

East Kimberley Impact Assessment Project

A PRELIMINARY INDICATION OF SOME EFFECTS OF THE
ARGYLE DIAMOND MINE ON ABORIGINAL COMMUNITIES
IN THE REGION : A REPORT TO THE KIMBERLEY
LAND COUNCIL AND THE NATIONAL ABORIGINAL
CONFERENCE

R.A. Dixon, C. Elderton, S. Irvine and I. Kirkby

East Kimberley Working Paper No.8

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A Joint Project Of The:

Centre for Resource and Environmental Studies
Australian National University

Australian Institute of Aboriginal Studies

Anthropology Department
University of Western Australia

Academy of the Social Sciences in Australia



The aims of the project are as follows:

1. To compile a comprehensive profile of the contemporary social environment of the East Kimberley region utilising both existing information sources and limited fieldwork.
2. Develop and utilise appropriate methodological approaches to social impact assessment within a multi-disciplinary framework.
3. Assess the social impact of major public and private developments of the East Kimberley region's resources (physical, mineral and environmental) on resident Aboriginal communities. Attempt to identify problems/issues which, while possibly dormant at present, are likely to have implications that will affect communities at some stage in the future.
4. Establish a framework to allow the dissemination of research results to Aboriginal communities so as to enable them to develop their own strategies for dealing with social impact issues.
5. To identify in consultation with Governments and regional interests issues and problems which may be susceptible to further research.

Views expressed in the Project's publications are the views of the authors, and are not necessarily shared by the sponsoring organisations.

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Kununurra

27 July 1984

FOREWORD

This document was prepared in July 1984 by a number of employees of Aboriginal organisations in the East Kimberley. It was an attempt by those organisations to document the social effect of the Argyle mine on Aboriginal communities, and was intended to influence the State Government's views on the structure and operation of the Argyle Social Impact Group. The document was originally circulated in a photocopy form, and included sections on possible arrangements for disbursement of the Argyle Social Impact Group funds. This material has been deleted from the present publication as it is not of continuing relevance.

The East Kimberley project believes that the document also sheds light on Aboriginal perspectives of the Argyle development, and that it complements the perspective outlined in the Ashton Joint Venture's Environmental Review and Management Programme.

For these reasons, it was felt that the document deserved the wider circulation which publication in the project's working paper series would bring.

M.C. Dillon
Executive Officer
East Kimberley Project

PREFACE

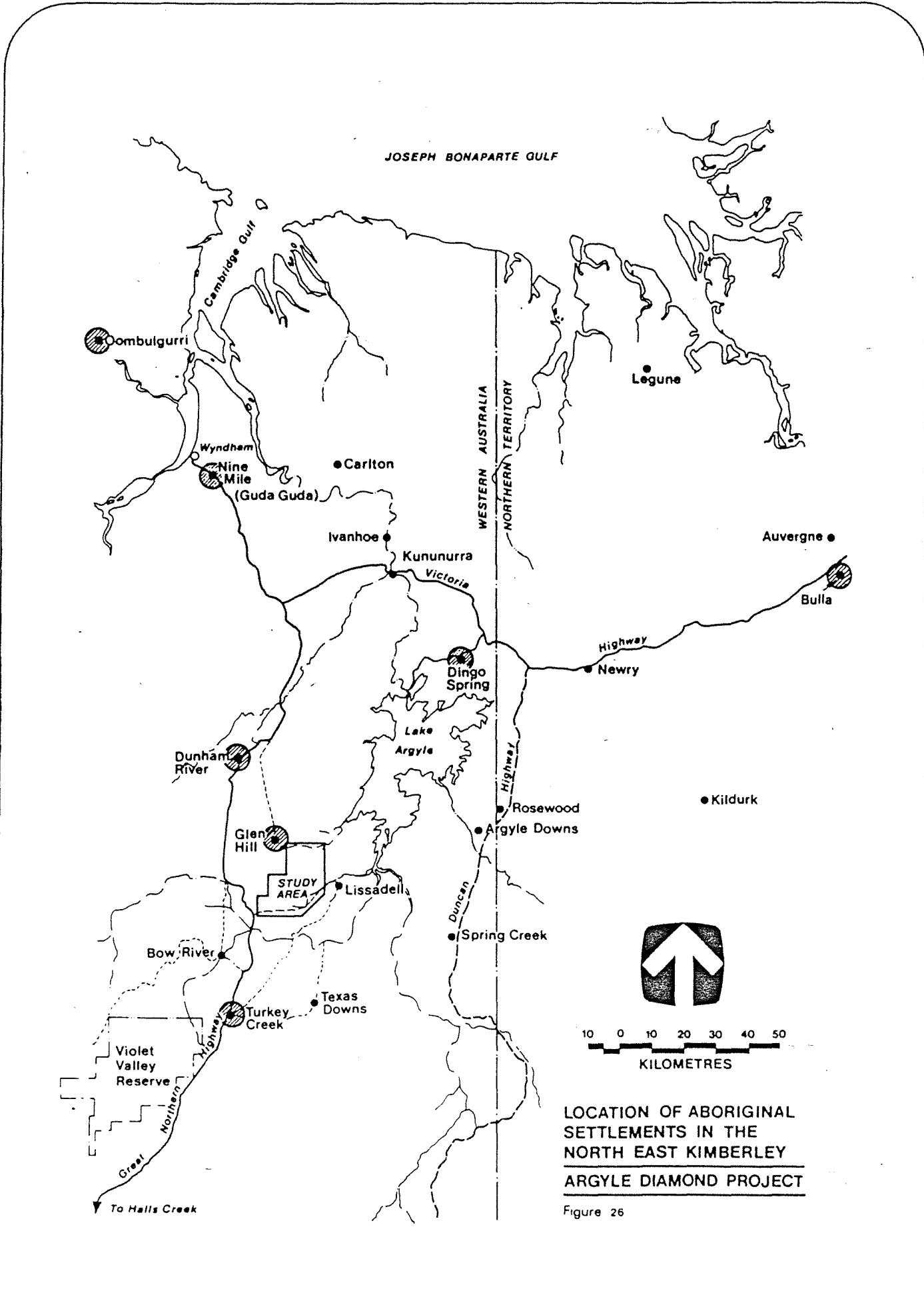
This report was prepared, at a few days notice in mid 1984, as a brief to the National Aboriginal Conference and the Kimberley Land Council, prior to discussions between representatives of the Western Australian Government and communities affected by Argyle Diamond Mines' operations.

As a matter of convenience, references in the document to 'the Company' are to the Ashton Joint Venture and its successors, the Argyle Diamond Mines Joint Venture, and the Ashton Exploration Joint Venture, and their constituent companies.

The authors wish to stress that the observations presented below are preliminary and, given the circumstances of the report's preparation, make no claim whatsoever to comprehensiveness.

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SOURCE: Argyle Diamond Project ERMP (1982: 212)

PART I - INTRODUCTION AND BACKGROUND INFORMATION

SECTION 1: INTRODUCTION

Aboriginal people are statistically the largest racial group in the East Kimberley.¹

They are also by far the largest component of the permanent population of the region.²

The Argyle Diamond Mine Environmental Review and Management Programme (ERMP) recognizes this and notes that likely social benefits flowing from the mine's development 'will not necessarily do so for Aborigines unless some special provisions in social planning are instituted by the Ashton Joint Venture' (Ashton Joint Venture, 1982: 257).

As will be indicated, 'special provisions in social planning' have not been developed by Argyle Diamond Mines (A.D.M.) And neither State nor Federal Governments have intervened to ensure that such special provisions are developed to protect Aboriginal society from the effects of the mine development.

Current attitudes among the miners and the government reflect past neglect.

From the outset of the project, it has been clear that Aboriginal groups would be profoundly affected both by the direct effects of mining and exploration activity and by the policies devised by the company to deal with local Aboriginal communities. It has also been clear that they could expect little help from official quarters. Faced for the greater part of this period by a government apparently indifferent or hostile to their interests, Aboriginal communities and representative organizations have had little recourse against the arbitrary actions and policy decisions of the Argyle developers.

These comments by Dr W. Christensen, written in 1983, continue, in our view, to reflect the current situation.

Aboriginal concerns about the potential impact of the mine's development were first expressed on 4 February 1980, within months of the discovery of diamonds at Smoke Creek.

Public statements by State and Federal Governments and the Company itself indicate their clear recognition that development of the mine will have far reaching consequences for Aboriginal people living within its environs.

These effects are already being experienced - and some preliminary indication of these is given in Sections 5 to 13 below.

Despite official recognition of the existing and potential effects of the Argyle Diamond Mine development, no structure has yet been established by either the State or Federal Government to monitor or evaluate the impact of the mine on the affected Aboriginal communities.

To date that task has been left to the developers themselves - Argyle Diamond Mines. Provision 4 of the 'Provisions Required by State Cabinet for Approval of the Argyle ERMP' (see Appendix I) requires that:

The Company closely monitor the social impacts of its development on the town of Kununurra and nearby communities especially during the construction phase.

It is the construction phase which the ERMP identifies as 'potentially a period when serious adverse social impacts could occur' (Ashton Joint Venture, 1983: 221). The construction phase is already well underway.

As development proceeds it has become clear that the Cabinet provision is both unrealistic and unenforcable. As Christensen (1983) and others have noted:

- (a) the Company does not enjoy the confidence of the majority of Aboriginal people in the region. It is consequently without the Aboriginal contacts necessary to obtain information on which to base an impact evaluation;
- (b) the Company has no competence in the field of Aboriginal affairs and has established no monitoring group;
- (c) the Company failed, in the process of compiling its ERMP, to collect detailed genealogical or social data or information on Aboriginal economic or recreation patterns. It therefore lacks a data base by which the social impact of the development could be gauged;

- (d) since the Company is the developer and initiator of change, it is unrealistic to expect the company to sponsor research that may be critical of its activities;
- (e) the Company's commercial interests could be expected, in many cases to override social considerations, given that:
 - (i) the Company's stated policy is that it is primarily a commercial enterprise not a welfare body;
 - (ii) the Company's activities are not subject to close governmental or public scrutiny;
 - (iii) the affected Aboriginal groups are isolated, disadvantaged, powerless and without the means to articulate their grievances concerning the company's actions.

Given the above, it is clearly unrealistic for the Government to sustain the *laissez-faire*, self-regulatory approach to the company's activities and their effects on Aboriginal society in the region.

The Government has retained the right in Provision 8 of the State Cabinet memorandum, to establish:

an impact assessment group ... to monitor, review and recommend to government on the social impact of the project with a view to further development of the Government and Company's social programme.

The Cabinet Memorandum, dealing with this matter suggests that the Impact Assessment Group comprise 'representatives of Government, Company and local communities, including Aboriginal groups'.

It is the view of this report and of much of the current literature on the subject that the task of an Impact Assessment Group is not to provide a forum for competing interest groups but to provide an *independent* assessment of impact based on the monitoring of changes in sociological, economic and related indicators over a period of time.

Current State Government thinking, as evidenced by its recent proposals for the composition of the Impact Assessment Group, suggests an absence of detailed knowledge within the Government on the issue of impact assessment.

Clearly decisive Government action is required to ensure that Aboriginal interests are not rendered invisible by the Company in its efforts to develop the mine; to prevent the exacerbation of the existing impacts on the affected communities; to ensure that the development does not generate the preconditions for new and increased Government subventions for Aboriginal Welfare in future years; and not least, to reassert that the responsibility for Aboriginal affairs in the region is in fact that of the Government not the Company.

As it has become increasingly clear that the Company does not intend to honour the promises of its ERMP in relation to Aboriginal Affairs, intervention by the Government (which approved the mine development on the understanding that the ERMP would be honoured) has become increasingly urgent.

The brief preliminary report which follows suggests a need for urgent government action to establish an independent impact assessment study.

SECTION 2: THE COMMONWEALTH GOVERNMENT AND IMPACT ASSESSMENT

The Commonwealth Government retains the primary responsibility for Aboriginal affairs. The Commonwealth policy in relation to Social Impact Assessment of development in proximity to Aboriginal communities was first clearly enunciated in relation to the Ranger Uranium development, viz:

The Government's decision to allow mining of uranium in the Alligator Rivers region will certainly have a profound effect on the lives of the Aboriginal people living in the region. Let there be no doubt about this. The Ranger Inquiry recognized that development must inevitably increase the pressure already leading to rapid social change and stress in the Aboriginal communities. The Government's decision to adopt fully the Ranger Inquiry's recommendations relating to Aboriginals will allow them, as owners of the land, to follow their own lifestyle on their own land to the extent they choose, to influence the course of development, and to take advantage of the full ranges of opportunities which developments may open up to them. *The Commonwealth Government recognizes a continuing obligation to watch the impact of development on the Aboriginal people of the region, to work closely in conjunction with them, and to ensure that the total level of activity in the region is controlled in their interests.* (Commonwealth of Australia, 1977 - emphasis added).

Letters on file indicate that communities in the affected area of the Argyle Diamond Mine have, since 4 February 1980, requested that a Social Impact Assessment Group similar to that established by the Commonwealth Government in the Alligator Rivers region be established to monitor the impact of the mine on Aboriginal people and 'to ensure that the level of activity in the region is controlled in their interests'.

On 17 September 1980, the then Minister for Aboriginal Affairs wrote to the Chairman of Warmun Community (Turkey Creek) indicating that:

At this stage of exploration it is not possible to carry out an impact study that is likely to be of real benefit ...

I have asked that I be kept informed of situations where it is considered activities have reached the point where a social impact study might be of benefit to the Aboriginal community or communities concerned.

No independent assessment of the social impact of the ADM has to date been undertaken, nor has the Commonwealth (despite the continued representations of the affected communities) taken any action to discharge its responsibilities in relation to the protection of Aboriginal interests in the area of the mine.

SECTION 3: THE STATE GOVERNMENT AND THE IMPACT ASSESSMENT

On 17 May 1983, the Deputy Premier and then Minister for Economic Development and Technology, Mr Bryce, informed the Warmun Community by telex of Cabinet approval of the Argyle Diamond Mine ERMP subject to eight provisions (see Appendix 1). Those provisions include, *inter alia*:

- ...(4) The Company closely monitor the social impacts of its development on the town of Kununurra and nearby communities, especially during construction phase. It should co-operate with private and Government agencies as well as other possible developers to control or overcome any adverse impacts which may occur.
- ...(6) The Company consults with the Government and local Aboriginal groups with a view to changing the management of funds contributed under the Good Neighbour Policy.

- ...(8) An Impact Assessment Group be established comprising representatives of Government, Company and local communities, including Aboriginal groups, to monitor, review and recommend to Government on the social impact of the project with a view to further development of the Government and Company's social programme.

Mr Bryce further stated in the telex that:

The key to the Government's approach is the creation of the Impact Assessment Group which will pave the way to avoid conflict and confrontation.

At the end of October 1983, more than six months after the Cabinet Decision, Mr G. McDonald, advisor to the Hon. K. Wilson, Minister for Youth and Community Services and with Special Responsibility for Aboriginal Affairs, had discussions concerning the likely impact of the Diamond Mine project with Aboriginal communities and organizations in the East Kimberley. On 17 January 1984, two and a half months later, Aboriginal communities received a proposal for the formation of an Argyle Impact Group). The proposal prepared by McDonald on behalf of the Government provides for an annual *ex gratia* payment of \$1 million to the Aboriginal communities 'affected' by the Argyle Diamond Mine programme for a period of at least five years and suggests structures and procedures for the distribution of these funds.

However, four fundamental issues have not been explicitly addressed in McDonald's Proposal:

- (1) the criteria to be used in determining an 'affected' community;
- (2) the 'formula' by which the proposed funds have been calculated and by which the duration of the compensation (5 years) has been determined;
- (3) the methods by which impacts are to be assessed; by which proposals for compensatory action may be drawn up and the issue of who will control these determinations;

- (4) a means of disbursement of the funds which will maximise Aboriginal self-management.

Further, it is clear that the proposal does not fully address all the provisions endorsed by Cabinet in granting approval for the mine's development, and in particular:

- Provision No.3 relating to site protection and management in areas influenced by the development;
- Provision No.7 relating to Aboriginal employment.

One week after the communities received the Argyle Impact Group proposal, Paul Seaman Q.C., Commissioner for the Aboriginal Land Inquiry, released a *Discussion Paper* on the work of the Aboriginal Land Inquiry for public comment. In Section 8 - 'Social Impact of Resource Development', the Commissioner stated:

- 8.6 Any worthwhile assessment of social impact on various groups of Aboriginal people in an area depends upon a consideration of their traditional links and associations and a detailed examination of the mining project proposed and the geography and population distribution of the area. If these matters are to be realistically assessed it seems to me necessary that some body like the Environmental Protection Authority should be empowered to carry out an assessment before a development takes place in which it should specifically take into account and investigate the Aboriginal concerns which I have mentioned. Such a body should identify the Aboriginal organizations which are affected, the degree to which they are affected, and recommend methods of reducing the social impact and accommodating their respective concerns.

In a later section, the Commissioner noted:

- 8.8 Very large mines which involve specific enactments and specific agreements between the State and the developers may create exceptional circumstances whereby the Government as part of an agreement imposes obligations on the mine developers to make payments to affected communities. Again, it seems that those payments should be guided by an impact assessment study of the sort I have described specifically looking to and hearing the concerns of Aboriginal people.

Seaman's proposal, while presenting a considerable advance on existing government proposals, fails to consider the diachronic impact of development and the need for continuous monitoring and evaluation of, and modification to, the development in order to minimize negative social impacts.

SECTION 4: THE COMPANY AND THE IMPACT ASSESSMENT

The Company position, as expressed by CRA Chairman, Sir Roderick Carnegie, has been that the Company is a commercial not a welfare institution with the implication that social considerations are secondary to these commercial considerations.

The Company's ERMP, written with a view to expediting governmental approval of the project, in noting that:

Aborigines in the Kimberley are the socio-cultural grouping which is most vulnerable to changes which could be introduced along with the program (Ashton Joint Venture, 1982: 171).

suggests the need for an ongoing procedure for monitoring social and economic change in the region.³

Notwithstanding this recognition of the need to establish procedures for a diachronic study of impact and change on Aboriginal society, no such procedures have been established.

The mine's effects proceed unchecked, unmonitored, unevaluated, notwithstanding the promise of the ERMP and the conditions placed on the Company by the Cabinet Memorandum of 17 May 1983.

PART II - PRELIMINARY INDICATION OF SOME EFFECTS OF THE ARGYLE DIAMOND
MINE ON ABORIGINAL COMMUNITIES IN THE REGION

SECTION 5: ABORIGINAL ACCESS TO LAND

In 1910, approximately 25 years after Europeans had first successfully established themselves in the Kimberley, all of the region from Halls Creek to Wyndham had been taken up in pastoral leases. During this period and for the next 40 years, Aboriginal people, were increasingly forced to work on these European pastoral stations.

Despite engendering Aboriginal institutionalisation, poverty and exploitation, the pastoral industry did not deny Aboriginal access to land *per se*. Nor did it permanently alienate all the land it took over.

This situation radically altered with the introduction of the Ord River Irrigation Area (ORIA) in the early 1960s followed in 1968 by extension of the Pastoral Award to Aborigines in the pastoral industry. The ORIA permanently alienated a substantial area of land traditional to Miriwung and Malngin speakers (Dixon, 1978) whilst extension of the Pastoral Award resulted in the mass relocation, again often by force, of Aboriginal people throughout the East Kimberley to fringe settlements at Wyndham, Kununurra, Turkey Creek and Halls Creek (Shaw and Ngabidj, 1981).

This large scale relocation to urban settings undermined Aboriginal culture primarily through the loss of access to land and the need to adapt to a new environment. Aboriginal economic, religious and socialisation systems were especially affected. The land based economic and religious systems which were still effective in the pastoral station context were more difficult to maintain in an urban situation remote from 'country'.

Aboriginal identity is firmly land based. As outlined above the history of European settlement in the North East Kimberley has been a process of forcing Aboriginal people into more densely populated environments where Aboriginal values and social systems have little meaning. Reattainment of land is seen as a means of reversing recent history and enabling a re-establishment of Aboriginal identity.

Over the last two years a number of new communities have been established in the North East Kimberley. These communities are composed of small kin groups who have moved out from Kununurra, Wyndham and Turkey Creek. For all these groups the development of outstations has been the

pivot for a number of issues. Outstation life allows Aboriginal people to fulfill the obligations they have to 'country'. Outstations are invariably set up in places which enable Aboriginal people to keep an eye on specific *ngarrangkani* (Dreaming Sites). Consequently an outstation community is established as a means of maintaining and renewing cultural identity. It is a place where Aboriginal people desire to raise and socialise their children. People from Kununurra, Wyndham and Turkey Creek have all spoken of the need for children to learn both ways - 'Katiya' way and Aboriginal way. The importance of gaining European skills is acknowledged alongside the growing reiteration that Aboriginal language and culture must be actively supported.

At the same time the demand for land is evidence of Aboriginal people's aspirations to have more control over their lives. In the smaller kin based communities people are able to determine the boundaries of their influence and make decisions on the issues they consider to be of importance. Such people emphasise that movement away from fringe camps and town reserves is a means of escaping social disintegration. Outstation residents often talk about wanting to stay away from 'grog' which has created an environment over which no-one has control.

Impact Attributable to ADM

The ERMP outlines the major fears expressed by Aboriginal communities consulted in 1981 about the establishment of the Argyle Diamond Mine. These include:

- limited Aboriginal access to land;
- competition for use of fish-holes, swimming holes, camp sites and hunting areas;
- intrusion on community life.

These concerns are relevant to, and shared by, communities located in the vicinity of the mine and those in Kununurra.

At this stage of the development, many of these fears are being realised. The land requirements for the operation of the mine development focus on Kununurra and the mine site on Lissadell Station.

In Kununurra, the company proposes to house 50 operations staff and their dependants in 38 houses and 12 units. This is in addition to office and storage requirements. The Argyle Diamond Project Proposals Report (Argyle Diamond Mines, 1983) states that current company housing comprises 12 houses and 3 units, that construction of the Lilly Creek Stage II sub-division commenced in April 1983, and that the remainder would be located in the Lakeside I sub-division. However information from the State Housing Commission of Western Australia indicates that the Company have purchased 36 lots within the latter sub-division.

While the land requirements for housing in Kununurra may appear small, the geography of Kununurra is such that land suitable for residential purposes is limited. Further, the expected expansion of service industries will multiply demand for land and exacerbate the existing shortage of land for housing. Access to State Housing Commission housing for both urban Aboriginals and non-Aboriginal families is already restricted and currently involves delays of up to 12 months. Increased competition for land together with increased population pressures will compound the present situation, placing housing out of reach of many urban Aboriginal families.

In the case of Aboriginal fringe dwellers on the outskirts of Kununurra, the provisions made to house the additional European population resulting from the mine development has resulted in the forcible eviction of Malngin and Mirriwung town campers from the Lilly Creek area. The company's ERMP anticipated that this would happen⁴ - but nothing was done to prevent it or compensate for it.

No provision has been made for rehousing the former Aboriginal inhabitants of the Lilly Creek area who are currently squatting on land 10 kms from the town.

This group continues to be denied access to land by the Shire. Without tenure to land, government housing and sanitation programs, for which funds are available, cannot go ahead.

In the case of town dwellers, the ERMP notes that increased utilization of fishing holes, swimming and camping places 'will be noticeable' around Kununurra as a result of the mine development and the consequent population growth.

In this context it should be noted that Kununurra is located on Mirriwung land and the land adjacent to Kununurra contains many areas of ritual significance as well as providing access to food supplements and recreation.

Already the Mirriwung people have been involved in minor confrontations with local authorities to prevent the desecration of ritually important areas. Such confrontations may be expected to continue and possibly enlarge, unless a land use programme for these areas is determined in negotiation with the traditional owners.

Land requirements specific to the mine involve approximately 5,530 hectares, comprising approximately one-third of the Lisadell pastoral lease, and held as special leasehold by the company.

The ERMP notes that this will include '... a substantial buffer zone' (1982: 228).

Until quite recently Lissadell Station was a significant area for recreational, educational and economic activities for a large number of Aboriginal families, primarily from Warmun Community at Turkey Creek. However there is now competition for fishing and recreation spots from mine workers using areas which were previously important as Aboriginal food sources.

This pressure on land areas of recreational, economic and religious importance to Aboriginal people can be expected to increase both directly and indirectly as a consequence of the development. Current examples are outlined in Section 5 and 11.

Through its 'Good Neighbour Program' (which operates only in relation to capital works at established communities - see Section 7), the company has actively denied Aboriginal aspirations in relation to land.

In 1982 the Company rejected the Warmun Community's request to use GNP funds to assist in the purchase of Bow River Station, and as indicated elsewhere the Company has refused to allow GNP funds to be used for the development of outstations.

SECTION 6: ABORIGINAL 'SITE' PROTECTION

Aboriginal people in the north-east Kimberley use the term *ngarrangkani*, glossed as the 'Dreaming' or 'Dream-time', to refer to a set of related beliefs which reference both a distant past when mythic ancestors travelled across the country modifying the landscape and establishing the moral and social order, and the beliefs, standards and sanctions that direct much of Aboriginal behaviour today.

These anthropomorphic ancestor beings left behind them, within the landscape, part of their spirituality, which Aboriginal people believe endures as a potent and vital force, which may be 'called up' through ritual and song. These places or 'sites' represent the tangible evidence of Aboriginal cosmology and their destruction is of concern to Aboriginal people for a number of reasons.

Firstly, Aboriginal people believe that interference with such places releases the forces inherent there to the detriment of all life forms in immediate and adjacent areas. The continual destruction of 'sites' has and will continue to undermine the Aboriginal moral and social order prescribed by Aboriginal Law.

The social chaos that is consequent on the alienation of land in both physical and metaphysical terms is typified by conditions in the Pilbara and in the Alligator Rivers region and may be directly attributable to the introduction of large-scale development projects and the construction of associated infrastructure. The tourist developments that inevitably follow exacerbate this situation and continue the process of alienating Aboriginal people from land, including areas of mythological and ritual significance.⁵

It needs to be emphasised that Aboriginal fears and concerns relate not only to the destruction of areas of mythological and ritual and/or ceremonial significance, but also to access by the 'uninitiated' to country. There exist 'sites' in country where Aboriginal Law prescribes specific rules of access and behaviour. The transgression of such rules are believed to have consequences not dissimilar to the destruction of 'sites'. Metaphysically, both actions represent sacrilege.

Increased mineral and oil exploration and tourism will mean increasing numbers of 'strangers' in country, and Aboriginal fears and concerns will be raised accordingly.

Consequently the development of ADM's project at Argyle with its associated infrastructure and support services poses a major threat to Aboriginal aspirations to maintain aspects of traditional culture. Many Aboriginal people in the East Kimberley wish to retain their religious systems as coherent entities that will have meaning for their descendents and allow them to maintain their identity as Aboriginal people.

Following the discovery of the Kimberlite pipe AKI at Argyle, the West Australian Museum commissioned two reports (Ackerman and Randolph, 1979; and Palmer and Williams, 1980). The Ackerman - Randolph report detailed 58 'sites', three of which were located within CRA's tenements, one coinciding with the Kimberlite pipe. Both documented the socio-economic and religious significance of these localities to Aboriginal people in the region. In September 1980, Ministerial approval was granted to CRA under Section 18 of the Aboriginal Heritage Act 1972-80 for permission to utilize all three sites located within its tenements. This occurred despite a recommendation by the Aboriginal Cultural Materials Committee that the Site coinciding with the Kimberlite pipe be declared a Protected Area. In the *Trustees of the W.A. Museum Report* for the year ended 30 June 1981, the Trustees noted:

... in light of an agreement made between senior members of the Aboriginal community and the Company, and the *Minister's assurance that fifty-five of the sites in the area would be given protected status*, the Trustees recommended to the Minister that approval be given for the three sites to be utilized while fourteen should be declared temporary protected areas
(emphasis added.)

Despite the Minister's assurance, none of the documented 'sites' have been declared 'protected' areas under the Act.

In 1982, the Museum was notified that a further two sites of mythological and ritual significance had been damaged by CRA/AJV. This was confirmed after discussions with the Company. These sites had not been documented in either of the reports commissioned by the Museum.

This fact highlights the need for CRA to commission more detailed ethnographic investigations in the area as recommended in the Ackerman-Randolph report and reiterated on a number of occasions by the Warmun Community. It has been a request continually rejected by the Company.

More recent history has seen a perpetuation of the Company's apparent lack of concern in the area of Aboriginal site protection. Cabinet approval of the ERMP was conditioned on ADM having further discussions with the Museum and local Aboriginal communities '*... on all aspects of Aboriginal Site Protection and Management in areas influenced by the development*'.⁶ (emphasis added.)

However, the Company has proceeded with its activities without consultation with the Museum or a majority of those Aboriginal people with traditional affiliations to the land subject to development.

Instead the Company has adopted a self-monitoring approach, reflected in an ADM document submitted to the State Government in 1983 in accordance with the requirements of the *Diamond (Ashton Joint Venture) Agreement Act 1981*. The document states in Section 8.8 that:

Project construction operations will be adequately supervised to ensure that the provisions of the Act are complied with.
(Argyle Diamond Mines, 1983: 86)

No provision for consultation with either traditional owners nor the relevant statutory authority, the W.A. Museum, were detailed, despite the fact that the Company was aware of the conditions Cabinet had imposed in approving the ERMP.

From the above it is apparent that Aboriginal fears in relation to site protection, as documented in the ERMP (1982: 220) are well founded. Five areas of mythological and/or ritual significance and seventeen archaeological sites have been destroyed as a direct consequence of ADM's project. The company has refused to commission a detailed ethnographic investigation of the area affected by the development. No co-ordinated site management and protection scheme has been developed. ADM has quite clearly abrogated its responsibilities in relation to site protection.

In conclusion, further site destruction and damage is inevitable given:

1. The lack of detailed knowledge of sites located within and adjacent to the Argyle tenements.
2. The Company's apparent opposition to any review or monitoring of its activities by external agencies, even those with statutory obligations;
3. the increasing numbers of non-Aboriginals entering the region (both as a direct and indirect result of the ADM development);
4. the failure of the State government to enforce the recommendations conditioning approval of the ERMP and to implement adequate site management and protection programs;
5. the increased exploration activity downstream from the Argyle tenements and in this region generally.

SECTION 7 : ECONOMIC INDEPENDENCE AND THE ADM 'GOOD NEIGHBOUR PROGRAM'

All Aboriginal communities in the Region express a desire for economic independence in the sense of independence from need, independence from 'hand outs' and independence from the need to operate in purely European economic terms.

All communities aspire to the sort of economic independence that will permit them to exercise real choices about the future direction their community will take.

Common aspirations for economic independence are expressed in terms of familiar models - operating pastoral stations, selling produce from small home gardens etc.

Increasingly there is a desire to operate small, community controlled service enterprises (mechanical workshops, community stores etc.,) though there is not necessarily the recognition that these require an economic base from which to operate.

A view expressed forcibly in one community - but common elsewhere - was the desire to be 'free from DAA forever' and to thereby be freed from the "cap in hand" deference associated with reliance on funding from government agencies.

With the discovery of diamonds at Smoke Creek and the entry of CRA into the region, Aboriginal people fought to obtain a measure of control over the mining development and to gain a share in the resources being extracted from their country.

Unable to obtain recognition of their claims or redress for the desecration of their sites through the normal legal and administrative channels, members of the Mandangala group signed an 'agreement' with CRA in July 1980.

The terms of the 'Good Neighbour Program' formulated by the company for the Mandangala group were later extended in part to the Warmun and Woolah communities.

The effects of the GNP, taken overall, have been:

- (a) to permit ADM to increase its social and political control over Aboriginal people in the Region;
- (b) to increase Aboriginal dependence.

(a) GNP as a means of increasing ADM social control over Aboriginal people in the region.

It is important to recognise that the economic benefits made available by ADM to the three Aboriginal communities have been made contingent on the Company's ongoing activities being unopposed by Aboriginal people such that it 'remain free to conduct exploration throughout its Argyle tenements' (Dillon, 1984: 76). That is, Aboriginal people have been offered assistance on the basis that they complaisantly accept the Company's exploration and mining activity.

These terms, which enable the Company to take sanctions against non-complying groups, represent an attempt by the Company to control Aboriginal opposition and, by extension, aspects of Aboriginal political development in the Region. An essential concomitant of this process has been the continuation of Aboriginal dependency.

(b) GNP and increased Aboriginal dependence

Aboriginal aspirations to achieve economic independence from 'hand outs' in order to achieve a degree of self-management and self-determination have been referred to above.

Since 1973 Government policy and funding have been directed to this end with varying degrees of success.

In contrast the GNP is, in our view, operating to increase Aboriginal economic and social dependence for, amongst others, the following reasons:

- (i) *the introduction of ADM as a new funding agency in the region has added to Aboriginal confusion about funding sources and created new and unrealistic financial expectations.*

The addition of another funding source to the existing multiplicity of agencies has created a new source of confusion and frustration that detracts substantially from Aboriginal attempts to become more closely involved in the management of their affairs.

This is clearly seen in, for example, evidence provided to the Aboriginal Land Inquiry by a Kija man Rammel Peters of Warmun Community:

'There are two from the Government - ADC and DAA. They are on one side of us and CRA are on the other. The ADC and DAA people tell us to ask CRA for

money. We ask CRA for money to buy Bow River Station. Then they say, 'we can't give you that \$100,000 it is only for capital works around the community'. Then CRA say you have to ask ADC. Then ADC say they have not got the money - 'You have got a rich diamond mine up there'. From part of those three, you can't get head or tail of them (Aboriginal Land Inquiry, 1983).

As well as adding to frustration and confusion the addition of another funding source has created a new set of expectations about additional subventions.

These expectations were to some extent encouraged by weekly meetings set up at Mandangala and attended by ADM's Community Relations Officer.

One effect of those meetings was to create the impression of the Mandangala group as brokers between the Company and communities in the region. However the group's inability to fulfil its promises has created questions about the credibility of the Company and the Mandangala group itself.

The overall effect has been for frustrations and potential conflicts over the Company's GNP to find expression in tension between the Mandangala group and the other communities in the Region. These tensions and frustrations tend to be directed at the Mandangala community group rather than at the Company's policy.

- (ii) *The GNP denies any measure of Aboriginal control over the management of funds and the determination of funding priorities.*

It is generally recognized that if Aboriginal people are to be encouraged to take responsibility for the financial administration of their communities, a system of funding

which will enable Aboriginal control over priority setting must be developed. DAA are slowly moving in this direction with the development of a block funding approach whereby communities will be free to allocate funds to their own priority areas, under certain broad headings. According to the Department, the intention here is:

.. to enable organizations to assume greater control and management of grant funds and *minimise the need for departmental endorsement of management actions* in accordance with the current Government Policy of self-management.

In contrast the GNP represents an amalgam of *ad hoc* and arbitrary funding decisions over which Aboriginal people have no control. Repeated requests by Warmun and Woolah communities for the Company to enter into a formal agreement detailing the terms of their financial relationships have been resisted by the Company. No schedules of expenditure have been supplied to the communities to enable them to review the program and ensure that funds are being spent effectively.

The only 'clear' policy to emerge is that:

- (a) GNP funds may only be spent on capital works. Yet the decision on what constitutes 'capital works' is itself arbitrarily defined and redefined by the Company;
- (b) funds may not be spent on re-establishing Aboriginal communities on traditional land.

Neither of these policies bears any relation to Aboriginal priorities and reflect the absence of Aboriginal management and control. For example, as noted above, the first priority of most Aboriginal groups in the region is indeed to re-establish themselves on their own 'country'.

This absence of control is repeatedly criticized by community representatives in relation to the GNP:

Guda Guda should use the money themselves

or, for Warmun -

From those meetings, gave us \$100,000 a year but we did not get it in the hand ... Not much on \$100,000 the way the Aborigines wanted. They don't treat us the way we want ... CRA controls the money. We were asking them to sign an Agreement so that we could hang on to it and use it the way we wanted it (Aboriginal Land Inquiry, 1983).

The absence of Aboriginal management and control over the determination of priorities for expenditure under the GNP is complemented by the absence of Aboriginal control over capital works funded by the GNP.

In addition, the 'capital works only' component of the GNP 'policy' is recognized within the communities as having several undesirable effects, including the creation of an imbalance between capital and recurrent funding. As the number of capital items increases so does the need for recurrent funding to maintain them. The community adviser at Warmun has noted that one effect of the provision of capital items through the GNP⁷ has been to make an already poor community even poorer, since:

... more of each individual resident's income is channelled away from individual needs (for example food) to help maintain these assets through the community chuck-in system.

Already some community residents have revolted against this increase in 'tax' - causing a great deal of dissension within the community (Tegg, pers. comm.)

ADM's pursuit of its current Aboriginal Affairs 'policies' and its refusal to cede management of the GNP

funds to the communities concerned has confirmed, for many Aboriginal people, the stereotype of ADM as simply another European agency unwilling to relinquish real control or decision-making responsibilities to the Aboriginal communities themselves. The Company is seen as another obstacle standing in the way of Aboriginal people gaining control over the management of their own affairs. The exclusion of Aboriginal people from management of the GNP funds is also seen as pre-empting the development of effective Aboriginal leadership.

This has confirmed many Aboriginal people - in reality and in their own perception - as passive victims. This has, in turn, tended to confirm Aboriginal dependency making the task of community development more difficult.

The absence of a stated policy to maximize Aboriginal management of the GNP funds - indeed the absence of any clear policy directions for the disbursement of the funds - has also contributed to the elevation of certain Company personnel to the status of Aboriginal 'patrons'.

That is, since funds releases depend not on the assertion of a right to those funds but on *ad hoc* decisions by a number of Company officials, the clear signal to communities has been that favourable decisions and funds releases depend on maintenance of good inter-personal relations and deference to the Company's agents.

These personnel now exercise an influence over the direction of Aboriginal affairs in the region that rivals that of DAA or ADC and entirely eclipses that of the State Department of Community Welfare and the Aboriginal Affairs Planning Authority.

This influence can be expected to increase as the Company's importance in the regional economy increases.

Since the Company's Aboriginal affairs policies tend to operate against Government policy in the key areas of self-management, self-determination and economic self-sufficiency, this development should be a matter of concern to both State and Federal Governments.

At the very least it provides an argument for funds to be made available to communities from Government levy on the Company rather than directly from the Company itself.

SECTION 8 : EMPLOYMENT

The ERMP states that one of the causes of Aboriginal unemployment is:

... the failure in the past to incorporate Aborigines in plans and thinking ... (Ashton Joint Venture, 1982: 185).

It further notes that:

AJV is aware that Aboriginal communities contain people with a wide range of skills, ambition and needs. As a result, an employment policy covering a wide range of options has been developed. (1982: 236).

The ERMP does not elaborate in detail on the Company's Aboriginal employment policy. Rather it suggests possible approaches, as follows:

(a) **Direct access to jobs**

Aborigines with previous experience in the skilled and semi-skilled areas will be encouraged to accept employment (1982: 225).

(b) **Training Facilities**

'Aborigines without experience but with the interest and potential to be trained will also be offered positions' (*loc.cit.*).

(c) **Contract Services**

'There will be additional opportunities for local Aboriginal employment in the provision of some contract and sub-contract services to the Project. This will also provide Aborigines with insight into the operation and may provide an avenue for permanent employment for those who wish to be involved' (*loc.cit.*).

The Company makes a great deal of these proposals, as ways of offsetting the disbenefits to Aboriginal people from other aspects of the mines development. The ERMP refers to the proposed employment options (amongst other measures) as 'designed to preclude, contain, or ameliorate likely negative effects ... (of the development)' (Ashton Joint Venture, 1982: 257).

These employment options fall far short of what would be accepted as a considered and coherent employment policy. There is no mention of specific employment targets, nor of the Company's intention to actively promote Aboriginal employment opportunities with its sub-contractors. There is no detail of how the Company will facilitate equal access to opportunities, how it will accommodate the special training needs of unskilled Aborigines, or the measures it will take to ensure that Aborigines are treated fairly and equally by their fellow workers. At no time has the Company entered into discussion with the affected Aboriginal communities on its policy in respect of Aboriginal employment.

It is clear that the ERMP in fact requires the Company to do very little despite the fact that (apart from the GNP) employment and training are suggested as the only other major benefits to derive to Aboriginal people from the mine.

In this region Aboriginal people represent almost 56% of the local population, yet constitute only 1% of the ADM workforce. Of a total present workforce of over 1000, there are only eight Aborigines in permanent employment, and only three of these are locals.

An insight into the basis of the Company policy may be gleaned from a 1977 Report to the Minister for Aboriginal Affairs entitled 'The Greater Involvement of Aborigines in the Economy of the Pilbara and Kimberley,' and prepared by Mr N. Butcher, ADM's Community Relations

Officer in Kununurra, who was at the time, an officer of the Commonwealth Department of Aboriginal Affairs.

The report accepts, uncritically, the value and range of employment opportunities created by mining operations, but adds that basic training and motivating is squarely a Government responsibility, and that increased Government resources should be allocated for this purpose:

'... the companies are businesses aimed at profit making, not education centres or welfare agents' (Butcher, 1977: 10).

With the poor level of related Government services in the region, very few training opportunities have been made available. There are only 4 Aboriginal apprentices at the mine, and these are subsidised by the Commonwealth Government's NEAT scheme. Training in semi-skilled occupations is non-existent. The Company practice has been to offer positions only to people who have been trained elsewhere. For example, the CES has negotiated and funded 4 plant operator training positions with the Halls Creek Shire with the intention that, at completion, the successful trainees would be offered jobs at the mine site. Thus the Company's assertion that it will provide significant training opportunities is misleading.

ADM's policies and commitment can be contrasted sharply with mine developers in the Northern Territory. The Groote Eylandt Mining Company (GEMCO), a BHP subsidiary, has instituted a range of special recruitment and training initiatives to provide opportunities to the nearby community. The result is that GEMCO has achieved over 10% Aboriginal participation in its workforce, is now focussing on an opportunity promotion programme and developing plans for an all Aboriginal shift including supervisors.

Butcher's 1977 report also foreshadowed the ERMP suggestion that 'Aboriginal labour pools' could be established as a permanent Aboriginal service industry to towns and mine-sites. This programme has been developed at Warmun and Mandangala Communities, and commonly involves 6 people working on specific projects lasting 2 to 4 weeks. For Warmun people such projects totalled about 8 weeks in 1983 and 4 weeks so far

this year (1984). The jobs are usually basic labouring, clearing and cleaning around buildings or roads and revegetation projects. The work is menial and without any significant training component.

The program in effect operates as a cheap reserve labour supply to the Company. The wages paid are not equivalent to those paid for white workers and the Company is spared the obligation and costs of providing services (housing, health, recreation etc.) for the Aboriginal workers. As a consequence too, the main mine settlement is kept predominantly white.

The most recent example of this labour pool programme is a tree propagation and nursery project developed by ADM personnel for Glen Hill with funding from the Community Employment Program. The Company policy that Government money should be invested in projects from which it so obviously benefits further discredits the assertion that ADM is making any significant contribution to employment and training. Nor has the labour pool project resulted in any significant flow of willing Aboriginal participants onto the permanent mine workforce, as suggested in the ERMP.

Clearly the Company has not employed the sensitivity and insight into this matter, that it asserted it would in the ERMP. Nevertheless ADM's corporate image makers continue to advance suggestions of abundant employment opportunities resulting from the development.

As for the future development and operational stages of the mine, it does not appear that the employment and training situation will change. With an likely operational workforce of 200, the Company's projection of a consequent increase in the population of Kununurra by 500 people suggests that Aboriginals are not being actively considered as potential employees.

There are keen and competent Aboriginal men in Turkey Creek, Kununurra and elsewhere who have expressed an interest in meaningful work at the mine. They are particularly attracted to apprenticeships, trades assistant and plant operation jobs. Many are experienced station hands and accustomed to hard work, rough conditions and isolation. With Company policy as it is, they will have no option but to remain unemployed.

SECTION 9: SOCIAL CONTROL AND LAW ENFORCEMENT

With the increase in population resulting from the mine development and its multiplier effect in the region, new pressures are being placed on both formal and informal systems of social control.

In particular there is a movement away from informal community based methods of social control to more formalized methods.

As the population, including itinerants, increases police officers have less time to be involved within the community. It is significant in this context that attempts by the police and courts to involve the Aboriginal community in education about law and in self-regulation have now effectively ceased.

As Aboriginal marginalization increases with the growth of the European presence in the region so has the sense of social alienation felt among Aboriginal youth.

The ERMP warned of this potential development but nothing has been done to prevent it.

Aborigines in Kununurra are already aware of their numerically decreased status due to the influx of Europeans. For those already having trouble with the town environment, this is an added diffuse source of anxiety.

In this context, an increase in town amenities from mining and town expansion and from which benefits the Aboriginal town youth feel essentially excluded would be fraught with long-term community problems for Kununurra (Ashton Joint Venture, 1982: 233).

These problems are beginning to emerge as the various impacts of the ADM development begin to take effect. One example, is the case of the Waringarri drop-in-centre. The ERMP notes that:

Juvenile offences among Aboriginal children declined after the establishment of the (Waringarri) drop-in-centre (1982: 217)

However, with the new impetus given to the local economy by the ADM development, land in the town centre is being bought up for development. Recently the drop-in-centre premises were sold for redevelopment with the result that no facilities now exist in the town for Aboriginal adolescents.

The effect of this on the area of juvenile offences has yet to be determined.

SECTION 10: EDUCATION AND TRAINING

Despite the promises of the ERMP there has been no significant development of Aboriginal training programs as a result of the development of the mine.

In the area of education, there are already pressures on the District High School to provide more academic subjects to satisfy the demands of the families of ADM senior personnel taking up residence in the town.

Given the limited resources available to the school, such changes will, in all probability, be obtained by channelling resources away from other areas of the school's programme.

Again this development was forecast by the ERMP - together with its inevitable consequences for Aboriginal school children:

At high school levels in particular, the choice of subject options will become even more of an issue. Unless special attention is given to providing for the needs of other categories of local children, especially Aborigines, these children could be at an even greater comparative disadvantage (Ashton Joint Venture, 1982: 248).

Neither the government nor the Company have taken any action to prevent or minimize the implications of this trend.

A further consequence is to place further pressure on Catholic primary education with its already large Aboriginal population and its reputation for providing a more relevant curriculum for Aboriginal students.

This increased pressure will tend to widen the existing disparities between resources available to the State and Catholic schools to the probable detriment of Aboriginal education.

In addition, as the outstation movement accelerates, in response to new pressures associated with the mine development, the number of Aboriginal children moving out of the education system has increased.

To date there has been no response by government to the educational implications of these developments.

SECTION 11: TOURISM IMPACT

Tourism is seen by the Kununurra business community as a highly desirable revenue source, but, in general, little attention is paid to the social costs.

These costs are felt mainly within the Aboriginal communities whilst few if any, of the benefits flow to them.

The continual influx of tourists through Kununurra and Lake Argyle serves to reinforce the status of Aboriginal people as objects of curiosity and emphasizes their marginality.

The tourist industry also requires access to land which is often in direct conflict with the needs and rights of the Aboriginal people. This conflict of interests is the basis for the Kimberley Travel Association's objection to the granting of any form of land rights to Aboriginals in the region (Kimberley Travel Association, n.d.)

The social impact of tourism on both the European and Aboriginal populations of the region requires close monitoring to ensure that the economic benefits accruing to a few service industries are not outweighed by social costs experienced by the long-term residents of the region.

The impact of the ADM development on tourism has yet to be assessed.

The ERMP however notes that the project may make some contribution to the expansion of tourism in the Region (Ashton Joint Venture, 1982: 195).

This is already seen in attempts to promote the mine as a major attraction by the Ord Tourist Bureau (now Kununurra Visitor Centre) in conjunction with its promotion of the nearby Bungle Bungle and Lake Argyle.

Infrastructural development associated with the development of the mine will inevitably facilitate increased access into the region by tourists.

For example, as noted in the ERMP:

Development stimulated by the project should give added impetus to sealing and upgrading the remaining unsealed sections of the main road network (1982: 196).

This will complete the national highway system and encourage North and South bound tourist traffic into the region.

New and proposed developments for the region include:

- a \$2 million international resort on Lake Argyle;
- a guest house of 30-60 units at Kununurra (\$300,000);
- a new caravan park on Weaber Plains Road;
- a \$5.5 million hotel/motel complex on the old Darwin Road;
- extension to Coolibah caravan park;
- Kimberleyland African-style village on Lake Kununurra shore (\$150,000) - recently completed.

All these developments are on Mirriwung land and several have serious implications for Aboriginal communities located nearby.

With the increased number of tourists there will be an inevitable increase in the number of intrusions onto Aboriginal properties and settlements, with the consequent disturbance to stock, desecration of cultural sites etc.

Increases in traffic on the road to Argyle village will increase pressures on the pensioner outstation at Dingo Springs which may require relocation.

These and other effects, still to be determined as the development proceeds, require close monitoring together with affirmative action to minimize the impacts or compensate for them.

SECTION 12: ADMINISTRATIVE AND POLITICAL IMPACT

The intervention of government departments and the influx of mining companies into the region after the discovery of diamonds has created a demand for decision-making structures among Aboriginal groups that can achieve quick 'community consensus' on issues presented to them by government and mining company personnel.

Traditional structures of decision making are unsuited to dealing with a large number of issues with limited time in which to consider them.

Before 1979 communities in the region had only to cope with day-to-day matters and managed to do so using family based decision-making structures. Many of these same communities are now subjected to constant demands to be involved in 'consultations' on key issues. For example, the Warmun Community during the period 6 February 1984 to 22 March, 1984, a period of 34 days, was required to be involved in a total of 42 meetings, more than one meeting per day (see Appendix II).

Attempts to generate authority in members of a community council, set up through European intervention, have failed to create a decision-making structure which necessarily reflects community consensus.

Key decisions are thus often arrived at in an *ad hoc* manner and often do not reflect what might, in other circumstances, be the considered opinion of the community (see Tegg, 1984). This, in combination with other external factors, has led to a situation where communities are unable to exert effective control over a great number of issues which are, despite their inability to intervene, continuing to shape their destiny. This inability to exert a determination on events generates a sense of helplessness and alienation. This has, in turn, been accentuated by the lesson of events surrounding the discovery and development of the diamond resources.

The net effect of these events has been to create a general loss of confidence in the ability of the administrative, legal and political processes to protect Aboriginal interests or provide redress when those interests are infringed. This has seriously damaged the credibility of government agencies and the policy of self-management and self-determination.

The damage to peoples' confidence in their ability to become self-managing has been compounded by the operation of the ADM Good Neighbour Program. For, as noted, the refusal of the Company to enter into formal agreements outlining the terms of its financial arrangements with the communities has emphasized to them the 'expediency' of adopting a deferential rather than an independent approach to the Company and its agents. This has also been the result of the Company policy of making ongoing funding contingent on non-opposition from the communities to its activities in the region. Furthermore, the inability of Aboriginal people to determine priorities or exercise management over the GNP funds has operated to pre-empt the exercise of effective Aboriginal leadership.

SECTION 13: MARGINALISATION

It is apparent from the previous discussion that the ADM development has far reaching implications for the North East Kimberley. Both through its direct and multiplier effects the development is radically altering the social and economic bases of the region. The overall effect of this developmental growth on the Aboriginal population is to reverse a trend of increasing Aboriginal influence in the area and to rapidly increase the marginalisation of the indigenous population.

While a Public Works Department Survey in 1978 estimated that Aboriginal people represented 35% of the population of Kununurra, the anticipated expansion of the town as a result of the ADM Project will radically alter this proportion. The Company estimates that its project will increase the population of Kununurra by 500 people (Ashton Joint Venture, 1982: 197). This does not take into account increases generated by growth in areas such as tourism, the expansion of which is also attributable in part to the diamond venture (see sections 5, 6 and 11). The Department of Aboriginal Affairs estimated the Aboriginal population

in Kununurra at 1500 in 1984. It is apparent that as the development proceeds Aboriginal people will be increasingly minoritised in the town.

Many of these marginalisation effects have begun to be felt and reference has been made to some in preceding sections of this report. A tangible physical example of increasing Aboriginal marginalisation has been the forced eviction of Aboriginal fringe dwellers from the Lilly Creek area to make way for new housing subdivisions.

Growth in the Region's population will introduce an increasing number of residents who have no experience of Aboriginal people and no sensitivity to Aboriginal culture and aspirations. The feeling that had begun to develop in the town prior to the development (during a period when the European population had begun to stabilise and the proportion of long-term residents had begun to increase) of a degree of commonality of interests between Aborigines and Europeans with a shared concern for the region has begun to disappear. This trend will continue to the extent that the mine development introduces new stresses and imbalances between benefits (see Ashton Joint Venture, 1982: 228).

Writing in 1982, the ERMP consultant noted the sensitivity among Kununurra Aborigines that they were increasingly becoming a minority in the town. There was, he noted,

... a strong preoccupation with moving from Kununurra. In this desire was a strong component of escape from what were seen as increasingly intolerable social pressures (Ashton Joint Venure 1982: 206).

Significantly more and more Aboriginal people have begun to leave the town. Since the ERMP was completed, 7 communities have relocated themselves at some distance from Kununurra on land to which they have no tenure, in settlements which because they lack tenure, cannot obtain government assistance. The people's willingness to live in these situations of greater physical deprivation than those obtaining in town, is perhaps evidence that the stresses and tensions of town life are now reaching intolerable levels.

But, as the specific problems of marginalisation, alluded to in previous sections of this report, accumulate into intolerable stresses and generate an increasing sense of social alienation, the most dramatic effects may be felt, not among those who have moved away from town, but

among those who have nowhere else to go; those who find themselves suspended in the dominant European society, inextricably *in* but constantly reminded that they are not welcome members.

It is from this group, with their feelings of oppression by, and exclusion from, the society of the town, that self-destructive or anti-social behaviour can be anticipated.

For the rest, marginalized even in the political sphere (and thereby excluded from the processes by which they might improve their own situation), town life will continue to confirm apathy, despair and alcoholism as a temporary respite from the sense of worthlessness and low self-esteem which characterises their marginality.

It is therefore not only in the interests of attaining a measure of social justice for Aboriginal communities, but also to prevent the development of more serious social problems in the region, that urgent government attention is required to prevent⁸ the further marginalisation of Aboriginal society in the region, through the early settlement of Aboriginal claims.

FOOTNOTES

1. In the 1981 census, Aborigines comprised 47.7% of the total population of the Ord Statistical Sub-division comprising the Shires of Halls Creek and Wyndham/East Kimberley. Allowance must be made for underenumeration. The Department of Aboriginal Affairs' population estimates suggest that of the total population of 5,500 in the Shire of Wyndham/East Kimberley, 2421 or 44% are Aboriginal. If this is correct, then the percentage of the total East Kimberley population that is Aboriginal would be 55.5%.
2. A survey by the Public Works Department in 1978 (quoted in the Ashton Joint Venture, 1982: 183) shows that only 13% (or 129 people) of the 1978 European population of Kununurra had been resident in Kununurra for 12 years or more. The majority of Europeans were of less than 3 years residence.
3. 'In essence, it will be important for AJV to realise that its activities in the region, and the overall context of Westernization and development of which it is a part, will have some significant effects on Aboriginal culture, and that people will evaluate such changes positively and negatively from different points of view. That some of these changes will increase stresses in Aboriginal communities, as well as widening choices and opportunities, seems inevitable. Because of the complexities of this situation, many of the outcomes are not easy to predict. The sensitivities and priorities of Aborigines will change over time and a flexible approach will be required.

There is a need for monitoring of social and economic changes in the region. It is in the AJV's own interests to co-operate with and participate in this monitoring process, in conjunction with government departments, agencies and other authorities with responsibility in this area' (Ashton Joint Venture, 1982: 244, emphasis added).
4. 'At Kununurra there are also the Nullywah and Lilly Creek group (which) contain a small core of long term inhabitants of Kununurra. One of their anxieties is that they may be squeezed out by the expansion of Kununurra' (Ashton Joint Venture, 1982: 218).
5. It would appear the tourist industry has developed a symbiotic relationship with large-scale resource developments in the last two decades. Such developments attract government expenditure on infrastructure reducing costs for the provision of tourist facilities and allowing access to previously remote areas.
6. Provision No.3. See Appendix I.
7. In addition to those already provided through DAA and other agencies.
8. Rather than seeking to ameliorate the effects at some later date.

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APPENDIX I
ARGYLE DIAMOND PROJECT IMPACT ON ABORIGINAL COMMUNITIES : PROVISIONS
REQUIRED BY STATE CABINET FOR APPROVAL OF THE ARGYLE ERMP (MAY 17TH 1983)

- (1) Detailed environmental management plans be submitted to the State for consideration in association with the development proposals required in the Diamond (Ashton Joint Venture) Agreement Act, 1981.
- (2) Should a town development be considered necessary in the future a separate and comprehensive environmental evaluation will be required for EPA consideration.
- (3) The Company have further discussions with the W.A. Museum on all aspects of Aboriginal site protection and management in areas influenced by the development. Local Aboriginal groups should also be involved in any such discussions.
- (4) The Company closely monitor the social impacts of its development on the town of Kununurra and nearby communities, especially during the construction phase. It should co-operate with private and government agencies as well as other possible developers to control or overcome any adverse impacts which may occur.
- (5) The Company establish a waste dump rehabilitation trial on a suitable site early in the project development to establish a viable and cost effective rehabilitation procedure for later use.
- (6) The Company consults with the Government and local Aboriginal groups with a view to changing the management of funds contributed under the Good Neighbour Policy.
- (7) The Company enters into further discussions and possible modification of the Aboriginal employment programme as part of the review of detailed proposals under Clause 7(1) (H) of the Diamond (Ashton Joint Venture) Agreement.
- (8) An impact assessment group be established comprising representatives of Government, Company and local communities, including Aboriginal groups, to monitor, review and recommend to Government on the social impact of the project with a view to further development of the Government and Company's social programme.

APPENDIX II

Meetings concerning people of Warmun from 6 February 1984 to the 22 March 1984 inclusive. (Source: Tegg, 1984).

<u>Date</u>	<u>Location</u>	<u>With Whom</u>	<u>Purpose</u>
6/2/84	Turkey Creek	Argyle Diamond Mines	Discuss Good Neighbour Policy
7/2/84	Turkey Creek	Catholic Church	
7/2/84	Turkey Creek	Council Meeting	General Business
8/2/84	Turkey Creek	Dept. Employment & Industrial Relations	NEAT Scheme
9/2/84	Turkey Creek	Dept. Community Welfare	Homemakers
10/2/84	Turkey Creek	Aboriginal Development Commission	Housing
10/2/84	Turkey Creek	School Board	Schooling
13/2/84	Turkey Creek	Council Meeting	Discuss Bungle Bungle
13/2/84	Turkey Creek	Council Meeting	General Business
14/2/84	Turkey Creek	Darwin Rehabilitation Centre	Rehailitation
15/2/84	Turkey Creek	Age Journalist	Land Rights
16/2/84	Turkey Creek	Kimberley Land Council	Land Rights
16/2/84	TurkeyCreek	Age Journalist	Land Rights
16/2/84	Turkey Creek	Kimberley Health	Aboriginal Liaison Officer
21/2/84	Turkey Creek	Council Meeting	Bungle Bungle
22/2/84	Turkey Creek	Education Taskforce	Education
22/2/84	Turkey Creek	Dept. Ab. Affairs	Funding
22/2/84	Turkey Creek	Council Meeting	Bungle Bungle
22/2/84	Turkey Creek	Council Meeting	General Business
23/2/84	Turkey Creek	Council Meeting	Bungle Bungle
23/2/84	Turkey Creek	Council Meeting	General Business
27/2/84	Turkey Creek	Gagadu Association	Bungle Bungle
28/2/84	Turkey Creek	Council Meeting	General Business
28/2/84	Turkey Creek	Several communities	Bow River Station
28/2/84	Turkey Creek	ABC TV	Sacred Sites
29/2/84	TurkeyCreek	Phillip Toyne	Exploration
6/3/84	Turkey Creek	Council Meeting	General Business
6/3/84	Turkey Creek	Ab. Dev. Commission	Funding
8/3/84	Wyndham	Ab. Land Inquiry	Land Rights
8/3/84	Turkey Creek	Dept. Social Security	Group Payments
9/3/84	Wyndham	Ab. Land Inquiry	Land Rights
9/3/84	Turkey Creek	Dept. Transport and Construction	Housing
9/3/84	Turkey Creek	Ministerial Advisor	Bow River Station
13/3/84	Turkey Creek	Council Meeting	General Business
13/3/84	Turkey Creek	Dept. Comm. Welfare	Homemakers
13/3/84	Turkey Creek	Wyndham Alcohol Group	Alcohol
16/3/84	Kununurra	Balinggarri Ab. Assn.	General Business
16/3/84	Turkey Creek	Ab. Dev. Commission	Housing
19/3/84	Turkey Creek	Ab. Dev. Commission	Bow River Station
20/3/84	Turkey Creek	Council Meeting	General Business
21/3/84	Wyndham	Dept. Ab. Affairs	Consolidated Comm. Meeting
22/3/84	Wyndham	Dept. Ab. Affairs	Consolidated Comm. Meeting

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