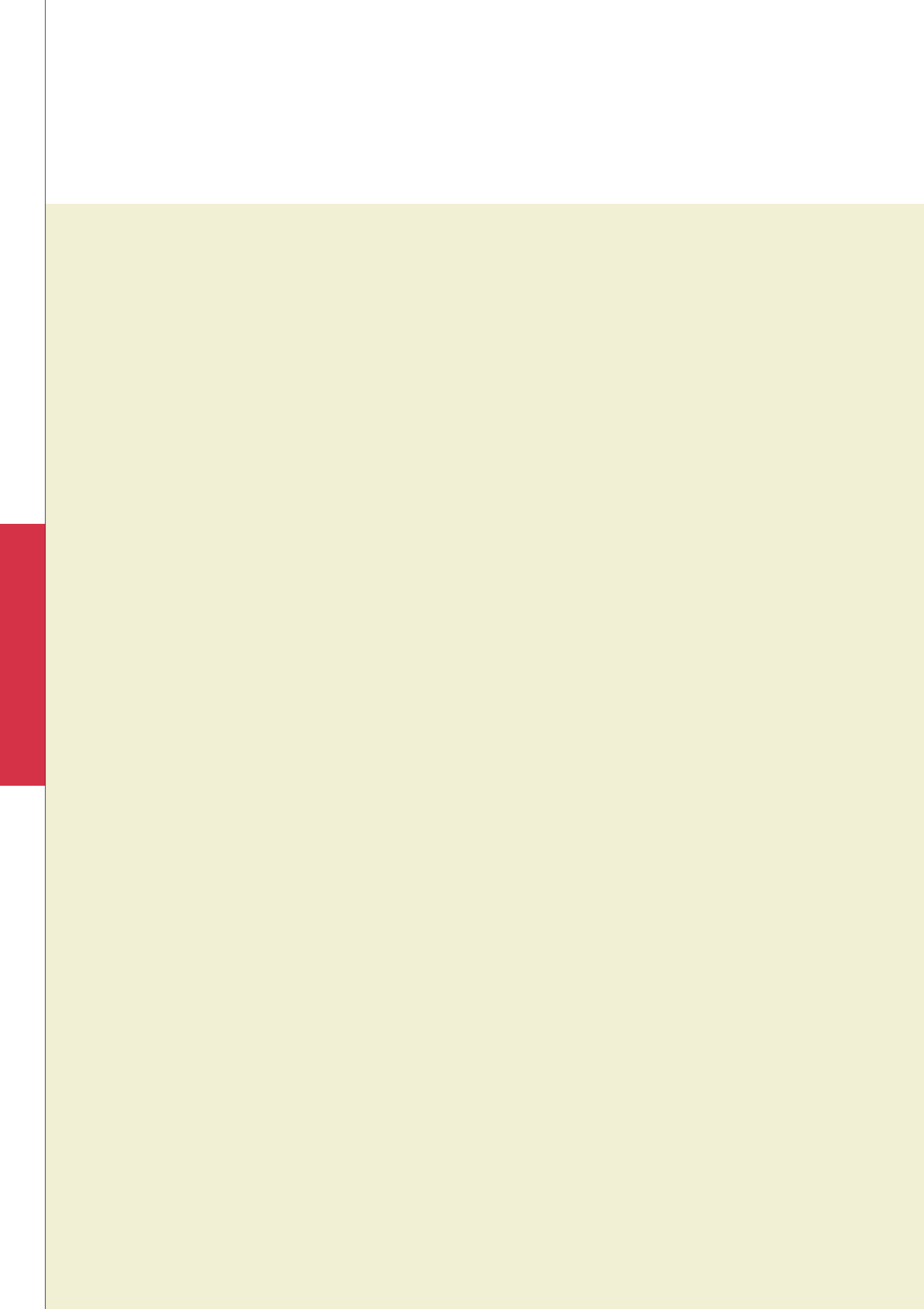


CHAPTER 2

Kakadu National Park – The Place and its People

- 2.1 Kakadu – The Place
- 2.2 Kakadu – The People
- 2.3 Inscription on the World Heritage List
- 2.4 Mission Visit
- Conclusion



Kakadu National Park – The Place and its People

CHAPTER TWO: KAKADU NATIONAL PARK—THE PLACE AND ITS PEOPLE In this chapter the Australian Government gives an historical, social and cultural background to the Park. This context is necessary to be able to assess claims that the World Heritage area is under threat. The chapter describes:

- *The history of the Park*
- *The fact that from its beginnings the Park co-existed with Aboriginal land owning interests, mining interests, and tourism interests*
- *The history of the town of Jabiru and the mechanisms to ensure that it does not harm the values of the Park*
- *The history of the mining enclaves located in the region*
- *The management principles of Kakadu National Park*
- *The role of traditional owners in the Park*
- *Its inscription on the list of World Heritage*

Only with the full appreciation of the way in which Kakadu National Park came into existence and was entered onto the World Heritage listing in three stages, is it possible to assess the impact of the Jabiluka proposal on the overall values and attributes of Kakadu National Park.

2.1 KAKADU—THE PLACE

2.1.1 History of the Park

Aboriginal people have been associated with the area of land now known as Kakadu National Park for a very long time. Archaeological evidence suggests that humans have lived in the Kakadu region continuously from around 50 000 years before the present; the earliest date that humans are believed to have arrived in Australia (Roberts and Jones 1994, Roberts et al 1990). Aboriginal people believe that they were placed in this land at the time of the first people by creation figures such as the Rainbow Serpent. Some figures, like the Rainbow Serpent, are regarded as still present in the landscape and active today. These creation figures gave the people laws, a way of life and a model for social organisation. That Aboriginal people have lived continuously within Kakadu for 50 000 or more years is one of the most important aspects of the cultural significance of the Park.

The first European settlements in the top end of the Northern Territory influenced the Park area in an indirect but major way. Water buffalo (*Bubalus bubalis*) that were introduced to the settlements from the 1820s for food either escaped or were abandoned when the settlements closed. The buffalo spread across the top of the Northern Territory and became an important economic resource to both Aboriginal and non-Aboriginal people in the region. The buffalo also had a strong impact on the physical and biological environment of the region.

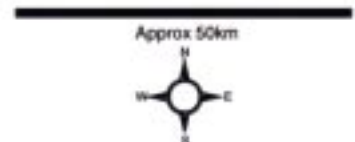
Non-indigenous people have been associated with the land called Kakadu since the 1820s.

Non-indigenous settlement of Northern Australia impacted on indigenous communities in many ways.

Changes included the introduction of water buffalo, missionaries, pastoral activity, mining, forestry and tourism.



Figure 2. Kakadu National Park showing major features and lease areas.



This figure is for illustrative purposes only.

Kakadu National Park – The Place and its People

From the latter part of the 1880s, small European settlements in the area of the Park were based on buffalo hunting. In addition to buffalo hunting, other small scale 'industries', such as mining, forestry, pastoral activity and tourism, developed over time. These enterprises had a significant impact on Aboriginal society. The work of missionaries, particularly at nearby Oenpelli, also had a major influence in the region. In recent years wildlife conservation, mining and tourism have become major land uses.

Kakadu was established at a time when the Australian community was becoming more interested in advocating for the declaration of national parks for conservation and in recognising the land interests of Aboriginal people. A national park in the Alligator Rivers Region was proposed as early as 1965. Over the next decade several proposals for a major national park in the region were put forward by interested groups and organisations.

2.1.2 The Woodward Inquiry

In 1973 the Commonwealth Government set up a Commission of Inquiry into Aboriginal land rights in the Northern Territory. This Commission specially considered how to recognise Aboriginal people's land interests while providing for conservation management of the land.

The Commissioner of this inquiry, Mr Justice Woodward, concluded that:

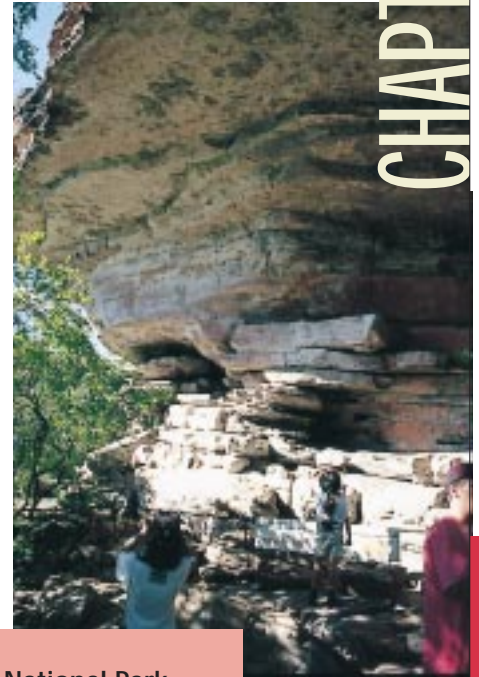
'It may be that a scheme of Aboriginal title, combined with national park status and joint management would prove acceptable to all interests' (Woodward 1973).

Kakadu National Park was born from that vision of compromise and shared land use.

2.1.3 The Ranger Inquiry

Uranium mining in Australia has been constantly debated since uranium was first discovered in 1949. The passage of the *Atomic Energy Act 1953* (Commonwealth) was motivated primarily by a desire to develop the industry for defence purposes. This led to the opening of a number of mines over the following 10 years. In the early 1960s, a moratorium was imposed on further uranium mining activities, including export, as a result of market contractions. In 1967, the moratorium was lifted, as the potential for cheap commercial use for power generation became apparent. In 1974, a new moratorium was placed on uranium exports, this time despite high uranium prices. This was motivated in part by the rising importance of environmental issues in the eyes of the Australian public. Uranium mining policy has been an issue of national significance prior to 1975.

Significant uranium deposits were discovered in the Alligator Rivers Region at Ranger, Jabiluka and Koongarra in the early 1970's. A formal proposal to develop the Ranger deposit was submitted to the Australian Government in 1975. At this time, uranium mining, Aboriginal land ownership and conservation were major national and regional issues, and the Australian governments of the day chose a transparent process to choose a way forward through sometimes conflicting options.



A National Park

National Park proposed for the Alligator Rivers region as early as 1965 (now part of the Kakadu National Park).

Indigenous land interests and joint management were considered in the earliest proposals for a National Park.

*Ubirr
rockshelter,
Kakadu
(Mark Hallam)*

Kakadu National Park – The Place and its People

Mineral Resources

Uranium discovered in the Alligator Rivers region (at Ranger, Jabiluka and Koongarra) in the early 1970s.

Ranger Uranium Environmental Inquiry established 1975.

Pre-existing mineral leases at Ranger, Jabiluka and Koongarra when the National Park was established.

In July 1975, the Government established the Ranger Uranium Environmental Inquiry (also known as the 'Fox Inquiry' after Justice Fox who headed the Commission of Inquiry) under the *Environment Protection (Impact of Proposals) Act*. The Ranger Inquiry sought a compromise between the problems of conflicting and competing land uses, including Aboriginal people living on the land, establishing a national park, uranium mining, tourism and pastoral activities in the Alligator Rivers Region.

Around the same time as this inquiry was set up, the *Aboriginal Land Rights (Northern Territory) Act 1976* was passed by Federal Parliament. This Act allowed the Commission, set up to conduct the Ranger Inquiry, to determine the merits of a claim by the Aboriginal traditional owners to land in the Alligator Rivers Region. The Act also established the office of the Aboriginal Land Commissioner to inquire into subsequent land claims under the Act.

In August 1977 the Government accepted almost all the recommendations of the Inquiry including those relating to granting Aboriginal title, establishing a major national park in stages, and establishing a uranium industry. Mining would occur in

areas not established as national park. The Ranger Inquiry's recommendations on uranium mining referred to the sequential development of uranium mining in the Region; they did not specify that only one mine be allowed to operate at any one time. The Ranger Inquiry referred to what was the then Pancontinental proposal for a mine at Jabiluka and discussed it in terms of the mine proceeding in the near future, once the necessary approvals had been given.

2.1.4 Aboriginal land grants and the declaration of the Park

Most of the land that was to become Stage 1 Kakadu National Park, excluding the proposed Jabiru townsite, was granted to the Kakadu Aboriginal Land Trust in September 1978. The southern half of the land in the Ranger Project Area was also included in this grant of land. In November 1978 the Director of National Parks and Wildlife (a statutory office under Commonwealth legislation, the *National Parks and Wildlife Conservation Act 1975*) and the Land Trust entered into a lease agreement to enable the Director to manage the land as a national park. Stage one of Kakadu National Park was declared on 5 April 1979 under the *National Parks and Wildlife Conservation Act 1975*.

In June 1982, the entire Jabiluka Project Area (73km²) was granted to Jabiluka Aboriginal Land Trust under the Land Rights Act (refer Figure 3).

In March 1978, an Aboriginal land claim was made under the *Aboriginal Land Rights (Northern Territory) Act 1976* (Land Rights Act) for the land that was proposed to be included in Stage 2 of Kakadu National Park. Stage 2 was proclaimed on 28 February 1984. The land claim was partially successful and in November 1986 three areas of land to the west and north of the Jabiluka Project Area were granted to the Jabiluka Aboriginal Land Trust, including the northern half of the Ranger Project Area. A lease agreement between the Director and the Land Trust was entered into in March 1991. The areas in Stage 2 that were not granted have been claimed again under the Land Rights Act but the claims have yet to be determined.

In June 1987 a land claim was made for the former Goodparla and Gimbat pastoral leases in the proposed Stage 3 area of Kakadu National Park. Other areas of land in the south of the Park known as the Gimbat Resumption and the Waterfall Creek Reserve (formerly known as UDP Falls) were later added

Kakadu National Park – The Place and its People

to this land claim. Stage 3 of the Park was declared in successive stages on 12 June 1987, 22 November 1989 and 24 June 1991. The staged declaration was due to the debate over whether mining should be allowed to go ahead at Guratba (Coronation Hill). Guratba is in the middle of the culturally significant area referred to as the Sickness Country. There was intense public debate over the issue and after lengthy review and decision-making the Australian Government decided that there would be no mining in that location. In January 1996 about half of the land in Stage 3 of the Park, including Guratba, was granted to the Gunlom Aboriginal Land Trust (refer Figure 3). A lease was entered into between the Director and the Land Trust in March 1996. The land claim over the rest of Stage 3 has yet to be determined.

Some areas of land within the Park remain subject to claim under the Land Rights Act. These areas do not include the Jabiru township, which has been claimed under the *Native Title Act 1993*. In 1978, when announcing its decision following the Ranger Inquiry, the Commonwealth Government made a commitment that Aboriginal people would be able to participate in the planning and management of the whole national park and not only those areas which are to be granted as Aboriginal land. This commitment was based upon the Ranger Inquiry recommendations and the Park is managed in accordance with this commitment.

2.1.5 Uranium Mining and the Mining Enclaves

Mining has a 50 year history in the area now largely enclosed by the Kakadu National Park boundary. A number of small uranium mines operated in the area, notably in the South Alligator Valley during the 1950s and 1960s. The three current mining enclaves (the Ranger Project Area and the Jabiluka and Koongarra leases) (refer Figure 2&9) date from the early 1970s—before the existence of the Park.

The Ranger mineral deposits were discovered in 1970 and a Special Mineral Lease was applied for in 1972 by a consortium of the Electrolytic Zinc Company of Australasia (EZ) and Peko-Wallsend Operations Limited (Peko). A new Federal Government in December 1972 reassessed the issue of uranium mining and in 1975 instituted the Ranger Uranium Environment Inquiry to examine all aspects of uranium mining and especially the Ranger orebody development.

Following endorsement by the Government of the Ranger Inquiry's recommendations regarding the conduct of the Ranger Project, the project was gazetted in mid-1978. Agreement to mine was reached with the Aboriginal traditional

Aboriginal Land Grants and declaration of Kakadu National Park

1978

Aboriginal land claim for part of proposed stage 2 of Park

1978

stage 1 land granted to Kakadu Aboriginal Land Trust (KALT)

1978

lease agreement between Director National Parks and KALT to manage land as a national park

1979

stage 1 declared Kakadu National Park

1984

stage 2 declared Kakadu National Park

1986

the 1978 land claim successful in part

1987

Aboriginal land claim for part of proposed stage 3 of Park

1987

part of stage 3 declared National Park

1989

part of stage 3 declared National Park

1991

part of stage 3 declared National Park

1996

half of the stage 3 land granted to Gunlom Aboriginal Land Trust

1996

lease agreement between Director National Parks and Gunlom to manage land as a national park

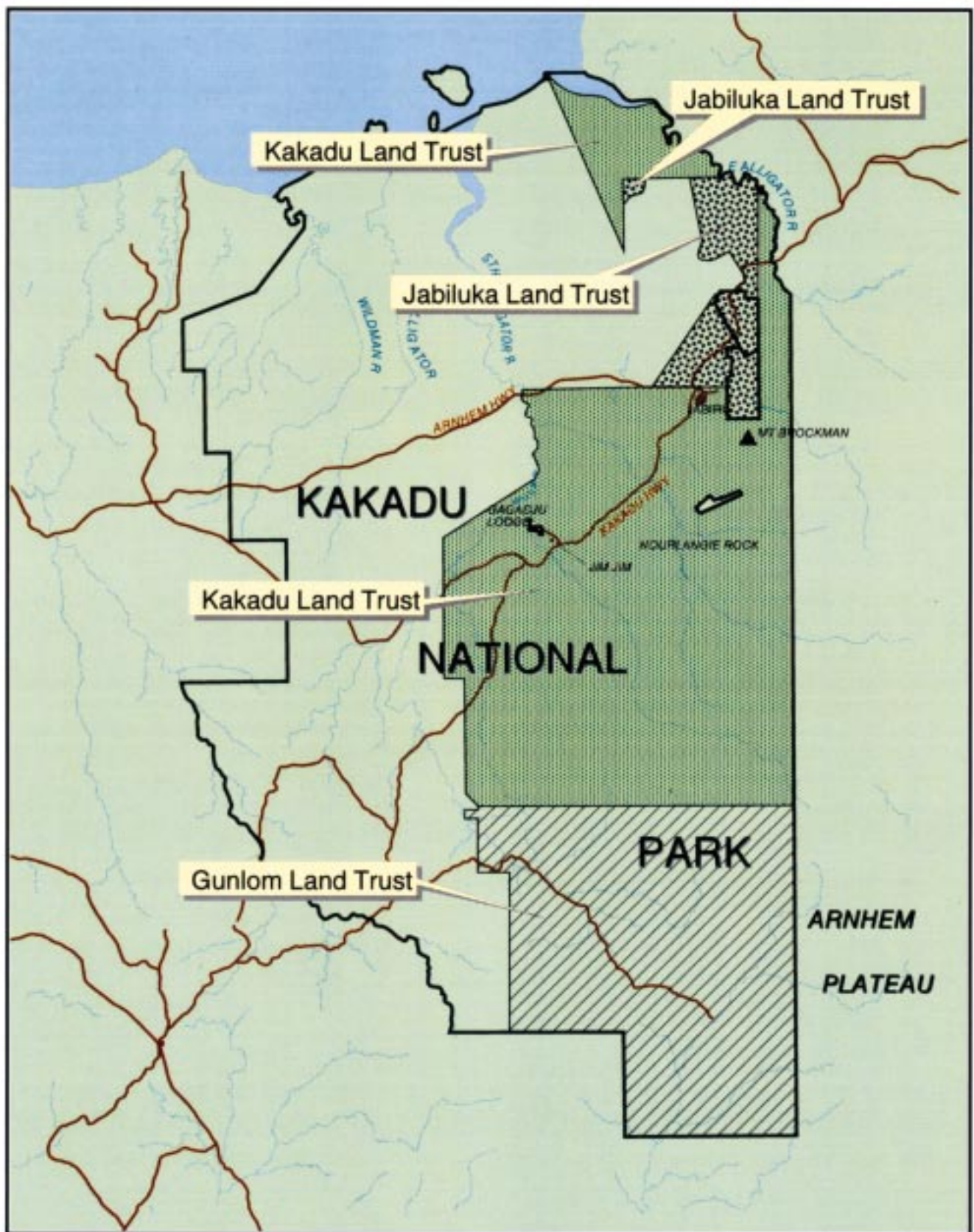



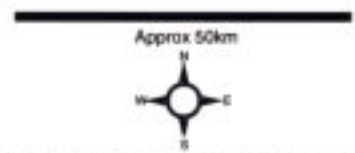


Figure 3. Aboriginal Land Trusts in Kakadu National Park.

Aboriginal Land Trust

-  Gunlom
-  Jabiluka
-  Kakadu



This figure is for illustrative purposes only.

Kakadu National Park – The Place and its People

owners in November 1978 through the Northern Land Council and operations were approved in January 1979. Excavation of the orebody commenced in August 1980. The initial operator was a consortium comprising the Commonwealth, represented by the Australian Atomic Energy Commission, EZ and Peko.

In December 1979 the Commonwealth agreed to divest its interests in the Ranger mine to Peko and a new Australian public company, Energy Resources of Australia (ERA), was established. In September 1980 the Commonwealth, EZ and Peko assigned all their interests to ERA, which has continued to operate the Ranger mine. Mining of Orebody #1 was completed in 1994. Mining of Orebody #3 commenced in 1996 and is continuing.

Since agreement was reached with traditional owners in 1978, a total of \$145.8 million in payments has been made to Aboriginal interests, of which \$1.9 million was in up front payments; \$3.4 million was in rental payments and \$140.5 million was in royalty equivalent payments.

The traditional owners and the NLC have agreed to the Ranger mine continuing under existing terms and conditions for a further 26 years, pending possible future renegotiation and arbitration of those terms. Those terms and conditions include the continued payment of annual rental (\$200,000) and royalty equivalents to Aboriginal interests, including the Mirrar Gundjehmi as the traditional owners. Royalty payments from Ranger totalled \$8.1 million in 1997/98, of which the traditional owners received \$2.4 million.

Following discovery of the Jabiluka orebody in 1971, application to mine was made by Pancontinental Mining Limited in 1975 and a mineral lease was granted by the Northern Territory Government in August 1982, following Pancontinental signing an agreement with the Aboriginal Traditional Owners in July 1982. An Environmental Impact Statement (EIS) was submitted and accepted, and permission to mine was granted. Following a change in Federal Government in 1983, refusal to grant an export licence led to the mine not being developed. With the agreement of the NLC, on consent of Aboriginal traditional owners, the Jabiluka Lease was transferred to ERA in August 1991. In the same year, Aboriginal traditional owners lobbied the Government through senior ministers to allow mining on their land at Jabiluka. ERA carried out a drilling program in 1993 to provide additional resource information. The issue of mining at Jabiluka was re-opened following a change in Federal Government in 1996. An EIS process, followed by a Public Environmental Review (PER), assessed the environmental impacts of mining at Jabiluka and resulted in conditional approval to proceed (see Chapter Five for more detail).

The proposed Jabiluka mine has already generated \$5.2 million in benefits for Aboriginal people. While no production-based royalties can be paid before production commences, it is expected that over its life, the Jabiluka mine will contribute a further \$230 million to Aboriginal interests. It is expected that these funds will be used to complement Government programs and provide additional benefits in the areas of: housing and the development of community infrastructure; community-based education, training and health programs (including aged care); cultural heritage and land management programs; development of a regional Aboriginal languages interpreting service; cultural revitalisation activities; small business and enterprise development; and financial investment to ensure access to economic resources over the long term.

Mining leases are not and have never been part of the Kakadu National Park or the WHA

1980 WH nomination clear and upfront about mineral exploration and mining in the region.

1991 nomination clearly identified the Ranger mine and the Jabiluka and Koongarra Mineral Leases as outside the park boundaries.

1991 IUCN Technical Evaluation noted the mine and leases before reporting that “all conditions of integrity are met”.

Kakadu National Park – The Place and its People

The Koongarra uranium deposit was discovered by Noranda (Australia) Limited in 1970. The company prepared a draft EIS, which was submitted in December 1978. Following acceptance of the Final EIS, development approval was given in 1981 and the owners reached agreement with the Aboriginal Traditional Owners in June 1983 for mining to proceed. Following a change in Federal Government in 1983, the Government did not give necessary consents which would have allowed the development to proceed. As such, the project has not been developed. The ownership of the lease has changed hands over the years and it is presently owned by the French Government utility COGEMA.

The stop-start nature of uranium mining approvals has been the result of the policy decisions taken by different Australian Governments. Between March 1983 and March 1996 the Australian Government had a three mines policy with respect to uranium mining. This policy limited the number of operational uranium mines in Australia to three, named mines (Ranger and Nabalek in the Northern Territory and Olympic Dam in South Australia) and therefore effectively excluded the possibility of uranium ore extraction at either the Jabiluka or the Koongarra Mineral Leases. In March 1996, a change in Government policy meant that this limitation on the construction of new uranium mines in Australia ended.

The Australian Government's policy is not that proposals relating to uranium mines automatically be approved. The policy instead notes that the Government will provide the necessary approvals only if such proposals can meet stringent assessments that address any potential impacts on natural and cultural values. The Jabiluka uranium mine has been the subject of the most stringent assessment of such potential impacts and, as a result, is subject to more than 70 requirements to protect the natural and cultural values of the Kakadu region, including World Heritage values.

2.1.6 Jabiru

The township of Jabiru (refer Figure 2 & 9) was established within Kakadu National Park to house people directly or indirectly associated with uranium mining in the region and, in line with recommendations of the Ranger Uranium Environmental Inquiry, the Commonwealth developed the town according to the following principles:

Jabiru

- Township originally developed for people associated with uranium mining.
- Jabiru now an important centre for indigenous people and the tourism industry.
- Strict planning controls.
- 1480 people living in Jabiru

- the site be within the national park on land excluded from Aboriginal land grants;
- the town be 'closed', catering only for the mining companies, agents and Government officials;
- the population of the town be less than 3500 (in June 1998, the population was 1480—the population is not expected to exceed 1700 with the Jabiluka development);
- the principles for designing the town be set out in the Plan of Management for Kakadu National Park;
- the area of the town be leased from the Director of National Parks and Wildlife; and
- the Northern Land Council be consulted in the proposals for the town.

In 1981, a 13 km² area of the Park (NT Portion 2272) was leased by the Director to the Jabiru Town Development Authority (JTDA), a Northern Territory Government authority, to establish and develop the township of Jabiru. Under the terms of the lease agreement, the

Kakadu National Park – The Place and its People

JTDA subleases sites to occupants and controls leases and licences to commercial and business activities in Jabiru.

The idea of Jabiru as a ‘closed town’ allowed for a town lived in by people connected with mining operations, government services and service industries. A secondary role for Jabiru, as a tourism service centre, developed later as visitors to Kakadu National Park began to use facilities in the town and the Park’s second Plan of Management allowed for tourism accommodation ‘with the concurrence of the NLC and the traditional Aboriginal owners’. The town is now a vital hub for the work of Aboriginal organisations and community groups.

In 1988 the Gagudju Crocodile Hotel owned by traditional owners was opened in Jabiru and since then a caravan park with lodge accommodation and other facilities for park visitors have been developed in the town. As Kakadu has become more important as a place where tourists come and as tourism has become more and more significant in the regional economy there has been further interest in developing tourism services in Jabiru.

The lease between the Director and the Jabiru Town Development Authority requires the Authority to use the town in conformity with:

- the *National Parks and Wildlife Conservation Act 1975* and those parts of the National Parks and Wildlife Regulations relating to the town;
- the Kakadu National Park Plan of Management (the fourth plan commenced in March 1999) describes how Jabiru will continue to be developed in an orderly way that is consistent with the wishes of Aboriginals and the protection of the Park environment);
- the lease;
- the Jabiru Town Plan approved by the Director under the National Parks and Wildlife Regulations;
- the *Jabiru Town Development Act 1978*; and
- other laws applicable to the Park.

The Ranger Inquiry (Second) Report states (p 223, Conclusion, paragraph 1):

‘We recommend strongly that the number of people in the town [Jabiru] not exceed 3500; but the smaller the better. This is a much larger number than will be necessary to accommodate people associated with the Ranger mine but it allows for the possibility of the Pancontinental Mine [Jabiluka] getting into production during the life of the Ranger mine.’

Jabiluka will begin production towards the end of the life of the Ranger mine. The infrastructure impact of the Jabiluka mine will be minimal compared with the existing adjacent Ranger facilities and mining of ore at Ranger will cease within four years after mining of ore begins at Jabiluka. It is immediately adjacent to the Ranger Lease and will not lead to the creation of any new township (see Photograph 1). Population growth for Jabiru will be much lower than that envisaged by the Ranger Inquiry. The mining of ore at Ranger will cease in 2004, approximately three to four years after the mining of ore begins at Jabiluka.



The small town of Jabiru (Science Group, Environment Australia)

Kakadu National Park – The Place and its People

2.1.7 Managing the Park Together — joint management and planning

Joint management in Kakadu encompasses the legal structural framework set in place by the *National Parks and Wildlife Conservation Act 1975*, lease agreements with the traditional owners of Aboriginal land in the Park, and the continuing day to day relationship between park staff and traditional owners.

Joint management

Kakadu Board of Management has an indigenous majority

Best practice management in:

- planning
- interpretation of indigenous culture
- management of art sites
- fire regimes
- weed management
- introduced buffalo eradication

World Heritage Committee recognised Australia's success in World Heritage management in Kakadu in 1992

Over half of Kakadu is owned by indigenous people who lease their land to the Director of National Parks

The *National Parks and Wildlife Conservation Act 1975* establishes the statutory office of the Director of National Parks and Wildlife and provides for Boards of Management to be established for park areas on Aboriginal land. The Act provides for majority membership of Aboriginal representatives on these Boards and sets out the Board's tasks. The Kakadu Board of Management was established in 1989. The Aboriginal representation on the Board covers the geographic spread of Aboriginal people in the region as well as the major language groupings. Membership is not confined to representatives of Aboriginal traditional owners who have been granted land under the *Aboriginal Land Rights (Northern Territory) Act 1976*.

The lease agreements both protect and promote the interests of Aboriginals, and commit the Director to managing the natural and cultural environment of the Park in accordance with national park best practice. An important objective of the joint management partners is to make sure that traditional skills and knowledge in caring for country in the Park continue to be practised. The traditional owners want their joint management partners to contribute current 'best practice' knowledge about park management to complement their traditional management practices and this desire is reflected in the leases for the Park. Park practices in weed management, buffalo eradication, fire regimes, management of art sites, interpretation of Aboriginal culture and planning are widely recognised as achieving best practice. The World Heritage Committee complimented Australian authorities in 1992 for the exemplary management of the Park.

The Act requires that the Park has a Plan of Management (see Chapter 4) and the Park's fourth Plan of Management has recently come into operation. The Plan of Management is produced jointly by the Director of National Parks and Wildlife and the Kakadu Board of Management. The main purpose of a

Kakadu National Park – The Place and its People

Plan of Management is to describe how it is proposed to manage the Park. A main part of traditional culture is that *Bininj/Mungguy* (Aboriginals) are responsible for caring for country—this is a responsibility with important obligations to past, current and future generations of traditional owners. The current Plan articulates four guiding principles for how the Park should be managed relating to protection of Aboriginal interests, caring for country, providing for tourists and telling people about the Park. Plans generally run for a five year period and take nearly two years to produce, from advertising of intent to passage through Parliament

The Plan of Management is complemented by subsidiary area planning documents at a more detailed level. The preparation of individual area plans has the benefit of addressing site specific issues that could otherwise not be addressed in the Plan of Management. As with the Plan of Management, the development of the area plans requires extensive consultation with traditional owners and relevant Aboriginal people. Other stakeholders are involved through public comment processes and, in relation to tourism and research issues, through consultative committees.

The traditional owners expect to benefit from their land being managed as a national park through direct employment in the Park and by providing services to the Park management authority. These expectations are being met. The traditional owners particularly desire to receive more benefit from the use of their land for tourism and they have requested that prime tourism resources or activities are reserved for their benefit. This, of course, would not prevent partnerships between *Balanda/Mam* (non Aboriginals) and *Bininj/Mungguy* to develop tourism ventures. They also wish to be able to explore and develop new opportunities to benefit from their land where these new activities do not detract from the value of the Park. The Plan of Management outlines how these expectations will be progressed.

As well as being important to traditional owners, Kakadu is a special and important place to many other people. To local residents and neighbours, the Park is not only a place where they live and work, but a place for recreation. Many of these people also feel a strong sense of attachment to the Park.

Kakadu is especially significant as a conservation area in northern Australia. It is also important to the regional economy, especially the tourism industry. Kakadu is a place of national tourism and conservation significance; many Australians pushed for the Park to be established as a conservation area. The Park was one of the first Australian places to be listed as a site of World Heritage significance.

Kakadu

- caring for country
- cultural landscape
- conservation area

The Aboriginal Cultural Centre, Coinda and an interpretive display of the seasons (Mark Hallam)



Kakadu National Park – The Place and its People

Kakadu

- tourism and recreational use
- tourism not to be more important than caring for country

2.1.8 Agreements and Programs

In addition to the joint management arrangements and lease agreements in place with the traditional owners of the Park, a wide range of joint initiatives and programs have been undertaken with indigenous communities to ensure their interests were represented and that cultural heritage values were protected and conserved.

Of particular interest are initiatives such as the opening of the Warradjan Cultural Centre in 1995, the incorporation of traditional fire practices into park management, the establishment of the Cultural Resource Management Committee, the review of cultural heritage management in 1995, and the Kakadu Region Social Impact Study in 1996.

Further examples are provided in Appendix 1.

2.2 KAKADU—THE PEOPLE

There are two classes of affiliation that identify Aboriginal people with an area of land in the Kakadu region. Both of them are inherited through the paternal line. These are language and *gunmogurr*. The origin of these affiliations is located in the Dreaming when creator figures deemed or caused particular tracts of country and landscapes to be of a certain language (eg Gagudju, Erre, Gundjehmi) or of a certain *gunmogurr* (eg Mirrar, Badmardi, Wilirrgu) and further, distributed the first generation of human beings to occupy the central sites of each territory. The patrilineal descendants of this original generation inherited the language and the *gunmogurr* of their respective tracts of country.

There are about 16 extant clans of Kakadu traditional owners. Currently there are 11 language groups in the area covered by the Park (See Figure 4 page 30). Title to Aboriginal land in the Park is held by Aboriginal land trusts.

Kakadu National Park is an Aboriginal place. While the Park has been established to conserve its natural and cultural values and to provide for appropriate visitor use, it is also a place where the rights of Aboriginal people as the traditional owners and managers of the land are recognised and can be enjoyed. It is especially important to the traditional owners that their children and future generations of traditional owners can enjoy the same rights, responsibilities and understanding of their culture as the current traditional owners. The Aboriginal population of the Park has grown substantially since its establishment,

The 'Window on the Wetlands Visitor Centre' near Kakadu presents and interprets the landscape to visitors (Mark Hallam)



Kakadu National Park – The Place and its People

being supplemented by migration from other areas and the return of people with traditional associations to the area. The migration and return was triggered by the policy developments of the late 1970s which made the region more accessible to Aboriginal occupation, particularly the granting of land rights to Aboriginal communities. In 1996, there were 533 Aboriginal people living in the Park. This contrasts with a population of around only 139 in 1979 when the Park was created.

2.2.1 Aboriginal Groups and Organisations

There are several Aboriginal groups in Kakadu with traditional land interests in the Park. Naturally, the groups are not always in agreement on their views and priorities on land management issues in Kakadu. The Kakadu Regional Social Impact Study Report (KRSIS) observed and reported on some disagreements among and between the groups over ownership of country, and relative associations with places and historical connections. Recently, emerging politics of anti-uranium mining has exacerbated divisions and resentments between individuals, clan groups and organisations.

The three groups with a direct interest in land decisions and management of Jabiluka are the Gagudju Association, the Djabulukgu Association, and the Gundjehmi Aboriginal Corporation. The Gagudju Association was established in 1980 as a consequence of the mining agreement for the Ranger Uranium Mine. The association has about 300 members from a number of land owning clans in the Kakadu region. The Mirrar Gundjehmi clan have had a close relationship with the Gagudju Association for many years. The previous senior traditional owner of the Mirrar Gundjehmi is a past head of the association and he witnessed the association develop to become the central service and business organisation for Aboriginal people in the region. The Gagudju Association made major investments in the regional economy, especially in tourist accommodation developments in order to secure long-term income for its members.

The association between the Mirrar Gundjehmi and the Gagudju Association became complicated in 1994 when the Mirrar Gundjehmi became dissatisfied with the direction and priorities of the Gagudju Association, and formed the Gundjehmi Aboriginal Corporation in July 1995.

The Gundjehmi Aboriginal Corporation represents the interests of the Mirrar clans and supports those Aboriginal people affected by the Ranger Uranium Mine. It has a membership of 27 adult Aboriginal people or 5% of the traditional owners of Kakadu National Park. All members of the Gundjehmi Aboriginal Corporation are also members of the Gagudju and Djabulukgu Associations. On splitting from the Gagudju Association, the principal focus of the Gundjehmi Aboriginal Corporation has been opposition to the Jabiluka mine and the review of the end-use of mining royalties from the Ranger Uranium mine.

The Djabulukgu Association was established as a consequence of the 1982 agreement for the Jabiluka uranium mine. Under the 1982 mining agreement, the Djabulukgu Association is the primary local recipient of mining-related payments from the Jabiluka mine. The association comprises 90 traditional owners and membership is based on the land owning clans of the Jabiluka lease and clans adjoining the lease. All members of the Gundjehmi Aboriginal Corporation are also members of the Djabulukgu Association. The Djabulukgu Association has become more active in the last decade and is actively establishing income-generating businesses in the region.

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2.2.2 Kakadu Regional Social Impact Study

The Kakadu Regional Social Impact Study (KRSIS) was commissioned in 1996 to provide a clear statement of Aboriginal experiences, values and aspirations regarding development of the region and to develop a community development program to enhance or mitigate impacts associated with development of the region.

KRSIS was jointly sponsored by the Australian and Northern Territory Governments, Energy Resources of Australia Ltd and the Northern Land Council (NLC). The two-stage approach included an Aboriginal Project Committee (comprising Aboriginal people from Kakadu, including representatives of the Mirrar Gundjehmi) and an independently chaired Study Advisory Group (comprising key stakeholders including the chairs of the Project Committee and of the NLC).

In November 1998, the Commonwealth and Northern Territory governments appointed Mr Bob Collins to lead a team to implement government-endorsed recommendations of the 1997 KRSIS Community Action Plan.

A key aspect of the KRSIS is to maximise benefits and mitigate negative social impacts arising from all developments in the Kakadu region.

Mr Collins, intends to focus in the short term on developing an effective implementation structure and immediate attention to issues such as environmental health (including housing issues) and service provision to indigenous people.

2.3 INSCRIPTION ON THE WORLD HERITAGE LIST

The various stages of the Park were declared under the *National Parks and Wildlife Conservation Act 1975*: Stage 1 in 1979; Stage 2 in 1984; and Stage 3 in successive phases in 1987, 1989 and 1991.

The first stage of the Park was nominated for the World Heritage List in 1980 and inscribed in 1981. Subsequent renominations (1986, 1991) and resultant inscriptions (1987, 1992) have followed the staged development of the Park (see Appendix 2).

The boundaries of the World Heritage property are the same as those of the Kakadu National Park. None of the currently operating or proposed mines in the region are within the Park or have ever been within the proposed Park or the Gazetted Park. On the occasion of the most recent inscription of the Park on the World Heritage List, the World Heritage Committee was explicitly advised of the current and proposed uranium mines (including Jabiluka). The Committee accepted the integrity of the listing and commended Australia on its management of Kakadu and on its extension of the Park's boundaries.

2.4 MISSION VISIT

At its June 1998 meeting, the World Heritage Bureau considered representations from non-government organisations that the proposed Jabiluka uranium mine would threaten the World Heritage values of Kakadu National Park.

The Australian Delegation to the meeting advised of the progress to date in imposing conditions on mining such that it does not affect the World Heritage values or other natural and cultural values in the Kakadu area. In its report, the Bureau noted that "progress had been good, and the care taken to protect World Heritage values is adequate".

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However, because of the importance, complexity and sensitivity of the issue the Bureau proposed that a mission to Kakadu be undertaken by a team headed by the Chairperson of the World Heritage Committee with the participation of the Director of the World Heritage Centre, IUCN and ICOMOS. This mission would examine the situation further, have discussions with relevant Aboriginal groups, officials, non-government organisations and the mining company, and report to the World Heritage Bureau and Committee sessions in November-December 1998.

CONCLUSION

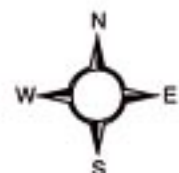
The World Heritage property of Kakadu National Park emerged from national consideration of the complex issues of traditional Aboriginal land connections, a commitment to conservation and protection, and the need to exploit mineral resources for the benefit of the economy as a whole. Co-existing multiple land use has always been a feature of the Park, with balance being achieved through an over-riding commitment, given legislative force, to protect the natural and cultural values of the World Heritage property. That commitment remains in place and has characterised the careful development of the Jabiluka project.



Figure 4: Clans of the Kakadu Region
(based on work by George Chaloupka)



Approx. 50km



This figure is for illustrative purposes only.