

[PROOF]



COMMONWEALTH OF AUSTRALIA

SENATE

SELECT COMMITTEE ON URANIUM MINING AND MILLING

Reference: Uranium, mining and milling

JABIRU

Thursday, 5 September 1996

PROOF HANSARD REPORT

CONDITIONS OF DISTRIBUTION

This is an uncorrected proof of evidence taken before the Committee and it is made available under the condition that it is recognised as such.

CANBERRA

SENATE
SELECT COMMITTEE ON URANIUM MINING AND MILLING

Members:

Senator Chapman (Chair)
Senator Margetts (Deputy Chair)

Senator Bell	Senator Reynolds
Senator Ferguson	Senator Wheelwright
Senator Sandy Macdonald	

Matters referred for inquiry into and report on:

The environmental impact, health and safety and other implications and effectiveness of security agreements in relation to the mining, milling and export of Australian uranium.

In considering these terms of reference the Committee is to take into account, and where necessary report on, the following issues:

- (a) The environmental impact of uranium mining and milling in Australia and the effectiveness of environmental protection and monitoring in relation to existing and previous Australian uranium mining operations.
- (b) The role of the Office of the Supervising Scientist in monitoring Australian uranium mining and milling activities;
- (c) The health and safety implications of uranium mining and milling for workers at mining and milling sites and mining operations;
- (d) The health, safety and other effects of uranium mining and milling on communities adjacent to mine and mill sites and communities on existing or planned transport routes for uranium ore and uranium waste;
- (e) The effectiveness of Australia's bilateral agreements with countries importing Australian uranium in ensuring that Australian-sourced uranium is not used in military nuclear technology or nuclear weapons testing activities; and
- (f) The volume and location of Australian-obligated plutonium currently in existence in the international nuclear fuel cycle (produced as a result of the use of Australian uranium) in what form it exists (for example, separated or in spent nuclear fuel) and its intended end use.

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WITNESSES

ALDERSON, Ms Jessie Veronica, Chairperson, Gagudju Association, Jabiru, Northern Territory 0886	538
ALDERSON, Mr Mick, Gagudju Association, PO Box 38321, Winnellie, Northern Territory 0821	538
GRANVILLE-EDGE, Mr Spencer, Field Officer, Gagudju Association, PO Box 38321, Winnellie, Northern Territory 0821	538
JENVEY, Mr Wayne, Solicitor/Legal Representative, Gagudju Association, 1 Flinders Drive, Jabiru, Northern Territory 0886	538
LECH, Ms Gail, Executive Officer, Gagudju Association, PO Box 38321, Winnellie, Northern Territory 0821	538
MUIR, Ms Annette Joyce, Committee Director, Gagudju Association, Govern- ment Building Block, Jabiru, Northern Territory 0886	538
SWAAGMAN, Mr Dean, Operations Manager, Gagudju Association, PO Box 38321, Winnellie, Northern Territory 0821	538

SENATE
SELECT COMMITTEE ON URANIUM MINING AND MILLING

JABIRU

Thursday, 5 September 1996

Present

Senator Chapman (Chair)

Senator Bishop

Senator Margetts

Senator Sandy Macdonald

The committee met at 10.20 a.m.

Senator Chapman took the chair.

ALDERSON, Ms Jessie Veronica, Chairperson, Gagudju Association, Jabiru, Northern Territory 0886

ALDERSON, Mr Mick, Gagudju Association, PO Box 38321, Winnellie, Northern Territory 0821

GRANVILLE-EDGE, Mr Spencer, Field Officer, Gagudju Association, PO Box 38321, Winnellie, Northern Territory 0821

JENVEY, Mr Wayne, Solicitor/Legal Representative, Gagudju Association, 1 Flinders Drive, Jabiru, Northern Territory 0886

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SWAAGMAN, Mr Dean, Operations Manager, Gagudju Association, PO Box 38321, Winnellie, Northern Territory 0821

CHAIR—I declare open this Senate select hearing on uranium mining and milling. As you may be aware, the committee prefers that all evidence be given in public, but if at any time you want to give any of your evidence or answers to questions in camera the committee will consider such a request. We have before us your submission.

Is it the wish of the committee that the document be incorporated in the transcript of evidence? There being no objection, it is so ordered.

The document read as follows -

CHAIR—Would you like to make an opening statement?

Mr Jenvey—Yes. Mr Chairman and members of the committee, thank you for the opportunity for the hearing this morning. By way of background, I would like to tell you what the Gagudju Association is and some of its history. It was formed in about 1980. It was set up by the Northern Land Council at that time for the prime purpose of receiving royalty equivalent moneys and other moneys derived from the Ranger uranium mine.

Its functions today can broadly be classified into two areas: commercial and non-commercial. In terms of the commercial aspects of the association, I understand that the committee has viewed some of its enterprises ranging from the Gagudju Crocodile Hotel, the Mobil Service Station at Jabiru and the screen printing business, Daluk Daluk. There are a number of other smaller enterprises as well such as the tourism facility at Coinda and Yellow Waters. In terms of the non-commercial operations of the association, they are quite diverse. They range from provision of services in health, transport, education and other administrative services including the distribution of the unemployment benefits in the regional community.

The formal submission which is being lodged with the committee outlines that the association is both directly and indirectly dependent upon royalty equivalent moneys derived from Ranger Mine. For in excess of 15 years, it was the sole recipient of those moneys. Particularly, the non-commercial operations of the association are dependent upon the royalty income stream, as it is sometimes commonly referred. In late August 1994, certain disputes arose with the Northern Land Council and, for a period of approximately 18 months, a freeze in effect was put on those royalties from being paid to the association.

Many of the salient features of Gagudju's submissions are contained in the summary on page 26 of its submission. To give an indication of the representative capacity of the association, I would like to table map 16 from the Fox report. I will do so now.

CHAIR—Thank you.

Mr Jenvey—Map 16 depicts three of the uranium mines or proposed uranium mines: Jabiluka, Ranger and Koongarra. Around each of the mines you will see the names of a number of Aboriginal clans. Many of the Aboriginal representatives you have at the meeting today are members of the Murrumburr clan, which is just left of the centre of the map.

The map has some significance when attempting to explain the interrelationship between the clans in the region. Each of the clans mentioned on the map have members in the Gagudju Association. The association, in effect, is representative of traditional owners of the areas within Kakadu National Park.

One of the points made in the submission by Gagudju is a concern as to the representative capacity of the Northern Land Council in the region. On Monday this week, 2 September, an informal hearing of this committee was held in the Jabiru region and some concerns were raised as to the manner in which the meeting was called and publicised. One of the things that is absent from the Aboriginal Land Rights Act is any clear guideline, protocol or procedure which a statutory instrumentality has to go by to convene such a meeting of Aboriginal persons.

Having a rigid guideline for the convening of such meetings is probably a very difficult exercise to undertake, but if Aboriginal voices are to be heard on issues such as mining activities in the Kakadu region it is a reasonable expectation that a broad range of persons in the Kakadu region should be heard. That cannot occur unless procedures are adopted to ensure representation by such persons at meetings where issues of mining are raised.

The land rights act establishes the Northern Land Council as a statutory intermediary between Aboriginal persons, in this instance in the Kakadu region, and mining companies, the government and other interested parties. In doing so, it provides a number of wide discretions to the land council, and in the last 24 months questions have been raised as to the manner in which those discretions are exercised. In particular, section 35(2) of the act provides a discretion to the land council to determine which Aboriginal associations are entitled to receive proportions or all of the royalty equivalent moneys from the Ranger project area.

As previously indicated, Gagudju has received those royalty moneys for a period in excess of 15 years prior to certain disputes arising. On the exercise of the discretion of the NLC in the midst of that dispute, the royalty equivalent moneys were effectively frozen. In the midst of that dispute it became apparent that there is little accountability of the land councils to royalty receiving associations. In particular, the land council is exempt from any request made pursuant to the freedom of information legislation. There is a particular aspect of that exemption which has relevance.

Prior to 1987, the land council was obliged to keep a register of traditional owners in the area. Subsequent to an amendment of the land rights act, that obligation again became somewhat of a discretion, or an option, to the land council. So, when trying to ascertain whether the land council had convened meetings of Aboriginal persons and notified appropriate traditional owners and things of this nature, it became difficult to ascertain the manner in which those meetings had been convened, who had been invited to attend those meetings and the information divulged at those meetings due to the exempt status of the land council.

Likewise, Aboriginal bodies which are entitled to receive mining royalty equivalent moneys are granted exemption under the freedom of information legislation. However, at the instigation of the Northern Land Council, a review of the Gagudju Association was

undertaken at the time the dispute was current between the land council and the Gagudju Association and at the time royalties had ceased to be paid. In fact, one of the very reasons royalties were not paid by the land council to the association was the association's opposition to the review. The point being made there is that the FOI exemption seems to work in one way—that is, in favour of the land council, not in favour of the association.

Without going too much further into the technicalities of the dispute, which can be the subject of a supplementary paper or chronology for the committee, I will endeavour to hand over to Michael and Jessie Alderson for them to express their views on the current status of the relationship between the land council and the association and the effectiveness of certain aspects of the land rights act as it works in the region.

Mr Alderson—Like Wayne was saying in the earlier part, essentially royalty was cut out. We used to look after services, but when the money stopped the services stopped at the same time. People living on the out-stations started screaming and we said, 'You can't blame the Gagudju Association because we have no money. Blame the NLC because they are stopping our money, the royalties we used to receive to service the out-stations.' Of course, up to the last six or seven months we still have not received any royalty money. When the royalty starts coming to the association, the services will kick up again or will pick up.

What we are trying to achieve here is self-determination, but what we have here with the NLC is obstruction, them stopping us doing what we want to do with the people. With the way the NLC is operating here they are not looking after their people, they are making trouble with the people. They are making people fight one another. The black fella way is it is not right for us to be fighting one another. Once you get a body like the NLC they manipulate people and go around talking to other people and making the families fight together, which is the wrong thing to do.

Like I said before, we have had obstruction with the NLC. We cannot go past them to try to achieve what we are trying to achieve for the future of our people. If we can go past the NLC, we will try to do something for the people in this area, but you cannot do it if the NLC is setting up association after association. There are three associations in the same area representing the same people. It is just not on.

Ms Muir—It is ridiculous. There should be one association for all the members. Instead of creating all those associations, there should be just one because most of the members are from the other associations anyway. It should have just been one. That is where that has caused a lot of division.

I have been a council member for five years now. At the moment I am a proxy, the member lives at Oenpelli. Being on the council I have seen a lot of good things, maybe a few good things, and I have seen quite a lot of bad things. As far as I am concerned, it is a male dominated council. For Aboriginal women such as myself we have

our own issues that are our concerns. It is probably not the right place there at that council to talk about women's issues. Now it is time.

NLC is practically always there with mining negotiations, whatever it may be. They are always there. To put it bluntly, they are not more or less there for the people. Whatever negotiations they are dealing with, they are making sure that they have to get something out of it as well for themselves. Look at us now, we only receive 30 per cent from this mine. It is just not right. ABTA receives 40 per cent. NLC receives 30 per cent. Gagudju Association receives 30 per cent. It is really not good enough.

During this dispute, another association was set up and that is when it froze the money. It just made it so hard on the people. We had these services going and once that money froze straightaway you could see the effect on the people, the division. It was just so sad to see. The issues with education and health started to show—children not attending school and health problems getting slightly worse.

I mentioned alcoholism the other day at the meeting by the lake. They are all effects from the mine. I know we ourselves want to see some changes. Alcoholism is a major concern, as well as education. We have millions of dollars of assets now and children are coming out of that school. The average age for school leavers here is 12 years old. It is no joke. It is bad. There is no encouragement from the school, no incentive. Alcohol is a part of it—sleepless nights, kids too tired to go to school and things like that.

I see a problem in the future for the Gagudju people because our children are not being educated. Once this generation is gone, who is going to be running our so-called assets? It is still going to be white people advising us. In the end, as much as we always have our white people to advise us, we ourselves in our own hearts like to make our own decisions. Of course, we cannot do that with the NLC sticking their bibs in everywhere. But education is another problem here in the town.

Ms Alderson—What can I say about the NLC? I think somehow the biggest stumbling block out here is they say we cannot do the things we want to do for some reason or other. The NLC sort of help certain Aboriginal people. They sort of take sides. I thought the NLC was set up to help all Aboriginal people, but going back over the last 18 months you just did not know where you stood with the NLC. The association did not know where the hell we were going and we did not know what the NLC was going to do to us.

Ms Muir—They just about took us down. We have just been fighting so hard working things out. That is where we had to start cutting off services. Cutting the services to the out-stations here was one of the hardest decisions of our lives because having these services provided was something we were all used to now. If that money does not come from the royalty equivalents, I do not know whose responsibility it should be because we certainly do need help.

Ms Alderson—At the time when we were having problems with the NLC I had the feeling they were there to break us. I think everyone here would agree about that time because we found it so hard. It is probably why you find the sort of animosity or disdain right there, but in the last few months we have sort of cooled down a bit and are talking with the NLC.

Ms Muir—We are actually starting to trust them.

Ms Alderson—Yes, starting to trust them again, but it is only the start now.

Ms Muir—The two Christos who spoke at the meeting on Tuesday made some very good points. It is unfortunate to say, but they said a few facts concerning the chairman of the Northern Land Council which were very true. We all understand how that water release was to their people. He gave us a couple of good scenarios where if they dump the rubbish in your own backyard of course you are going to kick up a stink about it. They were fighting for their rights. The NLC is supposed to be the body that is supposed to do the right thing by the people. It is really not happening anymore.

Ms Alderson—They are supposed to take in the interests of all Aboriginal people, but then again you find out the NLC is only there for their own interests, for their own benefit. It does not matter about the Aboriginal people out here.

CHAIR—In that particular instance, could it be that the NLC is making a judgment on the basis of access to information which it has—in particular, scientific information—whereas, someone like Christo is just relying on a perception or a feeling?

Ms Muir—Yes, but I thought they mentioned that the ERISS report did not say to either release or not release the water. So, more or less, they were saying, ‘We’d better just release the water and hope for the best.’

CHAIR—No, I think the information—certainly the information we have been given—indicates that the water is quite safe. My question is: is the NLC therefore, in making its judgment, relying on that information, whereas someone like Christo does not have that information; he is just relying on a perception, a vague notion or a fear—which may well be valid but coming from a different perspective?

Ms Muir—I feel for them in my heart in the long run. Having this water put in now may not make a difference now. But I do not know. My own opinion is that, in the long run, there may be slow effects. That is just my own opinion.

CHAIR—What do you base that opinion on?

Ms Muir—Concern for country; it is as simple as that.

CHAIR—But no scientific assessment.

Ms Muir—No, nothing else. I am more concerned about country than anything else.

Senator MARGETTS—From your experience, what do you think will be the outcome of Monday's statement? Will it change things, do you think?

Ms Muir—Like we said the other day, I think we have been talking environmental impact studies for a while, but we have not seen anything happen.

Senator MARGETTS—I meant the Christos' presentation on Tuesday, I am sorry. What will be the impact of that?

Ms Muir—I think a lot of people will be out there in the communities agreeing with them.

Senator MARGETTS—Do you think it will help build some sort of better relationship, or will it damage the relationship; what do you think?

Ms Muir—With the NLC?

Senator MARGETTS—Yes.

Ms Muir—I am sorry, I do not know what you mean.

Senator MARGETTS—If people were unwilling to speak on that issue publicly up until now, will the statements on Tuesday be the first step for building a better relationship with the NLC?

Ms Muir—I do not know. I do not think people will change their attitudes about the NLC.

Senator MARGETTS—In your estimation, will the NLC have the ability to make any changes to their own way of dealing as a result of that?

Ms Muir—They say we are doing the strategic plan within the council now. Apparently, that is supposed to take all the power back to the people in their regions. But how long will it be before that happens? It is a really slow process. It might just take quite a while. It could be three to five years before you even see anything happening.

Senator MARGETTS—If you were able to do things the way you wanted to do things, what would you like to be able to achieve with the royalties?

Ms Muir—For one, bring the services back.

Mr Alderson—Probably try to achieve better housing for the people on the out-stations, better water supply—all that sort of thing—much better services than we are doing at the moment. We achieved what we were aiming to do in the early days. We have had this hotel built, and of course we have Cooina. It is time now to go back to the people and give them better facilities, make their lives much better.

Senator MARGETTS—Do you have a plan for this next stage that you would like to propose?

Ms Muir—Yes, we have someone currently doing a strategic plan. It is very constructive, actually.

Senator MARGETTS—There has also been a lot of talk about appropriate education—education that the kids would want to go to and that the community would support. How would you see your role in that system?

Ms Alderson—I am sorry; what do you mean?

Senator MARGETTS—We have heard of low retention levels for schools here with the Aboriginal kids. Can you say what you think should happen with the schools to make them more appropriate or involve the community more?

Ms Muir—We had a school set up down near Yellow Waters, and attendance was from directly around there. Our own children and I myself attended. That was really good. We had a high attendance all the time. But I reckon it all boils down to having people that the children themselves are comfortable with.

Senator MARGETTS—What happened to the Yellow Waters school? Is that still there?

Ms Alderson—The building is still there. But the kids grew up and Jabiru, being a big town, they wanted to try there. Our numbers went down, and the school had to close down when it got to certain numbers.

Senator BISHOP—Was that a school provided by the Northern Territory government?

Ms Alderson—Yes.

Senator BISHOP—And they had white teachers?

Ms Alderson—Yes.

Senator BISHOP—So it was a standard school on the out-station.

Ms Muir—Yes, but Mrs Alderson was the assistant teacher as well.

Ms Alderson—I was working there at the time. As I said, the kids had grown up a bit more and it is a big thing to go to Jabiru school, so they decided to all come here. Then the school closed down because there were not enough kids.

Mr Alderson—Here in Jabiru, if they had an Aboriginal teacher, the Aboriginal kids would probably attend the school more. At the moment, it is a mixed school, and some of the Aboriginal kids do not go there because they are being taught English all the time. They are not teaching them the Aboriginal language at the same time.

Ms Muir—At the moment, our children are being taught Indonesian.

Ms Alderson—And it does not make sense.

Mr Alderson—Why should our kids be taught Japanese or Indonesian when they could be taught Aboriginal language at the same time? If that was taught, we would probably have better communication.

Senator MARGETTS—Would you prefer a number of smaller schools at out-stations?

Mr Alderson—No.

Senator MARGETTS—You want the one community school?

Mr Alderson—That is what we had before at that time, yes.

Ms Alderson—What was that?

Senator MARGETTS—I asked whether it would be better to have a number of schools rather than one community school.

Ms Muir—I think so.

Mr Alderson—No, it is pretty hard to—

Ms Muir—I talk regularly to some of the school children; I manage the screen-printing and I have some of the work experience kids. From some of their feedback—and this is my perception as well—because of the social and cultural problems out there on the out-stations, when children do attend, they are so far behind, and who wants to spend that little bit of extra time with those Aboriginal children? They are just so far behind, the

teachers just get tired of it. Those children really do need extra time, a lot more time to sit there and go through slowly whatever it may be—English, maths. But, yes, our children do need a clear and close liaison with them to be themselves.

Senator MARGETTS—Has there been communication with the Northern Territory Education Department on that issue? Has the association been in contact with the Northern Territory Education Department to assist?

Ms Muir—I do not think so.

Ms Alderson—To assist?

Senator MARGETTS—To assist in providing an appropriate school that the kids will go to.

Ms Muir—Maybe it is time we should.

Ms Alderson—I think, at the time we closed down at Cannon Hill, the Northern Territory government did not want to know any more about it. So I do not think so; perhaps not. We sort of never started to think that way about whether we could start up a school again.

Mr Alderson—And you have to have a certain number of kids—10 or 20.

Ms Alderson—Twelve, I think it was.

Mr Alderson—You have to have the money too. I just go back to the achievement we are trying to achieve here. Like I said before, we have the motel here. You see, the mining is not going to last long and, by putting up assets like the motels we have here, they are for the future. That will not be for me but for the kids. The NLC, they are stopping us from doing this sort of thing. They determine whether to give you the money or whether not to give you the money.

CHAIR—Do you think they should be abolished and that you should just have the local groups; that you should not have the NLC at all?

Mr Alderson—Right. They did their bit by getting the land back. They should be gone now—totally gone.

Ms Alderson—I agree with that. I think the NLC should just only win lands back for the people, and let the people do whatever they want to do on those lands, their own lands.

Senator BISHOP—I want to pursue your business development. I have noticed

very few Aboriginal persons working in the hotel or the service station, yet you have owned those businesses for almost 20 years.

Mr Alderson—Is that good or bad?

Senator BISHOP—I do not quarrel with the fact that you made an investment decision to build up enterprises. But a number of people have raised with us that there are very few employment opportunities for Aboriginal persons in the immediate area. There does not appear to be any training for younger people or older people to give them skills and income, and all of those things. Do you see that as an appropriate path?

Ms Muir—Did you say there were not enough employment opportunities?

Senator BISHOP—A number of people have said to us that there are not—

Ms Muir—That is ridiculous. I am saying that because we have this hotel; I have the screen-printing; we have a contracting company; we have Border Store; we have a retail outlet out there. They are only a few. There is housing, building. It all boils down probably to social problems.

Ms Alderson—Yes, but then go back to education. Here, right now, in the last three or four years, could it be that our children are leaving school early at maybe 12, 13 years old? They leave school and there is no higher education, no follow-up for those kids to get employment. If you have no education, you more or less have no—

CHAIR—You are saying that, because of the lack of education, they are not equipped to work in a business such as this or the others?

Mr Alderson—No, that is wrong. Down in Cooina we tried to train two people for 12 months or more. But they just did not like that activity, especially the one we had to try to train up to do the boat tours and talk to the number of people that were there—probably 40 people. They are just not used to that environment—talking to a lot of people.

Senator BISHOP—Are you really saying that a lot of the Aboriginal people would not want to work in the hotel?

Ms Muir—One of our major TOs works here. I have employed five trainees this year; they have all dropped out. I do not know; it is just so hard.

Mr Alderson—We try hard to put those people on.

Ms Muir—We do.

Mr Alderson—So what we are doing now is trying to wait for the next generation

to come up and train them up.

Ms Muir—And do not forget the home life of the children. They go home, mum and dad are probably drunk and, therefore, that is the way of life now. ‘Mum and dad are drunk. I’ll go and start sipping a few cans and soon be drunk myself. Who cares?’

Mr Alderson—We have tried for the last 10 years to achieve putting Aboriginal faces behind counters. It just does not work. We have too many young fellows coming up who do not know what work is; all they know is how to drink. That is the main problem. We are not blaming the mining company for giving us the money, the royalties. The amount of royalties we are given is \$2,000 every 12 months.

CHAIR—That is what the individuals are given?

Mr Alderson—Yes, but it is what they are given in between—the UB. That should be stopped.

CHAIR—I was going to raise that issue. It has been suggested that the distribution of the mining royalties bear a major responsibility for the alcohol problem. Others have said, ‘Well, hang on, this distribution only occurs four times a year; it’s the welfare they are getting every two weeks and then they go on a drinking binge every fortnight.’

Mr Alderson—It is the dole money which goes on fortnight to fortnight.

CHAIR—So you think that is actually what is wrong?

Mr Alderson—It should be withdrawn, especially the UB.

CHAIR—Should it be given in some other way?

Mr Alderson—Well, there is work here; there are jobs here.

Ms Muir—Well, aren’t they slowly starting to introduce the requirement to work? Isn’t it that, if they want the dole, they have to work? It is slowly being introduced.

Ms Alderson—Yes, it is slowly being introduced now. But unemployment is a killer for a lot of young people out here. They just do not want to work. They want to just get their money each fortnight, and that is all. That is all they look forward to. They do not intend to work as long as they have this money.

CHAIR—They do not intend to work?

Ms Alderson—No, they have no intention of working.

Mr Alderson—They say, ‘I sit here and I’m getting paid for it.’ You hear that every day. ‘Who are you working for?’ ‘John Howard.’ That is the sort of thing you get. Before, it was ‘I’m working for Paul Keating.’ That is the sort of attitude you get.

Senator MARGETTS—Are there any plans in the management of, say, this hotel to have a training program to attract younger people?

Mr Alderson—I am sorry, I have lost the question.

Senator MARGETTS—Is there anything in the contract with the management of the hotel to set up a training program?

Ms Muir—Yes, there is.

Ms Lech—We have tried to have a number of trainees. Just this year, we have had 10 trainees going. Out of those trainees, we have one who is still working. The courses are there, but we cannot get the people to stay in them.

Senator MARGETTS—Who is providing the courses?

Ms Lech—TAFE, DEET and the hotels provide them. There are quite a few training programs that are available. But, unfortunately, the Aborigines do not want to get into the work force. They come out of school. They get into the social aspects of what happens within Jabiru. You try to encourage them to participate in the courses. It goes along for about three to four weeks, and then they just do not come. You follow through to find out why they will not attend, but you just cannot seem to get the feedback.

There are a number of problems they have with living in the communities—parents, and so forth. It makes it very hard from the association’s point of view in that they may stay in the course for, say, eight or nine weeks, and they can then go and tap back into social security. The government, or whoever, is not enforcing the breaching laws to try to help us out here so that we can get them back into the work force.

So there are a number of training programs available to the people if they want them. It is just as I say: in the 12 months we have had 10 trainees, and now we only have one. Just in another program, there was one trainee left out of five.

Senator MARGETTS—Do they mention what their problems are?

Ms Lech—One problem is probably coming to work on time. They seem to find it hard to get to work on time. They just do not seem to understand that you have a starting and finishing point that you have to work with. It just comes back to the social problems, mainly.

CHAIR—In relation to the various plans with the traditional owners, and so on, you said this morning that one group here are the Murrumburr people.

Mr Alderson—No, we just said that there were Murrumburr people in the committee. The main group you will find there is Mirarr Gundjeibmi.

CHAIR—But they are not here at the meeting?

Mr Alderson—No.

Ms Alderson—They probably had a meeting with you yesterday.

Ms Muir—They are the mob that have set up the new association—

CHAIR—The Mirarr?

Ms Muir—to receive that royalty, and the association is called Gundjeibmi.

CHAIR—I am just trying to get an understanding of how everyone interrelates. Looking at Murrumburr, that seems to be a reasonable distance away from Ranger and Jabiluka, and so on. Mirarr is sort of right on the top of it. Wardjag seems pretty close. Djamgolor seems pretty close, and so does Kodjkarndi. They seem to be the ones that are right on top of the mine, or the respective mines.

Mr Jenvey—I think perhaps you need to appreciate the historical relationship between the claims.

CHAIR—That is what I am trying to do now.

Mr Jenvey—A couple of lines on a map does not mean a lot to traditional values.

Senator MARGETTS—These are language groups, are they?

Mr Jenvey—That is right. There are historical relationships and responsibilities between various of the clans for each other's traditionally recognised areas—hence, the formation of the Gagudju Association. It is there to represent that traditional relationship of commonality or unity between those clans. When you talk about the sensitive issues of environmental degradation from mining activities in the region, one thing that seems to have been apparent over the last week is the common point of the cultural degradation in the region through social reasons, or whatever.

This is one thing that the association would like to emphasise to the committee: if you could conceptualise the cultural aspects of the environment, you can hear and understand their views; just as you look at that map and identify an immediate area around

the mining sites, you have to take into account the adjacent areas and the further adjacent areas. The way that is best done obviously is with the assistance of anthropological evidence, from our point of view, or with the assistance of the persons who are here today.

But, for the association to be properly representative of all those clans, there is a need for unity and consistency in the relationship between each of the clans that are represented by the association. I think that one of the points being made is that, when there is disunity amongst the clans—and some blame may be attributed to the NLC because of that—there are aspects of cultural degradation which will occur.

Senator BISHOP—What does that mean?

Mr Jenvey—It was raised by Senator Chapman that there is only representation by one clan here today; why is that? One of the points that can be raised is that there is a strain in relationships between certain clans which has arisen over the last 24 months. It is also true to say that that strain is being diminished by the day in that the relationships are rebonding.

Senator BISHOP—Is that yesterday's disagreement? I mean, is it now passing into time?

Mr Jenvey—Yes.

Senator BISHOP—It should not have any great significance in the future—this disagreement on the distribution of the royalties? In other words, the disagreement with the sisters over the distribution of the royalties: is that now resolved and almost finished?

Ms Alderson—Yes—yes and no. We are starting to get friendly; put it that way.

Senator BISHOP—So you are rebuilding, moving back to unity between the clans.

Ms Alderson—Trying to.

Mr Jenvey—That is the direction being taken, yes. The point that I was making is that part of the culture is the unity amongst these clans. When there is a break in that unity, there is a break in the culture.

Senator MARGETTS—We are here to look at the social impacts of uranium mining but also obviously the environmental impacts. What kind of message would you like to give the committee as to how the Commonwealth can assist in limiting the social impacts of uranium mining in this area?

Mr Alderson—I have been talking about the mines around here, Koongarra. I am

not talking about others. If ever it goes ahead, then we will work on the social behaviour of alcohol in the area; we will probably ban alcohol in that area. That is the only problem we have here. The social problem here is the alcohol down here at the club.

Somehow, if one of the associations grabs hold of the club down here, then we will put restrictions on it, like with the two hotels we have here. But at the moment, we are not controlling them. You can get as many cartons as you want down there. That is the only social problem we have. The mining itself—well, you would not say that it causes the social problem; it is the club.

Senator MARGETTS—How do you feel about the potential increase in population in Jabiru?

Mr Alderson—Wait a moment, I will just get back to this thing. Ninety per cent of the people living in Jabiru do not even go to the club.

Senator MARGETTS—The club is owned by the mining company but leased by a private lessee?

Mr Alderson—Yes. The only people who support that club are the Jabiru people. I do not know whether you are aware of that. European families do not even go there; they have the golf club.

Mr Jenvey—An example of one of the frustrations that the association has been under with the liquor issue is the policy that Michael was speaking about—and that is the restrictions on alcohol to members. That policy has been the subject of a racial discrimination complaint. You have, on the one hand, an association trying to achieve a purpose which is being frustrated by legislation working against it. There is the need for a balance there.

Senator MARGETTS—If there are restrictions on take-away grog at that club, should there be the same restrictions on amounts for everybody, across the board, across the town?

Mr Alderson—I do not know how you would handle it. What are you talking about?

Senator MARGETTS—Would you be in favour of there being an exemption sought on the RDA, the Racial Discrimination Act, and that that exemption apply only to Aboriginal people; or would you want to see that exemption apply to all people here?

Ms Muir—It is probably going to have to apply to everybody because there is going to be racial discrimination thrown back in our face.

Ms Alderson—Yes, that is what the township of Jabiru would say.

Senator BISHOP—So you would make the whole town dry for Europeans as well as Aboriginal?

Ms Muir—Yes, well, they are going to be able to drink as much as they want.

Mr Alderson—We could limit them.

Senator MARGETTS—Limit the amount that anyone can take away at one time?

Mr Alderson—Yes.

Ms Muir—Yes, take-away sales only. I mean, they could sit there and drink all they wanted to.

Senator MARGETTS—It has been argued that people could still bring it in from elsewhere.

Mr Alderson—The other thing, the way I see it: where the club is situated, you have only got 10 feet to go and there is the town camp. It is too close. One of them has to go.

CHAIR—The club or the camp have to go?

Mr Alderson—Yes.

Mr Jenvey—There are restrictions on grog in Oenpelli, for example. From what I am told, those restrictions seem to work to some effect. One of the difficulties that also occurs, however, is that, while there are restrictions in Oenpelli, there is no restriction in Jabiru. So there is that transgression.

CHAIR—What is your general attitude to further expansion of the mining of Jabiluka, the Koongarra deposit? Are you happy for it to go ahead, are you absolutely opposed to its going ahead, are you sympathetic to its going ahead provided there are certain conditions in terms of the social issues and in terms of the way the royalties are distributed? Can you tell me what your attitude is to that?

Mr Alderson—I am not talking about Jabiluka or any other mine except down to the south, Koongarra, because it is in my area. I reckon the mining there should start because it will bring benefit to the people. In having that, we will get better housing for the people and schooling for the kids.

CHAIR—If it goes ahead, should all the royalties go to an organisation or should

some of it go to an organisation and some of it go to the individuals the way it does here?

Ms Alderson—It should go to an organisation.

CHAIR—None of it be distributed to individuals?

Ms Muir—The organisation can take care of distributing.

CHAIR—Principally use it for investment and education—for broad benefits?

Mr Alderson—Yes. It goes to the government, it goes to ABTA and then it comes back to the NLC and the NLC holds the money for six months. The NLC holds it back all the time. Why can it not go to the ABTA and just come direct to an association?

CHAIR—Do you believe any percentage of it should go to the NLC or none of it?

Mr Alderson—None.

CHAIR—It should all come to the local people?

Mr Alderson—It should come back to the locals.

Senator MARGETTS—At least, for whatever viewpoints people have about whether or not they carry out that function the way they are meant to, there is a viewpoint that there is a statutory obligation on the Northern Land Council to take in the views of all traditional owners. I am being a devil's advocate here. If the royalties were all to go to your organisation, you do not have that same statutory obligation to make decisions based on the views of all traditional owners?

Mr Alderson—The land rights act is not protecting the Aboriginal people; it is protecting the NLC.

Senator MARGETTS—I understand there are concerns about the NLC.

Mr Alderson—We are concerned about the land rights act. It should be changed.

Mr Jenvey—Section 23 covers the aspect of obtaining consent.

Senator MARGETTS—If, say, there is a dispute between traditional owners about whether mines should go ahead, or whether some aspect of the mine or water release should go ahead, and if theoretically the decisions were left to the Gagudju Association or any one association, surely they would also need a statutory requirement to take into consideration the views of all traditional owners.

Mr Alderson—They will just withhold the royalty money until the problem gets sorted out like the NLC has been doing.

Senator MARGETTS—I am trying to work this through because if you suggest that the NLC has ceased its useful role, and for whatever people's belief about the way the NLC operates, they do have that statutory obligation. Somebody could challenge them if they do not take into consideration the views of the traditional owners, but of course you are challenging them as well in other ways. How could you organise a decision making body which is required to take into consideration the views of all traditional owners?

Ms Muir—It is not even doing simply that.

Senator MARGETTS—I realise that, but at least there is a basis for complaining about it.

Mr Jenvey—If you had another body other than the NLC, could you see its job still being discriminatory, just elevating the status of other bodies? Is that what you are saying?

Mr Alderson—Yes, it would all be the same.

Senator MARGETTS—What is the basis of this organisation? How are people elected and how often do elections take place?

Mr Jenvey—The annual general meeting is once a year. At the annual general meeting, persons are nominated to take a representative position on the committee of the association. The association was established pursuant to the Associations Incorporations Act in the Northern Territory. It is governed by that legislation.

Senator MARGETTS—So there is an election every year?

Ms Lech—The association is made up of a committee of 12. At the AGM, half of that committee steps down and the other half are re-elected. The association has been made up of probably five traditional owners that sat on that committee until the dispute arose with the Northern Land Council. The committee is basically made up of pretty well nearly all the clans that are stated there on the map.

Senator MARGETTS—If a group did not want mining or a particular mine to take place, and if the general association's view was that the mining should go ahead and that other people within the area said that it should not, how would this association deal with that?

Ms Alderson—Sorry, I did not hear that.

Senator MARGETTS—If in the case of a new mine it was the general view of the association that the mine should go ahead, that it would be good, but there were traditional owners who did not want it to go ahead, how would this association deal with that?

Mr Jenvey—Could I ask you to refer to a particular mine in the region?

Senator MARGETTS—Jabiluka.

Mr Alderson—No, we are not going to make a comment on that.

Ms Alderson—No, no comment—just Koongarra.

Ms Lech—From the association's point of view, and it is a decision they have made, they would leave that decision up to the traditional owners. So whatever decision the traditional owners make, the association would abide by their wishes.

Mr Jenvey—Just to go back to Senator Chapman's observation before with the clans that are immediately around the mining site and the others that are adjacent, you have a common terminology of the traditional owners of the inner clans. Their say in respect of those types of activities is paramount. That is the answer you are getting. If you were to ask the question, for example, in respect of Koongarra, the Murrumburr clan, it would be the traditional respect to the traditional owners of those regions.

CHAIR—In relation to Jabiluka, it is Yvonne, is it not?

Mr Alderson—Yes. We cannot make any comments about it. It is in a different area.

Ms Muir—We are sure that is the role they are going to take. They know themselves they would not want to be standing on the wrong grounds. They would have to consult with the TOs.

Mr Alderson—But, if they do not want to support them, we will support them.

CHAIR—To make a decision?

Mr Alderson—Yes.

CHAIR—It was suggested to us yesterday—and you may not want to comment on this—that Yvonne tries to avoid making decisions. If there are decisions to be made, she tries to avoid making them rather than provide the leadership role which perhaps you would expect from a senior person particularly if there is disagreement within the clan—listening to all those views and then, as the leader, making the decision. She tries to avoid

the decision. Does anyone want to react to that comment?

Ms Muir—It is pretty hard on her. I remember for that water release issue she was one of the main speakers on it. It was pretty scary for her because Big Bill did not want it to go ahead and some family members did want it to go ahead. She was in a really hard position. It was pretty hard on her. She was more or less scared to say. Big Bill is a senior member and there is respect there, so I do not think she wanted to disrespect him.

CHAIR—It has also been suggested that Christo really does not have any authority in any of this area. He obviously seems to have a lot to say about it, but he has no real traditional authority.

Ms Muir—But his mother is a member of the Gagudju Association.

Ms Alderson—So he was sort of talking on his mother's behalf.

Senator MARGETTS—His mother was happy for him to be presenting those views?

Ms Alderson—Probably, I do not know. I think they did say their uncle and their mother.

Senator MARGETTS—So they are speaking on behalf of Big Bill and their mother?

Ms Alderson—Yes.

Mr Jenvey—There is one thing about the manner in which decisions are made, which you were just speaking about. It also has to be realised that sometimes decisions take a lot longer than in the European world. If a senior traditional owner wants time to make a decision, that is a right they have.

Mr Swaagman—Senator, you brought up before the distribution of royalties and whether it is a problem which requires rectifying. You obviously know what Gagudju has achieved over the years. We own this hotel and you can probably come to understand the many problems that have been faced, specifically with training. Attempts have been made to overcome those problems.

CHAIR—Is it making a profit?

Mr Swaagman—It certainly is. That leads me onto the next area. If it were not for these enterprises, the association would have had to go into receivership when the royalties were stopped. That was known. The party that was responsible for that obviously did not realise how profitable the enterprises were.

Due to the foresight of the committee over the years, they have built up quite a lot of equity in these enterprises. It has come to a situation now where the funds from the enterprises top up what is received or left over from the royalties, which is less distribution, and pay for the services which are required. I am not quite sure if you understand.

Senator BISHOP—So are the profits from the enterprises now a greater percentage of income for the services more so than the royalties?

Mr Jenvey—I think the true balance is that the royalties themselves are inadequate to fund the provision of services. It is supplemented by the income from the commercial activities. One thing that also needs to be taken into account is that the commercial activities are dependent upon the seasons. So whilst they are very successful in the dry season, they are not as successful in the wet season. When there is an indirect dependence upon the royalties in the wet season, that can create financial difficulty if royalties are turned off and there is not sufficient profits from the enterprises to supplement the service provision.

Senator MARGETTS—Can I get an idea about the housing problems and how the Gagudju Association is dealing with them or is planning to deal with them?

Ms Lech—There are a number of out-stations. The association has 11 out-stations. There are a number of problems that we are faced with on a daily basis with the out-stations. A lot of the housing needs to be upgraded. We have put on about six houses in the past three years, but most out-stations need a lot of work such as with water. We are having a problem with water down at Mudginberri and Patonga. It would probably be in the vicinity of close to about \$2.5 million to \$3 million that needs to be spent on all our out-stations.

Senator MARGETTS—And in the town?

Ms Lech—Gagudju does not service the town. That is basically left to the town council.

Senator MARGETTS—Does the town council agree that they are going to be able to do that?

Ms Lech—Most of the Aboriginals live on the out-stations. Not many Aboriginals live in Jabiru, the only place is down at town camp, and that comes under the local government.

Senator MARGETTS—If I understand correctly, there is going to be some extra accommodation at the caravan park?

Ms Lech—That is basically for staff, not for the Aboriginals.

Ms Muir—Because with the extension of the mine, they are going to be re-employing. We all have to get out of our houses and be relocated to the new caravan park. A lot of crocodile staff and local business staff will all be relocated there. The housing there will be strictly for ERA.

CHAIR—I think Senator Margetts was referring to the old caravan park.

Mr Swaagman—ERA owns the houses and it wants the houses back. We rent the houses from ERA. Consequently, we have to relocate. ERA has donated the land. It is up to us to build.

Senator MARGETTS—The conditions in town camp, though, are fairly crowded, are they not?

Ms Lech—They certainly are. The association had to introduce a rent on the out-stations of \$50 per week and most of the Aboriginals did not want to pay the \$50 so they have moved into town camp.

Mr Swaagman—It is a vicious circle, and that comes back to the royalties and the supposed remedy to help us through the problems with royalties getting taken off us. As Gail mentioned, with the out-stations the services provided are the doctor, the health workers, the plumber, the electrician, the mechanics for the diesel generators, the tucker run for people to take food out there and the garbage people. They are services which were directly affected.

Senator MARGETTS—So it is \$50 rent per house?

Ms Lech—It is per adult person. It costs the association in the vicinity of \$260,000 per year just for diesel. We have about 220 members who live out here. Not all of them live on the out-stations, a lot of them live at Pine Creek. So we are probably talking about 110 people living out here.

Senator MARGETTS—Fifty dollars per person would be a fairly big rent.

Ms Lech—Most of them are not eligible because some of them are children. There would probably be about 50 people who pay rent.

Ms Alderson—Some of those adult people live on the out-stations and their money goes to the bank. Once it goes to the bank they have to draw it out.

Senator MARGETTS—So that \$50 pays for electricity, water and rent?

Ms Muir—And diesel. It is high, but what do we have to do? Our services are being cut off. Some of them did wish for power and that to continue so we had to do

something, although some of them were happy to pay for it. Like I said before, it was something sad that we had to do. We did not want to do this. We were forced to.

Senator MARGETTS—How long ago? Was that when the royalties were cut off?

Ms Muir—Yes.

Senator MARGETTS—Is it still the same now?

Ms Alderson—Yes.

Senator MARGETTS—Do you have empty houses on the out-stations at the moment?

Ms Alderson—No.

Senator MARGETTS—So there are no empty houses on the out-stations, but there still is a housing shortage in town.

Ms Lech—And even on the out-stations there is still a shortage. Where you have a house, you probably have about 15 people. We know of one particular house that has 12 to 13 people—and how many children?

Ms Alderson—About 10.

Ms Lech—And about 10 children, all living in a three-bedroom house.

Senator MARGETTS—So you say that the town council should pay for the housing in the town camp. I am not necessarily getting the feeling that the town council necessarily see that as being their responsibility. I do not know. I need to get a picture of this.

Ms Muir—Could it be their role? We really do not know what their role is. Could they be servicing the rest of the out-stations, is that their role, or is it just to the town boundary?

Ms Alderson—Yes.

Mr Granville-Edge—I am a Gagudju field officer, based here in Jabiru. Perhaps I can answer that question a little better. I am the Gagudju Association's representative on a number of small committees. One of them is the Kakadu Housing Committee; there is also the Gunbang action group, which is an alcohol-related committee. On all of those committees, each association is represented.

In relation to your question about the town camp, for instance, Tony Tapsell, who is the town clerk, is also on each of those committees. Historically, Gagudju used to manage the services for the town camp area. But, because it was seen as being sort of within the bounds of the council area, it was taken over by the town council.

At the last meeting, which was about two weeks ago, it was said that the council has plans to subdivide that area, providing roads, lighting, power, and so on. In the future it will be developed into not just sort of the backwash of Jabiru town, but it will become like another suburb—whether it becomes an integrated black-white type of suburb or just Aboriginal peoples, or whatever.

But the decision has already been made that, in fact, housing, as far as the council is concerned, will be provided by them at that site. It has actually been discussed and is on the table. In fact, they have just recently received some funding to build one or two houses. They have indicated, or Tony has, that that will be the area they will be putting funding into.

Senator MARGETTS—Would anybody like to say anything more? Is there anything that people wish to tell us about?

CHAIR—Is there anything else that you want to add to the comments you have already made?

Ms Muir—I think we have covered everything.

Mr Granville-Edge—I would just ask a question of the committee. Has anyone to whom you have spoken from the associations, et cetera, tendered to you the Menzies report on alcohol in the region?

CHAIR—They have not, but I think, one way or another, we are going to get it.

Mr Granville-Edge—It is called *Gunbang. . . or ceremonies?*

Ms Muir—Yes, that is the document I have.

Mr Granville-Edge—That is quite an important document not only as far as alcohol kind of related problems are concerned but also as to the involvement of things like the Oenpelli social club, and so on. You will get a fairly good idea from that. We, as a group, have adopted those recommendations.

CHAIR—Thank you for your attendance and the time you have given us. It has been very valuable.

Committee adjourned at 11.45 a.m.

