality and the perception of disempowerment. The extreme complexity has caused disempowerment and disconnection; people do not know or have an understandable link to who makes decisions or who provides services.

3.18 The SAG has briefly contemplated possible strategies to address these issues. One simple approach would be to extend the powers and functions of say the NLC or an umbrella Aboriginal association. No discussion was held with the parties on this issue, and the SAG do not presume even to propose this as a solution without appropriate consultation.

3.19 Another approach, among many others, would be to extend the representation and function of the JTC. The geographic coverage of the Council could be extended across the Region on a ward basis, or specifically to the outstations in the Park. Aboriginal representation could be mandated, either on a representative basis or through a bicameral system. These changes could be achieved with the permission of the Director of National Parks and Wildlife, ERA and the Northern Territory Government. This extended 'Kakadu Service Authority' would operate within the policies and framework of the Kakadu Board of Management, and give local people a voice in the mechanisms of service provision. This approach is closely linked to the issue of the future of Jabiru discussed above, and to future decisions on uranium mining. The SAG has not discussed the merits of any of the options with any of the major stakeholders.

3.20 The SAG recommends that:

- **the issue of governance and service provision in the Kakadu Region is a major consideration for the key stakeholders in the Region; and**
- **the governments ensure further investigation and consultation is undertaken prior to solutions being decided and implemented.**

Political futures

3.21 The APC Report (1997) states that, to date, Aboriginal authority has been generally organised in two ways: in the associations organised in response to development projects and sources of revenue, and in the Kakadu Board of Management organised around park management agendas. The *Aboriginal Land Rights (Northern Territory) Act 1976* underlies these expressions of Aboriginal authority, and the NLC plays an important role in exercising the authority through its responsibility to ascertain the instructions of traditional owners and act on them.

3.22 Consultants engaged by the APC carried out a program of consultations termed 'the Country Story' with local people canvassing their views on the distribution of authority and responsibility among the organisations of the Region. They found that in regard to the non-Aboriginal organisations, there is a need for more information to be provided to Aboriginal people (Crough & Cronin 1997: 36). This issue is addressed later in this chapter.

3.23 The consultants propose that there should be two kinds of revision to the institutional relationships in the Region. First, Aboriginal landowners should have the right to select, and contract for, provision of services to the Region. Second, the consultants propose there be recognition of the local clan groups as the structural nexus where Aboriginal decision-making occurs. The APC (1997: 45) discusses the complexities and different views in the community concerning Aboriginal authority. The APC's perspective on Aboriginal authority is not fundamentally different from the SAG's outlined in Chapter 2.

3.24 The SAG believes that Aboriginal people need more information on the existing rights and opportunities they have to decide on the provision of services to the Region. In regard to Aboriginal authority. The SAG also notes the ongoing consultations between the NLC and traditional owners. It is clear that political stability and an effective Aboriginal regional voice is needed; it would be beneficial if the conflict within the Aboriginal community ended; continuing oppositional politics without discussions and negotiations is likely to result in the maintenance of the status quo for Aboriginal interests or worse.

3.25 It was demonstrated clearly during the KRSIS that the various 'issue-specific' action groups established in the Region over the last few years, have been very effective because they involve the key stakeholders, and have relied on good cooperation between Aboriginal and non-Aboriginal organisations and individuals. While the emergence of these groups does suggest something is lacking in the broader area of governance, it is imperative that the action groups continue to be supported.

3.26 The SAG recommends that:

- **the Northern Land Council continues to attempt to resolve the current dispute between the Gagudju Association and the Gundjehmi Aboriginal Corporation as a priority for the Kakadu Region;**
- **notwithstanding the key significance of traditional ownership and clan-based decision making in the Region, there is a need for principles of coordination,**

rationalisation and efficiency to guide regional service provision and financial resource management;

- **the regional initiatives to establish joint approaches through community action groups to deal with a range of issues including alcohol abuse, housing and infrastructure needs and employment and training are applauded. Such joint Aboriginal/non-Aboriginal collaborations and actions must be effectively maintained.**

Social conditions

Education

3.27 Education is central to the long-term vitality of the Aboriginal people of the Kakadu Region. Despite improved access to primary and high school as a result of the development of Jabiru, the SAG has been presented with clear evidence of continuing problems with enrolment, attendance, literacy levels and educational qualifications. Taylor (1996: 45–53) stated that, while recognising that the official data are indicative only, '..... the average Aboriginal attendance rate at Jabiru in 1996 is only 68% – lower than the average for remote community schools'. Bucknall and Bucknall (1997: 6–7) conclude that participation rates of Aboriginal students are unacceptably low, access to relevant educational experiences is limited and student outcomes in general are well below those of mainstream students.

3.28 The APC has recommended a number of strategies for improving educational outcomes for Aboriginal students, primarily focused around redesigning the school environment and expanding the school community to provide a comfortable place and constructive roles for everyone (APC 1997: 30). The APC recommended that an Aboriginal education centre be established at the Jabiru Area School to take on and constructively deal with current problems of poor attendance, poor classroom performance, re-entry of itinerant students, mediation between Aboriginal students and unfamiliar formal school programs, and the absence of any Aboriginal component in either the school curriculum or the school culture.

3.29 The SAG supports the recommendation, and in particular agrees with the proposal that the centre be a 'two-way' inclusive facility involving both Aboriginal and non-Aboriginal students and staff. The programs and functions of the centre should include:

- an Aboriginal language and culture program;
- transitional classes for incoming and itinerant Aboriginal students;
- homework classes;
- teacher-parent meetings;
- breakfast and lunch programs;
- drop-in centre; and
- cross-cultural awareness training for all staff.

3.30 The APC recommended that an Aboriginal Education Task Force be established to monitor progress and institute action research for the education of Aboriginal students. The SAG believes that such a body could be very productive and a vehicle for community involvement in education, providing the body is truly representative and has broad support within the community. Also, the coordination and cooperation of such a body with other

initiatives needs to be addressed, particularly given the frequently raised concern of 'yet another committee'.

3.31 The APC also recommended that the need for an outstation pre-school facility be examined. As occurred in the 1980s (Altman 1983: 123), it should be recognised that Aboriginal funding could leverage enhanced educational services tailored to Aboriginal needs. The SAG supports the principle of a community-based feeder school, but believes that further work is needed to ensure:

- the long-term commitment of Aboriginal involvement is confirmed;
- coordination with the Aboriginal Education Centre and Women's Resource Centre; and
- funding is available.

3.32 Education outcomes are inextricably linked to health and housing outcomes. A successful education program cannot be achieved without improvements in health and housing. These issues are addressed elsewhere in this report, including the need for greater coordination in the delivery of social services.

3.33 In the interim, it is important to ensure that the educational initiatives that are introduced do not fail for lack of effective monitoring. It is important that monitoring is introduced immediately so that adjustments can be made to address any problems that arise and to ensure that new circumstances can be readily accommodated.

3.34 The SAG recommends that:

- **the Northern Territory Education Department, in consultation with the Northern Territory University Resource Management Working Party, establishes an Aboriginal education centre at the Jabiru Area School. The centre should be a 'two-way' inclusive facility and should include the functions and programs listed in 3.19.**
- **the Northern Territory Education Department, in consultation with the Aboriginal associations, Jabiru School Council and the Aboriginal Student Support and Parent Awareness Committee establishes an Aboriginal Education Task Force to**
 - **investigate the need for an outstation preschool facility, and**
 - **undertake ongoing monitoring of Aboriginal education, and recommend action as required.**

Employment and training

3.35 Taylor (1996: 28) concluded that Aboriginal people in the Kakadu Region fare only slightly better than others in the wider ATSIC Jabiru region around them, with only 7.5% of the jobs in the Kakadu Region held by Aborigines (1991 Census data). The APC suggests that within the Region there is major variation in the success of employers regarding Aboriginal employment (APC 1997: 34). This variation is explained by differing levels of effort to hire local Aboriginal people, flexibility in work practices, recognition of traditional skills, and the types of work available. The APC noted that the two large hotels owned by the Gagudju Association and managed by Southern Pacific Hotels Corporation for the Association have achieved very low levels of Aboriginal employment in a labour intensive service industry.

3.36 Employment in the Region needs localisation (employment of local Aboriginal people). Tokenistic Aboriginalisation that results in the import of Aboriginal labour and potentially associated social/political tensions is not a solution. Also, all regional agencies need to adjust their positions and training to reflect the existing skilled labour pool. Employment strategies should be directed to key management positions being taken up by local people in the

medium to longer term, and there is a need for major employers to put innovative strategies in place to maximise opportunities.

3.37 The APC Report states that there is a clear desire among Aboriginal people for casual employment with PAN through day-labour, recommending that the program should be expanded and entrenched. The SAG supports the day-labour program being maintained within PAN, while noting that such work will not provide upward occupational mobility, economic equality or full independence from welfare. Other employers in the Region could consider the introduction of day-labour programs.

3.38 Developing a work ethic across the Aboriginal community is vital. Towards this end, the SAG believes that the recent establishment of a regional Community Development Employment Projects (CDEP) scheme as well as other existing employment and training programs, will combine with the recent banning of takeaway alcohol to offer the most significant opportunities for improvement in the short-term.

3.39 The APC recommended that 'second chance' post-secondary education be expanded (APC 1997: 30). The Kakadu/West Arnhem Employment, Education and Training Group intends providing a detailed skills audit for the Region. Once this is available, it will be an important tool for all major employers in the Region, as well as for the post-secondary education and training organisations, such as the Northern Territory University.

3.40 During the course of KRSIS, the major employers in the Region represented on the SAG have reviewed and revised their Aboriginal employment and training strategies (ERA, PAN and ERISS). This has been done in consultation with the APC, and some important initiatives have already been introduced (a summary is provided in Appendix 5).

3.41 The SAG recommends that:

- **all major employers in the Region include in their corporate plans employment and training strategies (employment, training, post-secondary education, joint venturing, contracts, etc), in consultation with the Kakadu/West Arnhem Employment, Education and Training Group. The strategies should establish clear targets, and be reviewed and reported on an annual basis;**
- **the recent introduction of the CDEP scheme in the Region be supported as a means to assist long-term unemployed Aboriginal people become more work ready. Similar strategies should be adopted by employers in the Region through day-labour programs. However, it is imperative that people who have aspirations for full-time work are not locked into part-time work and that options to exit the CDEP and day-labour or to expand part-time work to full-time work are fully explored;**
- **the activities of the Kakadu/West Arnhem Employment, Education and Training Group are acknowledged, endorsed and strongly supported.**

Housing and infrastructure

3.42 Taylor (1996: 67) concludes that the Kakadu Region statistical indicators, including housing and infrastructure, point to social problems similar to other regions in the Top End. Despite an expansion in the number of dwellings in the Region, problems of overcrowding persist and the physical condition of the houses and their surroundings continue to create major environmental health concerns.

3.43 As discussed earlier in this Chapter, the SAG believes that the complex legislative and administrative arrangements for Jabiru and the Kakadu Region has resulted in confusion about jurisdictional responsibility for servicing, inadequate recognition of the special needs

of Aboriginal people, and in some cases inadequate resourcing. A critical issue for the Region is identifying a focus for decision-making on servicing. The SAG recognises that preliminary attempts have been made to address this issue with a proposal by the Kakadu Accommodation and Infrastructure Group for an Outstation Resource Centre. The SAG believes that the responsibilities of the Outstation Resource Centre must, in the longer term, be formally incorporated into any amended governance arrangements provided for Jabiru and the Region (see Recommendation 3.20).

3.44 The SAG believes a systematic and independent survey of housing and infrastructure needs, based on appropriate technology and utilising the existing housing stock should be undertaken immediately, and options for meeting the needs identified. The results will be an important basis for future funding applications and joint funding agreements for the Region.

3.45 A major and immediate problem with housing and infrastructure is that there is no private sector real estate in Jabiru, limited capacity for those who can afford housing to raise collateral to purchase either in Jabiru or the Park, and limited incentive for Aboriginal people to maintain and improve the existing housing stock. All housing in Jabiru is industry housing belonging to a wide range of interests. The SAG believes options for providing Aboriginal housing and community facilities in Jabiru should be investigated and action taken immediately. Opportunities for contracting any housing and building construction to Aboriginal organisations should be maximised.

3.46 The APC Report (1997: 17) suggests that the complexity of jurisdictions, combined with a history of funding substitution and poor attitudes to 'publicly-provided' housing (including that funded by Gagudju) has led to a major problem with the delivery of appropriate housing and infrastructure to Manaburduma and outstations in the Kakadu Region. The SAG addresses this issue later in this Chapter (see Funding Substitution).

3.47 The SAG recommends that:

- **the activities of the Kakadu Accommodation and Infrastructure Group are acknowledged, endorsed and strongly supported;**
- **the responsibilities of the Group's proposed Outstation Resource Centre be formally incorporated into future governance arrangements for Jabiru and the Region;**
- **the Indigenous Housing Authority of the Northern Territory undertake a systematic and independent review to assess current and potential future regional Aboriginal housing needs, and options for meeting these needs;**
- **the Indigenous Housing Authority of the Northern Territory gives priority to negotiating joint funding agreements with the proposed Outstation Resource Centre, Jabiru Town Council and any other interested parties to meet housing, infrastructure and environmental health backlogs within the Kakadu Region, and also to establishing an appropriate upgrading and maintenance program for Manaburduma (town camp); and**
- **the Northern Territory Government, Energy Resources Australia and Parks Australia North immediately consider options that will allow the provision of Aboriginal (non-industry) housing and community facilities in Jabiru. The options considered should include housing provided through the Northern Territory Housing Commission.**

Health

3.48 Data in Taylor (1996) suggest that the health status of Aboriginal people in the Region is relatively low, despite the provision of a comprehensive health services program by the Gagudju Association over many years.

3.49 The APC Report (1997: 23) suggests that the priority for attention should now be in antenatal care and environmental health services, and in particular education in these areas. For example, the Strong Women, Strong Babies, Strong Culture Program, and the Healthy Kids, Healthy Families Program are being considered for the Region. The SAG supports the priority given to these issues, and suggests coordination is needed between the Gagudju Health Team, Women's Resource Centre Working Group, and the Northern Territory Government.

3.50 The APC Report (1997: 20) notes that a government funded project to design and establish an aged and disabled care service commenced in September 1996. The project has established a Mobile Home Care Unit as part of the Gagudju Health Team, and the coordinator has proposed that it should now be reviewed to ensure consistency with community needs and expectations. The priority for the next six months is establishing a program of respite care: a strategic plan is being developed, after which a suitable location will need to be found. The SAG supports the introduction of the aged and disabled care service to the Region, and believes it should continue to be resourced.

3.51 One of the difficulties in measuring health impacts has been the lack of data on chronic or episodic morbidity within the Region. Therefore in the context of any further mining activity or other regional development, it is vital that efforts are made to establish key baseline health indicators and a system for reporting and monitoring via the Jabiru Health Clinic.

3.52 The SAG recommends that:

- **the Gagudju Association be encouraged to maintain its health services. Priority attention should now be given to antenatal care and environmental health services, and in particular education in these areas. This requires coordination between the Gagudju Health Team, the Women's Resource Centre Working Group, the JTC, and the Northern Territory Government;**
- **the Northern Territory Government (Health and Community Care program) and the Commonwealth Government (Aged Care Package program) continue to support the Aged and Disabled Care Service established last year in the Kakadu Region; and**
- **the Northern Territory Health Services make a concerted effort to establish key baseline health indicators and a system for reporting and monitoring by the Jabiru Health Clinic.**

Alcohol

3.53 Encouraging alcohol consumption at socially and biologically acceptable levels is a key issue. High levels of alcohol consumption have been a very apparent problem in the Region for many years, but under the broad policy ambit of self determination no agency has been willing to intervene to break clearly-destructive practices. The major finding of the d'Abbs and Jones Report (1996) is that community action is required to deal with this issue.

3.54 Community action is occurring through the Gunbang Action Group and this positive response needs to be applauded and supported. The Gunbang Action Group's Corporate Plan aims to place effective controls on the availability of alcohol, to provide preventative and treatment services, and to reduce the risks associated with drinking environments. ERA also

needs to be recognised for its strong action taken earlier this year in banning takeaway alcohol from the Jabiru Sports and Social Club. It is important that PAN and the Liquor Commission consult with the Gunbang Action Group on all relevant applications for liquor outlets.

3.55 The APC is undertaking a yet to be completed survey of Aboriginal people regarding controls on alcohol. A consultant has also been employed through the Gunbang Action Group to monitor the effects of the ban on takeaway alcohol from the Jabiru Sports and Social Club.

3.56 The SAG recommends that:

- every effort is made to support the implementation of the Corporate Plan of the Gunbang Action Group. In particular, the Northern Territory Government should provide funding for counselling and administrative support;
- Parks Australia North and the Liquor Commission consult with the Gunbang Action Group on all applications to establish permanent liquor outlets that have the potential to impact on the Region; and
- the Liquor Commission and the Gunbang Action Group include in their considerations liquor outlets which fall outside the Kakadu Region if they are likely to be a significant source of alcohol for the Region.

Sport and recreation

3.57 The APC Report (1997: 32) emphasises the importance of providing alternative activities for young people if they are going to be separated from the 'grog culture'. Compared to other Aboriginal communities, there is a clear absence in Kakadu of widespread Aboriginal involvement in sport.

3.58 The JTC has applied for a grant from the Northern Territory Department of Sports and Recreation to fund the expansion of sporting and cultural activities. The funding would go towards the appointment of a full-time sport and recreation officer by the JTC, and the provision of a bus.

3.59 The SAG notes that there are a number of initiatives for the Region discussed in the APC Report (1997) which have identified the need for transport (Women's Resource Centre, JTC sporting activities, aged care, ceremonies). It is important that vehicles are optimised across all Aboriginal activities in the Region.

3.60 The SAG recommends that:

- the Northern Territory Government approves the grant application by the JTC for funding the expansion of sporting and cultural activities in the Region; and
- further initiatives in the Region promoting Aboriginal sport and recreation be encouraged and supported by the Northern Territory Government.

Cultural integrity

Women's Resource Centre

3.61 A major initiative for the Region is a proposed Women's Resource Centre. A coordinator has been appointed, and opportunities for funding are being explored. One of the key goals of the Centre will be the maintenance of culture and language.

3.62 The APC Report (1997: 24) notes that the senior traditional owner for Jabiru currently has some reservations regarding the proposal, although it has received widespread support

throughout the Region. The SAG supports the proposal and recommends further discussions are held with the senior traditional owner.

3.63 The SAG also suggests that in the medium-term, consideration is given to broadening the functions of the Centre to accommodate the needs of others in the community - it could evolve into a community resource centre.

3.64 The SAG notes that a number of infrastructure needs have been identified by the APC Report (1997). Consideration needs to be given to integrating functions and sharing combined structures where appropriate. For example, the Women's Resource Centre, respite care for the aged, and the Gagudju Health Team appear compatible, and it may be appropriate to locate together servicing organisations, workshops and nursery could be located together in another location.

3.65 The SAG recommends that:

- **the proposal for a Women's Resource Centre in Jabiru be supported and pursued, in consultation with the senior traditional owner.**

Ceremonies

3.66 The APC Report (1997: 31) states that involvement in ceremonial activity is central to maintaining culture and promoting individual development. Further, some members of the APC have suggested that support for ceremonies by organisations in Kakadu would be seen as a recognition of the standing of Aboriginal culture in the Region.

3.67 The two areas of support identified by the APC are transport and money: two separate vehicles are needed to transport two categories of people for two to four months each year; financial support is needed which may be a mix of grants and loans.

3.68 The SAG recognises the importance of ceremonial activity to the Kakadu Region, and recommends that the Aboriginal Associations in the Region seek funding through the ABTA and local organisations for transport. As discussed previously, vehicles should be optimised across all Aboriginal activities in the Region. In regard to support for individuals participating in ceremonies, the SAG suggests that the Aboriginal associations examine options available for funding and in-kind assistance on a needs basis.

3.69 The SAG recommends that:

- **the Aboriginal associations in the Kakadu Region support and encourage participation in ceremonial activities by:**
 - **seeking funding from the Aboriginals Benefit Trust Account and regional organisations for vehicles, and**
 - **examining options for providing financial and in-kind support to individuals to participate in ceremonial activities.**

Communication

3.70 A hallmark of the Region has been poor communications between Aboriginal and non-Aboriginal people and organisations in the region. This is a major failure, and in some ways surprising given that some of the regional organisations, such as PAN, have arguably provided, at the very least, a minimum benchmark for effective communications.

3.71 The lack of communication and understanding has come about through an abdication of communication responsibilities by most organisations, and this has been exacerbated by the parties too readily accepting institutional barriers to communication. Also, some parties have

chosen to withdraw from discussions, and there has been a propensity at times to revert to litigation prematurely.

3.72 The SAG believes the objectives of communications in the Region should include developing an understanding and an appreciation of Aboriginal culture and language, involving and informing people in the functions and activities of organisations in the Region, and providing a sound basis for cooperative management of the Region by Aboriginal and non-Aboriginal residents.

3.73 The SAG considers it imperative that all organisations have communication strategies which provide tangible mechanisms for people who live and work in Kakadu to affirm their commitment and acceptance to the responsibilities of living in the Region, and to be told about, informed about and recognise each other and each other's activities and values.

3.74 The SAG recommends that:

- **all people and organisations in the Kakadu Region have the responsibility to communicate, and existing institutional barriers should be removed. When there is negotiation towards a legally binding agreement there should be a requirement for a nominated formal negotiator;**
- **all organisations in the Region develop and implement communications strategies, and report annually on performance;**
- **the major employers in the Region, in consultation with the Northern Territory University, establish regional cross-cultural training, obligatory for all employees and available to all residents in the Region. The training should be provided regularly and not just on a once-off basis. Local Aboriginal people should be encouraged to provide this service on a purchase-provider basis;**
- **all major employers in the Region develop a standard information package to be provided to all potential employees explaining the responsibilities and benefits of working and living in the Kakadu Region;**
- **the JTC introduce mechanisms to recognise Aboriginal people and their culture, foster communications and develop community attitudes which reflect and promote the cultural heritage of the Region. These mechanisms may include:**
 - **an Aboriginal liaison committee, with Aboriginal and non-Aboriginal representatives who are resident in the Region;**
 - **an introductory function and information package for all new residents.**
- **Aboriginal participation in the Region (eg consultation over employment agreements), where possible, be through development of regional policies to minimise the excessive burden individual consultation would place on Aboriginal people; and**
- **the NLC develop a manual on best practice communication with Aboriginal people of the Kakadu Region.**

Economic development

3.75 A common concern that is heard in the Region (Crough & Cronin 1997; APC 1997) is that Aboriginal people are not benefiting from regional economic development. Much of the focus in the KRSIS has been on the underlying determinants of poor economic engagement; poor service delivery and associated poor social outcomes. While this report emphasises that there is no simple causal explanation for the continued impoverishment that is evident among

some Aboriginal people, it has also emphasised in Chapter 2 that there is a sense in which no particular agency or organisation is taking responsibility. What is emphasised here is that similarly no single agency is taking responsibility for planning for the economic development of the Region.

Economic futures

3.76 There is an urgent need for a comprehensive Aboriginal economic development plan for the Region that strategically assesses economic options for all Aboriginal interests. Such a regional strategic approach was recommended by Lewis (1996) for the Gagudju Association in relation to tourist accommodation in the Region. Given that Aboriginal people have political power, discretionary capital (from mining and tourism moneys) and commercial concessions, it is essential that economic opportunities are identified and that existing leverage is utilised to ensure a significant future stake for Aboriginal people in the regional economy. Lessons of the immediate past and from elsewhere need to be incorporated into the economic development strategies for the Region.

3.77 Economic futures for Aboriginal people in the Region can be established directly or indirectly. Direct benefit can occur through employment creation, small business development and via the conversion of competitive advantages, in artefact manufacture for sale or tour guiding, to commercial advantage. Indirect benefit for the future can occur through the ownership and profitable operation of hotels, other tourism enterprises, investment in education and personal development, and the provision of services to the regional (indigenous and non-indigenous) population.

3.78 Future development scenarios for the Region are discussed further in Chapter 4. It is important to emphasise that maximising future economic opportunities for the regional Aboriginal population will only occur through active engagement with the regional economy and especially its vibrant sectors: tourism, mining and service provision. There is a need for recognition that the major avenue to economic improvement and effective empowerment for Aboriginal people is via active participation in regional development. Successful Aboriginal participation in private sector activity is the primary long-term means to reduce dependence on government and to enhance economic independence.

3.79 The SAG notes that the Northern Territory Department of Asian Relations, Trade and Industry has commissioned an economic study for a wider region between East Alligator River and Fogg Bay. It is important that future economic planning for the Kakadu Region complements this study.

3.80 The SAG recommends that:

- a comprehensive Aboriginal economic development plan that strategically assesses economic options is facilitated urgently by the Northern Land Council on behalf of Aboriginal interests in the Region. There is need for an information mechanism that will highlight the common features of successful models and of commercial failures;
- mechanisms are established to take advantage of regional commercial opportunities where Aboriginal interests hold concessions and/or a competitive edge: for example, in the provision of services within the Park, the development of tourist accommodation and the production and marketing of Aboriginal material culture and art to tourists; and
- the crucial role played by 'royalty' associations as regional vehicles to economic growth is recognised, monitored and supported.

Business development

3.81 One of the economic development avenues available to Aboriginal people in the Region is via business development. This option though is somewhat circumscribed because of the variability and limitations in the educational backgrounds and skills of local people to actively engage in business. Nevertheless, and especially at the organisational level, there have been a number of commercial successes and some failures. At present, Aboriginal interests own, but do not operate, two large hotels, most of the Region's service stations, a tourist facility at the Border Store, art galleries and a cafe; the Djabulukgu Association has been especially successful in its entrepreneurial efforts, given its limited access to capital. However, most of these enterprises employ few local Aboriginal people and have been criticised from some quarters for lack of commercial success (see comments from camp consultations in Crough & Cronin 1997).

3.82 Business development in the Region is important; from the time of the purchase of the Cooinda Lodge by the Gagudju Association in 1980 with Ranger Agreement payments, Aboriginal leaders have seen enterprises as an avenue to regional economic and political empowerment; commercial success is not the sole criterion for assessing these enterprises. Interestingly, most of the businesses owned and operated by Aboriginal organisations are in the tourism and national park sector; there is a view that the Ranger uranium mine should generate more business opportunities for Aboriginal people, a view shared by both Aboriginal people and ERA. In particular, the recent success of the Jawoyn Association as a joint venturer at the Mt Todd gold mine can be contrasted with the lack of direct engagement, at the venture level, at Ranger. This is an area where business development could occur.

3.83 With the possibility of enhanced regional development associated with tourism growth, new mines or expanding the existing Ranger uranium mine, there is a need for regional Aboriginal interests to consider regional business options. However, as in other areas, there is no regional agency to take responsibility for assessing such options, despite the fact that discretionary capital is available and could be used, along with commercial concessions, to draw in joint venture partners from the public sector (for example, the Aboriginal and Torres Strait Islander Commercial Development Corporation) or from the private sector.

3.84 The SAG recommends that:

- **existing Aboriginal royalty associations in the Kakadu Region consider options to jointly establish an Aboriginal Development Corporation to assist in the identification and establishment of businesses;**
- **in assessing the viability of businesses, long-term commercial viability be given precedence over immediate employment or income returns. Options for joint venturing, with appropriate buy-back options, could be considered, and both community and individual businesses need to be facilitated; and**
- **the long-term benefits and costs of establishing Aboriginal businesses be thoroughly communicated through education programs to Aboriginal people in the Region, especially in terms of the potential for inter-generational economic betterment.**

Mining and tourism moneys

3.85 A crucial issue that needs to be addressed in the Region is how royalties and rentals, paid with respect to both mining and tourism, can be most effectively utilised to ensure a robust economic future for the Region's Aboriginal population. These moneys are the crucial source of discretionary investment capital for the Region, generated indirectly via the

utilisation of a non-renewable resource (uranium) or of the sustainable (within limits) environment.

3.86 There is an urgent need to improve the management and use of mining moneys. At the regional level, the key issue is how to utilise these moneys effectively without the waste that can result from regional disputation and without excessive government withdrawal from its legitimate regional expenditures on Aboriginal people as Australian citizens. The issue of regional disagreements has received a degree of counter-productive publicity and needs to be resolved as soon as possible because political instability will result in a poor investment climate (Recommendation 3.26).

3.87 At the organisation level, there is a need to strike the appropriate balance between expenditure and investment, while maintaining an overriding objective of empowering people to manage their own financial future. In the past, the Gagudju Association has skilfully maintained a balance between service delivery, business investment and payment to individual members. This balance of the 1980s, as noted in Chapter 2, quickly became problematic in the 1990s with a reduction in royalty income, enhanced membership expectations and entrenched commitment to make cash payments to individuals. Other organisations elsewhere are now establishing rules and regulations and accountability mechanisms to ensure their corporate success; as noted above, there are lessons here for associations in the Region. Payments to individuals from mining (and park use) may in some circumstances be better utilised if earmarked for community purposes. However, a quid pro quo guarantee from governments should be that rampant substitution will not occur and that resources for the provision of citizenship entitlements will be quarantined.

3.88 The 40/30/30 division of the statutory royalty equivalents incorporated in the *Aboriginal Land Rights (Northern Territory) Act 1976* is of special pertinence to this region because the particularities of the Ranger Agreement that contains limited directly from the mining company to regional Aboriginal interests payments (currently only rental for the Ranger uranium mine at \$200,000 per annum). Most resources (averaging about \$2.5 million per annum since 1980–81) flow to the Region via the ABTA, as determined by the NLC. The determination powers of the land rights legislation does not provide the NLC with unambiguous powers to be involved in royalty association affairs. There is an urgent need to develop mechanisms to ensure that the financial benefits from mining in the Region flow to Aboriginal people of the Region (see Chapter 4).

3.89 In recent years (since 1990–91) significant financial resources have flowed into the Region from the renegotiated lease of land trusts to national park authorities. To date, all these moneys have been paid to traditional owners who are members of the Kakadu Land Trust (Stages 1 and 2 of the Park) and the Gunlom Land Trust (Stage 3 of the Park) via the NLC. Payments to the traditional owners comprise an annual rental and a percentage of revenue (entrance fees, camping fees, etc). In 1996/97, \$196,837 in rent and \$804,071 as revenue share was paid to the Kakadu Land Trust. The Gunlom Land Trust received \$98,000 in rent and \$443,847 as revenue share. There is a complementary need to review how the Park rent and revenue share payments should be utilised to ensure some consistency with the accountability required of financial flows from mining activity on Aboriginal land.

3.90 The SAG recommends that:

- a narrow definition of 'area affected' for the Ranger Mine is inappropriate and should be reviewed immediately by the Northern Land Council. The parameters of

the KRSIS indicate that the 'area affected' is at least as wide as Kakadu National Park Stages 1 and 2;

- in considering the definition of 'area affected', recognise that the parliamentary intent explicitly aims to ensure that 'area affected' moneys (statutory royalty equivalents) are widely available to and for the benefit of traditional owners and residents of areas affected. 'Area affected' moneys are not earmarked exclusively for the traditional owners of a mine area;
- recognition is given to the special interests of the traditional owners of a mine area. In particular the traditional owners should have primacy over decision-making that may impact on their land, while recognising that this is different to decisions on 'area affected' moneys which are directed to the whole community. Recognition of the special interests of the traditional owners may also extend to negotiated payments such as rentals being earmarked for the traditional owners of a mining area. Mechanisms should be introduced to ensure good planning and management of the land while supporting the primacy of the traditional owners (such as arrangements which allow delegations of functions);
- mechanisms are developed to stabilise the incomes of Aboriginal organisations in areas affected, especially when such income is used for commercial purposes;
- the inequity of the royalty distribution arrangements in the Ranger Agreement be addressed as a matter of urgency; existing potential inequities in any extension of the Ranger Agreement beyond the year 2000 and in the Pancontinental Agreement, if Jabiluka proceeds, should be rectified;
- consideration be given to addressing the intended purposes of making 'areas affected' payments. In particular attention needs to be given to whether such moneys should be applied to community purposes or to individuals; whether the existing 40/30/30 formula is equitable given different financial provisions in other post-land rights mining agreements; how area affected should be defined; and how existing mechanisms to reduce disputation of mining monies need to be improved;
- the Northern Land Council assess the application of moneys paid for the lease of Kakadu National Park by Parks Australia North. Traditional owners, through the Northern Land Council should be encouraged to consider community benefit in the use of funds; and
- that an ongoing education program is instigated to address awareness and understanding by Aboriginal people of economic flows in the Region, including information about financial strategies at the individual and family level.

Funding substitution

3.91 Funding substitution is an item of unfinished business from the SAG which was raised by the APC in the early part of the study. There is no quantitative evidence available, but enough anecdotal evidence for the SAG to accept the reality and the importance of this issue.

3.92 There has been substitution of social welfare and service money by moneys derived from mining and tourism. This process is inadvertent and insidious, but the net result is that local Aboriginal people have not benefited to the extent they should have from development in the Kakadu Region.

3.93 The following is a brief explanation: service provision, housing, and infrastructure come from a limited pool provided through government agencies or mechanisms. Inevitably these agencies or mechanisms apply tests for priority based on need. In simple terms, money or services go proportionally or in priority to where the need is greatest or where people are

poorest. This is appropriate. However, with either actuality or perception of income and facilities from mining and tourism, the Kakadu Region may fall down the priority list. A further complication is that there are services and facilities within the Region available at Jabiru, and again, a regional test based on need would disfavour the Kakadu Region. However, Jabiru was designed as, and largely operates as, a town for non-Aboriginal people.

3.94 The net result is that local people are not much better off, despite the extra money from mining and tourism. In effect, in the Kakadu Region, mining and tourism incomes are sometimes substituted for government money. It appears unintentional, and may well be relevant in other societies so heavily dependent on welfare where new developments are proposed. The objective of governments and developers is clearly to optimise the benefits of development to local communities. There is apparently sufficient degree of substitution of benefits to subvert this objective.

3.95 The SAG recommends that:

- **the governments ensure there is further investigation of the issue of funding substitution, and action is taken if appropriate.**