



15 Feb 2016

SENATE INQUIRY – ECONOMICS COMMITTEE

Dr Kathleen Dermody
Committee Secretariat
Senate Economics References Committee
PO Box 6100
CANBERRA ACT 2600

Dear Committee Secretariat Dermody and the Economics Committee

Wik and Wik Waya people believe that sustainable economic development on their traditional lands is their pathway out of passive welfare dependency towards socio-economic standards similar to other Australians. But mining activities on their traditional country will have profound and lasting effects. Traditional owners want both economic development and to ensure that their country, its environment and their culture are protected. They do not see that these goals as necessarily inconsistent – indeed, it is their responsibility, as traditional owners, to make sure they are not. I am Gina Louise Castelain, a: Wik woman; mother; business owner; director of ABD Mining; and, daughter to the late Wik Elder Norma Chevathun. Today I write to you to discuss how mining within RA315 is vitally important for the Wik people for economic development, but that it must be done with their ownership and participation in order to protect the land and their culture.

MINING FOR THE FUTURE BUT PROTECTING OUR PAST

For the Wik and Wik Waya People of West Cape York, the biggest risk is that mining on their traditional country – in RA315 - has profound and lasting effects with little lasting benefit for them and their future generations. After some 50 years of mining, their extended families to the north (the traditional owners of Andoom and those around the Weipa Peninsula) still endure very low socio-economic standards. This is the case despite many years of economic exploitation of their country by RioTinto Alcan (and before this, Comalco), and in the context of a track-record of unacceptably poor post-mining rehabilitation outcomes. A similar outcome for Wik and Wik Waya people – in the short, medium or long term – cannot be accepted. The State Government has

approved a Mineral Development Licence application from Glencore to mine RA315, however this company is swamped by negative press, Government reviews and traditional owner protests. No MDL should be granted to Glencore. For how can this company be allowed to open yet another mine in Australia whilst their current mines are surrounded with such controversy? I specifically refer to our brothers and sisters in and around Borrooloola, Northern Territory. We might share similar dreamtime stories with them, but we certainly don't want to share the devastation they've experienced from Glencore. Contaminating waterways, neglecting to notify the local clans, and failing to deal with environmental catastrophes is not a company you want near the Aurukun wetlands. The Wik lands that surround RA315 need to be respected and protected.



Figure 1: NAK Board visiting Borrooloola, NT (Sept, 2015)

Last year members of the NAK Board, and myself, were invited by Elder Jack Green to visit them in Borrooloola. They showed us their land and the affects of the Glencore McArthur River Mine. The Elders, rangers and traditional owners also spoke to us about how Glencore failed to report their contamination issues for longer than 6 months, failed to identify issues with their tailings dam, and have continued to be absent in responding to local's concerns. Just yesterday, 14th February 2016, ABC reporter Jane Bardon did yet again another exposé on this Glencore mine in Northern Territory and their toxic waste problem that have no current solution! The Radio National segment is currently available on the ABC website¹, with a transcript available from Tuesday 16th February.

¹ Bardon, J (2016). *Glencore's acid test*. Radio National, ABC News. Retrieved via: <http://www.abc.net.au/radionational/programs/backgroundbriefing/glencores-acid-test/7162422>

I note that the Wik people do not oppose mining within RA315. This is the Wik People's one chance to break the cycle of welfare dependency and contribute to the mainstream economy. We do have concerns, however, that there are insufficient safeguards to ensure that traditional owners will have the level of engagement they should have in the project, in the opportunities it offers, and in managing the risks associated with it. Measures are needed in response to socio-economic, cultural and environmental opportunities and impacts of any mine project in the following key areas:

- employment and training,
- enterprise development, and
- environmental, land, sea and cultural heritage management.

These measures need to be implemented in the context of requirements for significantly improved engagement of traditional owners, and their local organisations, in connection with the project. These are the measures that need to be introduced if Glencore is to be granted a Mineral Development Licence and a Mining Licence over our RA315.

These measures are so vital to the Wik People that they've ensured their representative body Ngan Aak-Kunch Aboriginal Corporation (NAK) held strong on these terms in their initial Heads of Agreement and now joint-venture agreement with company Aurukun Bauxite Development Pty Ltd (ABD) (previously known as Australian Indigenous Resources Pty Ltd). The two, ABD and NAK, have now signed and registered an Indigenous Land Use Agreement (QI2014/087) to cement these measures. What better way to move forward but be hand-in-hand with the local people?

SOCIO-ECONOMIC OPPORTUNITIES AND IMPACTS, AND RESPONSES

Mining projects, such as RioTinto Alcan's Ambun Project (previously 'South of Embley'), have the potential to contribute significantly to socio-economic development for Aboriginal people – but only if they are properly handled. They should bring benefits through jobs and business opportunities – but these benefits will never be realised if Aboriginal people are not ready to take them up. They should stimulate demand for goods and services which can be supplied by local businesses, not only to the mine but beyond – increasing the semi-resident population of mine workers will also add pressure to existing infrastructure and resources, and will be associated with disproportionate sharing of costs and benefits (including environmental costs), and will also disrupt cultural practices and access to country which are the basis of native title, and traditions and customs.

There is a real risk; therefore, that in the allocation of costs and benefits, the cost-side will weigh heavily on local indigenous people while mining companies, their workers and governments reap very significant benefits.

This potential inequity that exists between large multinational mining companies and indigenous communities must be addressed before any project commences, in particular for the Aurukun Bauxite Project. If I look at the current situation before the Aurukun people, I see on one side that ABD has been open and transparent with their benefits to the local people, and yet the company the State selected as Preferred Proponent still to this day has not provided more than a draft document (in 2013) to the NAK Board. What a joke. We need to look no further than Weipa to see what will happen if benefits and costs aren't properly reviewed before mining commences.

Far too often, in the past, '*consultations*' with traditional owners about proposed economic development of our land have paid scant regard to the nature of the connection of Aboriginal people to our traditional country. Cultural heritage protection needs to involve much more than just asking a traditional owner to identify physical objects for protection or specific places to be avoided. It must also recognise the far deeper cultural connection Aboriginal people have to our country; it must acknowledge that, for Aboriginal people, there is no clear-cut distinction between cultural and environmental protection; and it must acknowledge the role of traditional owners as custodians and stewards of the land.

The Wik and Wik Waya people have had a connection to the country around Aurukun township, and specifically within RA315, for many thousands of years. For most of that time, this country and the waterways flowing through it provided fully for our physical, emotional and spiritual well-being. It is an indelible part of our identity. Environmental, land and sea management was an integral part of our life 200 years ago, and the biodiversity of our coastal waters, estuaries, rivers and land have sustained us for millennia. More than any other stakeholders, we have a profound interest in ensuring that the land on which mining is conducted is successfully rehabilitated for the benefit of present and future generations.

I **attach** to my submission a full diagram of ABD / NAK's rehabilitation mine plan, which has been utilising the experience of my company, Wik Timber and Aurukun Earthmoving. A small snap shot included is below. This will be translated into Wik Mungkan, a local dialect predominantly spoken in Aurukun, to further assist our locals in understanding what activities will occur on their land and to further strengthen the importance of maintaining an active engagement with our language.

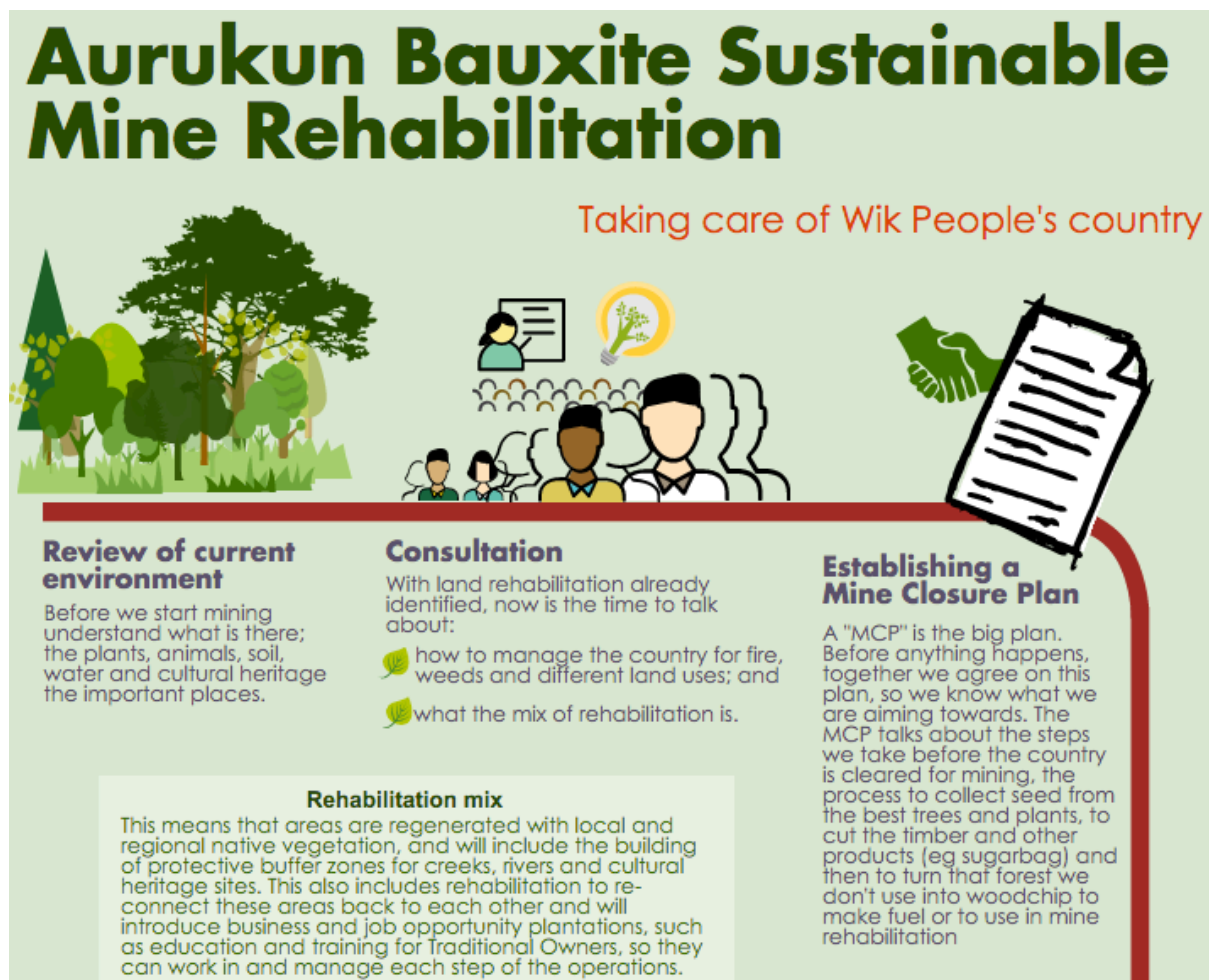


Figure 2: Top section of our 'Aurukun Bauxite Sustainable Mine Rehabilitation' plan. (abdmining.com.au, 2015)

What is important is that - unlike other mining companies - this plan inserts rehabilitation into the actual mining sequence. With bauxite, you're only taking the top few metres of soil away. If this is left for longer than 3 months, it becomes inactive (starts to lose its nutrients) and the process of rehabilitation is more costly and significantly harder to achieve. RioTinto Alcan has experienced this next door in Weipa as they've mined vast areas and left them desolate for long periods. The NAK Board understands the RA315 resource, and that there are smaller pockets of mineable deposits. This allows the ABD proposal to utilise mobile equipment and operate sectioned mining. What better way to include more of the locals than to have our women and elders play a meaningful role in

seed collection, nursery, planting and post mining rehabilitation of the land – concurrently with mining activities, and not just waiting until the end when it's too late. Our mine rehabilitation plan also includes the employment of weed managers, again another local employment opportunity. If this is not controlled, the area will be prone to fires.

'Sustainable' is so often a word freely tossed around. What our Wik people are offering **IS** the way that mining should be conducted. Current mines, like Glencore's McArthur River Mine should be classified as *Unsustainable* or *Damaging*. The senate committee should question the State to confirm how many mines in Queensland have been recorded as successfully rehabilitated? From my knowledge the answer is zero. Let us make RA315 the first.

For 30 years we had been frustrated by seeing the waste of good timber being cleared by Comalco and more recently RioTinto Alcan in preparation for mining. Tens of thousands of tonnes of quality hardwood per annum have been bulldozed and simply set on fire. Maybe not an income stream that would entice the attention of a global mining company but for us, it is an opportunity lost - a waste of our land – and an environmentally inconsiderate action. Again, these are not 'sustainable' actions. But these global mining companies do not appear to be accountable for these inconsiderate actions. Their focus is the bottom line, and filing the pockets of their investors. Land clearing and successful rehabilitation is critical to the Wik and Wik Waya People. And now we have the Queensland Government repeating history and asking my community to have faith in another multinational company: Glencore. Despite Glencore being announced as Preferred Proponent well over 15 months ago, our people have had very limited communication with them about their Mine Plan or their Minimum Indigenous Benefits Package. They have continually commented that they're undergoing 'studies', with community brochures informing us that they have years more feasibility studies to see **if** the dollar return from mining on RA315 will make it viable on their terms. And **if** they do mine our resource, they'll mine our RA315 resource in just 20 years. I bet you they're not wanting to make sure it's sustainable. They'll clear and burn it all, rape it all, mine, and ship it out – and with majority Fly-In-Fly-Out workers. There'll be minor support jobs for our Aurukun community, but nothing long-lasting. We will not sit quietly and watch our land and waters be abused by another big company ripping out bauxite for their profit.

I supported the efforts of Wik Elders and our past mayor to see a change for the better. The joint-venture company with ABD shares our concerns and care for country, and ensures that we leave opportunities for future generations.

As I warned Minister Nigel Scullion, Minister Jeff Seeney, and Premier Anna Palaszczuk – this situation is about to blow up. And I mean it. If our elders were tricked with Mabo and Wik Case then we may as well get radical because we have been denied natural justice and we have absolutely nothing to lose.

Despite all these frustrations and concerns, we – the Wik People – remain keen to ensure that the Aurukun Bauxite Project proceeds in a way that ensures that Traditional Owners can realise their aspirations to have an ownership interest in the mine and a real say in how it operations on their country.

I want this to be heard at this Inquiry:

***This is my Elders' country, my country, my children's country
and my community's country.***

Let us set a path for sustainable mining.

This is the Wik Way!

Forgive me that this submission reflects my frustration and anger. I don't want sympathy but like all my brothers and sisters, I just want a fair go and the same justice that is available to all Australians.

Regards
Gina

Gina Castelain
Managing Director
E:
M: