Kimberley LNG Precinct Strategic Assessment
Indigenous Impacts Report Volume 3

ABORIGINAL SOCIAL IMPACT ASSESSMENT REPORT

Kimberley Land Council

September 2010

AUTHORSHIP: This Report has been prepared for the Kimberley Land Council by Kitty Kahn and Ciaran O’Faircheallaigh, with the assistance of Divina D’Anna and Laurie McKenzie. Justine Twomey contributed to the drafting of recommendations contained in Chapter 4.

ACKNOWLEDGEMENTS: The authors wish to express their sincere appreciation to the many Aboriginal people who participated in the Aboriginal Social Impact Assessment (ASIA). They are also grateful to the numerous Indigenous and other organisations that contributed information for the ASIA.

COVER PHOTOS: From top left: ASIA native title claim group meeting, September 2009; Aboriginal workers refuel helicopter supporting offshore gas facilities at Djarindjin airport; ASIA small group discussions, November 2009; Pilbara LNG facility (photo courtesy of Woodside); James Price Point, proposed Kimberley LNG Precinct site; James Price photo by Peta North.

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KIMBERLEY LAND COUNCIL  Aboriginal Social Impact Assessment
<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Full Form</th>
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<tr>
<td>ABC</td>
<td>Australian Broadcasting Corporation</td>
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<tr>
<td>ABS</td>
<td>Australian Bureau of Statistics</td>
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<td>ACARA</td>
<td>Australian Curriculum, Assessment and Reporting Authority</td>
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<tr>
<td>ADC</td>
<td>Aboriginal Development Commission</td>
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<td>ADM</td>
<td>Argyle Diamond Mines</td>
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<tr>
<td>AHA</td>
<td>Aboriginal Heritage Act 1972 (WA)</td>
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<tr>
<td>ALO</td>
<td>Aboriginal liaison officer</td>
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<td>ANU</td>
<td>Australian National University</td>
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<td>ASIA</td>
<td>Aboriginal Social Impact Assessment</td>
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<td>ATSIC</td>
<td>Aboriginal and Torres Strait Islander Commission</td>
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<tr>
<td>BNA</td>
<td>below national average</td>
</tr>
<tr>
<td>the Board</td>
<td>LNG Precinct Indigenous Social Impact Monitoring and Management Board</td>
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<td>BRAMS</td>
<td>Broome Regional Aboriginal Medical Service</td>
</tr>
<tr>
<td>BRC</td>
<td>Broome Residential College</td>
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<td>CALM</td>
<td>Conservation and Land Management</td>
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<td>CDEP</td>
<td>Community Development Employment Program</td>
</tr>
<tr>
<td>CEO</td>
<td>chief executive officer</td>
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<td>CHINS</td>
<td>Community Housing and Infrastructure Needs Survey</td>
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<tr>
<td>CO₂</td>
<td>carbon dioxide</td>
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<tr>
<td>COAG</td>
<td>Council of Australian Governments</td>
</tr>
<tr>
<td>Cth</td>
<td>the Commonwealth Government</td>
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<tr>
<td>DET</td>
<td>Department of Education and Training</td>
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<td>Department of Environment and Water Resources</td>
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<td>Department of Housing Western Australia</td>
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<td>Environment Protection Authority</td>
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<td>ERP</td>
<td>Estimated Resident Population</td>
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<td>foetal alcohol syndrome</td>
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<td>Fire and Emergency Services Authority</td>
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<td>FID</td>
<td>final investment decision</td>
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<td>FIFO</td>
<td>fly-in fly-out</td>
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<td>GJJ</td>
<td>Goolarabooloo &amp; Jabirr Jabirr</td>
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<tr>
<td>GNWT</td>
<td>Government of the Northwest Territories</td>
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<td>Government Regional Officers Housing</td>
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<td>haemodialysis</td>
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<td>Heads of Agreement</td>
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<td>Heritage Protection Agreement</td>
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<td>HSCP</td>
<td>highest year of school completed</td>
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<td>IBS</td>
<td>Indigenous Business Services</td>
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<td>ICC</td>
<td>Indigenous Coordination Centre</td>
</tr>
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<td>ICSEA</td>
<td>index of community socio-economic advantage</td>
</tr>
<tr>
<td>IFSNA</td>
<td>Indigenous Fishing Survey of Northern Australia</td>
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<td>ILSS</td>
<td>Indigenous Language Speaking Students Program</td>
</tr>
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<td>ILUA</td>
<td>Indigenous Land Use Agreement</td>
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<tr>
<td>ITA</td>
<td>Indigenous Teaching Assistant</td>
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<td>ITAS</td>
<td>Indigenous Tutorial Assistance Service</td>
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<tr>
<td>Acronym</td>
<td>Description</td>
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<tr>
<td>KALACC</td>
<td>Kimberley Aboriginal Law and Culture Centre</td>
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<td>KAMSC</td>
<td>Kimberley Aboriginal Medical Services Council</td>
</tr>
<tr>
<td>KES</td>
<td>Kullari Employment Services</td>
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<td>KGT</td>
<td>Kimberley Group Training</td>
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<td>KLC</td>
<td>Kimberley Land Council</td>
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<td>KRCI</td>
<td>Kullari Regional CDEP Inc</td>
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<td>Kimberley Regional Service Provider</td>
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<td>KSDC</td>
<td>Kimberley Satellite Dialysis Centre</td>
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<td>KTA</td>
<td>Kimberley Training and Assessment</td>
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<tr>
<td>LNG Precinct</td>
<td>liquefied natural gas precinct</td>
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<tr>
<td>LPG</td>
<td>liquefied petroleum gas</td>
</tr>
<tr>
<td>MG</td>
<td>Miriuwung Gajerrong</td>
</tr>
<tr>
<td>MGPIF</td>
<td>Mackenzie Gas Projects Impact Fund</td>
</tr>
<tr>
<td>mtpa</td>
<td>million tonnes per annum</td>
</tr>
<tr>
<td>NAPLAN</td>
<td>National Assessment Program – Literacy and Numeracy</td>
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<tr>
<td>NATSIHS</td>
<td>National Aboriginal and Torres Strait Islander Health Survey</td>
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<tr>
<td>NATSISS</td>
<td>National Aboriginal and Torres Strait Islander Social Survey</td>
</tr>
<tr>
<td>NDT</td>
<td>Northern Development Taskforce</td>
</tr>
<tr>
<td>NDU</td>
<td>Notre Dame University</td>
</tr>
<tr>
<td>NGO</td>
<td>non-government organisation</td>
</tr>
<tr>
<td>NILF</td>
<td>not in the labour force</td>
</tr>
<tr>
<td>NTRB</td>
<td>Native Title Representative Body</td>
</tr>
<tr>
<td>OAP</td>
<td>One Arm Point</td>
</tr>
<tr>
<td>ORIA</td>
<td>Ord River Irrigation Area</td>
</tr>
<tr>
<td>PAKAM</td>
<td>Pilbara and Kimberley Aboriginal Media</td>
</tr>
<tr>
<td>PBC</td>
<td>Prescribed Body Corporate</td>
</tr>
<tr>
<td>PCYC</td>
<td>Police Citizens Youth Club</td>
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<tr>
<td>PD</td>
<td>peritoneal dialysis</td>
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<tr>
<td>PES</td>
<td>Post-Enumeration Survey</td>
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<td>RAESP</td>
<td>Regional Australia Essential Services Program</td>
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<td>RFDS</td>
<td>Royal Flying Doctor Service</td>
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<td>Remote Indigenous Broadcasting Service</td>
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<tr>
<td>RTO</td>
<td>registered training organisation</td>
</tr>
<tr>
<td>SAR</td>
<td>Strategic Assessment Report</td>
</tr>
<tr>
<td>SIA</td>
<td>social impact assessment</td>
</tr>
<tr>
<td>SIM</td>
<td>statistically similar schools’ average</td>
</tr>
<tr>
<td>SLA</td>
<td>statistical local area</td>
</tr>
<tr>
<td>the State</td>
<td>State Government of Western Australia</td>
</tr>
<tr>
<td>STI</td>
<td>sexually transmitted infection</td>
</tr>
<tr>
<td>TAFE</td>
<td>Technical and Further Education</td>
</tr>
<tr>
<td>TCF</td>
<td>trillion cubic feet</td>
</tr>
<tr>
<td>TEP</td>
<td>Tertiary Enabling Program</td>
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<tr>
<td>TONC</td>
<td>Traditional Owner Negotiating Committee</td>
</tr>
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<td>ToR</td>
<td>Terms of Reference</td>
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<tr>
<td>TOTF</td>
<td>Traditional Owner Taskforce</td>
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<tr>
<td>VET</td>
<td>Vocational Education and Training</td>
</tr>
<tr>
<td>WA</td>
<td>Western Australia(n)</td>
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<tr>
<td>WAACHS</td>
<td>Western Australian Aboriginal Child Health Survey</td>
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<td>WAHS</td>
<td>Western Australian Health Service</td>
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<td>WALNA</td>
<td>Western Australian Literacy and Numeracy Assessment</td>
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<td>WANNLS</td>
<td>WA No Interest Loan scheme</td>
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<td>Woodside</td>
<td>Woodside Energy Ltd</td>
</tr>
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<td>WPC</td>
<td>Work Program Clearance</td>
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This report has been prepared by the Kimberley Land Council ("KLC") for the purposes of the strategic assessments being conducted by the governments of Australia and Western Australia into the proposed development of a common user liquefied natural gas hub precinct (LNG Precinct) to process gas from the Browse Basin located off the west Kimberley coast ("the Plan").

The KLC is the Native Title Representative Body ("NTRB") for the Kimberley region of Western Australia pursuant to a determination under section 203AD of the Native Title Act 1993 (Cth).

The strategic assessments to which this report relates are:

(a) a strategic assessment under section 146 of the Environment Protection and Biodiversity Conservation Act 1999 (Cth), in accordance with the agreement between the governments of Australia and Western Australia dated 6 February 2008 ("Commonwealth Strategic Assessment"); and

(b) an assessment of a strategic proposal under section 38(3) of the Environmental Protection Act 1986 (WA) ("State Strategic Assessment").

This report is part of the Indigenous Impacts Report that has been prepared by the KLC to address clauses 7 and 11, and the associated requirements in clauses 8, 9 and 10, of the Terms of Reference for the Commonwealth Strategic Assessment. More particularly, this Aboriginal Social Impact Assessment Report addresses Clause 7(a) which requires ‘a description of the potential impacts, including socio-economic impacts, of the Plan on Indigenous people’; Clause 7 (b) which requires an assessment ‘of whether any impacts on Indigenous people ... are likely to be unknown, unpredictable or irreversible’; and Clause 8, which requires identification of ‘management arrangements, including the possible role of Traditional Owners in those arrangements ... that are intended to ensure that development and operation of the Precinct ... are undertaken in a manner designed to avoid impacts on significant environments ... ’ (clause 8).

The KLC has undertaken the assessments, research and consultations required for the preparation of the reports comprising the Indigenous Impacts Report for the purposes of ensuring that the interests of Traditional Owners and other Indigenous people in the Kimberley are properly taken into account and reported in the strategic assessment processes. The costs associated with these assessments, research and consultations have been met by the State of Western Australia. The KLC, as a non-profit organisation, has not obtained any financial benefit from this process and has conducted the assessments, research and consultations required for the preparation of the Indigenous Impacts Report in a manner consistent with its obligations as a Native Title Representative Body.
recommendations for arrangements that must be put in place by, variously, the Proponent, responsible State and Commonwealth authorities, private firms operating in the LNG Precinct, regional Aboriginal organisations and Traditional Owners if the detrimental social impact of the Plan on Indigenous people is to be avoided or minimised. These arrangements should be part of any Plan endorsed by the Federal Minister for the Environment and approved by the State Minister for the Environment or, to the extent they are not part of that Plan, be the subject of conditions placed on any approval of the Plan.

While the focus of the ASIA is on known, likely and potential impacts and opportunities associated with an LNG Precinct, these matters cannot be effectively addressed in isolation, but must be considered in the context of the existing social and economic conditions experienced by affected Indigenous people and of existing government policies and resource allocations. For instance, as Indigenous participants in the ASIA stressed, affected Indigenous people will not be able to gain access to the highly-skilled jobs that the LNG Precinct will generate unless Indigenous educational outcomes improve dramatically (see Chapters 2.3 and 3.4). If this does not occur, the effect of an LNG Precinct will be to further marginalise Indigenous people and increase existing social inequalities, creating serious and negative social impacts. Thus the Report, including its recommended arrangements, deliberately addresses the social, economic and cultural issues and problems which form the context in which the LNG Precinct will be developed and thus in which its impacts will be experienced. This is not to suggest that these issues and problems are either caused by LNG development or can be solved solely by the economic and social...
opportunities it can generate. Rather it is to recognise that the social effects of a large industrial development can be greatly exacerbated where major social issues already exist, and that action across a range of broad policy areas is essential if social impacts are to be effectively managed, mitigated and compensated for and economic and social opportunities are to be realised.

Chapter 1 outlines in detail the context for the ASIA, and sets out the consultation strategy employed, the methodology used, and some key constraints under which the ASIA operated. In this latter regard severe time constraints which applied to the ASIA are especially significant, as they limited the scope and nature of information collection and consultation that could be undertaken. Also important was the limited nature of the information available in relation to key environmental, engineering and economic characteristics of the proposed LNG Precinct. Despite these limitations, the ASIA undertook detailed research on existing social and conditions in the area likely to be most affected by an LNG Precinct, Broome and the Dampier Peninsula, and extensive community consultations. These consultations included two rounds of meetings with affected native title claim groups and Indigenous communities, contact with more than 100 Indigenous and other organisations, and numerous other less formal engagements with Indigenous people.

Chapter 2 examines existing social and economic conditions for Indigenous people in Broome and the Dampier Peninsula. Indigenous people have ties to their land and sea country that are strong and enduring, and they find expression in use of the land and sea to sustain themselves and in cultural practices that are enduring and in some cases resurgent. People are embedded in an extensive range of social relations that are interwoven with their ties to country, but also result in part from strong associations with particular communities. Connections to country and robust social and cultural relations represent an important source of resilience and of capacity to absorb impact, and represent vital resources in seeking to maximise the benefits derived from LNG development.

At the same the Indigenous population in the Area of Impact, and particularly those living in the Dampier Peninsula communities, experience serious social and economic disadvantage. For instance, they have low levels of school attendance, of school completion and of post-school qualifications. Many have low incomes, a situation often associated with long-term unemployment or under-employment. They often live in crowded and sub-standard housing, and experience a high incidence of chronic and debilitating diseases. Their young people experience high levels of substance abuse which are, tragically, associated with very high rates of suicide. These circumstances make Indigenous people vulnerable to social impacts likely to arise from LNG development. They also represent formidable barriers that must be overcome if they are to take advantages of the opportunities that will be generated by a technologically-complex LNG Precinct whose demand for labour is largely for people with high levels of technical and professional skills.

Chapter 3 focuses on the social, economic and cultural impacts likely to be associated with the LNG Precinct. The international and Australian literature and historical experience in the Kimberley highlight the stark reality that large-scale resource development often generates serious, negative impacts for Indigenous people. The
ASIA consultations show that Traditional Owners and other Indigenous people who would be affected by the LNG Precinct hold grave concerns about its potentially negative effects. These concerns focus, in particular, on the risk of damage to land and sea country and marine resources; the adverse social effects of internal conflict around gas development and of the population influx associated with it; the impact of population growth on services and on housing and living costs; the possible inability of Indigenous people to take advantage of the economic opportunities associated with the LNG Precinct, and the resulting increase in inequality between Indigenous and non-Indigenous people; and a deepening of the problems currently faced by Indigenous youth. Many participants raised the concern that a combination of rising living costs, declining access to services, greater competition for fishing stocks, and a failure to benefit from gas-related economic opportunities would leave them very much worse off than they are today.

At the same time participants saw that there are opportunities associated with the LNG Precinct. These include participation in environmental management and conservation activities, increased opportunities for education, training and employment, business opportunities including tourism, additional support for youth, improved service delivery and infrastructure, and support for cultural pursuits.

The extent to which the concerns and aspirations of affected Indigenous people are realised depends very much on the degree to which they can actively participate in the management of impacts and opportunities, and on the nature of the management responses that are put in place to minimise negative effects and maximise positive ones. Chapter Four examines the requirements for effective Indigenous participation and management responses.

Both a review of relevant international literature, and a recognition of the scale and depth of the barriers facing Indigenous people in dealing with existing disadvantage and in seeking to capture benefits from an LNG Precinct, emphasise that minor adjustments to existing policy settings, resource allocations and institutional arrangements will have little effect.

This is a central finding of the KLC ASIA. Fundamental change in existing corporate and government practices and policies is indispensable if the LNG Precinct is not to impose serious social costs on affected Indigenous people and if they are to share in the wealth generated by LNG development.

Against this background Chapter 4 develops some 75 recommendations for arrangements that must be in place (that is, be part of the Plan for the development of the LNG Precinct) if the Indigenous social impacts of an LNG Precinct at James Price Point are to be avoided, minimised and compensated for, as well as recommended arrangements that will permit positive effects to be maximised. These include general recommendations aimed at enhancing the capacity of government and commercial proponents to recognise and address the aspirations of Indigenous people, and at establishing an ongoing institutional framework to monitor and manage social impacts throughout the life of the LNG Precinct. Such a framework is essential given that there has not been an opportunity in the current ASIA to consider social impacts across the wider Kimberley region; the long life of an LNG Precinct; and the limited information currently available regarding key features of the planned project. Other recommendations are aimed at addressing gaps in data on existing social and economic conditions, at ensuring that Indigenous people are centrally involved in environmental management of the project, and at responding to specific potential impacts of an LNG Precinct. The latter include growing visitor numbers on the Dampier Peninsula, the risk of introduction of exotic species via Precinct shipping, and growth in substance abuse, especially among Indigenous youth; and to maximise Indigenous access to employment and business development opportunities. For convenience, the recommendations are summarised in the matrix which follows, which also indicates the sections of the report which discuss the matters dealt with by each recommendation. The rationale for construction of the matrix and an explanation of the other elements it contains are provided in Chapter 5. The recommendations are set out in full in Chapter 4.4. It should be noted that some of the measures required to give effect to individual recommendations may already be in place or be in the process of development, as a result of agreements negotiated between the KLC, the State and Woodside, (see Chapter 4.3, ‘Existing and emerging management responses’).
## MATRIX OF IMPACTS, RISKS AND RECOMMENDED MANAGEMENT RESPONSES

<table>
<thead>
<tr>
<th>Impact factors/ASIA report reference</th>
<th>Stage of project</th>
<th>Impact on Indigenous people</th>
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<tbody>
<tr>
<td>1. Failure of Government and the Proponent to have the capacity to address Indigenous issues and impacts. Chapter 1.1, 1.2.4, 3.3.1, 4.4.1</td>
<td>PRE-CON CON OPS DECOM</td>
<td>Failure to manage social impacts and to realise opportunities. Deterioration in the status and living conditions of Traditional Owners and other Indigenous people in the Area of Impact.</td>
<td>High</td>
<td>Recommendation 1 Commit and demonstrate in tangible ways to develop the capacity to hear, understand and respond to the aspirations of Traditional Owners and other Indigenous people affected by the LNG Precinct.</td>
<td>The State, the Commonwealth, the Proponent and Precinct operators.</td>
<td>The Proponent and Government support Traditional Owners and other affected Indigenous people in realizing their aspirations in relation to LNG development.</td>
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<tr>
<td>2. Imposition of time frames on Traditional Owners that ignore requirements for culturally appropriate decision making Chapter 1.1, 1.2.4, 4.4.1</td>
<td>PRE-CON CON OPS</td>
<td>Traditional Owners are marginalised from decision making, are unable to achieve best outcomes from negotiations, and incur social costs arising from culturally inappropriate decision making.</td>
<td>High</td>
<td>Recommendations 2 – 3 Negotiate time frames for impact assessment and negotiation processes that balance a realistic assessment of commercial requirements with the need for culturally appropriate decision-making processes and Indigenous informed consent.</td>
<td>The State, the Commonwealth, the Proponent, Precinct operators, KLC.</td>
<td>Balance achieved between need for culturally appropriate decisions and commercial requirements, generating improved outcomes for all stakeholders.</td>
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<tr>
<td>3. Absence of effective, ongoing social impact monitoring and management Chapter 4.2, 4.4.2</td>
<td>PRE-CON CON OPS DECOM</td>
<td>Existing or potential social impacts are not recognised or are not managed effectively, with serious social and economic consequences for affected Indigenous people.</td>
<td>High</td>
<td>Recommendation 4 Establish an LNG Precinct Indigenous Social Impact Monitoring and Management Board for the life of the Project that will monitor social impacts and coordinate impact mitigation and maximisation of opportunities associated with the LNG Precinct. Establish a legislative basis to ensure that Board will be maintained and appropriately resourced throughout the life of the Precinct.</td>
<td>The Proponent, the State, the Commonwealth, the KLC and other relevant Indigenous regional organisations, and Traditional Owner representatives</td>
<td>Existing and potential social impacts are identified in a timely manner, and appropriate mitigation and management responses are implemented.</td>
</tr>
<tr>
<td>4. Absence of comprehensive and accurate baseline data Chapter 1.2.2, 2.1, 4.4.3</td>
<td>PRE-CON CON</td>
<td>Inadequate baseline data will result in an inability to identify, measure and respond effectively to social impacts.</td>
<td>High</td>
<td>Recommendation 5 Conduct a survey of Indigenous households in the Area of Impact that is consistent with the Draft Household Survey developed by the ASIA and the TONC and involves Indigenous people in its design, administration and interpretation. Recommendation 6 The household survey should be conducted regardless of the outcome of the Strategic Assessments and commence as soon as possible.</td>
<td>Funding by the Proponent Commissioned by the KLC, input from TONC</td>
<td>Accurate and comprehensive baseline data will be available organised around socially meaningful entities, including native title and cultural groups. Availability of this data will provide a firm foundation for social impact monitoring and design of effective management arrangements</td>
</tr>
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| 5. Absence of data on use of wild resources, inability to measure future changes in use of, and competition for, wild resources, especially marine resources | PRE-CON CON OPS | Inability to accurately identify and effectively respond to pressures on wild resources will result in their depletion, with serious economic, social and cultural consequences for Traditional Owners and other affected Indigenous people. | High | **Recommendation 7**
Conduct a detailed analysis of the official unpublished IFSNA data from the region which also involves the input from relevant Traditional Owners, especially those from communities that provided survey data.

**Recommendations 8 – 9**
Conduct a comprehensive regional harvest study within 12 months of any approval for the Plan, and at 10-yearly intervals thereafter, with Traditional Owners guiding study design, implementation, and the analysis and reporting of data. | Funding by the Proponent Conducted by an appropriate Indigenous organisation and overseen by the Board | The ability of Traditional Owners and other affected Indigenous people to conserve and utilise wild resources is maintained. |
| 6. Exclusion of Indigenous people from environmental management processes | PRE-CON CON OPS DECOM | Existing Indigenous concerns about possible environmental damage and associated cultural and social impacts will continue, imposing significant social costs. Opportunities to mobilise Indigenous environmental expertise will be lost, resulting in avoidable environmental damage with associated costs for Traditional Owners and non-Indigenous Australians. | High | **Recommendation 10**
Involve traditional Owners and other Indigenous users of country in the Area of Impact in the identification and definition of environmental issues and impacts, and in environmental monitoring and management.

**Recommendation 11**
Conclude an Indigenous Land Use Agreement that guarantees substantive and effective participation of Traditional Owners in the Environmental Management of the LNG Precinct and associated developments. | The Proponent, responsible State and Commonwealth authorities, Traditional Owners, The Board, KLC | Guaranteed and effective Traditional Owner participation in environmental management during all phases of project life, generating positive social and cultural effects and ensuring improved environmental outcomes. |
| 7. Traditional Owners and other affected Indigenous people are not properly informed about environmental issues and incidents or about responses to them. | CON OPS DECOM | Social and cultural impacts arising from Traditional Owners and Indigenous people in the Area of Impact being inadequately informed and so concerned about environmental damage and their inability to look after country. | High | **Recommendation 12**
Six-monthly Regional Environmental Forums to report on the results of environmental monitoring and management programs, and on any environmental incidents and measures taken to address them; and to respond to environmental concerns or issues.

**Recommendation 13**
Regular flow of accurate and comprehensive information to affected Indigenous people regarding LNG Precinct environmental issues and incidents via local newspapers, radio and television | The Proponent, responsible State and Commonwealth authorities, Traditional Owners, The Board, KLC | Concerns of Traditional Owners and other Indigenous people regarding damage to country are minimised, and are quickly addressed if environmental incidents occur. |
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<td>8. Environmental knowledge of Traditional Owners is overlooked or discounted</td>
<td>PRE-CON CON OPS DECOM</td>
<td>Traditional Owners experience social and cultural costs of not being permitted to apply their knowledge to look after country. Avoidable environmental damage occurs.</td>
<td>High</td>
<td><strong>Recommendation 14</strong> LNG Precinct Environmental Management Plan recognises and ensures the application of Indigenous environmental knowledge and cultural values by Traditional Owners in environmental monitoring and management systems. <strong>Recommendation 15</strong> Representatives of the Proponent and of responsible State and Commonwealth authorities attending Regional Environmental Forums undertake cross cultural awareness training.</td>
<td>The Proponent, Responsible State and Commonwealth authorities, Traditional Owners, The Board, KLC, Indigenous rangers</td>
<td>Indigenous environmental knowledge, experience and values are respected and incorporated in environmental management systems, resulting in improved environmental outcomes.</td>
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<td>9. Specific Environmental Impacts Chapter 3.4.2, 4.4.5.2</td>
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<tr>
<td>9.1 Blasting and dredging Chapter 4.4.5.2.1</td>
<td>CON</td>
<td>Damage to coast, sea, marine life, loss of food resources and cultural values; increased anxiety; social trauma.</td>
<td>High</td>
<td><strong>Recommendation 16</strong> ‘World’s best practice’ monitoring and management; Participation of Traditional Owners; Regularly inform Indigenous people who use the affected sea country about the impacts of dredging and blasting. <strong>Recommendation 17</strong> Preparation and public dissemination of ‘Dredging Assessment’ and ongoing ‘Dredging Impact Reviews’ to monitor impacts on the marine and terrestrial environment.</td>
<td>The Proponent, responsible State and Commonwealth authorities</td>
<td>Reduced risk of negative environmental effects and of associated cultural and social impacts. Effective flow of information on monitoring and management measures to Traditional Owners, helping to reduce concerns.</td>
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<tr>
<td>9.2 Oil spills and gas leaks Chapter 4.4.5.2.2</td>
<td>CON OPS</td>
<td>Adverse impact on marine life and wild resources. Increase in anxiety, adverse impacts on health and on culture and eco-tourism.</td>
<td>Low</td>
<td><strong>Recommendation 18</strong> Insurance Policy in favour of Traditional Owners, the proceeds to be used to pay for any immediate and long term remediation.</td>
<td>The Proponent</td>
<td>Reduced environmental risk. Instil confidence that prompt remediation of any spill will occur, with consequent reduction in anxiety.</td>
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<tr>
<td>9.3 Potential impacts of cyclones (on ships and Precinct site) Chapter 4.4.5.2.2</td>
<td>CON OPS</td>
<td>Adverse impact on marine life and wild resources. Increase in anxiety, adverse impacts on health and on culture and eco-tourism.</td>
<td>Low</td>
<td><strong>Recommendation 19</strong> Ships must be secured at jetty or stand out to sea. <strong>Recommendation 20</strong> Update disaster management strategies and procedures that apply to the Precinct, Broome and the Dampier Peninsula.</td>
<td>The Proponent Shipping contractors</td>
<td>Reduced environmental risk. Reduce anxiety regarding environmental impacts during cyclone season.</td>
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| 9.4 Disposal of ballast and other quarantine issues Chapter 4.4.5.2.3 | OPS | LNG Precinct will result in introduction of exotic species and contaminants, affecting marine life, traditional food sources and health | High | **Recommendation 21**  
*“Best Practice” (Australian Standards) procedures implemented to minimise the introduction of exotics and contaminants, including pre-departure inspections of hulls by Australian authorities in port of origin and testing quality of ballast water prior to departure from place of origin and before discharge.*  
Routine reports to Traditional Owners and communities about ballast discharge testing.  
Traditional Owners employed to monitor and report any sightings of exotic pests to AQUIS. | Responsible State and Commonwealth authorities, The Proponent, Shipping Contractors, Traditional Owners | Substantially reduced environmental risks from introduction of exotic species and contaminants, reduced anxiety among Traditional Owners. |
| 9.5 Decline in water quality and available water resources Chapter 4.45.2.4 | CON OPS DECOM | Contamination of the water table via poor waste management and or over-use of water resources will result in: loss of traditional food sources; insufficient water to meet residential and other commercial needs. Impact on Indigenous eco-tourism industry. | Medium | **Recommendation 22**  
Manage the LNG Precinct waste and minimise use of water to lessen impact on the water resources of the Dampier Peninsula.  
**Recommendation 23**  
Undertake a ‘Water Resources Assessment’ of water resources on the Dampier Peninsula to be the basis of a long term water management plan and routine monitoring of water quality.  
**Recommendation 24**  
Undertake regular ‘Water Resources Impact Reviews’ of the impacts of Precinct activities on water resources on the Dampier Peninsula. Review Reports to be publically available. | The Proponent, responsible State and Commonwealth authorities The Board | Maintenance of water quality in Area of Impact  
Water supply will continue to meet the domestic and commercial needs of Traditional Owners and other residents of the Area of Impact. |
| 9.6 Inadequate fire management to deal with added fire risks arising from LNG Precinct and growing population Chapter 4.45.2.4 | PRE-CON CONS OPS | Loss of food resources and cultural values. Anxiety about safety and potential damage to property and safety. | Medium | **Recommendation 25**  
Additional and adequate funding for fire prevention and fire management programs to enable communities to deal effectively with fire risks.  
**Recommendation 26**  
Develop a single and coordinated fire management plan for the Dampier Peninsula. | Responsible State authorities, Indigenous community councils, Indigenous rangers | Improved allocation of fire management resources.  
Effective management of heightened fire risk. |
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<td>10. Impacts from a growing influx of outsiders including tourism</td>
<td>CON OPS DECOM</td>
<td>Impacts of growing influx of outsiders will be uncontrolled or inadequately controlled, resulting in: pressures on wild resources; damage to land and sea country, heritage and cultural values; social tensions; pressure on social services and infrastructure; loss of amenity and privacy; increased access to illegal drugs.</td>
<td>High</td>
<td>Recommendation 27 – 37, including: Limit on visitor numbers; LNG Precinct accommodation complex to be a ‘controlled access’ facility; cross-cultural training for all Precinct workers; permit system limiting travel on Dampier Peninsula by non-residents; provision of facilities at permitted visitor sites; zones where only Indigenous residents are permitted to harvest wild resources; effective enforcement of existing fishing regulations; monitor boat and fishing licences; support for outstations; funding for an expanded Indigenous ranger program.</td>
<td>The Proponent, Responsible State and Commonwealth authorities, Traditional Owners, Indigenous regional organizations</td>
<td>Traditional Owners and other Indigenous residents of the Dampier Peninsula enhance their control over their cultural and social environment and their capacity to manage and protect land and sea country, and maintain their access to wild resources. Access of Indigenous residents to public services is maintained. Opportunities for Indigenous eco-tourism are maintained.</td>
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<tr>
<td>11. Impact of Strategic Assessment and related negotiation processes</td>
<td>PRE-CON</td>
<td>Affected Indigenous people feel alienated from project approval and negotiation processes, partly due to a lack of transparency, contributing to their sense of powerless and undermining their capacity to deal with LNG Precinct impacts.</td>
<td>Low</td>
<td>Recommendation 38 Taking into account the need for confidentiality, ensure that information on project approval and related negotiation processes and outcomes is communicated on a regular basis to affected Indigenous people.</td>
<td>The Proponent, responsible Commonwealth authorities, Woodside, the KLC and Traditional Owners.</td>
<td>Greater transparency in relation to project approval and negotiation processes, leading to increased confidence amongst affected Indigenous people that their interests are being considered and a reduced sense of powerlessness.</td>
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<tr>
<td>12. Absence of or insufficient support for appropriate governance structures</td>
<td>PRE-CON</td>
<td>Absence of effective and adequately resourced governance structures that have the confidence of affected Indigenous results in: growing conflict within Indigenous communities; poor and declining public services; diminished capacity to address impacts and take advantage of opportunities.</td>
<td>Low</td>
<td>Recommendation 39 Address issue of funding for PBCs in the Area of Impact and facilitate dissemination of information regarding the roles and functions of PBCs; ensure provision of relevant governance training for members of PBCs. Recommendation 40 As a matter of urgency: facilitate the establishment of a local governance structure at Beagle Bay; provide governance training to Indigenous office holders and potential office holders, and the Beagle Bay community. Recommendation 41 Provide material support to the KLC and Traditional Owners in establishing effective Indigenous governance structures; disseminate information on such governance structures to Indigenous people in the Area of Impact.</td>
<td>Responsible Commonwealth and State authorities, KLC, Traditional Owners</td>
<td>Indigenous people and communities in the Area of Impact have access to effective governance structures and are better equipped to deal with the impacts of the LNG Precinct and of associated developments. Improved coordination and delivery of public services.</td>
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| 13. Growth in abuse of alcohol and illegal drugs Chapter 2.3.7, 2.3.8, 3.4.3, 4.4.7.2 | CON OPS DECOM | Greater access to illegal drugs as a result of LNG Precinct construction and high disposable income will result in greater alcohol and drug abuse with attendant social costs for individuals, their families and communities. | High | Recommendation 42
- Apply a ‘no drugs’ policy to the LNG Precinct and the accommodation complex including summary dismissal for possession or sale of illicit drugs by Precinct workers.
Recommendation 43
- Operate the LNG Precinct accommodation complex as a ‘controlled access’ facility.
Recommendation 44
- The State must supplement the resources available to WA police in the Area of Impact to enable them to address any increase in sale of illegal drugs.
Recommendation 45
- Responsible State and the Commonwealth authorities must provide additional funding to drug and alcohol education programs in schools and colleges, and to alcohol and drug abuse rehabilitation facilities, in the Area of Impact. | The Proponent, responsible State and Commonwealth | Little increase in access to and consumption of illegal drugs among Indigenous workers and in the Area of Impact. Absence of drug-related aggressive and dysfunctional behaviour by Precinct workers. No increase in domestic violence due to alcohol and drug abuse. Increased disposable income arising from the LNG Precinct is spent in ways that are individual and socially productive. |
| 14. Social impacts of FIFO or long work rosters Chapter 3.4.3, 4.4.8 | CONS OPS DECOM | Low retention rates for Indigenous LNG Precinct workers due to family concerns and anxiety. Stress on family relations resulting in violence in some cases. Sudden access to higher income results in alcohol and substance abuse, anti-social behaviour and stress on community relations. | High | Recommendation 46
- Recognition of cultural and family obligations in employment arrangements for Indigenous workers, including variations to standard rosters and leave.
Recommendation 47
Recommendation 48
- Counselling and advice on financial management for Indigenous workers and their families on an optional and ongoing basis. | The Proponent, Project contractors | Greater work satisfaction and higher retention rates for Indigenous Precinct workers. Reduced negative social behaviour in communities. Indigenous workers and families better placed to cope with pressures of high-wage industrial employment. |
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<td>15. STIs and inappropriate sexual relations</td>
<td>CON OPS DECOM</td>
<td>Increase in health risks associated with spread of STIs. Potential interpersonal and family conflict due to inappropriate relationships.</td>
<td>Medium</td>
<td><strong>Recommendation 49</strong> Run LNG Precinct accommodation as a ‘controlled access’ facility. <strong>Recommendation 50</strong> Provide cross-cultural training for Precinct workers highlighting personal and social risks associated with inappropriate sexual relations. <strong>Recommendation 51</strong> Provide educational material in schools and colleges on the risks involved in inappropriate sexual relations with Precinct workers and unprotected sex.</td>
<td>The Proponent, Responsible State and Commonwealth authorities</td>
<td>Reduced risk of inappropriate sexual relationships between Precinct workers and Indigenous residents in the Area of Impact and consequent effects on families and social relations; No, or minimal increase in incidence of STIs in Area of Impact communities.</td>
</tr>
<tr>
<td>16. Impact of population growth associated with LNG Precinct on access to housing, cost of housing</td>
<td>PRE-CON OPS</td>
<td>LNG development and associated population growth will result in: Decline in access to housing and home ownership; Growing waiting lists for public housing; Increase in overcrowding and in homelessness; Growing shortage of accommodation for students and Indigenous visitors to Broome.</td>
<td>High</td>
<td><strong>Recommendation 52</strong> Substantial additional public funding for construction of public housing and upgrade of existing housing stock in the Area of Impact, and for provision of hostel, emergency and short-term accommodation. Involve Indigenous community members and their governing bodies in design and management of housing programs. <strong>Recommendation 53</strong> Support Indigenous people to establish and develop businesses to build houses and other forms of accommodation. <strong>Recommendation 54</strong> Review housing and related policies of responsible State and Commonwealth authorities to ensure they maximise Indigenous access to housing, <strong>Recommendation 55</strong> Increased supply of Indigenous people skilled in the construction trades. <strong>Recommendation 56</strong> Proponent must: provide accommodation for all Precinct workers and contractors; contribute to the cost of constructing additional housing to house ‘indirect employees’ of Precinct.</td>
<td>Responsible State and Commonwealth authorities</td>
<td>Increase in supply of affordable housing for Indigenous people in the Area of Impact; Increase in availability of hostel and temporary accommodation; No or minimal increase in homelessness; Expansion of supply in private housing market, containing rise in rents and house prices.</td>
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<td>17. Impact of population growth associated with LNG Precinct on cost of living</td>
<td>CON OPS</td>
<td>Falling Indigenous standards of living and quality of life due to rising prices.</td>
<td>High</td>
<td><strong>Recommendation 57</strong> Establish and maintain monitoring of prices for key components of Indigenous living costs in the Area of Impact. <strong>Recommendation 58</strong> Encourage the establishment of Indigenous enterprises that produce food and other consumables for the local market and supply transport and communication services to the LNG Precinct.</td>
<td>The Board, Responsible State and Commonwealth authorities, the Proponent</td>
<td>Price increases and fall in living standards are minimised.</td>
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<td>18. Education and Training</td>
<td>PRE-CON CON OPS DECOM</td>
<td>Poor educational outcomes and limited training opportunities will preclude Indigenous people from employment and training opportunities generated by the LNG Precinct, contributing in turn to dysfunctional social behaviour, poverty, substance abuse, mental health issues and youth suicide.</td>
<td>High</td>
<td><strong>Recommendation 59</strong> Develop a program for a minimum of 30 years that raises the quality and effectiveness of Indigenous education in the Area of Impact and the Kimberley. <strong>Recommendation 60</strong> Substantial and sustained investment, starting immediately, in training and training facilities, designed to prepare Indigenous people for employment in the LNG Precinct and elsewhere in the Area of Impact.</td>
<td>The Proponent, responsible State and Commonwealth authorities, Indigenous education and training organizations.</td>
<td>Major increase in proportion of Indigenous population completing Y12, VET courses, apprenticeships, traineeships, and tertiary degrees</td>
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<td>19. Employment</td>
<td>CON OPS DECOM</td>
<td>Lack of technical skills and workplace skills and experience may preclude many Indigenous people in the Area of Impact from being employed in the LNG Precinct, or in related enterprises, resulting in growing economic and social inequality.</td>
<td>High</td>
<td><strong>Recommendation 61</strong> Employment programs that operate throughout the life of the LNG Precinct and that include: preference for Traditional Owners and other Indigenous people; mechanisms that create a positive workplace for Indigenous people; career paths for Indigenous employees; provision of transport for Indigenous workers; initiatives to overcome 'threshold' issues that can prevent Indigenous people from entering the workforce; periodic reporting on compliance to the Board and the Minister.</td>
<td>The Proponent</td>
<td>A substantial and steadily growing proportion of workforce in LNG Precinct and related enterprises is comprised of local Indigenous people; Reduction in existing economic and social inequalities between Indigenous and non-Indigenous people in the Area of Impact.</td>
</tr>
<tr>
<td>Impact factors/ ASIA report reference</td>
<td>Stage of project</td>
<td>Impact on Indigenous people</td>
<td>Risk factor</td>
<td>Relevant recommendation(s)</td>
<td>Responsibility</td>
<td>Desired outcomes</td>
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<td>20. Utilisation of incomes from employment</td>
<td>CON OPS DECOM</td>
<td>Potential benefits of high-wage employment are dissipated because of lack of money management skills; increase in alcohol and drug abuse with resultant social costs.</td>
<td>Medium</td>
<td>Recommendation 62 Offer employees access to, and encourage them to participate in, personal financial counselling, and support them in efforts to channel a portion of their wages into savings.</td>
<td>The Proponent</td>
<td>Indigenous people and their families are able to enjoy the benefits of high-wage employment.</td>
</tr>
<tr>
<td>21. Enterprise development</td>
<td>CON OPS DECOM</td>
<td>Outsiders rather than local Aboriginal people will gain from business development opportunities associated with LNG Precinct, contributing to growing economic and social inequality</td>
<td>Medium</td>
<td>Recommendation 63 Implement a Business Support program which assists Indigenous enterprises gain access to capital and business skills and overcome the competitive disadvantage they face relative to large, established non-Indigenous businesses. Recommendation 64 Measures to address the particular difficulties facing small Indigenous businesses in the Area of Impact including resolution of land tenure issues and specific support for business operators who previously drew on CDEP.</td>
<td>The Proponent and its contractors</td>
<td>Indigenous enterprises supply a significant and steadily increasing proportion of the goods and services required by the LNG Precinct; Reduction in existing economic and social inequalities between Indigenous and non-Indigenous people in the Area of Impact.</td>
</tr>
<tr>
<td>22. Impact on health and well being</td>
<td>PRE-CON OPS DECOM</td>
<td>Absence of accurate and consolidated health data precludes monitoring of health status of affected Indigenous population and effective health planning and resource allocation; Health issues are not effectively addressed, compromising ability of Indigenous people to deal with Precinct impacts and take advantage of opportunities.</td>
<td>High</td>
<td>Recommendation 65 Indigenous health audit of the Area of Impact prior to the commencement of activities under the Plan; undertake health surveys of relevant populations required to fill gaps in baseline data. Expanded funding (secure and long term) for relevant health and social welfare programs, including those currently provided by NGOs and Indigenous organisations.</td>
<td>Responsible State and Commonwealth authorities, Indigenous health organisations</td>
<td>Accurate and comprehensive baseline health data is available, allowing monitoring of impacts of the LNG Precinct on Indigenous Health; Effective planning and expansion of health services in Area of Impact; Affected Indigenous people have enhanced capacity to absorb impacts and take advantage of opportunities.</td>
</tr>
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<td>23. Specific health issues: mental illness</td>
<td>PRE-CON CON OPS</td>
<td>LNG Precinct and associated social impacts will exacerbate already high incidence of mental illness and suicide especially among youth</td>
<td>High</td>
<td>Recommendation 66 Long term commitment of additional funds to services for people suffering from mental illness in the Area of Impact.</td>
<td>Responsible Commonwealth and State authorities</td>
<td>Better managed and more frequent treatment for mental health patients living in the Area of Impact, and more effective support for their families. Declining incidence of mental illness and suicide.</td>
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<tr>
<td>Impact factors/ ASIA report reference</td>
<td>Stage of project</td>
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<td>24. Specific health issues: dialysis</td>
<td>PRE-CON CON OPS</td>
<td>Patients have to live away from family and country, placing stress on them and families and undermining capacity to absorb impact; One factor placing stress on limited accommodation in Broome, which will be exacerbated by population growth.</td>
<td>Medium</td>
<td>Recommendation 67 Commit additional funding to enable expansion of regional dialysis services in the Area of Impact.</td>
<td>Responsible Commonwealth and State authorities</td>
<td>Dialysis patients can live with family and close to country, enhancing individual and social well being and capacity to absorb impact. Reduction in one source of pressure on accommodation in Broome.</td>
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<td>25. Impact of LNG Precinct on youth</td>
<td>PRE-CON CON OPS</td>
<td>LNG Precinct will exacerbate current problems facing Indigenous youth including high level of involvement in criminal justice system, low educational achievement, lack of economic and social opportunity, high levels of substance abuse and incidence of suicide</td>
<td>High</td>
<td>See Recommendations 42-45, 49-51, 59-60 and 61-62 above Recommendation 68 Expand secure and long term funding for recreation and other youth activities in the Area of Impact. Recommendation 69 Develop measures to provide greater support to and recognition of youth, including communication channels providing information about the LNG Precinct specifically directed to youth; sponsorship and promotion of youth events; youth liaison; work experience opportunities for youth.</td>
<td>The Proponent, Responsible Commonwealth and State authorities, KLC, Traditional Owners</td>
<td>LNG Precinct will generate education, training and employment opportunities for Indigenous youth and result in expanded and sustainable youth services. The result will be a decline in representation of youth in the criminal justice system, lower rates of alcohol and drug abuse and socially disruptive behaviour, and a decline in youth suicide rates.</td>
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<tr>
<td>26. Impact on Land Tenure</td>
<td>CON OPS</td>
<td>LNG development will exacerbate social tensions and loss of economic opportunity associated with unresolved land tenure issues in the Dampier Peninsula and especially at Beagle Bay.</td>
<td>High</td>
<td>Recommendation 70 The State must act to resolve uncertainty in relation to land tenure in the Dampier Peninsula as a matter of urgency, and within 3 years of any endorsement of the Plan. Alternative courses of action must be in place to ensure that land tenure matters are quickly resolved if the State has not achieved a resolution by the third anniversary of any endorsement of the Plan. Recommendation 71 The KLC and Traditional Owners must maintain a flow of relevant and timely information regarding land tenure aspects of ILUA and related negotiations that have implications for other native title groups and affected Indigenous communities.</td>
<td>The State, KLC, Traditional Owners</td>
<td>Land tenure issues on the Dampier Peninsula are resolved within 3 years of any endorsement of the Plan and affected Indigenous people are well informed regarding the nature of the resolution and its implications for them, reducing social tensions and helping to open up additional economic opportunities for Traditional Owners and Indigenous leaseholders.</td>
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<td>Risk factor</td>
<td>Impact on Indigenous people</td>
<td>Stage of project</td>
<td>Impact factors/Asia report reference</td>
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<td>indigenous cultural heritage and cultural values are protected and afforded respect by non-Indigenous organisations associated with LNG development. Traditional Owners maintain control of their culture and are supported in continuing their cultural obligations.</td>
<td>PRE-CON</td>
<td>Chapter 2.3.9, 3.4.13, 4.4.19</td>
<td>Reduced risk of social conflict related to LNG development.</td>
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<td>LNG development will cause damage to Indigenous heritage and undermine cultural heritage values or threaten to do so, in the processes creating anxiety and stress for Traditional Owners and undermining their self-esteem.</td>
<td>CON</td>
<td>Chapter 3.4.3, 3.4.13, 4.4.19</td>
<td>Specific and positive measures to support the practice of Indigenous culture in the Area of Impact.</td>
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<td>Any endorsement of the Plan must be subject to the conclusion of an ILUA which allows Traditional Owners to ensure that any impact of the LNG Precinct and associated developments on their cultural heritage is avoided or minimised. No damage to Indigenous cultural heritage must be permitted without the informed consent of Traditional Owners.</td>
<td>OPS</td>
<td></td>
<td>Information campaign to promote transparency regarding LNG development, and values of mutual tolerance and respect.</td>
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<td>Cross-cultural training for all Precinct workers and State and Commonwealth employees and consultants required to interact with Traditional Owners in a substantive manner.</td>
<td></td>
<td>Recommendation 73</td>
<td>Information campaign to promote transparency regarding LNG development, and values of mutual tolerance and respect.</td>
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<td>Values of social and racial tolerance are undermined; social cohesion is reduced, and with it capacity to absorb impact; individuals experience greater stress of daily life.</td>
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<td>Recommendation 74</td>
<td>Specific and positive measures to support the practice of Indigenous culture in the Area of Impact.</td>
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<td>Social conflict around LNG development</td>
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<td>Information campaign to promote transparency regarding LNG development, and values of mutual tolerance and respect.</td>
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Recommendation 72

- Any endorsement of the Plan must be subject to the conclusion of an ILUA which allows Traditional Owners to ensure that any impact of the LNG Precinct and associated developments on their cultural heritage is avoided or minimised. No damage to Indigenous cultural heritage must be permitted without the informed consent of Traditional Owners.

Recommendation 73

- Cross-cultural training for all Precinct workers and State and Commonwealth employees and consultants required to interact with Traditional Owners in a substantive manner.

Recommendation 74

- Specific and positive measures to support the practice of Indigenous culture in the Area of Impact.
CHAPTER 1 AIMS, APPROACH, METHODOLOGY, REPORT STRUCTURE

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1.1 INTRODUCTION

This Aboriginal Social Impact Assessment (ASIA) is being conducted as part of the State and Commonwealth Strategic Assessments of a proposed common-user liquefied natural gas precinct (LNG Precinct) to process gas from the Browse Basin located off the West Kimberley coast. The proposed location of the LNG Precinct has, through the Strategic Assessment process, been identified as being in the vicinity of James Price Point, on the Kimberley coast, some 60km north of Broome. The Precinct would include LNG processing facilities for at least two operators, common-user areas and facilities, a light industrial area, workers’ accommodation, and associated infrastructure (see Chapter 3.1 for details). The ASIA is also designed to inform negotiations between the Indigenous Traditional Owners of the James Price Point area (represented by the Kimberley Land Council (KLC)), the State Government of Western Australia (‘the State’) and the first proponent, a consortium of companies led by Woodside Energy Ltd (‘Woodside’). These negotiations are designed to lead to the conclusion of an Indigenous Land Use Agreement (ILUA) and associated agreements, between these parties in relation to development of the LNG Precinct. The ASIA is relevant to ILUA negotiations because it is designed to identify impacts on Indigenous people, and ILUA negotiations are intended to provide a process for Traditional Owners to reach agreement with the State and Woodside on arrangements which, together with the conditions on any approval for the development of the LNG Precinct (‘the Plan’) will make those impacts manageable and acceptable to Traditional Owners.

The State and Commonwealth Strategic Assessments of the proposed Kimberley LNG Precinct are being conducted concurrently by the State and the Commonwealth Government (‘the Commonwealth’) under the terms of an agreement signed by the two governments on 6 February 2008 (see Appendix 1) and in such a way that a single report (the Strategic Assessment Report, of which this ASIA Report forms a part) addresses the requirements of both State and Commonwealth assessment processes. The Commonwealth Strategic Assessment process will conclude with a decision by the Federal Minister of the Environment under the Environment Protection and Biodiversity Conservation Act 1999 (Cth) that it is appropriate for the LNG Precinct to proceed as proposed; to proceed subject to modifications of the original Plan and/or the imposition of conditions on the development; or that it is not appropriate for the development to proceed (see Appendix 1 for more detail). The State Strategic Assessment process will conclude with a decision by the State Minister for the Environment under the Environmental Protection Act 1986 (WA) on whether or not the Plan may be implemented and, if so, the conditions and procedures, if any, to which that implementation should be subject.

The Strategic Assessments occur within the context of a site selection process to identify a suitable site for an LNG Precinct somewhere along the Kimberley Coast, which commenced in 2007. In initiating that process the Western Australian Premier, Alan Carpenter, stated that gas development in the Kimberley would not proceed unless it created significant economic and social benefits for Aboriginal people and unless it had the support of Kimberley Traditional Owners (Carpenter 2006). The Deputy Premier and Minister for State Development reiterated this position in February 2008, stating that ‘LNG processing ... will only go ahead with the fully informed consent of the
Traditional Owners and their substantial economic participation’ (ABC 2008). The State established the Northern Development Taskforce (NDT) to conduct the site selection process. It provided funding to the KLC to establish the Traditional Owner Taskforce (TOTF), made up of representatives of all Kimberley coastal native title groups, to consider what sites, if any, might be acceptable to the groups as a location for LNG processing (see KLC 2008; KLC 2010a for a detailed discussion of this process). By August 2008 both the NDT and the TOTF had each identified a shortlist of four sites that might be suitable for an LNG Precinct, with both including James Price Point.

In October 2008 following a change of government the State reversed its position on Indigenous consent. The State indicated that while it would consult with Traditional Owners regarding measures for impact mitigation and community benefits, the existing site selection process would be discontinued. In December 2008 the State announced James Price Point as its preferred site for the LNG facility, and indicated that it would use compulsory acquisition powers to enforce its decision if Traditional Owners did not enter an agreement giving their consent for the LNG Precinct to proceed (Government of Western Australia 2008; O’Brien 2008).

The Terms of Reference for a Strategic Assessment developed pursuant to the State-Commonwealth Agreement (Appendix 1) require ‘a description of the potential impacts, including socio-economic impacts, of the Plan on Indigenous people’ (clause 7(a)); an assessment ‘of whether any impacts on Indigenous people ... are likely to be unknown, unpredictable or irreversible’ (clause 7(b)); and the identification of ‘specific management arrangements, including the possible role of Traditional Owners in those arrangements ... that are intended to ensure that development and operation of the Precinct ... are undertaken in a manner designed to avoid impacts on significant environments ...’ (clause 8).

The Terms of Reference also state that the Strategic Assessment Report ‘must identify and describe the specific measures intended to prevent, minimise and compensate for the potential environmental impacts of the Plan, and any measures to rehabilitate or offset damage to the environment. The Report must recognise and detail the role that Traditional Owners will play in these matters’. The Report must also ‘identify and describe the specific measures intended to avoid, minimise and mitigate for the potential environmental and Indigenous impacts of the Plan ... ’ (Clause 9).

This ASIA addresses clauses 7(a) and 7(b) of the Terms of Reference, and satisfies the requirements of clauses 8 – 11 as necessary and relevant to addressing clauses 7(a) and 7(b). Four other reports prepared by the KLC – a Traditional Owner Consent and Indigenous Community Consultation Report (KLC 2010a), a Heritage Impact Assessment Report (KLC 2010b), an Aboriginal Archaeological Site Avoidance Survey Report (KLC 2010c), and an Ethnobiological Report (KLC 2010d) – address the balance of the requirements of clause 7 of the Terms of Reference. These five reports together address the requirement of the Terms of Reference for ‘a comprehensive analysis of the potential impact of the Plan on Indigenous people and culture’ and an analysis of ‘whether the Traditional Owners have given informed consent, in a culturally appropriate manner to the implementation of the Plan’ (clause 7). The findings and recommendations of the five reports are brought together in the Indigenous Impacts Report.

This chapter sets out the purpose of the ASIA in more detail, and describes the approach and methodology adopted, the community consultations and other work it has involved, and the report structure. Two critical contextual factors frame this discussion.

First, fundamental to the conduct of the ASIA work to date and the content of this Report is the fact that it has been conducted under severe time constraints, commencing in August 2009 and concluding in February 2010. This has shaped and limited the geographical scope of the ASIA; the extent of consultation it has been possible to conduct; the range of matters considered; and the depth and detail in which these matters are considered. For instance, it has not been possible to conduct key components of baseline data collection, including a household survey of the Indigenous population most likely to be affected by the LNG Precinct, or to consider social impacts beyond the area likely to be most heavily affected by the Precinct (see Chapter 1.2.3). Neither has it been possible to consult in detail in relation to the five different ‘development scenarios’ for an LNG Precinct identified by the WA Department of State Development (DSD) in Volume 1 of its Kimberley LNG Precinct Social Impact Assessment: Volume 1: Scope and Profile (DSD 2009a) (see below). As a result, much additional work remains to be done, and a key element of the ASIA Report is the identification of the additional social impact assessment work that was not able to be completed by December 2009, and recommendations that completion of this work must constitute a condition of any approval by the State and Commonwealth...
Ministers for the Environment for development of an LNG Precinct (see Chapter 4.4.2 and 4.4.3).

These severe time constraints reflect, in large measure, the decision of the State that studies for the Strategic Assessment Report, including the ASIA, should be completed by December 2008 (Department of State Development (DSD) 2009b, Table 2.5, p.17). (This deadline was subsequently adjusted, after sustained representations by the KLC on behalf of Traditional Owners, to February 2010. However, this small extension was not sufficient to substantially address the effects of a truncated timeframe.) A contributory factor involves the funding arrangements for the ASIA. The ASIA is funded by the State under a Funding Agreement contemplated by the Kimberley LNG Precinct Heads of Agreement (HoA), signed on 21 April 2009 by the State, the KLC (authorised by the Goolarabooloo & Jabirr Jabirr (GJJ) native title claimants), and Woodside. This Funding Agreement was not signed however until 8 October 2009. In late June 2009 the KLC decided that it would prioritise the ASIA in allocating the limited funds made available by the State in advance of finalising the Funding Agreement, on the basis of side letter funding agreements. In July it appointed Professor Ciaran O’Faircheallaigh as Project Manager of the ASIA, and the remainder of July and August 2009 were occupied in recruiting staff, planning the ASIA, preparing for community consultations, developing the ASIA Terms of Reference, and having these approved by the KLC and the Traditional Owner Negotiating Committee (TONC) of the GJJ native title claim group (see Chapter 1.2.1). Given the need to allocate the period from mid-December 2009 to mid-February 2010 to data analysis and report writing, this meant that only three months were available for consultations with affected native title groups, Indigenous communities, and key stakeholders such as Indigenous service delivery organisations, for collection of baseline data, and for analysis of relevant literature and other information sources.

Further pressure was created by the fact that many of the people and organisations the ASIA sought to consult were also participating in other aspects of the LNG Precinct development, such as ILUA negotiations, site selection, and environmental studies. Some organisations were heavily committed to other, unrelated, negotiation processes. For instance, the Yawuru Native Title Holders Corporation, the representative body of the native title holders of Broome, was engaged in finalising the Yawuru native title settlement with the State. In addition, many Indigenous organisations and organisations providing services to Indigenous people are seriously under-resourced (see Chapter 2.3.12), making it difficult for their staff to find time to engage with the ASIA process.

Against this background, the overall strategy adopted by the ASIA has been to undertake an ambitious but necessarily limited program of work during the period from August 2009 to February 2010, and use this to provide:

- Input urgently required for the ILUA and other agreement negotiations between Traditional Owners, the KLC, the State, and Woodside, as these negotiations address key impact issues associated with the LNG Precinct. At the time of the ASIA consultations the ILUA negotiations were scheduled to be completed by mid 2010. These agreements may, in turn, require additional initiatives in relation to monitoring and management of cultural and social impacts arising from the LNG Precinct.

- The KLC’s input to the Strategic Assessment Report in relation to Indigenous impacts. This includes recommendations in relation to conditions on any approval of the LNG Precinct by the State and Commonwealth Ministers for the Environment, including a recommendation that any approval must be subject to the condition that additional, comprehensive ASIA and social impact monitoring work be conducted in 2010 and beyond (see Chapter 4.4).

These points raise the second critical contextual factor. This ASIA Report should not be considered as a stand-alone and complete piece of SIA work. Rather it represents just one component of an ongoing process of social impact assessment, monitoring and management. In this regard it is also important to note that, as outlined above, the process of selecting a site for an LNG Precinct on the Kimberley coast, and considering its social impacts, predates the current Strategic Assessment process of the proposed James Price Point site. That selection process provides a key part of the background to the conduct of the Strategic Assessment and the ASIA. It is outlined in a report to the KLC entitled *Hydrocarbon Processing in the Kimberley: Laying the Foundations for an Aboriginal Social Impact Assessment* (KLC 2008). We also draw on the findings of this Report in the current study.
1.2 APPROACH AND METHODOLOGY

The development of an appropriate approach and methodology has been informed by two comprehensive and recent reviews of international literature on effectiveness in Indigenous social assessment (O’Faircheallaigh 2009) and of public participation in environmental and social impact assessment (O’Faircheallaigh 2010). It has also been informed by the ASIA Project Manager’s experience in organising Indigenous SIAs, and by input from the KLC senior managers and Traditional Owners for James Price Point.

1.2.1 Goals of the ASIA

Draft Terms of Reference for the ASIA were developed by the ASIA Project Manager, in consultation with the KLC, and discussed in detail with the GJJ TONC over a full day on 6 August 2009. After due consideration of the document, the TONC unanimously endorsed the Terms of Reference on 7 August 2009. These are included as Appendix 2. They establish the following objectives for the ASIA:

1. Ensure that affected native title groups and other affected Aboriginal people play a central role in the impact assessment and project approval processes for the Gas Precinct.

2. Identify the social impacts of hydrocarbon-related development, with a view to maximising the positive impacts and minimising the negative impacts of the Precinct, including through informing the [GJJ] native title claimants and the KLC in negotiating an ILUA and other agreements with the State and Woodside and other potential proponents, and [informing] discussions with the Commonwealth designed to ensure that it fully meets its responsibilities in relation to gas development and [that it] provides appropriate support to native title groups and other affected Aboriginal people.

3. Provide a basis for input by Aboriginal people into the statutory impact assessment processes, [with] regard to the Strategic Assessment processes being undertaken by the Commonwealth and the State in respect of Kimberley hydrocarbon-related development (Strategic Assessments).

4. Assist in developing effective and sustainable approaches to benefit sharing and regional benefit packages related to gas developments.

In pursuing these objectives, the ASIA will create maximum opportunity for participation by Kimberley [Indigenous] people and their organisations, and in particular by the native title groups whose land and sea country may be affected by the LNG Precinct.

The background to objectives 2 and 3 has already been discussed above. In relation to objective 1, it is a fundamental goal of the KLC and Kimberley Traditional Owners to play a central role in all major development activity in the Kimberley, and to ensure that proposed developments do not proceed without the informed consent of Traditional Owners whose land and resources will be affected (KLC 2009a, 2009b). This reflects, in part, the fact that in the past the exclusion of Traditional Owners from decision making about resource development has led to outcomes highly...
detrimental to their interests (see Chapter 3.2.2). Objective 4 reflects a belief that careful attention must be paid to the management of financial and other benefits promised by major resource projects, because if they are inequitably distributed or inappropriately utilised, they may have little positive effect and may indeed turn out to be a curse rather than a benefit (see Chapter 3.2.1.1).

1.2.2 Focus of consultation and consultation activity

Some recent government-initiated consultation processes in the West Kimberley lacked legitimacy and effectiveness because they ignored or downgraded native title interests, focusing instead on Indigenous community councils and/or service delivery organisations (see for instance Landvision and Sharon Griffiths & Associates 2008). Against this background the ASIA Terms of Reference calls for a consultation approach expressed as follows:

The KLC’s ASIA consultation model assumes that the key decision-makers about land use and planning are the Native Title Claim Groups and, where relevant, any Registered Native Title Bodies Corporate. The KLC therefore proposes to consult with these decision-makers in the first instance. The KLC acknowledges that bodies that represent other Aboriginal people affected by gas development, such as Community Councils, have an important role to play in the consultation process, as do Aboriginal service delivery organisations. The KLC therefore also proposes to build upon field work undertaken in 2008 and further consult with such bodies. It also proposes to consult directly with other Aboriginal land users such as people living on outstations (see Appendix 2).

As noted above, the ASIA was also required to create maximum opportunity for participation by Kimberley Indigenous people and their organisations.

The first step in giving effect to this requirement, and to the desired consultation model, was to establish an ASIA team with the requisite knowledge and skills. The ASIA Project Manager and the ASIA Consultant have extensive experience of undertaking consultation with native title groups and Indigenous communities, including in the Kimberley. The ASIA team also includes...
three Indigenous KLC staff with extensive knowledge of the affected native title groups and communities. Their participation was critical in undertaking effective consultation, and their involvement also provided an opportunity to further develop the KLC’s capacity to plan and undertake ASIA work. The ASIA team was constituted with an appropriate gender balance (three women, two men) so that it was always possible to discuss relevant issues in single-gender groups if participants preferred, an important cultural requirement in the Kimberley.

ASIA team members were in frequent contact with members of the GJJ TONC, including the committee’s joint chairpersons, and regularly received advice from them on matters relating to the consultations and the ASIA generally. The ASIA team also held regular discussions with the KLC’s Chief Executive Officer (CEO), its Manager (Native Title), and other senior KLC managers, and had access to KLC anthropological and legal staff and consultants working on native title claims in the region of impact. The ASIA also drew on the services of Professor John Taylor, one of Australia’s leading experts on Indigenous demography, who has undertaken extensive research on Indigenous economic and social conditions in the Kimberley.

The consultation process proceeded as follows. The native title claim groups with interests in Broome and the Dampier Peninsula (Yawuru, GJJ, Nyul Nyul, Bardi Jawi and Nimunburrr) were contacted by letter, with follow-up contact by phone and/or e-mail, and invited to participate in the ASIA. In some cases this participation took the form of widely-advertised, day-long meetings of the group concerned, which in some cases attracted attendees from throughout the West Kimberley and from outside the region (for example from the Pilbara). In other cases the group preferred meetings to occur with a native title claim group steering committee or equivalent body, or were happy for a meeting of the native title group to be combined with a community meeting (see below). At meetings attendees were provided, through PowerPoint presentations, with information on the proposed LNG Precinct. Large colour maps and graphic illustrations of the LNG Precinct site were displayed on meeting room walls. Information was also provided on relevant Indigenous and government decision-making processes, including the Strategic Assessment; on baseline studies being conducted as part of the ASIA; and on the LNG Precinct...
HoA. It was important to include information on the HoA as this offers benefits not only for the Traditional Owners of James Price Point but also for the Dampier Peninsula and the West Kimberley, yet information on its content was not widely available. Fact sheets prepared by the ASIA (included here as Appendices 3 – 6) were provided to all attendees. These included, and added further detail to, the information presented at meetings.

Attendees were encouraged to ask questions at any point during meetings, and in many cases extensive engagement took place around issues of particular interest or concern to participants (see Chapter 3.4 – 3.5 and Chapter 4.4 for a detailed discussion of relevant issues). Each meeting also included a separate session specifically designed to allow attendees to express aspirations or concerns in relation to the LNG Precinct, or to suggest management strategies to address likely impacts. Issues raised were noted on butcher’s paper or white boards, allowing people to review them during breaks or at the end of the day. Photographs were taken of all such material; ASIA staff took detailed notes of the discussion at every meeting; and meetings were recorded. In combination this ensured that all issues and questions raised by participants and strategies they suggested would be included in this Report (see Chapters 3 and 4). It also allows this Report to make extensive use, especially in Chapter 3, of the words of Indigenous participants themselves. All statements by Indigenous participants used in the Report are verbatim, except where minor editing was required to provide context or avoid repetition. These statements are indicated in the text by the use of italics. Information is provided on the native title or community meeting at which the individual spoke. The identity of individuals is not revealed in order to protect their privacy.

As noted above the DSD had identified what it described as four different ‘precinct development scenarios’ for the proposed LNG Precinct, with one having two variations, giving in effect a total of five scenarios: No Development; Low Case; Medium Case (A) and (B); and High Case. The scenarios were based on different assumptions regarding the number of proponents, annual production of LNG, and the time frame for development (see DSD 2009a, 24-25 for details). ASIA participants were made aware of these scenarios and detailed information was provided in relation, for instance, to the likely workforce requirements for different scenarios (see Chapter 3.1.3) and to their projected impacts on population growth. However the consultations focused mainly on the development scenario provided by Woodside Energy Ltd, the foundation proponent (see Chapter 3.1 for details), for the following reasons:

- The ASIA had a major emphasis, in line with its Terms of Reference, on engagement with Traditional Owners and other affected Indigenous people. Given the severe time constraints that applied, it would have been extremely difficult to communicate complex, technical information to people across a range of different development scenarios, and to attempt to do so would certainly have created confusion. In addition, detailed discussions about all 4 scenarios would have prolonged the consultation process and made it more difficult to meet the State’s deadlines.

- Effective communication of relevant information required a focus on the concrete, and Woodside’s proposal was the only concrete one in existence. For instance, it was the only one regarding which graphic materials indicating likely Precinct lay-outs were available.

- The impression that Woodside would be the key proponent was clearly created by publicity, media and public meetings generated or conducted by DSD and Woodside in Broome.

- In discussing the benefits potentially associated with an LNG Precinct the only relevant information related to the Heads of Agreement negotiated between Woodside, the State and the KLC (see Chapter 4.3), and this inevitably meant and required a focus on Woodside’s proposed development.

It did not prove possible to engage with the Yawuru native title group in a manner similar to that employed with the other native title groups. The ASIA team, and members of GJj TONC, met with Mr Pat Dodson, the Chair of the Yawuru prescribed body corporate, the Yawuru Native Title Holders Corporation, and with other corporation directors and staff on a number of occasions to explore options for engagement. The corporation was undertaking negotiations with the State to finalise a settlement in relation to Yawuru native title interests in Broome, and this both created pressure on its office holders and made them reluctant to involve Yawuru in another consultation process. In this latter regard Mr Dodson specifically requested that the ASIA team not organise a public meeting for the Yawuru native title group. In mid-November the ASIA
team was informed that Yawuru negotiations with the State should be finalised in early December and that a formal Yawuru Corporation engagement with the ASIA might be possible in mid-December. However, in the event the negotiations were not finalised on schedule.

The ASIA has not been without opportunities to provide information to and achieve input from Yawuru people. A number of members of the GJJ native title claim group also have Yawuru affiliations because of intermarriage between the groups, and indeed two members of GJJ TONC are Directors of the Yawuru Native Title Holders Corporation. These individuals, and other TONC members with Yawuru connections, were actively involved in developing the ASIA Terms of Reference and in overseeing conduct of the ASIA. In addition, the ASIA involved extensive consultation with Indigenous organisations in Broome (see below), whose staff include Yawuru people. Finally, an ASIA community meeting was held in Broome in mid-January 2010, for all Indigenous members of the Broome community, including Yawuru people.

Community meetings were also held in Beagle Bay, One Arm Point, Lombadina, Djarindjin and Derby, following appropriate community protocols for obtaining permission to visit communities and hold meetings. Initial community meetings were held in September/October 2009, with the format mirroring that described above for native title group meetings. A second round of community meetings was held in late November and early December. At these meetings a condensed version of the project information provided at the first round of meetings was presented. This was important because a substantial number of people who attended the second round of meetings had not attended the first. The ASIA team then provided feedback on issues raised at other meetings, and a larger part of each meeting was set aside for attendees to raise and discuss aspirations and concerns in relation to the LNG Precinct and its likely impacts, and to suggest management strategies to deal with these impacts.

A meeting was also held with members of the affected coastal native title groups who had represented their
A particular effort was made to engage with young people (see Plates 4 and 6). They will be primary recipients of benefits generated by an LNG Precinct with a life of at least 30 years, but will also bear the brunt of any project impacts that are not effectively managed (see Plate 4). The ASIA team also availed themselves of any opportunity for impromptu discussions with affected Indigenous people either in person or by phone.

Extensive consultations were also undertaken with Indigenous organisations, and with organisations providing services to Indigenous people, in Broome, Derby and the Dampier Peninsula communities. More than 100 organisations were contacted, and the ASIA team met with nearly all of these. A list of the organisations involved is provided in Appendix 8. Engagement with organisations was designed to:

- Obtain access to data held by organisations on existing economic, social and cultural conditions among affected Indigenous populations (baseline data) (see Chapter 2.3)
- Document the existing capacity or planned future capacity of organisations to deliver services to Indigenous people

claim groups on the TOTF during 2008. As the TOTF had been discontinued, the KLC had not been able to convene further meetings of the TOTF after September 2008. This meeting, which followed the same format as native title group meetings, provided an opportunity to update the TOTF on developments over the previous 12 months and to obtain their input into the ASIA.

The various native title and community meetings represent critical input to our identification of impacts in Chapter 3; and identification of necessary and appropriate management arrangements in Chapter 4. A list of these meetings is provided as Appendix 7.

Numerous less formal engagements with community and native title group members provided additional input for the ASIA. Discussions with individuals or small family groups often occurred before or after meetings, or as other opportunities arose during ASIA consultation meetings. In addition, small meetings were held with focus groups and other stakeholders in the communities including youth and ranger groups, women’s groups, Indigenous enterprises, community councils, the Catholic Church, and service providers located in communities on the Dampier Peninsula.

Plate 6: ASIA consultations with high school students in Broome, November 2009
Taylor has demonstrated, Census data has serious limitations in providing a full and accurate picture of existing conditions for Kimberley Indigenous populations (Taylor 2006, 2008). A fundamental problem is that none of the data relates to individual native title (or cultural) groups. At an ASIA planning meeting in July 2009, Professor Taylor advised that the only way of getting reliable baseline information relevant to affected native title groups was to undertake data collection ‘from the bottom up’, if possible using household surveys.

Given the limited resources and time available and in line with the overall ASIA strategy, it was decided to attempt a survey of the GJJ native title claim group as part of the initial ASIA work, and then to recommend that any approval of the Plan require the completion of a similar exercise in relation to other affected native title groups to be a condition of project approval. A survey instrument was developed by the ASIA team in conjunction with GJJ TONC, and this is included as Appendix 9. In developing the survey, the intention was that it would:

- Obtain input from organisations regarding the likely impacts of the LNG Precinct, particularly on demands for their services, and on their ability to meet any increased demand
- Obtain their views regarding strategies and management plans for addressing LNG Precinct impacts.

Information gathered from organisations has also provided valuable input to Chapters 3 and 4. Where information was obtained in interviews with individuals in their roles as employees or representatives of organisations, the organisation to which the individual belongs is indicated in the text, followed by the month of the interview with them, for example ‘Kimberley Group Training, November 2009’.

Baseline data was also derived from Australian Bureau of Statistics (ABS) Census data, other data published by government agencies, and existing reports related to the LNG Precinct site selection process, the Strategic Assessment process, and planning processes related to Broome, the Dampier Peninsula or to the West Kimberley (including Department of Planning 2009; DSD 2009a, 2009b; KLC 2008; Landvision and Sharon Griffiths & Associates 2008; Taylor 2006, 2008). Some of these reports also provided insights into impacts likely to arise from establishment of an LNG Precinct.

Important baseline data was generated by Professor John Taylor of the Australian National University who extracted separate Census data for Indigenous populations in Broome and the Dampier Peninsula communities (see Chapter 2.3). However as Professor Taylor has demonstrated, Census data has serious limitations in providing a full and accurate picture of existing conditions for Kimberley Indigenous populations (Taylor 2006, 2008). A fundamental problem is that none of the data relates to individual native title (or cultural) groups. At an ASIA planning meeting in July 2009, Professor Taylor advised that the only way of getting reliable baseline information relevant to affected native title groups was to undertake data collection ‘from the bottom up’, if possible using household surveys.

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- be based on questions that Indigenous people have themselves identified as critical
- generate information on issues that they consider as central
- be carried out by members of the native title group, working under expert guidance
allow the native title group whose members are
surveyed to retain the information generated, and
determine its use, access and purpose.

In the event it proved impossible to administer the
survey, both because of time constraints and because
the genealogical information required to identify
households comprising the GJJ native title group was
not available. A key recommendation of this Report,
discussed in Chapter 4.4.3, is that a household survey
of affected native title groups should be conducted as
a condition of any statutory approval for a Kimberley
LNG Precinct.

1.2.3 Area of Impact for purposes of the ASIA

The limited time available has also affected the defini-
tion of the geographical scope of the ASIA. A project on
the scale of the proposed LNG Precinct (see Chapter
3.1) is likely to create economic and social impacts
over an extensive area of the Kimberley, but it was not
remotely feasible to address all potential impacts across
this region given the available time and resources.
The Kimberly LNG Social Impact Assessment Volume
I: Scope and Profile (DSD 2009a, pp.14-15) defines
the ‘primary impact area’ as within 10km radius
from James Price Point, that is ‘the spatial area most
physically impacted on by the project’, and the urban
area of Broome.’ Given that there are no permanent
residences within a 10km radius of James Price Point,
it is not surprising that later in the same report the
DSD defines the town of Broome as the primary impact
area (DSD 2009a, p. 74). The DSD defines a ‘secondary
impact area’ which ‘will be impacted either directly or
indirectly by the project to a lesser extent’. This area is
the Dampier Peninsula and the communities of Derby
and Bidyadanga. Given the scale of the LNG Precinct,
for example, the fact that its construction workforce
will far exceed the combined population of the Dampier
Peninsula communities, and its proximity to those
communities, there seems no reason to assume
that small Indigenous communities on the Dampier
Peninsula should be any less subject to impact than
will Broome. It is also important to recognise that the
LNG Precinct may have significant effects on native title
interests and on Indigenous sites and culture, and that
many of the Indigenous people who hold these interests
and/or are custodians for sites reside in the Dampier
Peninsula and Derby.

Reflecting these considerations, the geographical Area
of Impact considered in this Report, and the focus of the
consultations that underpin it, is Broome; the Dampier
Peninsula communities of Beagle Bay, One Arm Point,
Lombadina and Djarindjin; smaller settlements or
outstations associated with these communities; and
Derby (see Map 1.1). Bidyadanga is not included for a
number of reasons. Firstly, the severe time constraints
faced by the ASIA made it very difficult to contemplate
undertaking work in an additional community a number
of hours drive from Broome. Secondly, the available
information suggested that, in contrast to Derby,
few native title holders or claimants whose interests
are most likely to be affected by the LNG Precinct
reside there. Thirdly, Derby, as a regional centre with
a substantial housing stock and only two hours away
by sealed road, appears much more likely than a small
community such as Bidyadanga, 200km to the south of
Broome, to feel the overflow effects of greater demand
for housing and other services generated by population
growth in Broome.

1.2.4 Limitations and constraints

The severe time constraint was a critical limitation
facing the ASIA which, as noted earlier, substantially
restricted the scope of ASIA work that could be under-
taken for this Report. Imposition of such severe time
limitations raises serious issues about the willingness
and ability of State and of Woodside (as the foundation
proponent) to accept the requirement for culturally
appropriate decision making and, more broadly, to
understand and respond to Indigenous concerns and
aspirations. It also raises serious questions for the KLC
as the representative body for Traditional Owners. We
return to these matters in Chapter 4.4.1.

Also relevant, as mentioned above, is the fact that
individual Indigenous people and Indigenous organi-
sations face multiple demands on their time. A third
factor was climatic conditions. ASIA field work had to
be conducted over the period September – December
2009, when high temperatures and humidity make
it increasingly difficult to engage with people. This is
especially so given that many older people are not in
good health, and that the need to absorb extensive
information about gas development and discuss impact
issues can be intellectually and emotionally challenging.
On the day of our second meeting in Derby, for example,
on 30 November 2009, the temperature reached
Map 1.1: Aboriginal Social Impact Assessment 'Area of Impact'. MAP COURTESY OF JOH BORNMAN
42°C with very high (pre-wet season) humidity. Such conditions are not conducive to substantial meeting attendances or to sustained participation by people who do attend.

Other factors relate to consultation fatigue and scepticism about whether processes such as the ASIA and the Strategic Assessment process will have any significant impact on the decisions of Governments and oil and gas companies. Indigenous communities are subject to a huge amount of consultation by numerous public and private sector agencies and Indigenous organisations. It was not unusual for the ASIA team to find that, on any given day, it was only one of two or three external entities involved in consultations in communities that in most cases have only a few hundred members. In addition, many people who attended ASIA meetings or who engaged with the ASIA in other ways expressed a belief that because LNG development will generate such large economic benefits for governments and companies, approval for the LNG Precinct is a foregone conclusion. Such perceptions are related to a history of resource development in the Kimberley in which the interests and wishes of Indigenous people have been ignored, and in which governments have approved major resource projects against strong and concerted opposition from Kimberley Indigenous people (see Chapter 3.2.2). Reinforcing this history, as mentioned earlier, the Premier of Western Australia stated in December 2008 that the State would use compulsory acquisition to acquire land for the LNG Precinct if an agreement for its development was not concluded with Traditional Owners. The Premier’s threat was specifically mentioned by a number of participants in ASIA meetings.

It seems likely that some Indigenous people decided not to participate in the ASIA because of consultation fatigue, or scepticism regarding the efficacy of their
participation, or a combination of both. It is impossible to quantify any such impact.

Another limitation involved the reluctance of some organisations to assist the ASIA by providing access to relevant baseline data or other information. It is important to stress that many organisations and individuals working for them were very helpful, giving generously of their time and sharing information willingly. However a minority, despite repeated written and oral requests, declined to assist the ASIA. We are not privy to their reasons for doing so. A few of the many organisations contacted and interviewed by the ASIA team provided information verbally and promised to forward written data, but failed to do so. This was a particular problem with the various health organisations. As a result the baseline data on health (see Chapter 2.3.7) is either anecdotal or obtained from published reports. In addition, in providing data on numbers of people they employ, some government agencies could not or would not differentiate between Indigenous and non-Indigenous staff. A small percentage of (predominantly non-Indigenous) agencies refused to engage with the ASIA because of the personal views of the staff concerned regarding the proposed LNG Precinct.

An important and fundamental constraint facing the ASIA involves access to information regarding the proposed LNG Precinct. For example, none of the environmental studies and few of the social studies required under the Kimberley LNG Precinct: Draft Scope of the Strategic Assessment (DSD 2009b, Appendix I) had been completed prior to the ASIA consultations. Indeed many basic decisions that will help shape the LNG Precinct’s environmental impacts had not been made, for example whether water for the Precinct will be drawn from aquifers on the Dampier Peninsula or obtained by constructing a desalination plant. In addition, while the vicinity of James Price Point had been identified as the general location for the LNG Precinct, a specific location had not been finalised, and key components of project design (for instance the location of workforce accommodation and of the light industrial area, as well as actual plant design and layout) had not been determined. Critical aspects of timing for the project were also not yet determined, for instance when Woodside and its partners would make a final ‘Theme Select’ decision between piping Browse gas to the Kimberley or the Pilbara and when project construction would commence.

This meant that the ASIA team had to inform participants about the likely scope and impact of the LNG Precinct on the basis of the limited project information available in the Kimberley LNG Precinct: Draft Scope of the Strategic Assessment (DSD 2009b), and information regarding gas development and LNG processing available as a result of the NDT and TOTF processes conducted during 2008. It also meant that additional or updated information had to be incorporated into ASIA presentations and information materials as it became available. For example, the first estimates of the potential impact of the LNG Precinct on population growth and demand for housing in Broome did not become available until November 2009, and so this was incorporated into the second round of community meetings. The ASIA team was informed of a change in the expected date for a ‘Theme Select’ decision on 30 November 2009, which meant that the presentation in Derby on that day did not include this amended information, but the community meetings held over the following days did so.
Chapter 2 provides a description of existing economic, social and cultural conditions among the affected Indigenous population. It begins with a qualitative discussion of social and cultural relations among Indigenous people and groups in the Area of Impact. It then provides an extensive quantitative profile of social and economic indicators in areas including demographics, education, employment, incomes, housing, health, criminal justice, cultural activity, and customary use of wildlife resources. It draws on ABS Census data and a wide variety of other sources, including information provided to the ASIA by Indigenous organisations, government agencies, and non-governmental organisations (NGOs). The Chapter also includes a brief discussion of the organisational landscape of Broome and the Dampier Peninsula; offers detailed profiles of the Dampier Peninsula communities; and provides some more general information on outstations on Jabirr Jabirr land in the area adjacent to the LNG Precinct.

Chapter 3 identifies sources of social, economic and cultural impact associated with development of an LNG Precinct at James Price Point. It begins by outlining key features of the planned LNG Precinct, to the extent these are currently known. It then offers, on the basis of an extensive review of international literature, published and unpublished, the potential impact of large-scale resource development projects, such as the LNG Precinct, on Indigenous people. The following section introduces a regional and historical dimension to the discussion. This is critical given that Indigenous responses to gas development will be shaped to a significant extent by the history of Indigenous-settler relations in the Kimberley, and by Indigenous experiences with large-scale resource development over recent decades. We then outline the perspectives of Kimberley Indigenous people on sources of impact from an LNG Precinct, drawing on the Hydrocarbon Processing in the Kimberley Region: Laying the Foundations for an Aboriginal Social Impact Assessment Report (KLC 2008), the TOTF site selection process it describes, and particularly on the ASIA consultations with native title groups, communities and organisations.

Some comment is required on the way in which the ASIA, and this Report, conceptualises the relationship between existing social and economic conditions in the Area of Impact and the likely effects of the development of an LNG Precinct. In feedback on the Draft ASIA Report, the DSD indicated its belief that the Report placed too much emphasis on existing social and economic problems rather than focusing on issues result from development of an LNG Precinct. DSD stated that it did not ‘consider the ASIA to be the right vehicle to attempt to address a wide variety of social and economic problems’ (DSD 2010a). The view of the ASIA and of the KLC is that a strong focus on existing social and economic condition is essential and indeed indispensable if the Strategic Assessment Terms of Reference are to be addressed. Such a focus is essential both to establish a base line for subsequent impact monitoring and because of the fact, documented in detail in this ASIA Report, that the impacts of an LNG Precinct will be shaped by the extent to which existing social infrastructure deficits and social dysfunction are addressed. For example, outcomes in relation to Aboriginal employment in the LNG Precinct and associated businesses will be greatly affected by whether or not existing deficits in housing and education infrastructure are addressed and the time frame within which they are addressed.
Unless the Strategic Assessment Report includes a strong focus on existing social and economic conditions, it will not adequately respond to the Terms of Reference requirement that the Report include:

a) a description of the potential impacts, including socio-economic impacts, of the Plan on Indigenous people (including to the extent possible, information on the degree of confidence with which impacts and indirect impacts can be predicted and quantified);

b) an assessment of whether any impacts on Indigenous people (including Indigenous heritage) are likely to be unknown, unpredictable or irreversible (Clause 7).

To reiterate, the nature of potential LNG Precinct impacts depends to a large extent on the degree to which existing Indigenous disadvantage is or is not addressed. If the Strategic Assessment Report fails to address this issue, it will not provide a basis on which the Federal Minister for the Environment can reach a decision about whether or not to approve the Plan.

A further question involves the treatment of developments that are likely to occur at some time in the future whether the LNG Precinct proceeds or not, but are likely to occur sooner, or to result in impacts that are more severe or on a larger scale, if the LNG Precinct proceeds. A case in point is the sealing of the Broome to Cape Leveque road, which was the subject of considerable concern among ASIA participants. It may be the case that the road will eventually be sealed, but people consulted regarded the fact that this will happen more quickly, and that the road is likely to carry more traffic and visitors than in the absence of an LNG Precinct, as impacts that can be attributable to the Precinct development.

Chapter 4 addresses the question of how potential negative impacts can be avoided or minimised, and potential positive impacts and opportunities maximised, drawing on the same sources utilised in Chapter 3. It identifies strategies and management responses to address various impact issues, and develops recommendations for conditions to be included in any approval of the Plan to give effect to these strategies and responses. These recommendations are extensive and, where possible, detailed, reflecting the fact that while the ASIA is conducted as part of a Strategic Assessment rather than a project-specific environmental impact assessment, the Strategic Assessment Terms of Reference require, as noted earlier, identification of ‘specific management arrangements ... intended to ensure that development and operation of the Precinct ... are undertaken in a manner designed to avoid impacts on significant environments ...’ (clause 8), and that the Strategic Assessment Report ‘identify and describe the specific measures intended to avoid, minimise and mitigate for the potential environmental and Indigenous impacts of the Plan ... ’ (Clause 9) (emphasis added).

A fundamental component of these recommendations is the need for ongoing social impact assessment and social impact monitoring and for development of further management responses. This need is urgent and substantial given the severe time constraints under which the ASIA and other impact studies have been undertaken, the limited information available to support them, and the difficulty of accurately predicting the scale and nature of potential impacts of a project with an expected life of up to half a century.

Chapter 5 consolidates the analysis in the form of a matrix that identifies potential impacts and opportunities, assesses the degree of risk associated with them, and identifies the recommendations that contain suggested management responses to individual impacts and opportunities.
2.1 INTRODUCTION

This chapter presents baseline data on the Indigenous population that is likely to experience the most direct and substantial impacts generated by an LNG precinct at James Price Point, i.e. Indigenous Traditional Owners and other Indigenous residents of Broome and the Dampier Peninsula (see Chapter 1.1). Baseline data consists of quantitative and qualitative information that describes existing cultural, social, economic and political conditions in a community or population expected to be affected by a project or activity that is the subject of an impact assessment. Creation of baseline data has three major purposes:

- To help reach conclusions about a community’s current capacity to absorb negative impacts and take advantage of positive opportunities, information that is critical in determining the desirability of proposed developments.

- To identify possible areas for intervention designed to enhance community capacity to deal with impacts, for instance, where gaps in education and skills are identified that are then filled so that people can gain employment in proposed projects.

- To allow impact monitoring and mitigation if a project or activity proceeds. Data on the same indicators is compared before and after development, so as to measure the impact of the project or activity (assuming other potential causes of the change can be eliminated). If negative impacts are identified, mitigation can then be planned and undertaken.

Failure to establish a sufficiently wide range of baseline data may have serious consequences, because it may result in errors in assessing a community’s capacity to absorb impact, either underestimating it (and therefore possibly leading to a failure to grasp economic and social opportunities), or overestimating it (leading to approval of development that in the event creates serious adverse impacts). It may also result in a failure to detect impacts of projects that do proceed, because the monitoring data being collected ignores important impact areas.

Currently, the most accessible and systematic baseline data on the Kimberley relates to statistical indicators that are collected by government for purposes that are generally unrelated to proposed developments (most obviously, Census data and household surveys). Extensive use is made of this data in what follows. However its limitations must be immediately recognised, and substantial efforts have been undertaken as part of the KLC’s ASIA to supplement these sources.

Firstly, some of the existing statistical data is seriously inaccurate or incomplete in its own terms, i.e. in relation to the demographic, social and economic variables it purports to describe. For instance, Taylor estimates (2008, p.4) that as many as one in four Indigenous people in Western Australia may have been overlooked by the Census. This can result, for instance, in a serious underestimate of the number of people demanding and utilising public services in the region. Taylor also identifies major problems with existing data in relation, for example, to crime statistics, the labour supply (2008, pp.35-36, p.40), Indigenous employment in the community sector, Indigenous income levels, and

Secondly, baseline data may have been collected in such a way that it misrepresents social and economic reality in the Kimberley. As Taylor notes, the process of Census data collection can be described as a ‘collision of [cultural] systems’ that can ‘produce answers that can be nonsensical in terms of describing the reality of Indigenous social and economic life’ (2006, p.7). In relation to education data, for example, he states that data collection is generally not informed by Indigenous perspectives, which stress selectively procuring aspects of Western education that suit their needs, including ‘the acquisition of core competencies to deal with the non-Indigenous world, the capacity for cultural maintenance, and access to material and social sources’. He notes that this situation reflects, in part, the fact that ‘more culturally grounded attributes are more difficult to quantify and therefore lack readily accessible data sources’ (2006, p.80). In summary, Taylor’s view is that the existing data ‘selectively describe the relative condition of Indigenous people, but contain no Indigenous voice’ (2006, p.7).

A third problem is that there are important social, cultural and economic indicators in relation to which the statistical data is entirely silent. These include indicators of cultural and social vitality, of Indigenous people’s access to their traditional country, and of their subjective sense of wellbeing. In relation to the last, for example, a number of studies in Australia have revealed major discrepancies between how Indigenous people feel about their health, and the state of their health as measured by standard ‘mainstream’ indicators (Ivanitz 1999). Yet subjective assessments of health and of many other aspects of wellbeing (for instance, a person’s assessment of their capacity to influence decisions that affect them, and of the availability of life choices) are extremely important in accurately assessing capacity to absorb impact and take advantage of development opportunities.

A final problem is that there is no official statistical data that relates to groups of Indigenous people on the basis of their membership of native title groups or of cultural groups. Yet this is a critical variable in determining the nature of people’s interests in gas development, its likely impact on them, and their ability to benefit from it. Neither do official statistics identify people on the basis of their membership of other categories that may be fundamental to social and cultural relations, for instance, their membership of the Stolen Generations or their status as people with ‘historical’ links to particular areas of land or sea country (see Chapter 2.2 and KLC 2008, p.137).

These limitations can only be addressed by undertaking a full household survey of Indigenous households in Broome and the Dampier Peninsula, an issue we return to in discussing recommendations for additional baseline work in Chapter 4.4. In the meantime, the existing statistical data, supplemented by information collected through the ASIA, does allow broad conclusions to be reached on critical aspects of existing social and economic conditions in the affected Indigenous population, and strongly supports recommendations for management responses and public policy interventions discussed elsewhere in the ASIA Report and especially in Chapter 4.
2.2 INDIGENOUS SOCIETY AND CULTURE IN THE AREA OF IMPACT

Tabulating statistical and other information on individual facets of Indigenous living conditions does not offer an adequate representation of the current state of Indigenous society and culture in the Area of Impact. It is essential to interpret this information, and also the later discussion of specific impacts (see Chapters 3 and 4), through an understanding of the history of the people involved and of their current social and cultural relations. Achieving such an understanding creates challenges even more substantial than those involved in assembling accurate statistical data (see later sections), given the complex, intangible and, in some cases, contested nature of social and cultural relations.

We make no claim to offer more than a preliminary discussion of some key aspects of history and of social and cultural relations here. Yet even such a preliminary discussion is critical to an understanding of contemporary realities and the potential impacts of LNG development. For instance, statistics that highlight inadequacies in social services and community infrastructure may imply a limited capacity on the part of Indigenous people to deal with development impacts. However people’s capacity to respond proactively to these impacts may be seen quite differently when account is taken of their history of resilience in maintaining their social values and cultural identities and practices in the face of massive external impacts.

As the KLC has noted in a different context, Kimberley Indigenous people have ‘a robust and resilient cultural environment which has allowed [them] to resist and survive the ravages of colonisation over 150 years and retain their relationship with country’ (KLC 2009c, Introduction, p. iii).

Within this shared history of survival and resilience, social and cultural relations within the Area of Impact are intricate and diverse. As noted below, social conditions in Broome and in the Dampier Peninsula communities are different in important respects, and this reflects both a range of specific contact histories, land tenure histories, organisational structures, economic and social opportunities, and differing responses to those opportunities. Thus, for example, while Indigenous people’s relationship to land and sea country is critical throughout the Area of Impact, the specific nature of this relationship is varied and complex. This in part reflects the fact that, as a result of contact history, there is nowhere within the Area of Impact where the entire membership of a native title group resides on its traditional country; in other words some members of every group live on other people’s country. The other side of this coin is that there is no significant area of land where the residents are all native title holders of that land.

Despite this complexity, which we return to shortly, the fundamental importance of Indigenous people’s attachment to land and sea country cannot be overemphasised, nor can its role in shaping cultural and social relations. It is also important to stress the fact that culture, social relations, social status, economic welfare and general wellbeing are all inter-related, and tied to people’s connections to and interests in land and sea country. In this sense the conventional non-Indigenous approach to SIA, used in later sections of this chapter,
where for example, the food value of wild resources is discussed separately from people’s health status, misrepresents Indigenous social and cultural reality. For Indigenous people in the Area of Impact the ability to sustain one’s family from the sea is not separate from the issue of health. If that ability is threatened, health is threatened. If that ability is enhanced or its continued survival is secured into the future, health is enhanced.

For Kimberley Indigenous people country is closely tied to culture, social norms, family connections, and spirituality. ‘... history, culture, identity and future is intimately bound to the fabric of Kimberley country’. Country in turn is linked to their Law and their Dreaming, ‘as a framework for social order and engagement with the natural and supernatural worlds. Within this framework there is a moral order and a structure of governance that involves specified responsibilities, entitlements and forms of accountability’ (KLC 2009c, Introduction, p. ii; Chapter 2, p.2).

Indigenous and European views of country are in many respects in marked contrast. As is apparent, for instance, from environmental studies conducted as part of the Strategic Assessment, in Western thought, country is described by reference to its geology, topography, climate, and the various categories of animals and plants to be found there. As the KLC (2009c) notes, from this perspective ‘Country is considered an aspect of nature ... [in contrast] for Aboriginal people “country” is far more than a geographical location with particular topography, flora and fauna’. For them, country is inhabited by a multitude of supernatural beings with whom they interact in the context of their everyday lives, and relationships of reciprocity exist between Indigenous people and country.

While country is the source of their spiritual and physical wellbeing, indeed their very identity, it is the responsibility of Aboriginal people to “look after” and “care” for it. Such responsibilities are defined by the traditional laws of each Kimberley Indigenous society. They include acknowledging and respecting their country’s resident spiritual beings, and extracting their country’s resources in a non-wasteful way (KLC 2009c, Chapter 2, p. 3).

Such understandings frame social relations and obligations in very distinctive ways, and have profound implications for the way in which a specific impact of gas development may be understood. For instance, if the LNG Precinct results in a rapid growth in Broome’s non-Indigenous resident and visitor population, and this in turn results in over-exploitation of marine resources by non-Indigenous people, the impact does not only involve competition for food resources that are critical to Indigenous livelihoods. It also undermines the capacity of Indigenous people to look after country and uphold their laws.

At every meeting, formal and informal, held as part of the ASIA, issues relating to land and sea country were central. The issues raised are discussed in detail in Chapters 3 and 4, but they include concerns about the potential physical impact of gas development on country; about its effects on marine and land creatures, on sites and places of cultural and spiritual importance, and on people’s continued ability to obtain food they need for survival; about the potential impact of growing non-Indigenous resident and visitor populations on country and on people’s ability to enjoy it; and about the possibility that young Indigenous people may grow up without the opportunity to know and enjoy country and practice culture.

The continued relevance and vitality of Indigenous Law and social and cultural norms derived from it must also be stressed. This is apparent, for instance, from the maintenance, and indeed the recent reinvigoration, of ceremonial activity, particularly in the northern parts of the Area of Impact where major ceremonies are held each year, especially during the ‘Law business’ period (December – February). It is also apparent from the extensive application of cultural and spiritual knowledge in the detailed investigative work involved in the site selection process for an LNG Precinct, both in the NDT process in 2008 (KLC 2008) and in the location of a specific site in the vicinity of James Price Point (reflected, for example, in KLC 2009d). The establishment of the TOTF represents yet another and important manifestation. As discussed in Chapter 3.3, the TOTF both recognised, and sought to enforce, a fundamental precept of Indigenous Law, the obligation of each Indigenous society to protect its country and its right to make decisions about it, including whether to consider it as a location for gas development (KLC 2008, p.163). The TOTF also drew on the Kimberley’s complex traditional system of governance and exchange, the wunan (Doohan 2008). This required mutual support and reciprocity between native title groups, both in dealing with non-Indigenous political and legal processes related to gas development and with the impacts and benefits development was likely to generate (KLC 2008, pp.156-157). The approach and operations of the TOTF are analysed in detail in the
KLC’s Traditional Owner Consent and Indigenous Community Consultation Report (KLC 2010a).

As indicated above, recognition of Indigenous social and cultural relations adds considerable complexity to the task of assessing impacts from the proposed Kimberley LNG Precinct. It must also be recognised that contemporary Indigenous social and cultural relations, including Indigenous relations to land, have themselves been rendered more complex by colonisation, including by earlier phases of government policy and resource development. Especially important were the establishment of Christian missions at Beagle Bay, Sunday Island and Lombadina; the development of the pearling and cattle industries (the former in part because it introduced Japanese, Malay and Philippine people to the Kimberley, some of whom intermarried with Indigenous people); and government policies of alienating Indigenous land and, in some cases, forcibly removing Traditional Owners from their land and of separating children from their families (the Stolen Generations). One result of these policies was that many Indigenous people left or were taken away from their traditional country, and now live on the country of other groups, including substantial numbers who live in Broome and Derby. The Jabirr Jabirr Traditional Owners of James Price Point and the Nyul Nyul Traditional Owners of Beagle Bay both fall into this category. But many members of these groups who live in Broome or Derby maintain close connections with, and knowledge of, their country, as shown by their capacity to speak knowledgeably about country, and the Law and sites associated with it, in decision-making processes related to gas development (see, for example, KLC 2009d).

At the same time, members of the Stolen Generations were taken forcibly from other areas to places such as Beagle Bay, and their descendents have now lived on and used country in these places for several generations. Others, sometimes known as ‘historicals’, moved willingly to new places to take advantage of the protection offered by mission or government stations, or to take advantage of economic opportunities, and their descendents continue to live in these places (KLC 2008, pp.109-129).

Partly as a result of the same processes of colonisation and relocation, land tenure patterns have become complex and at times unclear. In some cases, land was alienated for commercial purposes, while in others cases various types of leases over land were granted to Indigenous individuals or families, many of whom were not Traditional Owners of the land concerned. Leases were granted in some cases by State instrumentalities, including the Aboriginal Lands Trust (ALT), which continues to hold substantial areas of land in the Area of Impact in the form of reserves, leaseholds and freehold properties. In others they were granted by Indigenous bodies such as Beagle Bay Incorporated, which is no longer in existence. Leases were often issued on an ad hoc basis and with little thought of wider policy implications. In some cases Indigenous people understood they had been granted valid legal title, but it is not clear that this was always the case (KLC 2008, p.123), while in others family groups have resided for considerable periods of time without any formal tenure but with the permission of Indigenous corporations or Traditional Owners.

In contrast, the bulk of the country of some native title groups (for instance Bardi Jawi in the Northern Peninsula) was not alienated, they continued to occupy and make extensive use of their traditional land and sea, and have now had their native title recognised. Other groups are in the process of establishing their native title claims.

Another critical consideration in terms of social relations and links to land is intermarriage. Extensive intermarriage has occurred between members of native title groups, with the result that many individuals now have affiliations with a number of native title groups and with their country. One illustration was provided in Chapter 1, where it was noted that a number of Jabirr Jabirr members of the GJJ TONC are also Directors of the Yawuru Native Title Holders Corporation. There has also been intermarriage between members of native title groups in the Area of Impact, descendents of Stolen Generations and ‘historical’ people.

All of this warns against any simple characterisation of social relations or of social and family structures, of connections to and knowledge about country, or of the way in which gas development is likely to impact on individuals, families and communities. For example, a person may have been born in Broome and reside there, and as a result will be concerned about the impact of population growth on the town’s amenities and services. However it cannot be assumed that this is their only or major interest or concern. This individual may spend most weekends on the country of their father, but may also have close connections to another part of the Dampier Peninsula through their mother. They may have different interests and concerns in relation
to each area of country depending on how that country will be affected by the LNG Precinct. Another individual living with their family on an outstation serviced by one of the Dampier Peninsula communities may have lived there all their lives, have an intimate knowledge of the country’s resources, but may not be a Traditional Owner for the land on which they reside.

This complexity can also create its own tensions. Some Traditional Owners are deeply resentful that they were never consulted about the allocation of leases; to whom they should be issued; for what purposes; or for how long (KLC 2008, p.123). Lease holders who are not Traditional Owners are fearful of the implications of native title claims on their ability to retain their leases or continue to reside or run businesses on them. More generally there is tension around the relative rights in land, and control over decision making, of Traditional Owners and other residents. There are also issues about representation, with non-Traditional Owner leaseholders fearful that their interests will not be represented by the KLC, whose statutory obligations are focused on Traditional Owners because of its role as a native title representative body (NTRB). Proposals for large-scale resources development can greatly heighten such tensions, a point we discuss in Chapter 3.4.10.

Another implication of this discussion involves the composition of Indigenous households in the Area of Impact. Again, it cannot be assumed that individual households have a single identity as Bardi or Nyul Nyul or Yawuru, or are composed solely of descendents of Stolen Generations or ‘historical’ people. In the ASIA’s experience it is in fact common for households and families to have multiple group affiliations.

A final issue relating to social relations and identity involves the role of place and community and its effect on identity. In addition to the multiple identities discussed above, places and their particular histories are also influential. Some people spoke to the ASIA about a ‘Black Broome’ identity (with ‘Black’ being defined to include those of Asian heritage), an identity formed and maintained in opposition to ‘White Broome’. In the words of one long-term Broome resident, ‘Black Broome was black, poor, and Catholic, and White Broome was white, affluent and Protestant’. This shared identity was, according to some informants, critical in allowing Indigenous people to deal with discrimination and material poverty, and to live fulfilling and rich lives. Some people believe that rapid growth in Broome’s non-Indigenous population has seriously eroded this traditional Broome identity, and that tensions over gas development and a further influx of outsiders will destroy it (see Chapter 3).

The influence of place and community is also apparent, for instance, at Djarindjin/Lombadina. Though immediately adjacent to each other and a single settlement in a physical sense, each strives to maintain its autonomy and distinct existence, reflecting in part different institutional histories. For example, they have strongly resisted attempts by the Commonwealth to have them managed by a single CEO, and the ASIA was required to hold separate consultation meetings in each, despite their immediate proximity.
2.3 BASELINE DATA AND ORGANISATIONAL AND COMMUNITY PROFILES

2.3.1 INTRODUCTION

A major issue with much of the existing discussion of Census data is that it occurs at the level of the Broome Statistical Local Area (SLA), which includes Broome town, Bidyadanga, Broome Pastoral Area, and the Dampier Peninsula, or at the level of the West Kimberley as a whole, or aggregated according to post codes, or the Kimberley as one region (Taylor 2006, p.8; DSD 2009a). These areas are larger than that on which we focus in the ASIA. In addition, using a larger scale of analysis can hide important differences between, in particular, the Indigenous populations of Broome and the Dampier Peninsula communities. The ASIA therefore asked Professor John Taylor to extract from the 2006 Census data separate figures for Broome town and for the Dampier Peninsula (the latter defined as Indigenous areas of Bardi, Beagle Bay, Djarindjin and Broome Pastoral). This work forms the basis of the Census data tables included in the following sections. As noted above, extensive use is also made of other data sources in the analysis. In addition, in some cases, absence of relevant Census data at a smaller scale makes it essential to use figures for the Kimberley or for Western Australia as a whole.

2.3.2 POPULATION BY AGE GROUP AND GENDER

Tables 2.1 and 2.2 provide data from the 2006 Census on the Indigenous Estimated Resident Population (ERP) of Broome and the Dampier Peninsula. Some explanation is required of how this data is obtained.

While the ABS attempts to enumerate each individual in Australia at Census time it acknowledges that this is never fully achieved. Accordingly, a national follow-up survey of around 1 per cent of all households (the Post-Enumeration Survey, or PES) is conducted a month after each Census in order to estimate numbers missed. Also, for the Indigenous population, some people do not register their Indigenous status on Census forms. The ABS reallocates these on a pro rata basis. Together with the estimate of net undercount, final Indigenous (and non-Indigenous) population estimates are produced for SLAs (total numbers only) and for Indigenous regions (total numbers broken down by five-year age groups and sex). These become the official population figures for local government areas and they are used for important public policy purposes such as electoral redistributions, fiscal allocations of GST revenue, and calculation of service needs.

In assessing the specific social and economic needs of regional populations, it is preferable to use the estimates by age and sex since the particular needs of particular segments in the population vary considerably. However such data is only available for Indigenous regions, which in the West Kimberley equates to the
Broome SLA. The Area of Impact for the purposes of the ASIA is smaller than this since it excludes Bidyadanga. Thus, in order to produce an estimate of population by age and sex for the target area (Broome and the Dampier Peninsula) it is necessary to distribute the Indigenous area estimates on a pro rata basis according to the proportional share of the SLA population resident in the target area. The data in Tables 2.1 and 2.2 show the results of this analysis, based on ABS 2007 and ABS 2008.

While this adjustment to the population base provides a more accurate measure of population levels than the raw Census count, it does not provide information on the characteristics of individuals who were not counted by the Census or who were counted but did not indicate their Indigenous status. To this extent, and especially in regions like the West Kimberley where the Census undercount of Indigenous people was substantial, the Census operates like a large sample survey of population characteristics and should be treated as such. As far as population characteristics are concerned, the important outputs from the Census are not population levels but population rates. Thus the remaining tables in this section that report population characteristics are based on Census counts of usual residents only and are not adjusted using ERPs. There is one exception, the calculations of housing occupancy, explained in Chapter 2.3.6 below.

One immediate point highlighted by the data in Tables 2.1 and 2.2 is the small scale of the Indigenous population (a total of some 4200 people) relative to the size of the construction workforce for the LNG Precinct, estimated at between 2500 and 6000 (see Chapter 3.1.3). Another is the young age of the Indigenous population, with 51 per cent of the Broome population and 57 per cent of the Dampier Peninsula population below 25 years of age. This compares with the equivalent figure of about 30 per cent for the non-Indigenous population of Broome, and 38 per cent for the population of Western Australia as a whole (DSD 2009a, p.74).

Table 2.3 provides projections of the Indigenous population for Broome SLA over the period 2006 – 2021. Separate projections are not available for Broome and the Dampier Peninsula. This indicates that the Indigenous population will grow from 4750 in 2006 to 6278 in 2021, or by 32 per cent. One implication of this finding is that substantial additional employment will be required even if current employment rates are to be maintained, let alone increased. Illustrating this point, the number of people in the 15 – 44 age groups, the group most likely to be participating in the workforce, is forecast to increase from 2345 to 2854 or by 529 people.
2.3.3 EDUCATION LEVELS AND QUALIFICATIONS

2.3.3.1 Educational levels

The Census data provides information on the highest year of school completed (HSCP) by respondents and on non-school qualifications achieved. Table 2.4 shows that Indigenous people in Broome, and more particularly in the Dampier Peninsula, have low levels of school education, a point highlighted by the comparison with Broome’s non-Indigenous population. Only 26 per cent of Indigenous residents of Broome, and 18 per cent of Indigenous residents of the Dampier Peninsula, have completed Year 12, in comparison with nearly 50 per cent of Broome’s non-Indigenous residents, and over 41 per cent for Western Australia as a whole (DSD 2009a, p.75). Such low levels of school education are likely to severely disadvantage Indigenous people most directly affected by the LNG Precinct if they wish to take advantage of the training and employment opportunities it will generate.

Table 2.4 Highest Year of School Completed, Broome and Dampier Peninsula, 2006

<table>
<thead>
<tr>
<th>Year</th>
<th>Broome non-Indigenous</th>
<th>Broome Indigenous</th>
<th>Dampier Peninsula Indigenous</th>
</tr>
</thead>
<tbody>
<tr>
<td>12</td>
<td>49.54</td>
<td>25.79</td>
<td>17.89</td>
</tr>
<tr>
<td>11</td>
<td>13.97</td>
<td>18.47</td>
<td>20.26</td>
</tr>
<tr>
<td>10</td>
<td>28.50</td>
<td>34.91</td>
<td>36.21</td>
</tr>
<tr>
<td>9</td>
<td>4.87</td>
<td>9.36</td>
<td>9.27</td>
</tr>
<tr>
<td>8</td>
<td>3.00</td>
<td>9.36</td>
<td>13.58</td>
</tr>
<tr>
<td>Did not go to school</td>
<td>0.12</td>
<td>2.32</td>
<td>2.8</td>
</tr>
<tr>
<td>Total</td>
<td>100.00</td>
<td>100.00</td>
<td>100.00</td>
</tr>
</tbody>
</table>

Source: ABS 2007

Table 2.3 Indigenous Population Projections Broome SLA 2006 – 2021

<table>
<thead>
<tr>
<th>age</th>
<th>2006</th>
<th>2011</th>
<th>2016</th>
<th>2021</th>
<th>per cent increase 2006–2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-4</td>
<td>507</td>
<td>625</td>
<td>665</td>
<td>707</td>
<td>39.45</td>
</tr>
<tr>
<td>5-9</td>
<td>561</td>
<td>504</td>
<td>621</td>
<td>661</td>
<td>17.83</td>
</tr>
<tr>
<td>10-14</td>
<td>498</td>
<td>560</td>
<td>504</td>
<td>620</td>
<td>24.50</td>
</tr>
<tr>
<td>15-19</td>
<td>460</td>
<td>498</td>
<td>559</td>
<td>503</td>
<td>9.35</td>
</tr>
<tr>
<td>20-24</td>
<td>479</td>
<td>457</td>
<td>495</td>
<td>556</td>
<td>16.08</td>
</tr>
<tr>
<td>25-29</td>
<td>443</td>
<td>475</td>
<td>453</td>
<td>489</td>
<td>10.38</td>
</tr>
<tr>
<td>30-34</td>
<td>338</td>
<td>438</td>
<td>469</td>
<td>447</td>
<td>32.35</td>
</tr>
<tr>
<td>35-39</td>
<td>334</td>
<td>331</td>
<td>430</td>
<td>460</td>
<td>37.72</td>
</tr>
<tr>
<td>40-44</td>
<td>291</td>
<td>326</td>
<td>323</td>
<td>419</td>
<td>43.99</td>
</tr>
<tr>
<td>45-49</td>
<td>293</td>
<td>281</td>
<td>313</td>
<td>311</td>
<td>6.14</td>
</tr>
<tr>
<td>50-54</td>
<td>193</td>
<td>279</td>
<td>267</td>
<td>298</td>
<td>54.40</td>
</tr>
<tr>
<td>55-59</td>
<td>112</td>
<td>181</td>
<td>262</td>
<td>250</td>
<td>123.21</td>
</tr>
<tr>
<td>60-64</td>
<td>82</td>
<td>103</td>
<td>165</td>
<td>240</td>
<td>192.68</td>
</tr>
<tr>
<td>65+</td>
<td>159</td>
<td>190</td>
<td>232</td>
<td>317</td>
<td>99.37</td>
</tr>
<tr>
<td>Total</td>
<td>4750</td>
<td>5248</td>
<td>5758</td>
<td>6278</td>
<td>32.17</td>
</tr>
</tbody>
</table>

Source: ABS 2007
CHAPTER 2  Existing Cultural, Economic and Social Conditions for Indigenous People in the Area of Impact

2.3.3.2 High school retention and school attendance

It is by no means certain that this picture will change in the near future, as school enrolments across the West Kimberley region still appear to tail off rapidly after the age of 15 years. Taylor (2006, p.84, p.86) reports that retention rates in Years 10 – 12 among Broome Indigenous students, for instance, reached only 33 per cent in 2005, compared to 57 per cent for Broome non-Indigenous students and 71 per cent for Western Australian non-Indigenous students as a whole.

Research undertaken for the ASIA does indicate a recent improvement in retention rates in at least some cases. For example, the Broome Senior High School report (Department of Education Western Australia 2010) states that ‘14 Aboriginal students completed Year 12 which equates to a 64 per cent completion rate from Year 8 to Year 12. Of these, 11 graduated [which is] a rate of 78.5 per cent ... considered very high for Indigenous students’. The report attributes the improved retention rate to the establishment of the Broome Residential College (BRC) in 2007 to provide safe student accommodation and the expansion in programs that creates a high level of interest among Indigenous students. The programs include the Football Academy and the Jija Basketball Program (for girls), the Follow My Dream Program, and Technical and Further Education (TAFE) apprenticeships and traineeships. These programs have also made a positive impact on attendance, student behaviour and performance. According to the Principal of Broome High School (November 2009), the retention rate among the 44 Indigenous Year 11 students was 100 per cent. He predicts that 35 or more will graduate from Year 12 in 2010.

Those Indigenous students who are enrolled in school tend to have relatively low attendance rates. Taylor reports that in 2005 Broome Indigenous students had attendance rates of 83 per cent (primary) and 70 per cent (secondary), compared to 94 per cent (primary) and 92 per cent (secondary) for Broome non-Indigenous students (Taylor 2006, p.86).

The ASIA sought to compile more recent and detailed data on school attendance.
However it is difficult to differentiate between Indigenous and non-Indigenous students as both the State’s ‘Schools Online’ figures (Department of Education Western Australia 2010) and the Commonwealth’s recently established *My School* website (ACARA 2010) aggregate Indigenous and non-Indigenous attendance, and data for primary and secondary students in the case of community schools and St Mary’s Primary and College in Broome. Separate attendance data was sought from both the Department of Education and Training (DET) and from the Catholic Education Office, but was not forthcoming. However, it can be assumed from the figures that are available on overall attendance and on the ratio of Indigenous to non-Indigenous students that Indigenous attendance rates are relatively low. So, for example, in Broome in 2009, Roebuck Primary, which had the lowest proportion of Indigenous students, had the highest attendance level (94 per cent), nearly equal to the State average attendance. Broome Primary, with the highest percentage of Indigenous students, had the lowest attendance level (82 per cent), 11 per cent less that the State average (see Figures 2.1 and 2.2). School principals and DET staff confirm this picture.

Poor performance due to poor attendance especially from outstations. (Principal, Beagle Bay School, September 2009)

Indigenous attendance is always an issue – varies between seasons and locations. (Kimberley District Education Office, October 2009)

No attendance figures are available for the Catholic Schools on the Peninsula. Figure 2.1 presents the data on school attendance which is available. Broome Senior High School, with 82 per cent attendance (8 per cent less than the State average), had the lowest high school attendance. The lowest attendance at Broome Senior High School was in Year 10 (78 per cent) which is consistent with the finding of the Western Australian Aboriginal Child Health Survey (WAACHS) (2005a, p.3) that poor attendance in WA was highest among Year 10 students (70 per cent). One Arm Point School had the lowest primary school attendance rate at 80 per cent (13 per cent less than State average).

### 2.3.3 School enrolments and performance

There are two secondary schools and four primary schools in Broome, and three community schools on the Peninsula that cater for both levels, but enrol predominantly primary school students. Figure 2.2 presents the available data on enrolments in individual schools. In semester two, 2009, a total of 2728 students were enrolled in schools in Broome (2425) and on the Dampier Peninsula (303), of which approximately 44 per cent were Indigenous. During that period, 932 Indigenous students (616 primary and 316 secondary)
were enrolled in school in Broome and 284 on the Dampier Peninsula (242 primary and 42 secondary). On the Dampier Peninsula secondary classes only include Years 8 – 11.

Figure 2.3 provides the available data on percentages of enrolled students who are Indigenous in schools in the Area of Impact. There is only a 5 per cent difference between numbers of non-Indigenous and Indigenous students at both Broome secondary schools. Of the four primary schools in Broome, Broome Primary (54 per cent) had the highest percentage of Indigenous students while Roebuck Primary (8 per cent) had the lowest. From information provided to the ASIA, it is estimated that around 20 students from the Peninsula are either attending secondary school in Broome and boarding at the BRC or staying with family, or are at boarding school in other places such as Perth.

Turning to school performance, the achievement levels for literacy and numeracy for each school discussed below refer to National Assessment Program – Literacy and Numeracy (NAPLAN) test results for 2009 published on the Commonwealth’s My School...
To ensure that comparisons are fair, the performance of each school is measured against schools with a similar student population (SIM – statistically similar school average) as well as against the national average and takes into account each school’s index of community socio-economic advantage (ICSEA). The ICSEA ‘is a special measure that enables meaningful and fair comparisons to be made across schools. The ICSEA variables include the socio-economic characteristics of the area where the students live, whether it is regional or remote, and the proportion of Indigenous students enrolled in the school’ (ACARA 2010).

Table 2.5 provides a summary of the achievement levels against the NAPLAN scores for the following schools in the Area of Impact: Broome Primary; Cable Beach Primary; St. Mary’s Catholic College (Primary) and (Secondary); Roebuck Primary School; and One Arm Point Community School.

Table 2.5 Percentage of Students Achieving the Minimum NAPLAN Band Score for Literacy and Numeracy

<table>
<thead>
<tr>
<th>NAPLAN Results for 2009</th>
<th>Reading</th>
<th>Writing</th>
<th>Spelling</th>
<th>Grammar and punctuation</th>
<th>Numeracy</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>PRIMARY SCHOOLS</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Year 3 (achieving at Band 1)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>St. Mary’s Catholic College (Primary)</td>
<td>28%</td>
<td>11%</td>
<td>20%</td>
<td>26%</td>
<td>41%</td>
</tr>
<tr>
<td>Cable Beach Primary School</td>
<td>24%</td>
<td>18%</td>
<td>24%</td>
<td>42%</td>
<td>25%</td>
</tr>
<tr>
<td>Broome Primary School</td>
<td>19%</td>
<td>19%</td>
<td>34%</td>
<td>32%</td>
<td>14%</td>
</tr>
<tr>
<td>Roebuck Primary School</td>
<td>6%</td>
<td>4%</td>
<td>10%</td>
<td>0%</td>
<td>0%</td>
</tr>
<tr>
<td>One Arm Point Community School</td>
<td>0%</td>
<td>17%</td>
<td>17%</td>
<td>17%</td>
<td>0%</td>
</tr>
<tr>
<td>Year 5 (achieving at Band 3)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>St. Mary’s Catholic College (Primary)</td>
<td>30%</td>
<td>38%</td>
<td>31%</td>
<td>38%</td>
<td>24%</td>
</tr>
<tr>
<td>Cable Beach Primary School</td>
<td>25%</td>
<td>15%</td>
<td>25%</td>
<td>29%</td>
<td>23%</td>
</tr>
<tr>
<td>Broome Primary School</td>
<td>20%</td>
<td>28%</td>
<td>22%</td>
<td>31%</td>
<td>9%</td>
</tr>
<tr>
<td>Roebuck Primary School</td>
<td>20%</td>
<td>7%</td>
<td>17%</td>
<td>12%</td>
<td>3%</td>
</tr>
<tr>
<td>One Arm Point Community School</td>
<td>92%</td>
<td>46%</td>
<td>62%</td>
<td>85%</td>
<td>62%</td>
</tr>
<tr>
<td>Year 7 (achieving at Band 4)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>St. Mary’s Catholic College (Primary)</td>
<td>10%</td>
<td>25%</td>
<td>10%</td>
<td>17%</td>
<td>17%</td>
</tr>
<tr>
<td>Cable Beach Primary School</td>
<td>5%</td>
<td>18%</td>
<td>23%</td>
<td>14%</td>
<td>10%</td>
</tr>
<tr>
<td>Broome Primary School</td>
<td>50%</td>
<td>37%</td>
<td>42%</td>
<td>44%</td>
<td>30%</td>
</tr>
<tr>
<td>Roebuck Primary School</td>
<td>10%</td>
<td>10%</td>
<td>5%</td>
<td>5%</td>
<td>0%</td>
</tr>
<tr>
<td>One Arm Point Community School</td>
<td>33%</td>
<td>33%</td>
<td>17%</td>
<td>33%</td>
<td>33%</td>
</tr>
<tr>
<td><strong>SECONDARY SCHOOLS</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Year 9 (achieving at Band 5)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>St. Mary’s College (Secondary)</td>
<td>29%</td>
<td>44%</td>
<td>44%</td>
<td>39%</td>
<td>27%</td>
</tr>
<tr>
<td>Broome Senior Secondary</td>
<td>22%</td>
<td>29%</td>
<td>19%</td>
<td>28%</td>
<td>13%</td>
</tr>
</tbody>
</table>

Source: Department of Education Western Australia 2010
Although the performance of primary schools was generally below national average (BNA), the majority of the schools tested for Years 3, 5, 7, and 9 performed better in numeracy than in literacy skills (Department of Education Western Australia 2010):

Year 3: average 24 per cent BNA for reading
- average 16 per cent BNA for writing
- average 24 per cent BNA for spelling
- average 25 per cent BNA for grammar and punctuation
- average 16 per cent BNA for numeracy

Year 5: average 25 per cent BNA for reading
- average 27 per cent BNA for writing
- average 26 per cent BNA for spelling
- average 33 per cent BNA for grammar and punctuation
- average 19 per cent BNA for numeracy

Year 7: average 25 per cent BNA reading
- average 28 per cent BNA for writing
- average 23 per cent BNA for spelling
- average 27 per cent BNA for grammar and punctuation
- average 23 per cent BNA for numeracy

However, One Arm Point Community School (91 per cent Indigenous students) performed significantly worse than the other schools in every domain for Year 5 while Roebuck Primary School (8 per cent Indigenous students) performed significantly better in every domain at every level (Department of Education Western Australia 2010):

One Arm Point Community School:
Year 3: 0 per cent BNA for reading
- 17 per cent BNA for writing
- 17 per cent BNA for spelling
- 17 per cent BNA for grammar and punctuation
- 0 per cent BNA for numeracy

Year 5: 92 per cent BNA for reading
- 46 per cent BNA for writing
- 62 per cent BNA for spelling
- 85 per cent BNA for grammar and punctuation
- 62 per cent BNA for numeracy

With the exception of spelling and numeracy, the NAPLAN results of two out of the five primary schools were lower for Year 3 in comparison to the SIM score for the same year. In Year 5, however, all but one school had improved and exceeded the SIM score (which is a score out of 1000) by 10 – 30 points for each domain. Each school exceeded the NAPLAN national average by around 15 points in spelling except for Roebuck Primary, which scored 80 points above the national average.

The experience of Broome Senior Secondary School also provides signs of improving performance. According to the Principal of Broome Senior Secondary School (November 2009), on the basis of their Western Australian Literacy and Numeracy Assessment (WALNA) ‘76 per cent of Indigenous students in Year 8 were in the bottom 20 per cent in the State for Year 7, and 25 per cent of the non-Indigenous students were also in the bottom 20 per cent in the State for the same year’. The 2008 School Report for Broome Senior Secondary School (Department of Education Western Australia 2010) indicates that there were fewer students below the benchmark, and more in the top 20 per cent, in Year 9, than was the case for these students in their Year 7 WALNA.

As mentioned above, NAPLAN results of individual schools can also be compared with national average levels of achievement. With the exception of Roebuck Primary and One Arm Point School, which did perform at the national average for reading and numeracy in certain years, the schools examined here consistently performed poorly.
Year 7: 33 per cent BNA for reading
  • 33 per cent BNA for writing
  • 17 per cent BNA for spelling
  • 33 per cent BNA for grammar and punctuation
  • 33 per cent BNA for numeracy.

Broome Secondary High School:
  • average 22 per cent BNA for reading
  • average 29 per cent BNA for writing
  • 19 per cent BNA for spelling
  • 28 per cent BNA for grammar and punctuation
  • 13 per cent BNA for numeracy

Year 3: 6 per cent BNA for reading
  • 4 per cent BNA for writing
  • 4 per cent BNA for spelling
  • 10 per cent BNA for grammar and punctuation
  • 0 per cent BNA for numeracy

Year 5: 20 per cent BNA for reading
  • 7 per cent BNA for writing
  • 17 per cent BNA for spelling
  • 12 per cent BNA for grammar and punctuation
  • 3 per cent BNA for numeracy

Year 7: 10 per cent BNA reading
  • 10 per cent BNA for writing
  • 5 per cent BNA for spelling
  • 5 per cent BNA for grammar and punctuation
  • 0 per cent BNA for numeracy.

The School Principal at One Arm Point (September 2009) attributed the relatively poor figures for Year 5 to a combination of factors including an inexperienced teacher, the impact on students of community issues at the time, and a number of diagnosed intellectual disabilities i.e. foetal alcohol syndrome (FAS). In his view these issues were not recognised by the DET and therefore resources were not provided to deal with them. More generally, the available evidence suggests that the poor performance in literacy and numeracy amongst Indigenous students results from a complex of factors, not all of which apply to all students, and which include high absenteeism, transiency, poor diet, tiredness due to living in overcrowded, noisy environments, FAS, lack of parental support and community leadership. Some children are at ‘high risk of clinically emotional or behavioural difficulties or live with families that had a high level of stress in their lives’ (WAACHS 2005a, p.4).

While still below the national average, Broome Senior High School performed better than St Mary’s Secondary School in the Year 9 NAPLAN Tests (Department of Education Western Australia 2010):

Roebuck Bay Primary School:

Year 3: 6 per cent BNA for reading
  • 4 per cent BNA for writing
  • 4 per cent BNA for spelling
  • 10 per cent BNA for grammar and punctuation
  • 0 per cent BNA for numeracy

Year 5: 20 per cent BNA for reading
  • 7 per cent BNA for writing
  • 17 per cent BNA for spelling
  • 12 per cent BNA for grammar and punctuation
  • 3 per cent BNA for numeracy

The reasons for this difference are unclear, but may relate to the relative level of resources available to each school.

2.3.3.4 Tertiary and Vocational Education and Training (VET) course offerings

Currently the options available for Indigenous students in Broome and the Dampier Peninsula who wish to pursue tertiary education and vocational training in Broome or locally are:

• Notre Dame University – Broome Campus (Catholic Education)

• Kimberley TAFE (WA Department of Education) – Broome Campus

• Registered Training Organisations (RTOs) based in Broome including:
  ° Kimberley Group Training (KGT)
  ° Djaringo Training (training arm of Nirrumbuk Indigenous Employment Services)
  ° Kimberley Training and Assessment (KTA).

In addition, some VET training programs through the TAFE VET in schools programs are offered at the secondary schools such as Broome Senior Secondary School and at One Arm Point Community School, for example, Certificate II in Aquaculture, Community Services, Business, Tourism and Hospitality, and Automotive.

The Broome Campus of Notre Dame University focuses primarily on Teaching, Nursing, Aboriginal Studies
and certificate courses in Health Services and Teacher Assistant both at tertiary and VET levels. It also provides TEP and pre-university courses. It has a limited range of courses but students can access courses from the University’s other campuses in Perth and Sydney, and exchange programs at the sister university of the same name in the United States.

VET courses are the most popular courses pursued by Indigenous people. This is because the completion of Year 12 is not a prerequisite. Also, they are shorter, practical and more closely related to jobs in the community and, very importantly, can often be taught in the community. At present the majority of the VET courses available (mainly Certificate I and II levels) reflect the type of industries that are operating in the region and the types of jobs currently available. Furthermore, due to the gradual cessation of the Community Development Employment Program (CDEP) and the current policy of ‘no work no pay’ and ‘no training no Centrelink payments’, former CDEP workers are required to make some attempt to prepare for employment or some other income generating activity or enterprise by engaging in training. For example, in December 2009, 142 job seekers were registered with Kullari Employment Services (KES) in One Arm Point, Djarindijn and Lombadina.

Training organisations are responding to this demand and have attempted to broaden the range of courses they deliver that focus on the local employment market. According to Kimberley TAFE (2008, p.8), in 2008, there was ‘a significant increase in the commercial delivery of programs to remote communities in the West Kimberley, as a direct result of the changes in CDEP funding.’

Kimberley TAFE provides a diverse range of VET courses to meet the mandatory certification requirements for jobs in a wide range of industries from Certificate I level to Certificate IV and Diploma levels of various duration as well as short courses in conjunction with employers, for example the police. It also provides literacy and numeracy training programs and support. KGT and Djaringo which are Indigenous operated RTOs, work in partnership with industry and focus on ‘hands-on’ training directed more to Indigenous people. They aim to provide guaranteed employment outcomes on completion of training. KGT also works in partnership with schools that provide VET programs. It focuses on trade courses, traineeships and apprenticeships while Djaringo focuses on community skills including building and construction, business, and courses allied to mining and horticulture at Certificate I and II level. It generally refers students who wish to extend their studies to TAFE, and continues to mentor them. It also provides work-readiness programs to assist candidates in preparing job applications and for interviews. It delivers some programs in partnership with TAFE. Djaringo provided a very successful training program in partnership with Rio Tinto to prepare workers from the Dampier Peninsula to work at the Rio Tinto mine in the Pilbara in 2009. This program will continue in 2010. It should be noted that this training was not funded by the mining company but through Commonwealth training grants.

KTA provides on-site training to individuals in the operation of a wide variety of equipment and procedures, e.g. mobile cranes, forklifts, front-end loaders, dump trucks and graders as well as safety awareness. It also provides standardised assessments for certification (for example the crane drivers licence), which are now mandatory requirements for a number of employers, and it is the only RTO based in Broome that has a qualified trainer who can test and issue licences for heavy trucks and plant equipment. However the cost of such licences (for example, $400 for a forklift licence) is often out of the reach of Indigenous people who are on low incomes.

The main constraints that training organisations face in providing programs that meet the needs of all stakeholders are lack of suitably qualified, skilled and experienced trainers; staff retention to ensure continuity; the high cost of delivering training programs to remote localities, especially accommodation and transport costs; inadequate funding; poor attendance of students and transients; and constraints on local field staff due to family pressures and balancing work with family commitments.

TAFE finds it challenging to recruit and retain skilled trades personnel when industry offers more attractive packages. The remoteness of the Kimberley region and the cost of delivering in remote rural communities can become prohibitively expensive, especially with regards to travel and accommodation (Kimberley TAFE 2008: pp.12-13). Competition for skilled staff is also felt by other providers:

KGT people get poached – a compliment but a problem to replace. (CEO, KGT, Broome, November 2009)
that Indigenous students tend to be concentrated in the lower-level Certificate I and II courses, while non-Indigenous students are far more likely to be in Certificate III, IV and Diploma level courses. In addition, a much higher proportion of Indigenous than non-Indigenous students fail or withdraw from courses (39 per cent compared to 19 per cent in 2005).

This situation still applies and is reflected in the data presented below, based on enrolments (Semester 2, 2009), course withdrawals (2008 and 2009) and courses completions (2008) with regard to courses provided by educational and RTOs based in Broome that provide training in Broome and the communities (see descriptions above). These figures do not include students from the Area of Impact who undertake tertiary studies in Perth and elsewhere, but the available information suggests that the numbers involved here are small.

**2.3.3.5 Tertiary and VET Outcomes**

Table 2.6 provides information on post-school qualifications held by Indigenous and non-Indigenous residents of Broome and Indigenous residents of the Dampier Peninsula. Almost 84 per cent of Broome Indigenous residents, and 91 per cent of Dampier Peninsula Indigenous residents, had no post-school qualifications, compared to 56 per cent of Broome non-Indigenous residents. Conversely, 14.5 per cent of Broome non-Indigenous residents had achieved bachelor degree level or above, compared to only 2.6 per cent of Broome Indigenous residents and 0.65 per cent of Dampier Peninsula Indigenous residents.

The available data on Indigenous students enrolled in Vocational Education and Training (VET) courses gives few grounds for confidence that this situation is likely to change in the near future. Taylor reports (2006) that Indigenous students tend to be concentrated in the lower-level Certificate I and II courses, while non-Indigenous students are far more likely to be in Certificate III, IV and Diploma level courses. In addition, a much higher proportion of Indigenous than non-Indigenous students fail or withdraw from courses (39 per cent compared to 19 per cent in 2005).

This situation still applies and is reflected in the data presented below, based on enrolments (Semester 2, 2009), course withdrawals (2008 and 2009) and courses completions (2008) with regard to courses provided by educational and RTOs based in Broome that provide training in Broome and the communities (see descriptions above). These figures do not include students from the Area of Impact who undertake tertiary studies in Perth and elsewhere, but the available information suggests that the numbers involved here are small.

**Table 2.6 Post-School Qualifications, Broome and Dampier Peninsula, 2006**

<table>
<thead>
<tr>
<th>Qualification Level</th>
<th>Broome Non-Indigenous</th>
<th>Broome Indigenous</th>
<th>Dampier Peninsula Indigenous</th>
</tr>
</thead>
<tbody>
<tr>
<td>Postgraduate degree level</td>
<td>1.71</td>
<td>0.15</td>
<td>0.00</td>
</tr>
<tr>
<td>Graduate diploma and graduate certificate level</td>
<td>1.60</td>
<td>0.0</td>
<td>0.00</td>
</tr>
<tr>
<td>Bachelor degree level</td>
<td>11.21</td>
<td>2.43</td>
<td>0.65</td>
</tr>
<tr>
<td>Advanced diploma and diploma level</td>
<td>7.48</td>
<td>2.93</td>
<td>1.55</td>
</tr>
<tr>
<td>Certificate level</td>
<td>21.57</td>
<td>10.92</td>
<td>6.87</td>
</tr>
<tr>
<td>No post-school qualifications</td>
<td>56.43</td>
<td>83.57</td>
<td>90.93</td>
</tr>
<tr>
<td>Total</td>
<td>100.00</td>
<td>100.00</td>
<td>100.00</td>
</tr>
</tbody>
</table>

Source: ABS 2007
Table 2.7 provides information on students enrolled in all tertiary courses at Notre Dame University (NDU) in Semester 2 2009, including those enrolled in VET courses. Excluding the latter, 116 students were enrolled, of which 22 were Indigenous and 94 were non-Indigenous. Of the Indigenous students, 14 females and six males identified Broome as their place of residence, while one male came from the Dampier Peninsula. Twenty of the Indigenous students were enrolled in undergraduate courses: four in Arts; 10 in Education (primary); and six in Nursing. Two were enrolled in the Diploma of Aboriginal Studies (a Pathways to Further Education course at NDU).

Of the 33 students who completed their course in 2008 at Notre Dame University, two were Indigenous (females) and 31 were non-Indigenous. Of the Indigenous students, one female completed an undergraduate course in Education (primary), and one female completed the Tertiary Enabling Program (TEP).

With regard to enrolment in VET courses during 2009 provided by NDU and the training organisations described above, Indigenous students from Broome and the Dampier Peninsula were enrolled in a total at least 1500 VET courses: 297 at Cert I; 600 at Cert II level; 429 at Cert III level; 125 at Cert IV level; and 49 at Diploma level. 826 males and 580 females were enrolled in the NDU and TAFE courses. A majority of the females were enrolled in Cert II and III courses and of the males in Cert I and II courses. Significantly more females than males were enrolled in Cert IV and Diploma courses.

With regard to completion of VET courses, only data provided by NDU and Kimberley TAFE for 2008 were available (see Table 2.8). Of 219 completing Indigenous students, 196 students (90 males and 106 females) from Broome and the Dampier Peninsula completed accredited and diploma VET courses: 18 at Cert I; 67 at Cert II; 67 at Cert III level; 29 at Cert IV level; and 15 at Diploma levels. A majority of the Indigenous females completed Cert II and Cert III while Indigenous males tended to complete Cert I and Cert II levels. Approximately 68 per cent of the Cert IV and Diploma courses completed by Indigenous students in 2008 were completed by females.

Information is only available on withdrawals from TAFE courses for 2008 and 2009. The total number of students from Broome and the Dampier Peninsula that withdrew from TAFE courses was 27 in each year. In 2008, 12 males and 15 females withdrew from their courses: 13 from Cert I courses; 12 from Cert II courses; one from a Cert IV course and one from a Diploma Course. In comparison in 2009, twice as many females (18) withdrew than males (nine): one from a Cert I course;

### Table 2.7 Enrolments at Notre Dame University – Broome Campus Semester 2, 2009

<table>
<thead>
<tr>
<th>Name of Course</th>
<th>Total students</th>
<th>Indigenous</th>
<th></th>
<th>Non-Indigenous</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Male</td>
<td>Female</td>
<td>Male</td>
<td>Female</td>
</tr>
<tr>
<td>Bachelor of Arts</td>
<td>9</td>
<td>0</td>
<td>4</td>
<td>1</td>
<td>4</td>
</tr>
<tr>
<td>Bachelor of Education (Conversation)</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Bachelor of Education (K-7/Primary)</td>
<td>42</td>
<td>1</td>
<td>9</td>
<td>4</td>
<td>28</td>
</tr>
<tr>
<td>Bachelor of Nursing</td>
<td>40</td>
<td>0</td>
<td>6</td>
<td>4</td>
<td>30</td>
</tr>
<tr>
<td>Certificate of Aboriginal Studies</td>
<td>5</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>5</td>
</tr>
<tr>
<td>Diploma of Aboriginal Studies</td>
<td>7</td>
<td>0</td>
<td>2</td>
<td>1</td>
<td>4</td>
</tr>
<tr>
<td>Graduate Certificate of Aboriginal Studies</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Master of Teaching (K-7)</td>
<td>7</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>6</td>
</tr>
<tr>
<td>Master of Teaching (Conversion)</td>
<td>4</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>4</td>
</tr>
<tr>
<td>Certificate 11 in Health Support Services</td>
<td>14</td>
<td>0</td>
<td>3</td>
<td>3</td>
<td>8</td>
</tr>
<tr>
<td>Certificate 111 in Health Services Assistant</td>
<td>4</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>3</td>
</tr>
<tr>
<td>Certificate 111 in Teaching Assistant</td>
<td>9</td>
<td>0</td>
<td>9</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Diploma of Nursing</td>
<td>19</td>
<td>0</td>
<td>4</td>
<td>5</td>
<td>10</td>
</tr>
<tr>
<td>TOTAL</td>
<td>162</td>
<td>1</td>
<td>38</td>
<td>19</td>
<td>104</td>
</tr>
</tbody>
</table>

Source: Notre Dame University
Table 2.8  Indigenous Students from Broome and the Dampier Peninsula who Completed VET Courses in 2008

<table>
<thead>
<tr>
<th>Course</th>
<th>Level</th>
<th>Institution</th>
<th>Male</th>
<th>Female</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Certificate I in Teachers Assistant</td>
<td>Cert I</td>
<td>NDU</td>
<td>0</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Diploma of Nursing</td>
<td>Diploma</td>
<td>NDU</td>
<td>0</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Certificate III in Employment Skills</td>
<td>Cert III</td>
<td>TAFE</td>
<td>6</td>
<td>0</td>
<td>6</td>
</tr>
<tr>
<td>Certificate I in General Education for Adults</td>
<td>Cert I</td>
<td>TAFE</td>
<td>0</td>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>Certificate I in Industrial Skills(Entry Level Training)</td>
<td>Cert I</td>
<td>TAFE</td>
<td>1</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Certificate I in Information Technology</td>
<td>Cert I</td>
<td>TAFE</td>
<td>0</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Certificate I in Rural Operations</td>
<td>Cert I</td>
<td>TAFE</td>
<td>1</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Certificate I in Seafood Industry (Aquaculture)</td>
<td>Cert I</td>
<td>TAFE</td>
<td>2</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>Certificate I in Visual Arts and Contemporary Craft</td>
<td>Cert I</td>
<td>TAFE</td>
<td>0</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Certificate II in Agriculture</td>
<td>Cert II</td>
<td>TAFE</td>
<td>9</td>
<td>0</td>
<td>9</td>
</tr>
<tr>
<td>Certificate II in Business</td>
<td>Cert II</td>
<td>TAFE</td>
<td>1</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Certificate II in Conservation and Land Management</td>
<td>Cert II</td>
<td>TAFE</td>
<td>8</td>
<td>0</td>
<td>8</td>
</tr>
<tr>
<td>Certificate II in General Construction</td>
<td>Cert II</td>
<td>TAFE</td>
<td>1</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Certificate II in General Education for Adults</td>
<td>Cert II</td>
<td>TAFE</td>
<td>2</td>
<td>1</td>
<td>3</td>
</tr>
<tr>
<td>Certificate II in Horticulture</td>
<td>Cert II</td>
<td>TAFE</td>
<td>3</td>
<td>0</td>
<td>3</td>
</tr>
<tr>
<td>Certificate II in Hospitality (Operations)</td>
<td>Cert II</td>
<td>TAFE</td>
<td>3</td>
<td>6</td>
<td>9</td>
</tr>
<tr>
<td>Certificate II in Seafood Industry (Aquaculture)</td>
<td>Cert II</td>
<td>TAFE</td>
<td>8</td>
<td>5</td>
<td>13</td>
</tr>
<tr>
<td>Certificate II in Security Operations</td>
<td>Cert II</td>
<td>TAFE</td>
<td>3</td>
<td>0</td>
<td>3</td>
</tr>
<tr>
<td>Certificate II in Tourism (Operations)</td>
<td>Cert II</td>
<td>TAFE</td>
<td>0</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Certificate II in Transport and Distribution</td>
<td>Cert II</td>
<td>TAFE</td>
<td>1</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>(Coastal Maritime Operations – Coxswain)</td>
<td>Cert II</td>
<td>TAFE</td>
<td>5</td>
<td>1</td>
<td>6</td>
</tr>
<tr>
<td>Certificate II in Transport and Distribution (Maritime Operations)</td>
<td>Cert II</td>
<td>TAFE</td>
<td>0</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Certificate II in Visual Arts and Contemporary Craft</td>
<td>Cert II</td>
<td>TAFE</td>
<td>1</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Certificate II in Agriculture (Beef Production)</td>
<td>Cert II</td>
<td>TAFE</td>
<td>1</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>Certificate II in Business</td>
<td>Cert II</td>
<td>TAFE</td>
<td>1</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>Certificate II in Business Administration</td>
<td>Cert II</td>
<td>TAFE</td>
<td>0</td>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>Certificate II in Carpentry and Joinery</td>
<td>Cert II</td>
<td>TAFE</td>
<td>2</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>Certificate II in Children’s Services</td>
<td>Cert II</td>
<td>TAFE</td>
<td>0</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Certificate II in Community Services Work</td>
<td>Cert II</td>
<td>TAFE</td>
<td>0</td>
<td>5</td>
<td>5</td>
</tr>
<tr>
<td>Certificate II in Conservation and Land Management</td>
<td>Cert II</td>
<td>TAFE</td>
<td>5</td>
<td>0</td>
<td>5</td>
</tr>
<tr>
<td>Certificate II in Horticulture</td>
<td>Cert II</td>
<td>TAFE</td>
<td>8</td>
<td>0</td>
<td>8</td>
</tr>
<tr>
<td>Certificate II in Hospitality (Operations)</td>
<td>Cert II</td>
<td>TAFE</td>
<td>2</td>
<td>3</td>
<td>5</td>
</tr>
<tr>
<td>Certificate II in Information Technology</td>
<td>Cert II</td>
<td>TAFE</td>
<td>0</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Certificate II in Seafood Industry (Aquaculture)</td>
<td>Cert II</td>
<td>TAFE</td>
<td>0</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Certificate II in Teacher Assistant</td>
<td>Cert II</td>
<td>TAFE</td>
<td>2</td>
<td>7</td>
<td>9</td>
</tr>
<tr>
<td>Certificate II in Teacher Assistant (Indigenous)</td>
<td>Cert II</td>
<td>TAFE</td>
<td>1</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Certificate II in Tourism (Visitor Information Services)</td>
<td>Cert II</td>
<td>TAFE</td>
<td>0</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td>Certificate II in Transport and Distribution (Maritime Operations)</td>
<td>Cert II</td>
<td>TAFE</td>
<td>1</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Certificate II in Visual Arts and Contemporary Craft</td>
<td>Cert II</td>
<td>TAFE</td>
<td>0</td>
<td>5</td>
<td>5</td>
</tr>
<tr>
<td>Certificate II in Youth Work</td>
<td>Cert II</td>
<td>TAFE</td>
<td>0</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td>Certificate IV in Business</td>
<td>Cert IV</td>
<td>TAFE</td>
<td>1</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Certificate IV in Business (Human Resources)</td>
<td>Cert IV</td>
<td>TAFE</td>
<td>1</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>Certificate IV in Business (Small Business Management)</td>
<td>Cert IV</td>
<td>TAFE</td>
<td>1</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Certificate IV in Business Administration</td>
<td>Cert IV</td>
<td>TAFE</td>
<td>0</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Certificate IV in Business Management</td>
<td>Cert IV</td>
<td>TAFE</td>
<td>2</td>
<td>3</td>
<td>5</td>
</tr>
<tr>
<td>Certificate IV in Conservation and Land Management</td>
<td>Cert IV</td>
<td>TAFE</td>
<td>1</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Certificate IV in Horticulture</td>
<td>Cert IV</td>
<td>TAFE</td>
<td>1</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Certificate IV in Information Technology (Multimedia)</td>
<td>Cert IV</td>
<td>TAFE</td>
<td>1</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Certificate IV in Music</td>
<td>Cert IV</td>
<td>TAFE</td>
<td>0</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Certificate IV in Out of School Hours Care</td>
<td>Cert IV</td>
<td>TAFE</td>
<td>0</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Certificate IV in Training and Assessment</td>
<td>Cert IV</td>
<td>TAFE</td>
<td>4</td>
<td>8</td>
<td>12</td>
</tr>
<tr>
<td>Diploma of Business</td>
<td>Diploma</td>
<td>TAFE</td>
<td>1</td>
<td>5</td>
<td>6</td>
</tr>
<tr>
<td>Diploma of Hospitality Management</td>
<td>Diploma</td>
<td>TAFE</td>
<td>2</td>
<td>1</td>
<td>3</td>
</tr>
<tr>
<td>Diploma of Seafood Industry (Aquaculture)</td>
<td>Diploma</td>
<td>TAFE</td>
<td>0</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Diploma of Tourism (Operations Management)</td>
<td>Diploma</td>
<td>TAFE</td>
<td>3</td>
<td>3</td>
<td>6</td>
</tr>
<tr>
<td>Course in Applied Vocational Skills</td>
<td>Course</td>
<td>TAFE</td>
<td>2</td>
<td>2</td>
<td>4</td>
</tr>
<tr>
<td>Course in Safety Awareness Training</td>
<td>Course</td>
<td>TAFE</td>
<td>3</td>
<td>0</td>
<td>3</td>
</tr>
<tr>
<td>Self Supported Training – Vocational (non-accredited)</td>
<td>n.a.</td>
<td>TAFE</td>
<td>4</td>
<td>10</td>
<td>14</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td></td>
<td>100</td>
<td>119</td>
<td>219</td>
</tr>
</tbody>
</table>
are a number of social issues that can affect student retention and performance in tertiary courses and VET courses. These include overcrowded housing, noisy and dysfunctional home life, lack of student accommodation, balancing study, work and family commitments, homesickness and alcohol and substance abuse, especially amongst males. Also some students ‘defer their studies to work in mining companies for immediate rewards rather than long-term goals’ (Vice-Chancellor, Notre Dame University, Broome, September 2009).

2.3.4 LABOUR FORCE STATUS, OCCUPATION AND SECTOR OF EMPLOYMENT

Table 2.9 indicates the labour force status of Indigenous and non-Indigenous residents of Broome and Indigenous residents of the Dampier Peninsula. The employment rate of Broome Indigenous residents is only slightly more than half that of non-Indigenous residents, at 45 per cent. That for Dampier Peninsula Indigenous residents is significantly higher at 61.5 per cent, while their unemployment rate is only 2.44 per cent, about a third that of Broome Indigenous residents. This situation largely reflects the major role of CDEP in Indigenous communities on the Peninsula at the time of the 2006 Census; CDEP was not nearly as significant in Broome. CDEP is of course now being phased out in the communities. In this context it should be noted that, if CDEP participants were counted as unemployed, it is estimated that the Indigenous unemployment rate would be 19.8 per cent in urban Broome and 85.6 per cent in the Dampier Peninsula communities (DSD 2009a, p.91). Highlighting the significance of this point is the fact, mentioned above, that in December 2009, 142 job seekers were registered with one employment service agency in One Arm Point, Djarindjin and Lombadina.

Table 2.9 Labour Force Status, Broome and Dampier Peninsula, 2006

<table>
<thead>
<tr>
<th></th>
<th>Broome Non-Indigenous</th>
<th>Broome Indigenous</th>
<th>Dampier Peninsula Indigenous</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employed</td>
<td>79.65</td>
<td>44.90</td>
<td>61.51</td>
</tr>
<tr>
<td>Not in labour force</td>
<td>18.46</td>
<td>47.33</td>
<td>36.06</td>
</tr>
<tr>
<td>Unemployed</td>
<td>1.89</td>
<td>7.77</td>
<td>2.44</td>
</tr>
<tr>
<td>Total</td>
<td>100.00</td>
<td>100.00</td>
<td>100.00</td>
</tr>
</tbody>
</table>

Source: ABS 2007
High levels of unemployment or underemployment indicate that the employment opportunities generated by the LNG Precinct may be highly valued by Indigenous residents of Broome and the Dampier Peninsula. However at the same time low existing employment rates, and very low rates if CDEP is excluded, may mean that potential recruits have limited employment experience, which may reduce their chances of being recruited (Taylor 2006, p.39).

Table 2.10 indicates the occupational composition of the Broome and Dampier Peninsula workforces. It shows that fewer Indigenous residents fill more skilled occupations as managers, professionals and technical and trades workers. This is particularly so in the Dampier Peninsula, where these categories account for less than 10 per cent of those employed, compared to about 53 per cent of Broome non-Indigenous residents and 38 per cent of Broome Indigenous residents.

### Table 2.10 Occupational Composition of Workforce, Broome and Dampier Peninsula, 2006

<table>
<thead>
<tr>
<th></th>
<th>Broome Non-Indigenous</th>
<th>Broome Indigenous</th>
<th>Dampier Peninsula Indigenous</th>
</tr>
</thead>
<tbody>
<tr>
<td>Managers</td>
<td>14.57</td>
<td>7.07</td>
<td>1.77</td>
</tr>
<tr>
<td>Professionals</td>
<td>18.37</td>
<td>15.63</td>
<td>5.65</td>
</tr>
<tr>
<td>Technicians and trades workers</td>
<td>18.26</td>
<td>15.30</td>
<td>1.41</td>
</tr>
<tr>
<td>Community and personal service workers</td>
<td>11.17</td>
<td>20.07</td>
<td>11.31</td>
</tr>
<tr>
<td>Clerical and administrative workers</td>
<td>15.29</td>
<td>17.11</td>
<td>6.71</td>
</tr>
<tr>
<td>Sales workers</td>
<td>8.87</td>
<td>4.11</td>
<td>3.89</td>
</tr>
<tr>
<td>Machinery operators and drivers</td>
<td>5.31</td>
<td>4.28</td>
<td>2.32</td>
</tr>
<tr>
<td>Labourers</td>
<td>10.17</td>
<td>16.45</td>
<td>67.14</td>
</tr>
<tr>
<td>Total</td>
<td>100.00</td>
<td>100.00</td>
<td>100.00</td>
</tr>
</tbody>
</table>

Source: ABS 2007

### Table 2.11 Industry of Employment, Broome and Dampier Peninsula, 2006

<table>
<thead>
<tr>
<th></th>
<th>Broome Non-Indigenous</th>
<th>Broome Indigenous</th>
<th>Dampier Peninsula Indigenous</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture, forestry and fishing</td>
<td>3.69</td>
<td>2.68</td>
<td>1.28</td>
</tr>
<tr>
<td>Mining</td>
<td>2.33</td>
<td>1.51</td>
<td>0.00</td>
</tr>
<tr>
<td>Manufacturing</td>
<td>4.19</td>
<td>3.02</td>
<td>1.28</td>
</tr>
<tr>
<td>Electricity, gas, water and waste services</td>
<td>1.08</td>
<td>1.01</td>
<td>0.00</td>
</tr>
<tr>
<td>Construction</td>
<td>10.40</td>
<td>7.89</td>
<td>4.27</td>
</tr>
<tr>
<td>Wholesale trade</td>
<td>1.82</td>
<td>1.34</td>
<td>0.00</td>
</tr>
<tr>
<td>Retail trade</td>
<td>12.79</td>
<td>7.21</td>
<td>3.42</td>
</tr>
<tr>
<td>Accommodation and food services</td>
<td>12.33</td>
<td>5.54</td>
<td>1.28</td>
</tr>
<tr>
<td>Transport, postal and warehousing</td>
<td>7.94</td>
<td>2.01</td>
<td>1.71</td>
</tr>
<tr>
<td>Information media and telecommunications</td>
<td>1.60</td>
<td>3.19</td>
<td>0.00</td>
</tr>
<tr>
<td>Financial and insurance services</td>
<td>1.18</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Rental, hiring and real estate services</td>
<td>2.48</td>
<td>1.01</td>
<td>0.00</td>
</tr>
<tr>
<td>Professional, scientific and technical services</td>
<td>3.16</td>
<td>2.52</td>
<td>1.28</td>
</tr>
<tr>
<td>Administrative and support services</td>
<td>3.62</td>
<td>6.04</td>
<td>7.69</td>
</tr>
<tr>
<td>Public administration and safety</td>
<td>8.05</td>
<td>13.59</td>
<td>39.74</td>
</tr>
<tr>
<td>Education and training</td>
<td>8.62</td>
<td>10.74</td>
<td>8.55</td>
</tr>
<tr>
<td>Health care and social assistance</td>
<td>9.30</td>
<td>24.83</td>
<td>23.93</td>
</tr>
<tr>
<td>Arts and recreation services</td>
<td>1.27</td>
<td>2.35</td>
<td>0.00</td>
</tr>
<tr>
<td>Other services</td>
<td>4.13</td>
<td>3.52</td>
<td>5.56</td>
</tr>
<tr>
<td>Total</td>
<td>100.00</td>
<td>100.00</td>
<td>100.00</td>
</tr>
</tbody>
</table>

Source: ABS 2007
Conversely, the category ‘labourers’ accounts for just over two thirds of employment among Dampier Peninsula Indigenous residents, compared to only 10 per cent of Broome non-Indigenous residents and 16 per cent of Indigenous residents. The high proportion of Broome Indigenous residents in the ‘community and personal services workers’ category is explained by the substantial level of government employment among Broome Indigenous residents (see Table 2.11).

Table 2.11 provides information on industry of employment. This shows that, relative to non-Indigenous residents of Broome, Indigenous residents of Broome and especially of the Dampier Peninsula are heavily concentrated in the public sector. Forty nine per cent (Broome) and 72 per cent (Dampier Peninsula) are employed in public administration and safety, education and training, and health care and social assistance, compared to the equivalent figure of 27 per cent for Broome non-Indigenous residents. Conversely, Indigenous residents of Broome and the Dampier Peninsula are under-represented, in comparison to Broome non-Indigenous residents, in sectors dominated by the private sector, including construction, retail trade, accommodation and food services, and transport, postal and warehousing. A significant part of employment in these sectors is related to tourism, and the relative exclusion of Indigenous people from tourism-related employment is especially significant given its critical and growing role in the regional economy. For instance, Taylor estimates that in 2006 Indigenous people only accounted for 9 per cent of employment in tourism in the West Kimberley, while accounting for 38 per cent of the adult population. There may be a historical legacy associated with this exclusion from the tourism sector arising from the mission days ‘when serving was an act of servitude’, according to the CEO of Nirrumbuk Employment Services (Broome, September 2009).

Indigenous organisations provide an important source of employment for Indigenous people in the Area of Impact. Taylor, for instance, states that what he terms the Indigenous community employment sector ‘likely constitutes the main employment sector for Indigenous people in the [West Kimberley] region’ (2006, pp.54-56), but indicates that no reliable data is available on the extent of this employment. ASIA consultations with agencies indicated that Indigenous organisations certainly have higher proportions of Indigenous employees than government agencies and NGOs. On average, more than 60 per cent of the employees of the Indigenous organisations consulted are Indigenous, whereas the equivalent figure was less than 30 per cent for government agencies and about 40 per cent for non-government agencies. Indigenous people were predominantly employed at lower levels in clerical and administrative work or as field workers, or in positions that provide assistance to professional staff and require limited qualifications. The majority of the skilled and managerial positions in all agencies were held by non-Indigenous personnel, though there are some exceptions, including a senior position in the Department of Correctional Services and the Chief Executive Officers of Kullari, BRAMS, Mamabulanjan, Goolarri Media, Centrecare and the KLC.

There are a few agencies in both the government and non-government sectors that provide services to Indigenous people that do not employ any Indigenous personnel. This is primarily because Indigenous people lack the necessary skills for the positions involved or because the agencies have funding constraints.

### 2.3.5 AVERAGE INCOMES

Table 2.12 provides information on average weekly incomes, and shows that in each labour force status category, Indigenous residents, and especially those of the Dampier Peninsula, earn incomes that are much higher than those of non-Indigenous residents.

<table>
<thead>
<tr>
<th></th>
<th>Broome Non-Indigenous</th>
<th>Broome Indigenous</th>
<th>Dampier Peninsula Indigenous</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employed</td>
<td>942.60</td>
<td>653.6</td>
<td>292.6</td>
</tr>
<tr>
<td>Not in labour force</td>
<td>320.9</td>
<td>237.8</td>
<td>197.3</td>
</tr>
<tr>
<td>Unemployed</td>
<td>385.4</td>
<td>218.2</td>
<td>66.5</td>
</tr>
</tbody>
</table>

Source: ABS 2007
lower than those of Broome non-Indigenous residents. For the employed, Broome Indigenous residents earn only 69 per cent, and Dampier Peninsula Indigenous residents only 31 per cent of the average income of Broome non-Indigenous residents. The latter figure reflects, in large part, the fact that a high proportion of Indigenous Dampier Peninsula residents were employed through CDEP. A similar discrepancy exists between the incomes of Broome Indigenous and non-Indigenous residents who are not in the labour force or unemployed, though in these cases the difference between Broome and Dampier Peninsula Indigenous residents is much less marked, reflecting the fact that rates for pensioners and other recipients of social security payments are equivalent regardless of place of residence.

The significance of these relative income figures is greatly increased by the fact that Indigenous people in the West Kimberley tend to have much higher childhood dependency ratios than do non-Indigenous residents. This ratio describes the number of children in the population (aged 0 – 14 years) per member of the working-age population. Taylor reports that the ratio for the Indigenous population of the West Kimberley is 2.33 times that for the non-Indigenous population (Taylor 2006, pp.40-41). Thus Indigenous people must, relatively speaking, support many more children on incomes that are much lower than those of non-Indigenous residents.

### Table 2.13 Tenure Type, Indigenous and Non-Indigenous Households, Broome and the Dampier Peninsula, 2006

<table>
<thead>
<tr>
<th></th>
<th>Indigenous households</th>
<th>Other households</th>
</tr>
</thead>
<tbody>
<tr>
<td>BROOME</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fully owned</td>
<td>10.78</td>
<td>20.86</td>
</tr>
<tr>
<td>Being purchased</td>
<td>10.62</td>
<td>26.26</td>
</tr>
<tr>
<td>Being rented</td>
<td>72.39</td>
<td>45.75</td>
</tr>
<tr>
<td>Other tenure type</td>
<td>4.41</td>
<td>5.11</td>
</tr>
<tr>
<td>Not stated</td>
<td>1.80</td>
<td>2.01</td>
</tr>
<tr>
<td>DAMPIER PENINSULA</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fully owned</td>
<td>2.88</td>
<td>43.02</td>
</tr>
<tr>
<td>Being purchased</td>
<td>0.00</td>
<td>3.49</td>
</tr>
<tr>
<td>Being rented</td>
<td>83.65</td>
<td>13.95</td>
</tr>
<tr>
<td>Other tenure type</td>
<td>12.02</td>
<td>36.05</td>
</tr>
<tr>
<td>Not stated</td>
<td>1.44</td>
<td>3.49</td>
</tr>
</tbody>
</table>

Source: ABS 2007

### 2.3.6 HOUSING TENURE AND OCCUPANCY

Table 2.13 indicates tenure type for Indigenous and non-Indigenous households in Broome and the Dampier Peninsula. This shows the high level of reliance of Indigenous households on rental accommodation, with 72 per cent of Broome households and 84 per cent of Dampier Peninsula households living in rented accommodation, compared to 46 per cent for non-Indigenous households. The latter figure is itself significantly higher than the average for Western Australia, which is 27 per cent (DSD 2009a, p.75). Conversely, rates of home ownership are significantly lower for Indigenous households, with 21 per cent of Broome households and 3 per cent of Dampier Peninsula households living in houses that are fully owned or being purchased, compared to 47 per cent for Broome non-Indigenous households, and to 69 per cent for Western Australia as a whole (DSD 2009a, p.75). Indigenous households rely in particular on public housing provision, for instance with only 11 per cent of Indigenous households renting from a real estate agent in Broome Shire, compared to more than one third of non-Indigenous households. The supply of public housing is seriously inadequate, as indicated by the fact that the number of Indigenous households on the waiting list for state-owned and managed Indigenous
housing in 2007 in the Broome and Derby-West Kimberley housing zones was 44 per cent higher than the number of households already in such housing (Taylor 2008, pp.18-19).

Table 2.14 shows average occupancy rates for Indigenous and non-Indigenous households in Broome and the Dampier Peninsula. Here two measures are provided, the first a measure of housing occupancy using Census counts, the second a measure using ERPs. As indicated, the ERP measure produces a higher (and more likely) occupancy rate. The Census data indicates that average occupancy of Broome Indigenous households is 3.5, or 1.4 times that of Broome non-Indigenous households, while average occupancy of Dampier Peninsula households is 3.9, or 2.8 times higher than the non-Indigenous rate.

However elsewhere Taylor, using derived estimates of Indigenous populations, indicates that the Census data may seriously underestimate occupancy rates, and estimates rates of 5.4 for Indigenous households in Broome, 8.2 for Djarindjin/Lombadina and 9.0 for Beagle Bay (Taylor 2008, p.10). The occurrence of such high occupancy rates is also supported by an Environmental Needs Survey undertaken in 2004, which found rates of between 7.3 and 10.3 in Dampier Peninsula communities (Department of Planning 2009, pp.10-11).

Taylor also emphasises that a high proportion of Indigenous housing stock is of low quality. For instance, he cites data from the 2006 Community Housing and Infrastructure Needs Survey (CHINS) that identifies

<table>
<thead>
<tr>
<th>Table 2.14 Average Occupancy, Indigenous and Non-Indigenous Households, Broome and the Dampier Peninsula</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>BROOME</strong></td>
</tr>
<tr>
<td>Indigenous household</td>
</tr>
<tr>
<td>Non-Indigenous household</td>
</tr>
<tr>
<td><strong>DAMPIER PENINSULA</strong></td>
</tr>
<tr>
<td>Indigenous household</td>
</tr>
<tr>
<td>Non-Indigenous household</td>
</tr>
</tbody>
</table>

Source: ABS 2007
the proportion of dwellings requiring major repair or replacement. This indicates that housing in some of the Dampier Peninsula communities is in very poor condition, with 70.4 per cent of houses in Bardi Jawi and 98.1 per cent of houses in Beagle Bay falling into this category. Across the Broome region as a whole, 45 per cent of the housing stock fell into this category (Taylor 2008, pp.13-14).

The Census data does not provide information on rates of homelessness among Indigenous people at the small area scale. However for Western Australia as a whole the Indigenous homeless rate was almost three times the non-Indigenous rate (Taylor 2008, p.16).

Information collected by the ASIA highlights the fact that the current housing situation for Indigenous and non-Indigenous people in Broome and the Dampier Peninsula is inequitable. This is mainly due to the disparity in income between the two groups, the limited availability of public housing and the absence of emergency or short-term accommodation, housing allocation policies, and lack of secure land title. On the last point, home ownership on the Dampier Peninsula is generally unattainable due to land tenure issues associated with ALT lands. Because of limited financial collateral and level of income, private sector rentals and home ownership are not options for many Indigenous people in Broome. For example, it would require a minimum income of $70 000 to be eligible for a 30-year bank loan to purchase a three-bedroom house with one bathroom valued at $450 000, assuming the applicant had no other debts (ANZ Loans Consultant, April 2009). Even under the Department of Housing Western Australia (DHWA) Aboriginal Home Ownership Scheme set up to assist Indigenous people in the transition from rent to home ownership, only 25 Aboriginal Home Ownership Loans for the purchase of established homes or the construction of new homes have been approved in Broome and Derby since 1995 (DHWA, Broome, November 2009).

Table 2.15 provides details of the current public housing stock in Broome, Derby and the Dampier Peninsula. As stated earlier there is a high reliance on public rental accommodation by the majority of Indigenous households in Broome and the Dampier Peninsula. It is uncertain how many Indigenous people live in public housing managed by the DHWA because accurate figures about Indigenous occupation of dwellings are unavailable with the exception of those on the Dampier Peninsula (where it is 100 per cent). However DHWA estimates that Indigenous tenants occupy 65 per cent in Broome and around 80 per cent in Derby (Broome, November 2009).

The rental for public housing is charged at a minimum 25 per cent of the tenant’s weekly household income and up to the maximum rate set for the size of dwelling, and is means tested. This is a state-wide policy which does not take into account of the differences in cost of living between various towns and regions in Western Australia.

There is anecdotal evidence that long-term tenants have been required to vacate the dwelling because their weekly income has increased. Haslam-McKenzie et al observed this in Roebourne: 'Indigenous people are in constant fear of losing their public housing allocation due to overcrowding or because the lead tenant has exceeded their income allowance ' (Haslam-McKenzie et al 2009, p. 41). Such action does not encourage the tenant’s attempt at economic advancement especially if there is no alternative affordable accommodation available.

There are no incentives and financial benefits for locals [to advance their careers], only for outsiders. One of the qualified Indigenous teachers at this school decided to remain as an ALO [Aboriginal liaison officer] on an ALO’s salary so their family can remain in their DHWA house which they have lived in for some time. (Principal, Broome High School, November 2009)

<table>
<thead>
<tr>
<th>Location</th>
<th>1-bedroom</th>
<th>2-bedroom</th>
<th>3-bedroom</th>
<th>4-bedroom</th>
<th>5-bedroom</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Broome</td>
<td>115</td>
<td>217</td>
<td>405</td>
<td>48</td>
<td>1</td>
<td>786</td>
</tr>
<tr>
<td>Derby</td>
<td>38</td>
<td>86</td>
<td>138</td>
<td>23</td>
<td>5</td>
<td>290</td>
</tr>
<tr>
<td>Dampier Peninsula</td>
<td>14</td>
<td>34</td>
<td>116</td>
<td>49</td>
<td>2</td>
<td>215</td>
</tr>
</tbody>
</table>

Source: DHWA
An Indigenous person’s loss of access to public housing is particularly serious given that their household is likely to hold considerably more people than a non-Indigenous household (see Table 2.14). Often the Indigenous household consists of the immediate family plus relatives who are in Broome for various reasons, for example, haemodialysis (HD), or to give support to relatives in hospital or jail, but are unable to access temporary accommodation such as a hostel.

As Table 2.16 indicates, the waiting time for public housing is very long, varying between 6 months to 7 years depending on size of dwelling and location. According to DHWA (Broome, November 2009) ‘the average waiting times have increased due to demand, with a total of 124 applications received for Broome and 43 for Derby in 2009.’

A small percentage of Indigenous people in Broome live in private rental accommodation, usually either through the Government Regional Officers Housing (GROH) scheme which is for eligible public servants, or in private accommodation subsidised by their

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**Table 2.16  Waiting List Numbers and Waiting Times for Public Housing – Broome, Derby and the Dampier Peninsula, November 2009**

<table>
<thead>
<tr>
<th>Location</th>
<th>Pensioner</th>
<th>1-bedroom</th>
<th>2-bedroom</th>
<th>3-bedroom</th>
<th>4-bedroom</th>
<th>5-bedroom</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Broome</td>
<td>42</td>
<td>214</td>
<td>202</td>
<td>142</td>
<td>35</td>
<td>2</td>
<td>637</td>
</tr>
<tr>
<td>Derby</td>
<td>2</td>
<td>54</td>
<td>56</td>
<td>55</td>
<td>11</td>
<td>0</td>
<td>178</td>
</tr>
<tr>
<td>Current month of allocation</td>
<td>05/2009</td>
<td>04/2005</td>
<td>03/2004</td>
<td>08/2004</td>
<td>02/2005</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>One Arm Point</td>
<td>0</td>
<td>4</td>
<td>10</td>
<td>10</td>
<td>2</td>
<td>1</td>
<td>27</td>
</tr>
<tr>
<td>Beagle Bay</td>
<td>0</td>
<td>5</td>
<td>6</td>
<td>32</td>
<td>1</td>
<td>0</td>
<td>44</td>
</tr>
<tr>
<td>Current month of allocation</td>
<td>0</td>
<td>04/2005</td>
<td>07/2005</td>
<td>06/2005</td>
<td>09/2008</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

Source: DHWA
employer, for example, the KLC. Table 2.17 provides details of GROH housing stock in the Area of Impact.

In principle all public housing stock and GROH stock are available for both Indigenous and non-Indigenous public sector employees. Eligibility is usually based on position (with more senior staff getting priority), original place of residence, and departmental housing policy. In effect, this usually excludes from eligibility those employees, Indigenous and non-Indigenous, who have lived in Broome all their lives and hold lower-level positions. The irony is that a public servant who is on executive salary and has the financial capacity to pay higher rent receives subsidised housing, yet a public servant on a lower salary who would greatly benefit from financial assistance for accommodation is not eligible.

There is no emergency or temporary accommodation currently available in Broome and hostel accommodation is seriously limited. There are only two hostels, Broome Hostel for renal dialysis patients which is full and Milliya Rumurra Hostel for substance abuse rehabilitation. As a result, Indigenous visitors to Broome either have to stay with relatives, or live in insecure housing, or live rough, in the sand dunes for example. The Broome Residents Homelessness and Overcrowding Survey Report (Strain 2008) concluded that homelessness is rising rapidly, and that there may be up to 2,500 homeless (primarily Indigenous) people in Broome.

Student accommodation in Broome is limited to student houses at Notre Dame University and the BRC, which provides boarding facilities for secondary school students attending either Broome Senior Secondary School (42 student quota) or St Mary’s Catholic Secondary School (30 student quota). The BRC, which is jointly funded by Catholic Education (40 per cent) and Western Australian Education Department (60 per cent), has limited capacity (72 beds) and a 12-month waiting list with the exception of young people at risk, who are under the care of the Western Australian Department of Child Protection and considered top priority. The majority of the students, who are Indigenous, are on Abstudy, and it is their first time away from home. There are plans to double BRC’s capacity.

2.3.7 HEALTH STATUS AND ACCESS TO HEALTH SERVICES

While specific data on the health status of the affected Indigenous population is limited (see below), it is clear from more aggregate data that it is poor. For example, the ABS estimates the life expectancy of Indigenous Western Australians at 58.5 years for males and 67.2 years for females, compared to 79.1 years for all male Western Australians and 83.8 years for all females. Major causes of premature death are cancer, diseases of the circulatory system, respiratory diseases, endocrine disorders (especially diabetes and renal failure), suicide, injury, and drug-related poisoning. Lifestyle factors associated with overcrowded housing (see previous section), risk behaviours, low incomes and poor nutrition contribute to high morbidity rates (Taylor 2008, pp.25-30). As Taylor notes, poor health means that ‘the chances of full and prolonged Indigenous participation in the workforce and regional economy … are clearly curtailed’ (2008, pp.25). This is highlighted by his estimate that in the West Kimberley ‘the number of [Indigenous] diabetics alone in 2006 (to say nothing of other disabling diseases) is somewhat more than the projected number of 1304 in mainstream employment in the same year’ (Taylor 2008, p.33).

As explained in Chapter 1 sustained attempts by the ASIA to obtain systematic baseline data on the health

<table>
<thead>
<tr>
<th>Location</th>
<th>1-bedroom</th>
<th>2-bedroom</th>
<th>3-bedroom</th>
<th>4-bedroom</th>
<th>5-bedroom</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Broome</td>
<td>5</td>
<td>47</td>
<td>165</td>
<td>196</td>
<td>3</td>
<td>416</td>
</tr>
<tr>
<td>Derby</td>
<td>12</td>
<td>11</td>
<td>53</td>
<td>16</td>
<td>1</td>
<td>93</td>
</tr>
<tr>
<td>Djarindjin</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>5</td>
<td>0</td>
<td>5</td>
</tr>
<tr>
<td>One Arm Point</td>
<td>0</td>
<td>2</td>
<td>6</td>
<td>0</td>
<td>0</td>
<td>8</td>
</tr>
</tbody>
</table>

Source: DHWA
CHAPTER 2 Existing Cultural, Economic and Social Conditions for Indigenous People in the Area of Impact

The status of Indigenous people in the Area of Impact were unsuccessful. The only recent data on Indigenous health are aggregations based on postcodes or on the former ATSIC district of Kullari, neither of which differentiate particular locations such as Broome or the Dampier Peninsula communities; or are for the Kimberley as a whole. Lenferna de la Motte (2007) outlines the status of Indigenous health in the Kimberley in comparison to other regions and the State as a whole. As noted in her report, the Kimberley Aboriginal Medical Service Council (KAMSC), which is the combined voice for Indigenous health services in the Kimberley, declined to contribute to it. Thus the information it presents concerning Indigenous health in the Kimberley relies mainly on Western Australian Department of Health data. It may not be complete and may not relate specifically to the Area of Impact. For example, data in the report on presentations at Broome hospital would encompass Indigenous patients who were evacuated to the hospital and are not necessarily from Broome or the Dampier Peninsula.

As a general indicator of the state of Indigenous health in the Kimberley, the report states that ‘75 per cent of all Aboriginal deaths in Western Australia can be attributed to circulatory disease, cancer, respiratory disease, endocrine disorders, injury and poisoning. Mortalities rates for areas such as the Kimberley were all above the average state total, except for cancer’ (Lenferna de la Motte 2007, p.9). Furthermore, the Kimberley had one of the highest infant mortality rates and infant hospitalisations for the Indigenous population in Western Australia (Lenferna de la Motte 2007, p.10).

Discussions with various health agencies that service Broome and the Dampier Peninsula tended to provide generalised information only, as data is not pooled into one database, making it difficult to provide a more accurate picture of the status of health of Indigenous people living in the Area of Impact. This demonstrates the urgent need for a health audit to be undertaken to provide baseline data that could be used in monitoring the impacts of an LNG Precinct (see Chapter 4.4.14).

Health professionals in Broome and the Dampier Peninsula affirmed Taylor’s general comments on health status (see above), based on their professional observations. They indicated that all Indigenous communities in the Kimberley share the same chronic health complaints but to varying degrees, depending on the extent in each community of the underlying problems that cause health issues, including unemployment, poor housing, and limited education. They stressed that the situation will not change if these underlying problems are not addressed. Some conditions are long-term outcomes of chronic children’s diseases that...
have not been addressed or adequately managed such as rheumatic fever, which can result in heart disease, or the health status of mothers, as with FAS. Currently, rheumatic fever affects 0.5 per cent to 1 per cent of children aged 12 – 14, with a slightly higher rate for adults. Up to 30 per cent of children in the Kimberley are suspected of having FAS, and this will increase based on the growing level of alcohol consumption. Only one generation is affected at this stage because alcohol was not generally available to Indigenous people until the early 1970s and many Indigenous women who were pregnant at that time did not drink alcohol. Type 2 diabetes, renal disease and cardiac disease, which in extreme cases are interrelated in the Kimberley, are affecting younger age groups and their incidence is increasing due to a less active lifestyle, poor diet and increased alcohol consumption, in addition to the factors noted by Taylor (2008). According to KAMSC (2008), ‘Type 2 diabetes mellitus and its complications affect up to 25 per cent of Aboriginal adults’.

Hearing loss amongst Indigenous school age children in the Kimberley varies between 30 to 70 per cent mainly due to the high incidence of otitis media (middle ear infections) which can start in the child’s first 2 weeks of life and can have impacts for life. Currently, it is estimated that up to 60 per cent of the Indigenous adults in the region have some form of hearing loss. According to Hill et al (2008, p.1), ‘Hearing loss, whether due to otitis media or other causes, can have significant deleterious effects on language development, education, social/emotional wellbeing, employment, and be a likely contributing factor in some instances of domestic violence and self harm’.

The Kimberley has the highest rate of acute kidney disease in Australia. The Kimberley Satellite Dialysis Centre (KSDC) in Broome was established in October 2002 in recognition of the growing need for dialysis in the region and after requests from patients to be able to dialyse in the Kimberley. Prior to this patients requiring HD either relocated to Perth for treatment or stayed at home to die. Currently there are satellite dialysis units in Derby and Kununurra and additional units are proposed, with more and more patients undertaking peritoneal dialysis (PD), which they can do in their communities. Between 2003 and 2007 around 70 per cent of HD treatment for Kimberley Indigenous patients was provided in the Kimberley. Between 2003 and 2007, ‘there were 27,414 planned HD treatment sessions at KSDC, 95.7 per cent of which were attended. Kimberley-origin Aboriginal patients were significantly more likely to be referred late to nephrological care than all comparison groups (p<0.005)” (KAMSC 2008). Further:

The Kimberley group of HD patients had significantly less reported comorbidities (diabetes, chronic lung disease, coronary artery disease, peripheral vascular disease, cerebrovascular disease) than the other Aboriginal & Torres Strait Islander groups and were more likely to be younger than the other groups except WA. (KAMSC 2008)

As of November 2009, there were 40 patients at the end-stages of kidney disease who received routine HD from the KSDC in Broome (see Table 2.18). They receive HD three times a week at 4 – 5 hour sessions. Thirty one of them or 77.5 per cent are diabetics. The majority of these patients come from other parts of the Kimberley but they live full-time at the Broome Hostel. Consequently some patients from the Kimberley who have HD in Perth will not be able to move closer to home for dialysis until a bed at the Broome Hostel, which is currently at full capacity, becomes vacant. In addition, the KSDC also manages 13 PD patients who home dialyse, 12 in Broome and 1 on the Peninsula.

<table>
<thead>
<tr>
<th>Age</th>
<th>Males</th>
<th>Females</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>60+</td>
<td>7</td>
<td>8</td>
<td>15</td>
</tr>
<tr>
<td>50-59</td>
<td>3</td>
<td>7</td>
<td>10</td>
</tr>
<tr>
<td>40-49</td>
<td>3</td>
<td>8</td>
<td>11</td>
</tr>
<tr>
<td>30-39</td>
<td>2</td>
<td>2</td>
<td>4</td>
</tr>
<tr>
<td>25-29</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Total</td>
<td>15</td>
<td>25</td>
<td>40</td>
</tr>
</tbody>
</table>

Source: KSDC, Broome, December 2009
The Derby Dialysis Centre has 2 haemodialysis chairs to serve 4 patients resident in Derby.

Rates of mental health problems and suicide, especially in connection with alcohol and drug abuse amongst young Indigenous men in the Kimberley, are alarming. Mental health problems among Indigenous people are in part due to various stressors:

The 2002 NATSISS [National Aboriginal and Torres Strait Islander Social Survey] found that Indigenous people experience stressors in their lives at a rate one and a half times that of the non-Indigenous population. The most common stressors reported in the 2004-05 NATSIHS [National Aboriginal and Torres Strait Islander Health Survey] were the death of a family member or close friend (42 per cent), serious illness or disability (28 per cent), alcohol and other drug related problems (20 per cent), family member in jail (19 per cent), and inability to get work (17 per cent). Indigenous people are also hospitalised for mental disorders at twice the rate of other Australians, with the greatest excess of mental health-related hospitalisations in the younger adult age groups and the greatest excess of mortality in the 35-54 year age group (Catto and Thomson 2008, p. 6).

According to the Manager of the Department of Mental Health West Kimberley (November 2009), patients are further constrained by lack of resources, income, skills and knowledge, and by substance abuse. His department, which provides services to Broome and the Dampier Peninsula, has 300 clients of all age groups (under 4 to over 55 years). Seventy per cent are Indigenous, some of whom ‘drop out of treatment because they are unwilling to engage.’ Diagnosed mental health issues include anxiety, behavioural disorders due to substance abuse, schizophrenia, depression, post-traumatic disorder and attempted suicide.

Over the past 20 years a number of reports have documented the high rate of Indigenous suicides especially amongst males in the 17 – 28 age group. Yet little has changed, as evidenced by a suicide by an Indigenous man in his early 20s in Broome in January 2010, and two reported attempted hangings of males (10 years and 17 years of age) at Djarindjin in 2009. In 1999, Atkinson et al reported that the incidence of suicide in the Broome region had reached epidemic proportions and noted that Hunter had already indicated in 1988 that suicides were becoming an increasing problem (1999, p.37). In his report into 27 deaths of Indigenous people that occurred between 2000 and 2006, the Western Australia Coroner, Alistair Hope (Hope 2008) documented that 21 of the deaths resulted from suicide (16 males and 5 females), of which 67 per cent were in the 17 – 29 age group. In all cases the deceased had consumed cannabis and large quantities of alcohol, with most having blood alcohol levels between 0.213 per cent and 0.292 per cent. According to WAACHS (2005b, p.8), 17 per cent of Indigenous youth between 12 and 17 years of age in Broome, predominantly males, consume cannabis compared to 12 per cent for Western Australia.

The seriousness of accidents, suicides and violent deaths among young Indigenous people aged 17 – 28 years is highlighted by the fact that these causes of premature death play a significant role in bringing down overall life expectancy figures for the Kimberley (Dr David Atkinson, Senior Health Officer, Broome Regional Aboriginal Medical Service (BRAMS), December 2009).

On a more positive note, the general consensus among the health professionals interviewed at clinics on the Dampier Peninsula was that the overall health of Indigenous residents on the Peninsula was better than in other areas of the Kimberley, and significantly better than that of Indigenous people in the East Kimberley. The number of cases of Indigenous people with chronic health issues is significantly less on the Dampier Peninsula compared to the rest of the Kimberley, and the incidence of sexually transmitted infections (STIs) is reportedly low. This relatively better state of health is attributed to better environmental health conditions, a seafood diet, a high rate of immunisation, living on country, and better environmental health management.

There is no-one from One Arm Point on dialysis – the diet here is better than for people in other communities on the Peninsula. Here they are more active getting fish from the sea because of easy access to the sea. No take-away food available from the store except for pies. (One Arm Point Health Clinic October 2009)

However, differences are reported in the state of health between communities on the Dampier Peninsula. For instance, there is greater alcohol consumption and exposure to dust at Beagle Bay and Djarindjin than in Lomboadina. There are more overcrowded houses in Djarindjin compared to Lomboadina. These differences are illustrated by the following observations:
2.3.8 CRIMINAL JUSTICE SYSTEM

Estimates for the West Kimberley as a whole suggest that arrest and incarceration rates for the affected Indigenous population are very high. For instance, it is estimated that during 2004, 14 per cent of the estimated Indigenous population over 10 years of age at that time were arrested. Major reasons for arrest were driving and traffic offences (27 per cent); offences against the person (23 per cent); and offences against good order (22 per cent). Some 650 of those arrested were in the prime working age group of 18 – 34, figures that are very substantial when set against numbers in the workforce at equivalent ages (Taylor 2008, p.36).

In relation to detention within the criminal justice system, it is estimated that in June 2006 around 5 per cent of Indigenous adults in the West Kimberley aged 18 – 55 were detained in one form or another, a number equivalent to about 10 per cent of Indigenous persons not in the labour force at that time. As Taylor notes (2008, p.39), ‘simple availability to participate in the regional workforce is substantially hampered by this enforced withdrawal of labour, to say nothing of the lingering negative effects of incarceration on work-readiness’. Furthermore, having prior convictions has precluded some Indigenous people from being gainfully employed, even if they have the necessary skills and regardless of the nature of the criminal conviction.

If data for Western Australia as a whole is any guide, levels of incarceration are likely to have increased substantially in the last few years. During 18 months in 2008 – 2009, the number of sentenced Indigenous prisoners in Western Australia rose by 83 per cent, a ‘dramatic worsening’ of an already serious situation, according to WA’s Chief Justice. The number of Indigenous remandees rose by 67 per cent, compared to a rise of 7 per cent for non-Indigenous (O’Brien 2009).

The major source of data on criminal activity that relates specifically to the Area of Impact involves figures for offences processed in the police sub-district of Broome and Dampier Peninsula, involving offenders who either reside in Broome or the Peninsula. Table 2.19 presents this data for the period July 2008 – June 2009, broken down by ethnicity and gender. Eighty-five per cent of the 1141 offences processed (967 offences) involved Indigenous people (‘Indigenous offences’) and 15 per cent (174 offences) involved non-Indigenous people (‘non-Indigenous offences’). Indigenous people are therefore greatly over-represented relative to their share
### Chapter 2
Existing Cultural, Economic and Social Conditions for Indigenous People in the Area of Impact

Table 2.19 Indigenous and Non-Indigenous Offenders by Age Group, Broome Police Sub-district, July 2008 – June 2009

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>INDIGENOUS MALE OFFENDERS</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Arson</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>Assault</td>
<td>6</td>
<td>27</td>
<td>55</td>
<td>35</td>
<td>38</td>
<td>27</td>
<td>17</td>
<td>20</td>
<td>6</td>
<td>6</td>
<td>0</td>
<td>237</td>
</tr>
<tr>
<td>Burglary</td>
<td>73</td>
<td>36</td>
<td>12</td>
<td>2</td>
<td>3</td>
<td>1</td>
<td>2</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>12</td>
<td>142</td>
</tr>
<tr>
<td>Drug Offences</td>
<td>2</td>
<td>6</td>
<td>8</td>
<td>4</td>
<td>9</td>
<td>1</td>
<td>12</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>44</td>
</tr>
<tr>
<td>Motor Vehicle Theft</td>
<td>27</td>
<td>31</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>63</td>
</tr>
<tr>
<td>Property Damage</td>
<td>28</td>
<td>28</td>
<td>16</td>
<td>8</td>
<td>8</td>
<td>6</td>
<td>3</td>
<td>3</td>
<td>0</td>
<td>0</td>
<td>13</td>
<td>113</td>
</tr>
<tr>
<td>Receiving /Illegal Use</td>
<td>7</td>
<td>5</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>15</td>
</tr>
<tr>
<td>Deprivation of Liberty</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>3</td>
</tr>
<tr>
<td>Robbery</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>Sexual Assault</td>
<td>0</td>
<td>3</td>
<td>3</td>
<td>5</td>
<td>2</td>
<td>3</td>
<td>3</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>22</td>
</tr>
<tr>
<td>Theft</td>
<td>43</td>
<td>17</td>
<td>6</td>
<td>2</td>
<td>7</td>
<td>4</td>
<td>2</td>
<td>1</td>
<td>0</td>
<td>1</td>
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Source: Kimberley District Police, November 2009
of the population (about 30 per cent) in the Area of Impact. A higher proportion of Indigenous offences than of non-Indigenous offences were committed by females (19 versus 12 per cent).

The largest category of offences reported in this police district, irrespective of ethnicity, gender and age group, involved assault (30 per cent of both Indigenous and non-Indigenous offences). For non-Indigenous people, drug-related offences followed a close second at 27 per cent. For Indigenous people, burglary, theft and car theft in combination account for 37 per cent, while drug-related offences accounted for only 8 per cent.

Turning to age groups, 44 per cent of all Indigenous offences (45 per cent of those by males and 38 of those by females) were committed by individuals in the 10–19 year age group. It is of great concern that this large group of offenders are in the age groups that should be at school or entering the workforce, and it is significant that there is such a high degree of school absenteeism especially among males in the same age groups (see Chapter 2.3.3). Another disturbing feature of the data is the number of offences involving Indigenous children in the nine and under age bracket. They primarily committed burglary, property damage and theft.

In the view of the Manager of the Department of Correctional Services, Broome Office (October 2009), many of the juveniles in the justice system come from dysfunctional families and also have parents in the system, and their main motivation for engaging in criminal activity is drugs, alcohol and peer pressure. It is important to also recognise the link between criminal activity and the absence of alternative activities and opportunities, especially in relation to recreation and employment.

Unemployment and lack of activities for the young increase their potential for getting into trouble. Non-Aboriginal control through policing is unsatisfactory, because it only punishes breaches and does little to prevent them (Coombs et al 1989, cited in KLC 2004, p.188).

Walker and McDonald (cited in KLC 2004, p.189) found that Indigenous people who were unemployed had imprisonment rates 20 times higher than Indigenous people who were employed. There is clearly a danger of a ‘vicious’ circle, as while lack of employment makes criminal behaviour more likely, contact with the justice system makes it harder to obtain employment. For instance, Hunter and Borland (cited in KLC 2004, p.189) found that having been arrested significantly reduces the probability of Indigenous employment, by 18.2 per cent and 13.1 per cent for males and females respectively.

Of the total of 31 sexual assault offences, eight involved non-Indigenous offenders, all in the 50+ age group; one involved an Indigenous female (35–39 years); and 22 involved Indigenous males, drawn from each age group between 15 and 49.

The number of offences committed by Indigenous females gradually declines with age due to increased responsibilities such as parenting responsibilities and because more Indigenous women tend to be engaged in employment in their 30s and 40s. The data indicates
that this trend is more apparent in communities on the Dampier Peninsula than in Broome. The number of offences committed by Indigenous males declines after 50 years of age.

Data provided by the Kimberley District Police show that between July 2008 and June 2009, there were 283 offences involving domestic violence, of which 77 per cent were alcohol-related, and a significant number of which involved more than one individual. The large majority of offences, though not all, involved males. Of the 366 persons processed for domestic violence offences, 82 per cent were Indigenous. Domestic violence is committed by all age groups, though it is concentrated among those between 18 and 45 years old, with roughly equal numbers from the 18 – 24, 25 – 34 and 35 – 45 age groups. Thirteen per cent were under 17 years of age, and 10 per cent were in the 49 – 59 age group.

Table 2.20 indicates that from July 2008 to June 2009, 21 offences were committed by Indigenous people on the Dampier Peninsula. This compares to six during the previous year. This increase does not apparently reflect a growth in crime on the Peninsula, but is more likely an outcome of a permanent police presence on the Peninsula, with significantly more crimes being reported to police in 2008 – 2009. Of these offences, 82 per cent were committed by Indigenous males and 18 per cent by Indigenous females. According to the Dampier Peninsula Police (October 2009), the majority of these offences were alcohol-related. Fifty per cent of the offences involved assaults predominantly by males in the 30 – 39 age group. The other offences included burglary, property damage, threatening behaviour and one case of arson, most committed by males in the 20 – 30 year age groups. During the same period, only one female offender (10 – 14 years of age) was reported for theft, burglary and assault.

The most recent data on sentencing available to the ASIA is in aggregate form in a report produced for the Department of Correctional Services, and reflects the situation in the Kimberley regarding custody and sentencing of offenders for the period 2001 – 2006 (Lawrence 2006). It shows that the Kimberley had the highest arrest rate of any statistical region in Western Australia, resulting in a high number of prisoners (around 250) from the region in prison at one time. Ninety-five of these were Indigenous. Nineteen per cent of the offences related to non-payment of fines and breaches of court orders; 18 per cent to driving under the influence of alcohol or drugs; 15 per cent to public order offences; 13 per cent to assaults (including homicide and sexual assault); and 10 per cent to traffic offences (Lawrence 2006, p.2). The Kimberley District Police note:

Driving without a licence is a common offence amongst Aboriginal people. They can drive and have probably been driving since they were four. Aboriginal car accidents are not due to lack of driving licence or experience but alcohol. Many Aboriginal people cannot afford a driver’s licence. This may prevent them from getting employment. (Kimberley District Police, Broome, November, 2009).

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</table>

Source: Kimberley District Police, November 2009
sentences between 2005 and 2006. They rose by 85 per cent, excluding sentences for illegal fishing. Due to the inability to pay their fines, many offenders end up receiving custodial sentences. In principle, offenders achieve freedom if they pay their fine by the due date. If not, then they return to the criminal justice system and custodial sentences. As Lawrence (2006, p.1) states, ‘a large proportion [of fine recipients] will enter and re-enter at different stages due to their progress or level of compliance with the sentence’. For example, non-payment of a $250 fine results in a one-day prison sentence (Broome Court House, October 2009). This may be less common in the future for offenders from the Dampier Peninsula, as they are now able to pay their fines on the spot at the Dampier Peninsula Police Station, rather than having to travel into Broome.

Between 2001 and 2006, the number of Court orders such as community-based orders issued in the Kimberley increased significantly. Community-based orders such as work and development orders, which are often attached to parole orders, are sentences imposed by the court that orders an offender to be under supervision while they are in the community. They may be ordered to do community work as well as attend treatment programs (Lawrence 2006, p.5). As Lawrence indicates
CHAPTER 2 Existing Cultural, Economic and Social Conditions for Indigenous People in the Area of Impact

(2006, p.6) these allow offenders who have no assets to pay a fine to do a certain amount of community work in lieu of the fine. She adds that 22 per cent of community justice service clients in the Kimberley are on work and development orders compared to 3 per cent State average, which she attributes to the high percentage of Indigenous people in the Kimberley on low incomes.

Only minimum-security offenders are detained in Broome Regional Prison, which houses 83 per cent of all minimum security prisoners in the Kimberley. Those sentenced to medium or maximum security prison are sent elsewhere, to Greenough Regional Prison, Roebourne Regional Prison or Casuarina Prison. According to the Acting Superintendent of the Broome Regional Prison (September 2009), nearly 100 per cent of the prisoners at any given time are Indigenous. He estimates that only a small percentage of the prison population at Broome Regional Prison are residents of Broome, the Dampier Peninsula and Derby. The majority come from the East Kimberley, are in their mid-thirties to mid-fourties and are repeat offenders, many repeating more than 10 times. Therefore prison is clearly not acting or seen as a deterrent. Furthermore, many of the prisoners are ill-equipped to go into the workforce, and the prison does not offer courses that would enhance their capacity to obtain employment (Broome Regional Prison, September 2009).

2.3.9 CULTURE AND CULTURAL PRACTICES

Indigenous culture should not be viewed in isolation. It is the continuing interconnectedness of Indigenous people with their place in the world around them with respect to their identity, environment, country (land and sea), family, clan group and the wider community as a whole. It also encompasses responsibilities that must be undertaken to ensure that interconnectedness is maintained and respected: spiritually; emotionally; morally; politically; physically and environmentally. Therefore, for the Traditional Owners of James Price Point, culture also means their interconnectedness with neighbouring clans and other groups living on the Dampier Peninsula. According to a senior Aboriginal Law Man and former TOTF member, ‘all of the coastal groups are connected by ritual practices, the wunan [traditional Indigenous exchange and governance system] and a responsibility to care for country, saltwater country and family’ (KLC 2008, p.63). Not all communities in Broome and the Dampier Peninsula share the same customs, but they have some connections with respect to language (Bowern 2008, p.4) and way of life. Even though Indigenous people in the Area of Impact have embraced some of the kartiya (non-Indigenous) culture they still have a strong connection to their country. Even when faced with formidable obstacles, they have continued to practice cultural law, customs, ceremonies and customary responsibility for the sea and land:

When I was growing up at Beagle Bay Mission, Aboriginal people were not allowed out but they used to run away to do ceremonies. (Senior Jabirr Jabirr woman, Broome, January 2010)

Although some younger members in the communities have not been actively involved in cultural practices to date, a resurgence of culture is under way, helping to give youth direction and identity.

A Men’s Group has started up in Djarindjin to get culture going to help address the mental health issues amongst the young in that community and give them identity. The Clinic has been asked to help conduct law – the first time in 10 years. (Djarindjin Clinic, October 2009)

I believe that children should be brought back onto country and brought into cross-cultural programmes, they need to go back onto country and that helps them with their identity and how they are all connected back with the land and with country and their culture. That’s why they have a lot of trouble with the social issues. (Derby, November 2009)

The increased interest in culture is also evident in the initiatives of various clan groups on the Peninsula to pass on their cultural knowledge to children and to share it with the wider community. These initiatives include:

- The design and delivery of cultural awareness programs, for example a Jabirr-Jabirr Cultural Awareness Course. The first such course was designed and delivered in Perth by a senior Jabirr-Jabirr woman to a group of consultants involved in the LNG Precinct Strategic Assessments.

- Indigenous language training programs, for instance Yawuru is taught at Cable Beach Primary and Broome Senior High School, and Bardi at One Arm Point School.
• Traditional dance programs, for instance the Bardi Jawi Dancers.

• Oral history projects undertaken with the support from Goolarri Media and Magabala Books, depending on the availability of funding.

• Culture festivals sponsored and facilitated by the Kimberley Aboriginal Law and Culture Centre (KALACC);

• Broadcast of cultural content by community radio, for example by Djarindjin Telecentre.

2.3.10 CUSTOMARY USES OF WILDLIFE RESOURCES

It is obvious even to the casual observer that Indigenous people in the Area of Impact devote considerable effort to, and derive significant calorific benefit from, customary use of wild resources, that is the non-commercial consumptive use of wild resources including plants, terrestrial animals, fish and other marine species (Buchanan 2009, p. 2). This is especially so for the Dampier Peninsula communities, but applies also to Broome and Derby. During community consultations the ASIA team was made keenly aware of the amount of time people spend fishing and harvesting other marine resources. Individuals and families were constantly observed preparing for, engaging in or returning from fishing and hunting activities. Meals prepared by community residents for meetings or for ASIA team members were almost inevitably based on wild fish and other marine resources.

*This turtle is going to feed my whole family, all thirty of them.* (One Arm Point, December 2009)

However the initial literature reviews and data collection undertaken for the ASIA baseline studies yielded no quantitative or other systematic information on the use of wild resources in the Area of Impact. Census data, for instance, contains no relevant information. It was not possible to conduct any primary or field research aimed at filling this gap, given the time and resources available to the ASIA. To establish whether any systematic data did exist and what work would be required to establish satisfactory baseline information in this area, the ASIA therefore requested Geoff Buchanan, of the Australian National University’s (ANU) Centre for Aboriginal Economic Policy Research, to undertake a desktop study that would provide an overview and assessment of sources identified as being of potential use in establishing a baseline of Indigenous people’s customary use of wild resources in Broome and the Dampier Peninsula. His report (Buchanan 2009), included here as Appendix 10), is essentially preliminary and exploratory and aimed to:

• undertake a desktop study on the customary use of wild resources from land and sea by Indigenous people in the Broome/Dampier Peninsula region

• contribute to the baseline socioeconomic data for the ASIA by providing a preliminary estimate of Indigenous people’s participation in and/or the dietary contribution of their customary use of wild resources in the region

• identify key information gaps and provide recommendations for addressing these in the future.

The report does not attempt to capture the social and cultural significance of the customary harvest, distribution and consumption of wild resources, or their importance in terms of the maintenance and transmission of spiritual and ecological knowledge.

The report is based both on Buchanan’s extensive previous research and his existing collection of information relating to Indigenous people’s customary use of wild resources in the region, and on an additional review of available literature carried out for the ASIA. Its coverage is thus extensive, and the probability of there being any unidentified published sources which provide detailed information on customary wild resources in the region is very low.

Buchanan both highlights the importance of wild resources, but also confirms the absence of any systematic research that could provide a baseline for their current use. He found:

• no quantitative data on the customary use of plants

• no quantitative data on the customary use of terrestrial animals, and indeed that data in this area is almost non-existent

• no systematically collected and/or readily comparable quantitative data on the customary use of any type of wild resources (other than marine turtles) in the region.
One of the few available sources of relevant data is the Indigenous Fishing Survey of Northern Australia (IFSNA), undertaken in 2000 – 2001. The survey included households from a significant number of communities in the Broome/Dampier Peninsula region, including La Grange/Bidyadanga, Mallingbar, Morgans Camp, Beagle Bay, and One Arm Point. Published data from the IFSNA is not provided on the scale needed to establish a regional baseline of customary use of marine resources. Access to official IFSNA data was not possible as part of the desktop study due to the time required to have a formal request approved by the Commonwealth Department of Agriculture, Fisheries and Forestry. Some access was provided to unofficial unpublished IFSNA data, which allowed for a preliminary and exploratory analysis to be conducted as part of Buchanan’s desktop study. The results of this analysis strongly suggest that detailed analysis of the official community-level data is warranted so as to establish a baseline for the region as at 2000 – 2001 (see Chapter 4.4.4).

The preliminary analysis indicates that the nutritional and economic contribution from customary use of marine resources across the five surveyed coastal communities in the region for 2000 – 2001 was substantial. Due to the unofficial nature of the data used, the calculations derived from the preliminary analysis are not published here. However the ASIA estimates that the annual contribution of edible seafood across 97 households surveyed had a replacement cost equivalent to between 6 and 10 per cent of household incomes (as indicated by 2001 Census data) for Bidyadanga, Beagle Bay and One Arm Point.

The most recent data from within the Area of Impact support such an estimate, and indeed suggests that at least within certain communities the contribution from the customary use of marine resources may be significantly higher. Buchanan et al. (2009) found that the catch of dugong and marine turtle by Djarindjin, Lombadina, One Arm Point and nearby outstations over a 12 month period in 2007 – 2008 produced meat whose replacement value was estimated at a contribution to average household income of $76.41 per week, equivalent to 11 per cent of the average household income in these communities. The value of fish and shellfish catches would of course have to be added to this figure to get an estimate of the food value of all wild marine resources.

This limited data highlights the economic significance of wild resources to Indigenous people in the Area of Impact, and the potentially serious consequences of any decline in their ability to utilise these resources.

While noting the absence of any quantitative data on the use of plants, Buchanan indicates that a significant amount of qualitative information exists on the plant species used and their traditional and customary uses. One study he cites provides an annotated list of 144 plants recognised and used by Bardi people, with uses including food, water, medicine, soap, seasonal indicators, firewood, smoke, ash, paint, dye, adhesive, fish poison, animal attractors, tools and artefacts, string, toys, art and craft, ceremony and shelter (Buchanan 2009, p.24).

Based on Buchanan’s work, Chapter 4.4.4 offers a number of recommendations for work that is required to establish a reliable and appropriate baseline data in relation to customary use of wild resources in the Area of Impact.
2.3.11 COST OF LIVING

Poorest people pay the highest cost of living. (Buchanan et al 2009)

House prices in Broome are considerably higher than in Perth and in Western Australia as a whole. The median price of houses sold in the Broome urban area in the year to 30 September 2008 was $665 000, compared to $435 000 in metropolitan Perth and $355 000 in regional Western Australia. Over the same period the median price of units in Broome was about $100 000 more than in Perth. During 2007 Broome recorded the second highest percentage increase in median prices (49 per cent) of all suburbs in Western Australia (Taylor 2008, p.21). High house prices are reflected in higher median monthly housing loan repayments, as reported in the 2006 Census. The median payment in Broome was $1733 per month, compared to $1213 in Western Australia (DSD 2009a, p.87). Data obtained from the web site www.realestate.com indicates that in January 2010 (the tourism low season) the average monthly rental for a three-bedroom house ranged from $2600 to $3560.

The barriers Indigenous people face in trying to achieve home ownership, are aptly illustrated by the gap between median monthly housing loan repayments and median monthly rentals. The Census data indicate that in 2006 those Broome households with Indigenous persons had median monthly housing loan repayments of $1500, whereas households with Indigenous persons paid median rentals, calculated pro rata on a monthly basis, of $535 (derived from DSD 2009a, Figure 7.10, 87).

Generally, price levels are considerably higher in Broome and the Peninsula than in Perth and other capital cities. For instance, in 2000, the last year for which the State collected relevant data, the regional price index for the Kimberley was 13 per cent higher than that for Perth. Fuel prices are also substantially higher than in Perth. In 2005 – 2006, for instance, unleaded fuel was 20 per cent more expensive, and diesel 12 per cent more expensive, than in Perth (Taylor 2006, p.72).

To help establish more specific and relevant baseline data on living costs and so help monitor changes in costs in future years, the ASIA conducted a ‘shopping/food basket’ survey in Broome, Derby and the Dampier Peninsula communities in October 2009. The survey focused on the necessities that Indigenous families or carers in these communities purchase regularly, including groceries, household goods, basic family toiletries (including disposable nappies), and fishing gear (see Table 2.21). Unlike conventional shopping/food basket surveys, this survey did not look at the price of fruit and vegetables. Although Indigenous people in the communities enjoy fruit and vegetables and appreciate the importance of such food for good health, they are inclined to focus on essential non-perishable items and cheap staples to stretch their low incomes to feed their immediate, and often extended families. Another factor they consider is whether the item can be easily stored especially if the community generator stops working, or they do not have a refrigerator, as a substantial number of families do not. Due to the variability of quality and volumes, meat and chicken were also excluded from the shopping basket.

The Indigenous members of the ASIA team, based on their experience of living on the Dampier Peninsula, and in Broome, identified the items to include in the survey, taking into account the brands preferred by Indigenous people (and alternatives if these brands were not available). A comparison of prices for the same size or quantity of each item in the Indigenous shopping basket was conducted, at each community store on the Dampier Peninsula and at supermarkets in Broome and Derby frequented by Indigenous residents and people from the Peninsula.

Higher prices in the Peninsula stores are often attributed to high freight costs, due in part to the poor quality of the Cape Leveque Road. There is an assumption by many Peninsula residents that should the Cape Leveque Road be sealed, store prices will fall significantly (see Chapter 3.5.6). This was an additional reason to include Derby in the survey. Derby is more or less equidistant from Broome as is One Arm Point, but the Broome – Derby road is fully sealed.

Data was also collected on prices for diesel and unleaded fuel in Broome, Derby and the Dampier Peninsula communities.

The primary reason for conducting the shopping/food basket survey is to allow a comparison of prices over time. However, the survey also provides useful comparative data between communities and stores. It shows that, on average, there is a difference of between 52 per cent between the lowest price and the highest price for the same item or its equivalent (see Table 2.21). The biggest differences in prices of individual items were for bread, Maggi 2 minute noodles and
Table 2.21  Indigenous Shopping Basket – Comparison of prices of food basket and day to day expenses on the Dampier Peninsula – Data collected October 2009

<table>
<thead>
<tr>
<th>ITEM</th>
<th>High/low price difference</th>
<th>% difference</th>
<th>Most common brand</th>
<th>Alternate brand</th>
<th>Standard packaging size</th>
<th>Unit size</th>
<th>Broome-Wths / Coats</th>
<th>Beagle Bay</th>
<th>Lomba-djina</th>
<th>Djarindjin</th>
<th>One Arm Point</th>
<th>Derby-Wths / BP</th>
<th>Derby-Rusty’s / Shell</th>
<th>Broome-Coles</th>
<th>Coles Express</th>
<th>Broome-Fongs</th>
<th>Shell</th>
<th>Broome-IGA</th>
<th>Seaview</th>
<th>Broome-IGA-Reid Rd/BP</th>
</tr>
</thead>
<tbody>
<tr>
<td>Loaf of sliced white bread</td>
<td>2.76</td>
<td>64.94%</td>
<td>Homebrand</td>
<td>1. Beagle Bay</td>
<td>650g</td>
<td>650g</td>
<td>1.49</td>
<td>3.2</td>
<td>3.6</td>
<td>3.3</td>
<td>3.5</td>
<td>2.49</td>
<td>3.2</td>
<td>1.49</td>
<td>3.25</td>
<td>3.99</td>
<td>4.25</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Large tin of powdered full-cream milk</td>
<td>1</td>
<td>50%</td>
<td>Sunshine</td>
<td>900g/500g</td>
<td>100g</td>
<td>1.52</td>
<td>2.02</td>
<td>2.1</td>
<td>2.5</td>
<td>2.3</td>
<td>2.3</td>
<td>1.5</td>
<td>1.72</td>
<td>1.58</td>
<td>1.83</td>
<td>1.62</td>
<td>1.89</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Raw sugar</td>
<td>0.97</td>
<td>39.27%</td>
<td>Black &amp; Gold</td>
<td>2kg/1kg</td>
<td>1kg</td>
<td>2.03</td>
<td>2.26</td>
<td>2.1</td>
<td>2.3</td>
<td>2.47</td>
<td>2.26</td>
<td>2.03</td>
<td>1.84</td>
<td>2.22</td>
<td>1.5</td>
<td>2.2</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Plain flour</td>
<td>1.19</td>
<td>48.17%</td>
<td>Black &amp; Gold</td>
<td>2kg/1kg</td>
<td>1kg</td>
<td>2.34</td>
<td>2.48</td>
<td>2.3</td>
<td>2.4</td>
<td>2.48</td>
<td>1.5</td>
<td>1.84</td>
<td>1.81</td>
<td>1.32</td>
<td>1.82</td>
<td>2.49</td>
<td>2.2</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SR flour</td>
<td>2.32</td>
<td>55.90%</td>
<td>Anchor Lighthouse</td>
<td>2kg/1kg</td>
<td>1kg</td>
<td>3.87</td>
<td>4.15</td>
<td>2.3</td>
<td>3.97</td>
<td>2.68</td>
<td>3.41</td>
<td>2.94</td>
<td>2.55</td>
<td>1.83</td>
<td>4.3</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>White rice</td>
<td>1.76</td>
<td>40.45%</td>
<td>Sunrise Sunwhite</td>
<td>5kg/2kg</td>
<td>1kg</td>
<td>2.59</td>
<td>4.35</td>
<td>4.15</td>
<td>2.68</td>
<td>3.9</td>
<td>2.59</td>
<td>3.41</td>
<td>2.67</td>
<td>3.23</td>
<td>3.15</td>
<td>3.49</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Weet Bix</td>
<td>2.2</td>
<td>33.58%</td>
<td>Sanitarium Weetbix</td>
<td>750g</td>
<td>750g</td>
<td>5.88</td>
<td>6.55</td>
<td>6.5</td>
<td>4.35</td>
<td>4.9</td>
<td>4.35</td>
<td>5.3</td>
<td>4.69</td>
<td>5.99</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2-minute instant noodles</td>
<td>4.69</td>
<td>67.48%</td>
<td>Maggi</td>
<td>5 pkts</td>
<td>5 pkts</td>
<td>4.41</td>
<td>5.54</td>
<td>6.5</td>
<td>3.98</td>
<td>6.95</td>
<td>4.68</td>
<td>4.8</td>
<td>4.41</td>
<td>2.26</td>
<td>4.59</td>
<td>5.5</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tinned baked beans in tomato sauce</td>
<td>1</td>
<td>50%</td>
<td>Heinz</td>
<td>420g</td>
<td>420g</td>
<td>1.73</td>
<td>2.7</td>
<td>2.5</td>
<td>2.4</td>
<td>2.45</td>
<td>1.7</td>
<td>1.99</td>
<td>2.1</td>
<td>2.1</td>
<td>2.95</td>
<td>2.25</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tinned corned beef</td>
<td>4.2</td>
<td>47.19%</td>
<td>Hamper</td>
<td>340g</td>
<td>340g</td>
<td>6.64</td>
<td>8.9</td>
<td>7.22</td>
<td>7.3</td>
<td>5.3</td>
<td>5.35</td>
<td>5.04</td>
<td>5.19</td>
<td>5.04</td>
<td>6</td>
<td>5.19</td>
<td>5.99</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Margarine</td>
<td>1.9</td>
<td>53.97%</td>
<td>Black &amp; Gold</td>
<td>500g</td>
<td>1kg</td>
<td>3.52</td>
<td>3.14</td>
<td>3.2</td>
<td>2.59</td>
<td>2.17</td>
<td>1.62</td>
<td>2.55</td>
<td>2.35</td>
<td>3.15</td>
<td></td>
<td>3.15</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Blended vegetable oil</td>
<td>8.28</td>
<td>57.10%</td>
<td>Black &amp; Gold</td>
<td>2 litres</td>
<td>2 litres</td>
<td>6.22</td>
<td>7.68</td>
<td>14.5</td>
<td>6.22</td>
<td>10.16</td>
<td>7.9</td>
<td>7.64</td>
<td>10.89</td>
<td>11.95</td>
<td></td>
<td>11.95</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tea bags</td>
<td>4.51</td>
<td>56.37%</td>
<td>Bushells Extra Strong</td>
<td>100bags</td>
<td>100bags</td>
<td>4.33</td>
<td>6.21</td>
<td>8</td>
<td>6.85</td>
<td>5.91</td>
<td>4.52</td>
<td>4.71</td>
<td>4.74</td>
<td>5.42</td>
<td>3.49</td>
<td>5.5</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Coffee</td>
<td>2.43</td>
<td>40.50%</td>
<td>Nescafe – Blend 43</td>
<td>Small-50g</td>
<td>Small-50g</td>
<td>3.57</td>
<td>4.71</td>
<td>6</td>
<td>5.2</td>
<td>5.95</td>
<td>3.57</td>
<td>3.89</td>
<td>3.75</td>
<td>4.4</td>
<td>3.85</td>
<td>4.75</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cordial</td>
<td>4.38</td>
<td>65.17%</td>
<td>Black &amp; Gold</td>
<td>2 Litres</td>
<td>2 Litres</td>
<td>2.34</td>
<td>4.48</td>
<td>6.72</td>
<td>4.7</td>
<td>3.9</td>
<td>2.34</td>
<td>3.39</td>
<td>2.6</td>
<td>3.11</td>
<td>2.99</td>
<td>3.95</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nappies – Junior</td>
<td>9.4</td>
<td>41.55%</td>
<td>Huggies</td>
<td>20 / 32</td>
<td>20</td>
<td>15.57</td>
<td>20.95</td>
<td>15.8</td>
<td>14.28</td>
<td>19.16</td>
<td>13.35</td>
<td>13.22</td>
<td>18.68</td>
<td>22.62</td>
<td>18.89</td>
<td>19.95</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Toilet paper</td>
<td>4.07</td>
<td>82.22%</td>
<td>Black &amp; Gold</td>
<td>2 rolls</td>
<td>2 rolls</td>
<td>1.94</td>
<td>3.88</td>
<td>0.88</td>
<td>3.5</td>
<td>4.95</td>
<td>1.94</td>
<td>3</td>
<td>1.96</td>
<td>3.08</td>
<td>2.45</td>
<td>3.5</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Soap</td>
<td>2.7</td>
<td>62.79%</td>
<td>Black &amp; Gold</td>
<td>4 / 6 bars</td>
<td>4 bars</td>
<td>2.05</td>
<td>2.36</td>
<td>4.3</td>
<td>2.4</td>
<td>2.48</td>
<td>3</td>
<td>1.6</td>
<td>2.56</td>
<td>2.36</td>
<td>2.5</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Laundry powder</td>
<td>3.42</td>
<td>40.6%</td>
<td>Spree</td>
<td>2kg / 1kg / 500g</td>
<td>1kg</td>
<td>5.18</td>
<td>8.42</td>
<td>8</td>
<td>5</td>
<td>5.3</td>
<td>5.71</td>
<td>$6.94</td>
<td>5.44</td>
<td>7.09</td>
<td>6.28</td>
<td>7.48</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>38.89</td>
<td>31.42%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>

Note: Total is 129.6, less 10% GST = 116.64
Source: ASIA Fieldwork Data
toilet paper. There was a difference of $38 or 32 per cent between the cheapest and the most expensive shopping basket. The most expensive shopping basket available on the Peninsula was from the Beagle Bay Store followed by the One Arm Point Store. Djarindjin store was the cheapest, a difference of $10 (10 per cent) compared to the average of the other Peninsula communities. There was also significant disparity in prices between individual supermarkets in Broome and Derby. There was about a $10 or 10 per cent difference in prices between the Derby stores and a $32 or 27 per cent difference between the cheapest and most expensive supermarkets in Broome. This latter finding is surprising given that all supermarkets in Broome face identical freight costs, and indicates that at least one supermarket in Broome is imposing significantly higher mark ups (see Table 2.21). Overall, Derby Woolworths was the cheapest followed by Broome Woolworths, while Reid Road IGA in Broome was the most expensive. The fact that the cheapest store was in Derby seems to support the view that the existence of a sealed road is indeed a significant factor in reducing the costs of essential purchases.

Table 2.22 summarises information on fuel prices. It shows that there was around a 20 per cent difference in fuel prices between Broome and communities on the Dampier Peninsula, between 15 and 35 cents for UDL Fuel and between 20 – 40 cents for diesel. Given the extensive distances over which many people in the Dampier Peninsula must travel to access services, the higher cost of fuel in the Peninsula represents a heavy burden for them. It is a particular burden for residents in outstations that rely on generators for power. For instance, the cost of running a generator for 12.5 hours is a minimum of $28.

### 2.3.12 ORGANISATIONAL LANDSCAPE

A significant dimension of base line information involves the profile of organisations that are involved in delivering services or undertaking activities that would be important in dealing with the potential impacts and opportunities generated by an LNG Precinct. A large number of bodies including government agencies, NGOs, the Catholic Diocese of Broome and Indigenous organisations provide a range of services to Indigenous people in Broome and the Dampier Peninsula communities, including health, education, training, social welfare, governance and infrastructure services. The major organisations involved are listed in Figure 2.4, organised by the area in which they primarily operate (for example culture, education, health). The second column indicates the name of the organisation, and the third the type of organisation (Indigenous, NGO, or government). The fourth column indicates the primary function carried out by the organisation and what sorts of services it provides. The final column indicates the location or locations of operations.

<table>
<thead>
<tr>
<th></th>
<th>Diesel fuel</th>
<th>ULP Fuel</th>
</tr>
</thead>
<tbody>
<tr>
<td>Difference between highest and lowest price</td>
<td>$0.40</td>
<td>$0.35</td>
</tr>
<tr>
<td>Difference</td>
<td>22.22%</td>
<td>19.44%</td>
</tr>
<tr>
<td>Broome – Wths/Caltex</td>
<td>1.4</td>
<td>1.45</td>
</tr>
<tr>
<td>Beagle Bay</td>
<td>1.56</td>
<td>1.66</td>
</tr>
<tr>
<td>Lombadina</td>
<td>1.8</td>
<td>1.8</td>
</tr>
<tr>
<td>Djarindji</td>
<td>1.65</td>
<td>1.65</td>
</tr>
<tr>
<td>One Arm Point</td>
<td>1.65</td>
<td>1.65</td>
</tr>
<tr>
<td>Derby – Wths/BP</td>
<td>1.49</td>
<td>1.56</td>
</tr>
<tr>
<td>Derby – Rusty’s/Shell</td>
<td>1.49</td>
<td>1.52</td>
</tr>
<tr>
<td>Broome – Coles/Coles Express</td>
<td>1.4</td>
<td>1.45</td>
</tr>
<tr>
<td>Broome – Fongs/Shell</td>
<td>1.41</td>
<td>1.45</td>
</tr>
<tr>
<td>Broome IGA – Reid Rd/BP</td>
<td>1.4</td>
<td>1.46</td>
</tr>
</tbody>
</table>

Source: ASIA Fieldwork Data
### Representative Bodies

<table>
<thead>
<tr>
<th>Name and type of agency</th>
<th>Primary function and service</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Kimberley Land Council (KLC)</strong>&lt;br&gt;Indigenous organisation</td>
<td>An association of Indigenous people in the Kimberley region and is the native title representative body for the region under the Native Title Act (Commonwealth) 1993. It works for the protection of traditional land and waters and has the responsibility to protect, enhance and gain formal status (legal, social and political) for the customs, laws and traditions of Kimberley Traditional Owners. It is also committed to provide an innovative service to its members and the indigenous community to achieve their goals and improve their quality of life.</td>
<td>Offices in Broome, Kununurra, Derby and Fitzroy Crossing. Projects in conjunction with communities</td>
</tr>
<tr>
<td><strong>Stolen Generation</strong>&lt;br&gt;Indigenous organisation</td>
<td>It organises reunions and other activities for Stolen Generation people across the Kimberley and provides a repository of resources including magazines, books and videos about the Stolen Generation that may be viewed in their Broome office or borrowed and conduct talks for schools and interested groups.</td>
<td>Broome</td>
</tr>
<tr>
<td><strong>Kimberley Aboriginal Law and Culture Centre (KALACC)</strong>&lt;br&gt;Indigenous organisation</td>
<td>KALACC’s main function is to maintain and control Indigenous law and culture. It is most active in the Wet Season, the time for Law Business. For the rest of the year the Centre works on a diverse range of projects and activities including: biannual or triennial Indigenous cultural festivals; art and culture tours nationally and overseas; reparation of historical materials, facilitate community cultural development programs to engage youth in cultural heritage (Law); and assist communities on issues of cultural sensitivity.</td>
<td>Offices in Fitzroy Crossing, Projects in conjunction with communities</td>
</tr>
<tr>
<td><strong>Magabala Books</strong>&lt;br&gt;Indigenous organisation</td>
<td>Main aim is to record and publish the Indigenous people’s stories, culture and language. Has 160 authors and sells books interstate to fund further work and royalties paid to creators.</td>
<td>Broome, projects in communities</td>
</tr>
<tr>
<td><strong>Kimberley Language Resource Centre (KLRC)</strong>&lt;br&gt;Indigenous organisation</td>
<td>Promote oral language transmission through various strategies to assist indigenous language groups in the Kimberley to maintain their language.</td>
<td>Halls Creek</td>
</tr>
</tbody>
</table>

### Culture

<table>
<thead>
<tr>
<th>Name and type of agency</th>
<th>Primary function and service</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Kimberley Aboriginal Law and Culture Centre (KALACC)</strong>&lt;br&gt;Indigenous organisation</td>
<td></td>
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<tr>
<td><strong>Magabala Books</strong>&lt;br&gt;Indigenous organisation</td>
<td></td>
</tr>
<tr>
<td><strong>Kimberley Language Resource Centre (KLRC)</strong>&lt;br&gt;Indigenous organisation</td>
<td></td>
</tr>
</tbody>
</table>

### Education

<table>
<thead>
<tr>
<th>Name and type of agency</th>
<th>Primary function and service</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Catholic Education</strong>&lt;br&gt;NGO</td>
<td>Provide kindergarten, primary and secondary education.</td>
</tr>
<tr>
<td><strong>Department of Education</strong>&lt;br&gt;WA Government</td>
<td>Provide kindergarten, primary and secondary education.</td>
</tr>
<tr>
<td><strong>Notre Dame University</strong>&lt;br&gt;NGO</td>
<td>Provides some Tertiary and VET courses on-campus and by external studies.</td>
</tr>
<tr>
<td><strong>Kimberley TAFE</strong>&lt;br&gt;WA Government</td>
<td>Provide a range of VET training programs in Broome and in indigenous communities on the Peninsula.</td>
</tr>
<tr>
<td><strong>Djaringo</strong>&lt;br&gt;Indigenous organisation</td>
<td>Provides training for those in need of training and education to develop skills. Focuses on workplace skills eg. Cert III Steel Frame Construction.</td>
</tr>
<tr>
<td><strong>Kimberley Group Training (KGT)</strong>&lt;br&gt;Indigenous organisation</td>
<td>Provide VET training in community schools, manages and mentors apprenticeships and traineeships in industry</td>
</tr>
</tbody>
</table>
### Employment Services

<table>
<thead>
<tr>
<th>Name and type of agency</th>
<th>Primary function and service</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nirrumbuk</td>
<td>Help applicants with the application process and/or resumes; provide special training and a one stop shop for homeless accommodation, training and employment.</td>
<td>Broome</td>
</tr>
<tr>
<td>Kullarri Regional</td>
<td>Coordinate CDEP programs and facilitates the transition between CDEP and pathways to employment.</td>
<td>Broome, Coordinators based in communities</td>
</tr>
<tr>
<td>CDEP Inc (KRCI)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ITEC</td>
<td>Creates training and recruitment solutions and employment pathways for people in remote locations seeking jobs including those formerly on or currently on CDEP, and forming partnerships with potential employers e.g. Ngarda Civil and Mining.</td>
<td>Broome and communities</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Job Network</td>
<td>Provides specialist employment services support to Indigenous people on the Peninsula.</td>
<td>Broome and communities</td>
</tr>
<tr>
<td>NGO</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Child Care Services

<table>
<thead>
<tr>
<th>Name and type of agency</th>
<th>Primary function and service</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jalygurr Guwan Aboriginal Corporation Child Services</td>
<td>A multifunctional child care facility for the Indigenous community in Broome and playgroup mentoring service to major communities and outstations.</td>
<td>Broome, outreach services to communities</td>
</tr>
<tr>
<td>Indigenous organisation</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Youth Services

<table>
<thead>
<tr>
<th>Name and type of agency</th>
<th>Primary function and service</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Garnduwa</td>
<td>Youth sport and recreation, leadership.</td>
<td>Broome, communities</td>
</tr>
<tr>
<td>Indigenous organisation</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Youth Accommodation</td>
<td>Responsible for ensuring access for young people into homes, through Homeswest or private rentals.</td>
<td>Broome</td>
</tr>
<tr>
<td>Services (branch of Nirrumbuk)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Indigenous organisation</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Burdekin – Youth in Action</td>
<td>Pastoral care/ counseling, case management, practical support, advocacy and referrals.</td>
<td>Broome, outreach services to communities</td>
</tr>
<tr>
<td>NGO</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Broome PCYC</td>
<td>Recreational, Working with Youth Justice teams &amp; Local Police.</td>
<td>Broome, visits to communities</td>
</tr>
<tr>
<td>Youth Centre in Broome</td>
<td></td>
<td></td>
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<tr>
<td>funded by police</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Social Welfare Services

<table>
<thead>
<tr>
<th>Name and type of agency</th>
<th>Primary function and service</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Marnju Jardu Women’s</td>
<td>Domestic Violence Refuge with a family focus based in Broome but is not a place for homeless. Preventative action through education and safety plans. Outreach section provides information referrals and advice and follow-up to communities every 6 weeks.</td>
<td>Broome, outreach services to communities</td>
</tr>
<tr>
<td>Refuge Centre</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Indigenous organisation</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Australian Red Cross</td>
<td>Community services, mental health support and community development -Personal Helpers and Mentors Program (Remote Service Model), Breakfast Club.</td>
<td>Broome and communities</td>
</tr>
<tr>
<td>NGO</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Anglicare</td>
<td>Counselling, and family support services for the needy, the most vulnerable and traumatised.</td>
<td>Broome and outreach services to communities</td>
</tr>
<tr>
<td>NGO</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Men’s Outreach Centre</td>
<td>Counselling, transition from prison to community life, general support for men and families.</td>
<td>Broome, provide services to community people temporarily in Broome.</td>
</tr>
<tr>
<td>NGO</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Broome Diocese</td>
<td>80% of work is in Family Support and Counselling Services, Family Support Workers – East Kimberley and St John of God, – Counselling Services – Broome and the Kimberley.</td>
<td>Broome and outreach services to communities</td>
</tr>
<tr>
<td>NGO</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Figure 2.4 Major organisations operating in the Area of Impact, by Area of Service continued

<table>
<thead>
<tr>
<th>Name and type of agency</th>
<th>Primary function and service</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Health Services</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>WA Country Health Service – Kimberley WA Government</td>
<td>Provides medical clinical services and specialist support to indigenous people in some communities on the Peninsula.</td>
<td>Based in some communities</td>
</tr>
<tr>
<td>Kimberley Aboriginal Medical Service Council (KAMSC) Indigenous organisation</td>
<td>1. Clinical services 2. Health policy, 3. Advocacy and support services e.g. allied health specialists and specialist doctors.</td>
<td>Broome, outreach services to communities</td>
</tr>
<tr>
<td>Broome Regional Aboriginal Medical Service (BRAMS) Indigenous organisation</td>
<td>Provides medical clinical services and specialist support to Indigenous people in Broome and the Peninsula.</td>
<td>Broome, outreach services to communities</td>
</tr>
<tr>
<td>Kimberley Satellite Dialysis Centre (belongs to BRAMS) Indigenous organisation</td>
<td>Provides haemodialysis to patients that suffer end-stage kidney diseases and support to those who are reliant on peritoneal dialysis</td>
<td>Broome, outreach services to communities</td>
</tr>
<tr>
<td><strong>Disability Services</strong> [Country Community Support, Disability Services Commission] WA Government</td>
<td>Coordination and advocacy. Direct funding to agencies that provide services to Indigenous and Non-Indigenous, on the department’s behalf and is the Kimberley individual family support agency.</td>
<td>Broome, outreach services to communities</td>
</tr>
<tr>
<td>Kimberley Age Care Service WA Government</td>
<td>Provides aged care services support to Indigenous people on the Peninsula.</td>
<td>Broome, outreach services to communities</td>
</tr>
<tr>
<td>Mental Health and Drug Service WA Government</td>
<td>Child and adolescent mental health services and adult mental health services</td>
<td>Broome, outreach services to communities</td>
</tr>
<tr>
<td><strong>Infrastructure, Maintenance and Municipal services</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kimberley Regional Service Provider (KRSP) Indigenous organisation</td>
<td>Provides essential services to Indigenous communities under the Regional Australia Essential Services Program (RAESP). They provide on-the-job training and engage local workers to do the work.</td>
<td>Community based services</td>
</tr>
<tr>
<td>Mamabulanjin Aboriginal Corporation Indigenous organisation</td>
<td>Essential services and municipal services. A one-stop-shop for Beagle Bay outstations, referral agency to other agencies, manages applications and follow up WANILS (WA No Interest Loan Scheme) for white good and now also furniture.</td>
<td>Broome, services to outstations</td>
</tr>
<tr>
<td><strong>Communication</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Goolarri Media via PAKAM Indigenous organisation</td>
<td>Host hub and support remote community radio for PAKAM (Pilbara and Kimberley Aboriginal Media, programming and national network, record Aboriginal culture.</td>
<td>Broome, PAKAM to communities</td>
</tr>
<tr>
<td><strong>Community Service and Compliance</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fire &amp; Emergency Services Authority of WA (FESA) WA Government</td>
<td>State-wide natural disaster emergency incident support i.e. cyclone, flooding, tsunami, wild fires, road accidents</td>
<td>Broome, outreach services to communities</td>
</tr>
<tr>
<td>Dept of Fisheries WA Government</td>
<td>Fisheries management, fisheries compliance &amp; education.</td>
<td>Broome, outreach services to communities</td>
</tr>
</tbody>
</table>
There is an increased demand from Indigenous people for a ‘one-stop shop’ for government services, and a go-between to assist them to access the services they are entitled to. This need for help in accessing services has increased due to the growing reliance of government agencies such as Centrelink on call-centre services which some Indigenous people in the Area of Impact find intimidating. Kullari and the Red Cross offices in Broome provide such a ‘one-stop shop’ role and at times act as a go-between on behalf their clients.

Organisations were asked to assess their capacity to meet existing and likely future demand for their services. In some cases they are already severely stretched due to limited man power, inadequate or out of date facilities, and limited and short-term funding. Additional demands due to rising numbers of visitors to the Dampier Peninsula will exacerbate the situation according, for example, to the Djarindjin/Lombadina Health Clinic. Without additional resources and staff most agencies will not be able to absorb increased demand due to rising visitor numbers and local population growth. Constraints on organisational capacity are also discussed in Chapters 2.3.3 – 2.3.12, which deal with services and infrastructure provided by organisations operating in Broome and on the Dampier Peninsula.

2.3.13 COMMUNITY PROFILES

Another important component of baseline work involves creating a profile of the communities in which Indigenous people live, so that changes in them that do not necessarily emerge from regional statistics can be observed and, if necessary, responded to. During field work in Beagle Bay, One Arm Point, Djarindjin and Lombadina, the ASIA team compiled information on key aspects of each community. This information is presented in this section, using a standard format. Basic data is presented on the location, population, the native title group on whose country the community is located, current land tenure status, and history of each community. This is followed by a section on physical infrastructure, and a substantial section on government services. Health, education, housing, and CDEP are discussed in detail, with information on existing resources and programs; issues raised by program managers; and an indication of resource needs, where this was provided. The final section deals with Indigenous and non-Indigenous commercial services, with particular attention paid to the community store.
HISTORY OF THE COMMUNITY

Beagle Bay, also known as Ngarlarn Burr (meaning area of many springs) was established as a mission in 1892 by French Trappist Monks as a base to spread the Catholic faith to the rest of the Kimberley. The mission was self-sufficient, growing fruit and vegetables and running cattle. It established a bakery and soft drinks factory which supplied Broome on a regular basis. In World War Two Indigenous families were trucked from Broome to Beagle Bay for their protection. Many Stolen Generations children were raised here and their descendents have lived there for several generations.

GOVERNANCE

No community governance. Beagle Bay Incorporated became defunct 5 years ago and is now the subject of legal proceedings and the community has been without local governance since. COAG through the Indigenous Coordinating Centre (ICC) is taking over in the interim until a new corporate body is determined.

INFRASTRUCTURE

POWER GENERATION: Power house, underground power lines, each house has a solar panel. Horizon Power and Engen each has a worker on site.

ROADS: All weather bitumen road around the community and between Lombadina-Djarindjin. Approximately 100km of corrugated dirt road towards Broome.

SEWERAGE: Tanks are underground and waste is pumped out to ponds.

SOURCE OF WATER: Bore

AIRSTRIP: Basic dirt, so planes can’t land when it is raining. Emergencies are flown out of Djarindjin Airport.

COMMUNITY FACILITIES: Community Hall, needs renovation; Women’s Centre.

RECREATIONAL FACILITIES: Oval (not functional), Basketball Court, new small children’s playground. Most sporting activities are undertaken at the school.

MUNICIPAL SERVICES: Contracted to Kimberley Regional Service Provider (KRSP). The KRSP Office
is based at the Council Office, Supervisor based at Lombadina.

**COMMUNICATION**
- Community phone, located outside the community office. Phone in store, but must buy phone card.
- Internet: No internet centre.
- Mail: Delivered to Beagle Bay store by Cora Ewen, Mail Contractor (contracted by Australia Post), Broome to Cape Leveque Monday, Wednesday and Friday
- “Broome Advertiser” newspaper sent weekly as a mission paper via Australia Post

**HEALTH SERVICES**

**PROGRAMS:** KAMS. Clinic only, no overnight beds. Originally started by the Catholic Church, employing predominantly Indigenous nurses, who ran the clinic and provided health service. Current services include:
- Home visits
- Outstation visits, 23 outstations. They must call first
- School education
- Visits/public health sessions once a week: men’s health, women’s health, chronic disease, allied health, cultural health, school, swine flu and trachoma (35 per cent of trachoma cases are children), hygiene, alcohol and drugs, hearing tests, STIs
- Chronic disease medication and immunisation
- Environmental health – fly trap
- No sex education conducted at the school because providing it is against Catholic School policy
- Core health (from Melbourne) will be providing short training programs in the near future e.g. pre-natal and post-natal care, and parenting.

**HEALTH RESOURCES**
(Source for remaining health sections: Clinic Manager)

**STAFFING:** One manager, one nurse (average stay 1 – 3 years), three health workers (average stay 3 – 8 years)
- Doctor (KAMSC Broome-based, conducts four visits a fortnight)
- Allied health services jointly provided by BRAMS and KAMSC e.g. physiotherapist
- Need one more nurse to maintain all permanent programs. Due to leave issues and rosters, in reality only have 2.5 nurses. Therefore reliant on extra staff on high casual rates. An additional full-time nurse is preferable for continuity and cost.
- Will be getting a mental health and drug services officer. Currently this officer visits once a month only.

**FUNDING:** Need more funding and housing for three staff.

**EQUIPMENT:** Adequate for a community clinic. Need a portable defibrillator for the ambulance.

**ISSUES**
- Chronic diseases no different from Broome. People as young as 22 years of age already going into chronic disease welfare: diabetes; renal disease; heart disease; ear infection; mental health; and STIs.
- Drugs and alcohol
- Some babies fail to thrive due to lack of responsibility by mothers, e.g. fail to bring to the doctor.
- Staffing is difficult to get in wet season.
- Need two baby seats for vehicle designated as an ambulance, which is a safety issue. The clinic has been waiting for more than a year for these.
- No distance education for nursing. Notre Dame offers a nursing course but not as distance learning. There needs to be more flexibility in providing training.
- KAMS and Western Australian Health Service (WAHS) allied health do child care. Indigenous health workers used to provide this service but this has ceased as a result of a lack of mentoring, due to high turnover of staff.
- Young mums need support. Need to focus on child mental health. Currently sharing a midwife with Bidyadanga community.
- Overcrowding of housing
- Transporting patients to Broome by road 2 – 3 times a week, including driving hours after dark on a hazardous dirt road (88km). According to the nurses who previously worked in the East Kimberley, the condition of the Cape Leveque Road is worse than the Tanami Road.
• No alcohol counselling
• Carers have too much on their plate. Tend to be looking after more than one person or child. No respite for carers.

‘WISH LIST’
• All weather strip (with night lights). Air strip has no lighting, therefore they have to use Lombadina for emergencies.
• Another clinic room for doctor and allied health visits. Currently overcrowding occurs when they visit.
• General comment about health service across the Kimberley. Duplication of services, lack of coordination, how money is to be allocated, better coordination of funding/better service for the dollar. E.g. provision of care in Perth for one problem child from Balgo cost $180,000 for 3 months. Money could have been spent on a house specially fitted in the Kimberley as a respite home for other problem or disabled persons.

EDUCATION

SCHOOL: (See also Chapter 2.3.3 for enrolment and attendance data)

Sacred Heart School managed by Catholic Education. Primary and secondary schools combined. Higher achieving students tend to go elsewhere to high school.

RESOURCES: (Source for remaining education sections: School Principal)
• Staffing: good, nine teachers (reduced to eight in 2010 due to reduced numbers), average stay of teachers is 18 months, 66 per cent of teachers with more than 3 years’ experience. One teacher’s aid, eight Indigenous teaching assistants (ITAs)
• Funding: good
• Equipment: very good including: interactive whiteboards in each classroom; a computer laboratory (19 computers); and each classroom has four computers. Construction of extensions to the school is expected in 2010.

PROGRAMS
• Dedicated literacy (2 days per week), dedicated numeracy (1 day per week)
• Music, sport
• VET (mechanics, tourism, art)
• Bush Cafe (a career enterprise) which produces and sells Devonshire teas
• Garden, a small business enterprise and to encourage good nutrition
• Theme days e.g. Father’s Day, to encourage parental involvement
• Market night, is regularly conducted not for fund-raising for the school but to encourage community and parental involvement with the school and vice versa.
• Under-three Kindy initiated by the ITA.
• Bus service which was made possible due to funding from the school bus service which pays for: a four-wheel-drive bus; a driver; fuel; and maintenance.
• Reading readiness: A Reading Recovery program to change the reading culture, supported by the KLC
• Disability educational service:
  ° 29 hearing-impaired children having varying degrees of hearing impairment e.g. one with a cochlear implant and two with hearing aids
  ° FAS, 5 – 7 per cent of children in the school diagnosed but there may be more.
  ° 1 Down Syndrome child (receiving 15 hours of teacher aid support)

ISSUES
• Science and social science is only taught on a term basis.
• No facilities for secondary school
• Internet access is too slow. XG Broadband (satellite) was promised in June 2008 by the Catholic Education Office but it is still not available. Yet teachers have it in their homes.
• Bus and bus service has contributed to the improvement of school attendance of children living in the outstations (originally the attendance of 105 has increased by 10). The bus arrived in late August but was originally requested in 2007. The process to get the bus took 18 months (through Federal funding). The delay arose from bureaucratic processes. Previously the school used the troop carrier but because of dirt roads there was a legal issue regarding safety and insurance as there was no coverage for accidents.
**Beagle Bay Community Profile continued**

- Not enough recreational facilities in the community.
- Need a hostel in Broome
- Poor attendance. In 2007, the average attendance was 68 per cent for the whole year with only 27 per cent from outstations. It is worse in the wet season due to road conditions
- Attendance Monday to Thursday is on average 70 per cent but on Fridays it reduces to 40 – 50 per cent which is an outcome of pay day. According to the Principal the children play in the school grounds till late on such days because they regard it as a safe place
- Principal goes with the ITA to meet families to discuss attendance and performance.
- Poor performance due to poor attendance especially from outstations e.g. one Year 5 student has turned up to school five days out of 150 days. The Principal regularly goes with police to families whose children are regular non-attendees.

**‘WISH LIST’**
- Need a liaison/attendance officer (Currently an ITA picks up the kids)
- Years 3 and 4 to Year 9 maths equipment
- Staffing should not be based on attendance and enrollment but on community population numbers.
- Upgrade of road will open up educational opportunities and options.

**HOUSING**

(See also Chapter 2.3.6 for DHWA data)

Total number of 64 houses owned and managed by DHWA. No new houses since July 2008. Average occupancy according to rental payments should be 5 – 6 per house, but in reality overcrowding occurs, often 8 – 10 occupants depending on size of house.

**HOUSING STOCK**

- One-bedroom accommodation: 6
- Two-bedroom accommodation: 15
- Three-bedroom house: 34
- Four or more bedroom house: 9

**CONDITION**

- Houses in good order, i.e. everything working, and have toilet, bathroom, and kitchen facilities: 7
- Houses in need of minor repair: 50
- Houses in need of major repair (not fit for occupancy): 7
- Housing for the aged: 0
- Housing for special need occupants (fitted appropriately): 6

**MAINTENANCE SERVICES:** None locally, emergencies are contracted to tradesmen located at One Arm Point, arranged via DHWA.

**ISSUES**

Housing Upgrade Program in Beagle Bay Community Project will ultimately bring all houses in the Beagle Bay, Burrguk, Bobeiding and Billard communities up to current housing standard.

First stage is to reconstruct five houses; original houses will be stripped back completely to framework and concrete, and then re-built to standard as new housing. These houses to accommodate community families while their houses are being upgraded in the future stages of the program.

Planning process (scoping of work to commencing building work) 26 August 2009 to end of November 2009. Therefore actual building will be undertaken in the wet season which may delay and prolong construction and finally occupancy.

**CDEP**

- One coordinator based in Council Office, funded by Kullari Regional CDEP Inc (KRCl).
- CDEP will continue for 3 years only for existing participants.
- Training and employment: After 30 September 2009 change of program involving training. Trainers were dropped because programs had finished. Training programs were conducted in Beagle Bay. Types of programs were based on community consultation e.g. breakfast club, horticulture, building, art, mechanics. VET provided in Broome.
- People are sick of training for training sake – nothing comes of it. Exception 15 former trainees from the Peninsula (six from Beagle Bay) who did 2 – 3 weeks training through KRCl and Djaringo and are in the Pilbara doing mainly truck driving. Working for Rio Tinto on rotation – 1 week on and 1 week...
off. Roster will extend to 2 weeks. Originally 18 but three dropped off. Next training will be either in Broome or Beagle Bay.

PROGRAMS

- A total of 48 involved (19 females 29 males). Majority are involved in horticulture followed by ranger and land management programs for males and breakfast programs and art and craft for females, most are males in the 20 – 29 age group
- Horticulture involves eight females and nine males, equally spread in the 20 – 50+ age groups
- Building maintenance involves six males, mainly 20 – 29 age group
- Breakfast programs and art and craft involves six females in the 20 – 29 and 50+ age groups
- Automotive work involves five males, 15 – 50+ age group except one from the 20 – 29 age group
- Rangers and land care involves eight males, approximately 60 per cent are in the 20 – 29 age group
- Youth program involves two males in the 30 – 49 age group
- Beagle Bay administration involves three females and one male in the 40 – 50+ age group

ISSUES (SOURCE: CDEP MANAGER)

- Lack of governance in the community.
- Young people (17 – 19) are not interested in learning or working so literacy is low. Girls have often got it together, e.g. filling in forms for boys.

OTHER GOVERNMENT AND NGO SERVICES

POLICE: None, but proposed and wished for by the community in the future. Nearest police station is at Djarindjin.

CHILDCARE SERVICE: None, was proposed by community but relevant government agency considered premises unsuitable and staff do not have certification.

YOUTH SERVICES: None.

AGED CARE SERVICE: None.

COMMUNITY LIBRARY/LEARNING CENTRE: None, other than school.

CENTERLINK: Located at the Beagle Bay office

STORE

MANAGEMENT/STAFFING: Managed by Ardyaloon Incorporated (One Arm Point Store). Employs one non-Indigenous manager, six Indigenous staff.

SERVICES/SUPPLIES

- Fresh fruit and vegetables, groceries (predominantly Black and Gold brand), meat, ice, icy poles, cigarettes, beverages, frozen food, toiletries, baby necessities, household cleaning agents, fishing gear
- Snack packs for school children, e.g. yoghurt, fruit, box drink, sultanas, muesli bar $2.95
- ‘Ready One plus One’ lunch packs for children e.g. meat and 3 vegetables, stew, sandwich $6
- Hot pack meals for adults e.g. curry, soy chicken, roast (meat/chicken, vegetables, potatoes/rice) $8.95
- Cold packs for adults e.g. chicken and salad or sandwiches $7.55
- Gas, fuel purchased using a fuel card. Electricity card ($10 – $50)
- Clients can order items through the store
- Plans to also sell items similar to those available in the One Arm Point Store.

SUPPLIERS: Directly from Perth Market to Broome by truck every Thursday. Previously ordered from Broome where supplies sat for a few days and therefore not as fresh by the time they reached Beagle Bay.

METHOD OF PURCHASE

- Credit Card: Visa
- EFTPOS: must spend a minimum of $10 to get up to $50 cash at one time. If the shopper spends $100, he or she will get 10 per cent discount.
- Deducted from Centrelink card

ISSUES

From the management’s perspective:

- Freight charges from Broome to Beagle Bay are the same as from Perth to Broome. Minimum $600 per pallet plus 12 per cent fuel surcharge and handling costs
• The shop’s EFTPOS policy aims to keep money in the community and feel the ATM withdrawals drained the shop of cash. Getting rid of the ATM machine in the community would discourage people from spending money in Broome, where people do ‘big shops’. This decision was not based on community consultation.

From the clients’ perspective:
• ATM no longer available under current management, which has caused a lot of resentment. Little community consultation took place and people felt disempowered. The only means to get cash is by EFTPOS, or go to One Arm Point Council Office where there is an ATM machine, or go to Broome.
• EFTPOS rules: People resent that they have to spend a minimum of $10 even if they only want cash for personal reasons and feel disempowered.
• The sacking of two long-term employees due to absence soon after the shop was taken over (reportedly stranded in Broome and not given a second chance).

OTHER COMMERCIAL SERVICES/ENTERPRISES

BAKERY: Employs four, expanding service, with the intention of delivering bread to One Arm Point on a regular basis as of January 2010.

TOURISM VENTURES: From Beagle Bay and its outstations, Bindurrik Hideaway, Gnylmarung, Neem Wonderland, Middle Lagoon, Whale Song at Munget Community, Bells Point Accommodation and Coastal Tours, Goombaragin Eco-Retreat.

NORASH TEAK PLANTATION: Originally joint venture between Capricorn Timber Pty Ltd and Beagle Bay Community Incorporated through its company Burrunk Pty Ltd. Originally 5000 hectares planned, now 1500 hectares as less water available in the local aquifer

BANKING: None, community members have had to withdraw money at store, with minimum purchase restrictions. Previously there was an ATM at the store.

TRANSPORT SERVICE: Air charters based in Broome, no bus service

GARAGE: Facility exists, no mechanic. Fuel available at the store, purchased using a fuel card.

OTHER LOCALLY-BASED SERVICES

CATHOLIC CHURCH: Two parish priests are permanently based in Beagle Bay but their responsibilities extend to the whole parish on the Dampier Peninsula, conducting weekly masses at Beagle Bay and Lombadina.

NYUL NYUL RANGERS: Work in partnership with Conservation and Land Management (CALM) to care and manage new conservation area adjacent to the Precinct. Other rangers trained under CDEP at Djarindjin will also be involved in the future.

VISITING SERVICES

GOVERNMENT SERVICES
• Department of Indigenous Affairs (DIA)
• Indigenous Coordination Centre (ICC) /Indigenous Business Services (IBS)
• Kimberley TAFE
• Fire and Emergency Services Authority (FESA)
• Dept of Fisheries
• Kimberley Aged Care Services
• Disability Services
• Centrelink

NGOS
• Nirrumbuk Employment Services
• Djaringo Training Services
• University of Notre Dame
• Broome Police Citizens Youth Club (PCYC)
• Burdekin Youth
• Australian Red Cross
• Goolari via Pilbara and Kimberley Aboriginal Media (PAKAM)
• Men’s Outreach Centre
• Jalygurr Guwan Aboriginal Corporation Children Services
• Mamabulanjin
• Job Network
• ITEC
• Sandfly Circus
**HISTORY OF THE COMMUNITY**

One Arm Point (OAP), also known as Ardyaloon, was established in the 1960s by the Bardi Jawi people who had been living at a non-denominational mission on Sunday Island in the Buccaneer Archipelago. The Sunday Island Mission closed in the 1960s and school-aged children from there were taken to reserves in Derby. The children were followed by their parents who later moved back to Sunday Island and eventually settled at OAP in the 1970s. The land at One Arm Point was originally controlled by the Federal Department of Transport to operate a lighthouse but in 1986 the lighthouse was automated and no longer manned. The land was then purchased by the Aboriginal Development Commission (ADC) for the benefit of Indigenous people. The ADC along with other government departments and the Bardi Jawi people sought to develop the area as a tourism zone, including by establishing Kooljaman Resort (see below).

**GOVERNANCE**

COUNCIL: Ardyaloon Council is incorporated under the Commonwealth Aboriginal Councils and Associations Act 1976 (ACAA). It currently has seven counsellors (two female and five males). The last council elections took place in October 2009 resulting in election of a female chairperson.

BARDI JAWI PRESCRIBED BODY CORPORATE (PBC): Holds native title on behalf of the Bardi Jawi people.

There are reportedly some communication issues between the two organisations, despite the fact that there is some overlap in membership.

**INFRASTRUCTURE**

POWER GENERATION: Power house, underground power-lines, and each house has a solar panel.

ROADS: All weather bitumen road around the community and between Lombadina-Djarindjin and Beagle Bay.

SEWERAGE: Tanks are underground and waste is pumped out to ponds.
SOURCE OF WATER: Bore.

AIRSTRIP: Basic dirt, so planes can’t land when it is raining. Can only be utilised for day use, airstrip lights were damaged by vandals a few years ago and have not been repaired since. Emergencies are flown out of Djarindjin Airport.

COMMUNITY FACILITIES: Multifunctional Community Hall with a kitchen which is used for youth activities and the breakfast club.

RECREATIONAL FACILITIES: Oval was disused and overgrown for some time until it was graded in December 2009 by Lombadina Community Corporation due to a grant of $200,000 received by OAP.
- Basketball court
- Netball court
- Small children’s playground
- Most sporting activities are undertaken at the school.

MUNICIPAL SERVICES: The Council is responsible. Each principal tenant pays $45 resident fee per week to the Council for municipal services.

COMMUNICATION
- Mobile phone access
- Community phone
- No internet centre
- Mail is delivered to Ardyaloon Council by Cora Ewen, Mail Contractor contracted by Australia Post, Broome to Cape Leveque Monday, Wednesday and Friday

HEALTH SERVICES
Clinic is managed by WA Dept of Country Health.

PROGRAMS
- Clinic service
- Outreach in school program including health education; check and monitor immunisation; and annual screenings for trachoma
- Health promotion programs e.g. short-term volleyball program to encourage fitness
- One RFDS doctor (from Derby) visits once every 2 weeks
- One chronic diseases doctor (from Broome) visits once every 2 weeks
- Routine visits from WA Population Health, allied health specialists e.g. a physiotherapist
- Treat clients from the nearby pearl farm and tourists for minor matters and occasional bites from snakes and sea creatures.

RESOURCES
Existing and required (source for remaining health sections: Clinic Manager)
- Staffing: The clinic is very well-resourced: three non-Indigenous staff including two nurses (one male, one female) and one cleaner/gardener; three Indigenous staff (two females and one male), one administration assistant (female); one health worker (female); and one primary health care driver (male) who drives clients to Broome for appointments
- Funding: Very well resourced
- Equipment: Very well resourced

ISSUES
- Chronic diseases generally affecting patients over 40+ years of age including hypertension; high cholesterol; and early stages of renal diseases.
- Very few deaths: one from old age (70+ years); and three road accidents since 2006 which involved alcohol (one male and two females in the 40 – 49 year age group); one boat accident (14 year old male) but no alcohol was involved.
- Break-ins at school and pranks on the clinic etc caused by teenagers due to boredom

WISH LIST
- Lights repaired on the airstrip so night and day services can resume.
- Accommodation for relief staff and visiting medical personnel in close proximity to the clinic. Currently the nearest accommodation is at Kooljaman Resort.
- Appointment of a dedicated recreation officer who is well paid and well resourced with good equipment and funding. To date it is the same people who do the same things many times over for the community in their spare time and get burnt out. Recommends that the recreation officer must be paid a real wage.
EDUCATION

SCHOOL: (See also Chapter 2.3.3 for enrolment and attendance data)

WA Department of Education. Established in 1975 in a demountable

PROGRAMS: (Source for remaining education sections: School Principal).

- Years K to 9. Years 10 – 12 students go to boarding school in Broome, Perth, or Darwin.
- Classes are structured in composite classes but the Principal is looking at streamlining classes according to student performance.
- Reading readiness – Indigenous Tutorial Assistance Service (ITAS) after school (voluntary).
- Bardi Language for both Indigenous and non-Indigenous pupils. Virtually all non-Indigenous students embrace the language.
- Cultural studies programs including a cross-cultural excursion for both Indigenous and non-Indigenous children. This program received national awards in 2009.
- Home Numeracy and Literacy Packs designed for children but led by their parents.
- Information nights to stimulate relationships with the community. Parental involvement is high compared to other communities (Principal’s previous experience).
- No disability educational service: low incidence of otitis media problems, a number of diagnosed intellectual disabilities i.e. FAS, less than 5 per cent of school population but not recognised by the department and therefore not resourced.

RESOURCES

Staffing: Understaffed. 9.5 staff including: 7.3 non-Indigenous teachers (60 per cent with less than 3 years experience and an average stay of 3 – 4 years); two qualified Indigenous teachers (1 – 2 years experience and stay for 1 – 5 years); and two ITAs to teach Bardi language. Teachers tend to be inexperienced when they arrive, but OAP School does attract and retain teachers because OAP is considered a desirable location and therefore the school gets more competitive quality applicants.
- Funding: Not well funded with respect to the

‘Building the Education Revolution Program’ (see below). Therefore the school sought support through other beneficiaries for resources e.g. KLC, KALACC and health.

- Equipment: Not the same standard as Broome schools, dilapidated and out of date, poor IT server.

ISSUES

Literacy profile and English curriculum: Lack of a coherent framework that gives direction to teachers about what to teach, and how to teach.
- Teacher training is inadequate to provide teachers with the skills to teach literacy, reading and numeracy.
- Poor Planning: The ‘Building the Education Revolution Program’ does not take into account remoteness regarding funding. $850 000 per school in WA irrespective of local costs and conditions. More value for money in Perth compared to what can be built in OAP for the same value. Therefore one formula for all schools is inappropriate.
- IT Service: The Department only provides IT support to teachers but not to pupils. Therefore school has to bring in contractors out of its own budget which is costly. The school is an old building therefore the IT infrastructure is often overloaded.
- Access to vocational education for secondary school children is limited. Currently one teacher does all courses. There should be more TAFE courses e.g. automotive skills, tourism and hospitality and art on the Peninsula
- Quality of service from TAFE: Method of instruction and resources used are dull, and out of date.
- The school grounds are the only green part in OAP and are highly used on weekends for sport. OAP needs more recreational facilities around the community.
- Community issues become school issues because they impact on attendance and performance. There is a lack of parental support and responsibility from some parents.
- Substance abuse in the community impacts on how children come to school, readiness for school and what kids see that is socially unacceptable.
- Attendance is monitored by the participation and retention office of the Kimberley District Office, but there is no attendance officer at OAP.
## ‘WISH LIST’

- More training for students in health awareness, road awareness, and sexual health
- More recreational and sporting facilities in the community
- Better nutrition
- School canteen: a community request and also a health and lifestyle issue
- Vacation activities for kids
- School principals be given autonomy and the authority to choose their own staff and remove them.
- Upgrade facilities especially IT and infrastructure at the school.
- Recreational activities after school. There is no consistent position for a recreation officer in the community.

## HOUSING

(See also Chapter 2.3.6 for DHWA data)

Houses are owned by DHWA but managed by the Council.

Average occupancy according to rentals is 5 – 6 per house.

### HOUSING STOCK

- 85 houses in total (7 GROH houses and 78 community houses) including:
  - Government housing/teacher’s group: three-bedroom house (6); two-bedroom duplex (1)
  - 80’s style housing: four-bedroom house (3); three-bedroom house (5)
  - Pindan style housing: four-bedroom house (5)
  - Pickering style houses: four-bedroom house (4); three-bedroom house (1)
  - Resident service providers accommodation: four-bedroom house (3); three-bedroom (1); two-bedroom duplex (1); one-bedroom unit (2)
  - New houses: five-bedroom house (1); four-bedroom house (6); three-bedroom house (31); two-bedroom house (7)
  - Other: three-bedroom flat(1)
  - 35 houses were built since 2002

- Five new houses are planned to be built by June 2010 by a builder contracted by the council with some trainee builders learning on the job

## CONDITION

- Some houses in good condition, everything working, with toilet, bathroom, and kitchen facilities
- Houses in need of minor repair and major repair currently being repaired.
- Housing for special need occupants (fitted appropriately) – Nil

## MAINTENANCE SERVICE

The Council previously did the maintenance for housing (for 7 years) but it is now carried out by DHWA.

- The Council collects rent on behalf of DHWA. Previously everyone who was employed paid $45 for housing. Now under DHWA, the principal tenant pays $50 to DHWA for accommodation and $45 fee to the Council for municipal services per week.
- The Council tendered to DHWA to do renovations on identified houses, i.e. strip and rebuild. They contracted a tourist staying at OAP who is a qualified builder who then contracted local workers (30 – 35 age group) on ‘proper’ wages. These workers gained skills through the Municipal and Housing Program and gained on-the-job training.

## ISSUES

According to the Council, OAP still needs more houses, as there is still a big shortage.

## CDEP

Total of 23 females and 30 males. The majority of them are in tourism, administration, and essential services programs, followed by building for males and rangers for females. Most of the CDEP participants are males in the 30 – 39 age group. Programs are supervised by KRCI in partnership with NGOs e.g. Red Cross for the breakfast club, and the KLC for the Care for Country Program.

## PROGRAMS

Building maintenance involving nine males: one in the 20 – 29 age group; six in the 30 – 39 age group; two in the 40 – 49 age group. Once training
is completed, the workers will receive real wages.

- Breakfast club involving four females: one in the 15 – 19 age group; three in the 40 – 50+ age groups
- Rangers and land care: seven females and one male equally spread between the 20 – 39 age groups
- Youth program involving three females and two males: one in the 20 – 29 age group; two in the 30 – 39 age group and two in the 40 – 50+ age groups
- Tourism, administration and essential services involving eight females and 16 males: five in the 15 – 19 age group; six in the 20 – 29 age group; eight in the 30 – 39 age group and five in the 40 – 50+ age group
- Horticulture involving two females and one male in the 20 – 39 age groups

ISSUES

- Although CDEP programs are a stepping stone to real work and an opportunity to gain the necessary training and skills, there is no guarantee that there will be ongoing funding once CDEP ends. The funding is mainly sourced via NGOs. Funding periods vary from 6 months to 3 years.
- Not many jobs opportunities for girls.
- It is important to find good managers of programs to mentor CDEP workers.

OTHER GOVERNMENT AND NGO SERVICES

POLICE: none, depend on Dampier Peninsula Police Station located at Djarindjin (see Djarindjin Profile). Previous to the opening this police station, there were wardens at OAP for 3 years under the Wardens Program who were funded by the community under CDEP and topped up by police. Then funding was withdrawn due to change in government policy about police wardens.

CENTERLINK: Located at the Council Office.

CHILD CARE SERVICE: Yes, located next to the Council Office.

YOUTH SERVICE: a part-time youth worker (shared with Djarindjin) was engaged in December 2009.

AGED CARE SERVICE: Home and Community Care (HACC)

COMMUNITY LIBRARY / LEARNING CENTRE: None (other than the school)

STORE

MANAGEMENT/STAFFING: The store is community-owned. Employs two non-Indigenous managers and six indigenous staff (one general hand, three check-outs and two cleaners) on a casual basis. Rotate on shift which gives more employment to locals.

SERVICES / SUPPLIES

- General food and grocery items including fresh fruit and vegetables; groceries (predominantly Black and Gold brand); meat; ice; icy poles; cigarettes; beverages; frozen food; toiletries; baby necessities; household cleaning agents; fishing gear; white goods; and furniture
- Food and grocery items to meet the needs of tourists e.g. Mexican food items
- Motor vehicle accessories and spare parts; garden tools; pharmaceuticals; clothing; newspapers and some magazines; stationery; cigarettes and souvenirs for the tourists
- Gas, fuel cards and electricity card ($10 to $50 cards)
- Clients can order other items through the store

SUPPLIERS: Directly from Perth market by truck every Thursday.

METHOD OF PURCHASE

- Credit Card – Visa
- EFTPOS: Customers must spend a minimum of $10 to get up to $50 cash at one time. If they spend $100 or more they will get 10 per cent discount.
- Deducted from pay

ISSUES

From the management’s perspective:

- Freight charges from Broome to One Arm Point are expensive and add to the cost of items sold in the store. The freight charges are approximately at the same rate as freight costs from Perth to Broome. Minimum rate is $600 per pallet plus 12 per cent fuel surcharge and handling costs
- Keeping money in the community.
From the client’s perspective:

- Residents resent the EFTPOS rule especially if they only want cash for personal reasons and feel disempowered.
- The items in the store are too expensive.

**OTHER COMMERCIAL SERVICES/ENTERPRISES**

**BANKING SERVICE:** ATM machine at the Council Office, other banking and postal services at Kooljaman

**TRANSPORT SERVICE:** air charters based in Broome, no bus service

**GARAGE:** workshop and fuel but no mechanic for either vehicle or outboard repairs and maintenance

**PLUMBING SERVICE:** managed by KRSP resident at OAP.

**ELECTRICAL SERVICE:** one trained Horizon Power worker resident at OAP

**INDIGENOUS OWNED ENTERPRISES** at OAP are either community owned, or owned and operated by individual Bardi families.

- Kooljaman Tourist Resort is jointly owned by the OAP and Djarindjin communities. It is managed by a board of directors, three from OAP and three from Djarindjin who meet once/month. Currently annual earnings of $200,000 are distributed, $100,000 for Djarindjin and $100,000 for OAP (of which $40,000 goes to outstations and $60,000 to the OAP Council for the benefit of the community). The resort currently employs four Indigenous staff: one front office staff; one operational staff; and two trainees. Non-Indigenous staff includes a manager and staff holding a variety of positions but numbers vary during the year.

- Ardyaloon Hatchery, owned by Ardyaloon Incorporated, which is the only successful Indigenous hatchery in WA and the only hatchery to breed trochus shells (50 tons per year @ $11.50/kg). This is supplemented by: breeding exotic anemones (high earning, produces 4000 per year), carving trochus shell souvenirs and tourism to support the hatchery as it develops. The hatchery employs 8 males in the 40+ age group but they do not all work at the same time. Some have never worked for wages previously.

- Gambanan, unpowered eco tourist camping ground and some organised activities on request, e.g. artefact making, bushwalking, fishing.

- Ardyool Art and Tours provide culture and bush food tours, produce local art.

- Tours and small businesses owned by local community members that are affiliated with Kooljaman e.g. bush tucker, tagalong, charter boat, dinghy hire, mud crabbing e.g.:
  - Bardi Dancers conduct performances on request at Kooljaman.
  - Swan Point Tag-Along Tours – half day 4 wheel drive tag along tours.
  - Goombading Aboriginal Boat Tours.

**NON-INDIGENOUS OWNED**

Cygnet Bay Pearls located 10 km from One Arm Point which was established and owned by Brown family since 1946, employed six indigenous males in 2008; none in 2009.

**OTHER LOCALLY BASED SERVICES**

- Bardi Jawi Rangers: eight males employed but expanding to Djarindjin and including females.

**VISITING SERVICES**

**GOVERNMENT SERVICES**

- DIA
- ICC / IBS
- Kimberley TAFE
- FESA
- Dept of Fisheries
- Kimberley Aged Care Services
- Disability Services
- Kinway Counseling Services
- Centrelink

**NGOs**

- Nirrumbuk Employment Services
- Djaringo Training Services
- University of Notre Dame
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<th>One Arm Point Community Profile continued</th>
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<td>• Broome PCYC</td>
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HISTORY OF THE COMMUNITY

Originally the people lived on the beach but then moved to be closer to Lombadina to access services that were provided by the mission. Some people came from Sunday Island. In the 1980s, due to local politics within Lombadina the Djarindjin community separated from Lombadina and formed its own Aboriginal Corporation under the Commonwealth Aboriginal Councils and Associations Act 1976. Djarindjin and Lombadina communities sit side by side but are separated by a fence line (see Lombadina Profile).

ISSUES (Raised by Councillors and CEO)

- Council office is used for recreational purposes in addition to council use e.g. Djarindjin Scouts use it on a weekly basis.
- The corporation is seeking sponsorship from Japanese, French and German organisations to help fulfill its plans.
- Government funding has contracted by 60 per cent. ‘New government arrangements have removed most of the community’s ability to show responsibility for its own affairs – losing housing – combined with the winding up of CDEP – could result in people becoming totally dependent on government and other agencies to do everything for them’ (Djarindjin Aboriginal Corporation 2009, p.4). ‘Locating funds to deliver services to our members is a big issue. Limited funding has resulted in limited staff positions. As a result, current staff are stretched and do not have the capacity for additional work’ (Djarindjin Aboriginal Corporation, 2009, p.8)
- Lack of communication between Council and PBC.
- Although leases allocated for police station and housing, the Council does not receive rent.
Absence of by-laws.
- Concern that services will get to Djarindjin but the council and the community will not have a say on how or by whom they are delivered.
- Strongly focusing on income generating opportunities e.g. airport contract and looking at others for the future.

**INFRASTRUCTURE**

**POWER GENERATION:** Power house, underground power lines, each house has a solar panel

**ROADS:** Dirt road around the community, sealed road from outside the community boundary to Dampier Peninsula Police Station Precinct and the Cape Leveque Road between One Arm Point and Beagle Bay turn-off.

**SEWERAGE:** Tanks are underground and waste is pumped out to ponds.

**SOURCE OF WATER:** Bore.

**AIRSTRIP:** Djarindjin/Lombadina Airport has been sealed and upgraded with new fuel tanks. Upgrades funded by the WA Government, some support from Inpex who have priority in airport use. Only exception is Royal Flying Doctor Service (RFDS) who have priority and free use to transfer patients. Other flight operators must get permission from Inpex to use airstrip and pay landing fees. Transit airstrip to transport Inpex fly-in/fly-out crew from Perth by air, then helicopter transfer to Browse Basin. Community engaged Vuelo Ltd to help run the airport.

**COMMUNITY FACILITIES:** Community Hall (in poor state), HACC kitchen

**RECREATIONAL FACILITIES:** New children’s playground. Most sporting activities are undertaken at the school.

**MUNICIPAL SERVICES:** Formerly the Council’s responsibility. The new COAG structure has taken municipal and housing services away from the council. The responsibilities have been tendered out e.g. housing to One Arm Point.

**COMMUNICATION**

Djarindjin Telecentre (commonly known as the Diji Centre), a multifunctional telecentre which includes:

- New digital technology which can service the community for the next 5 years;
- Remote Indigenous Broadcasting Service (RIBS), formerly Djarindjin Broadcasting for Remote Aboriginal Community Scheme (BRACS), which has operated for 21 years;
- Web access

Mail: Delivered to Kooljaman by Cora Ewen, Mail Contractor (contracted by Australia Post), Broome to Cape Leveque Monday, Wednesday and Friday

**HEALTH SERVICES**

Lombadina/Djarindjin Health Clinic is located in Lombadina (see Lombadina Profile).

**EDUCATION**

**SCHOOL** (See also Chapter 2.3.3 for enrolment and attendance data)

The school was originally established by the St John of God nuns. The mission closed in the late 1960s and the nuns couldn’t manage it any further so the State took over for 15 years. Then the community requested the Catholic Church to run the school to ‘instill moral and religious upbringing’.

Student performance is improving, influenced by the Reading Recovery program (which KLC supports) and due to experienced teachers. However, there is still a significant number of students under the benchmark.

**RESOURCES:** (Source for remaining education sections: School Principal).

Staffing: Overall good. Non-Indigenous staff: nine (three male, six female) with more than 3 years previous teaching experience and one part-time teacher. Teachers’ benefits include free housing and bonus but not enough to keep teachers, there are better incentives in state schools. (Teachers tend to stay for 2 to 3 years). Indigenous staff include: one qualified female teacher; six teaching assistants (female); one part-time gardener (school funded), and the school is planning to fund one more. Previously there were two qualified teachers but the second teacher left in September 2009 due to a good opportunity in Broome. Indigenous teachers tend to stay for 2
– 7 years. Indigenous staff are likely to stay longer because such positions tend to be more attractive because of the end of CDEP.

Funding: Overall good

Equipment: Overall good but need better IT service and technical support. No one on staff has IT skills. During Term 1 only 6 days internet connection. Access to IT support is funded by the school.

PROGRAMS

Culture program includes the teaching of Bardi language. Local people wanted Bardi taught but the push for language is more from the grandparents, rather than parents.

- Literacy and numeracy (primary focus), religion, physical education and arts
- Integrated program – science and studies in society and environment
- Term 3: football, and sports carnival (Kimberley Cup)
- After school sport
- Teaching assistants provide cultural orientation and awareness for new teachers
- Community market
- Distance learning for non-Indigenous children (of teachers) at secondary level
- Reading Recovery (KLC supported)
- Disability educational service to assist children with disabilities including one physical (slight); two with symptoms of FAS; children with hearing loss and some with a degree of autism.

ISSUES

Poor attendance which is reflected in student performance

- Kids leave community for long periods and do not attend school elsewhere.
- The school does not cater well for secondary school levels, no facilities and resources. Therefore secondary school-age kids are encouraged to go to boarding schools.
- Extra-curricular activities are well attended but not well supported by parents.
- Effect of social fabric of the community impacts on the education and development of the children:
  - Drugs and alcohol
  - Not a lot of work
  - Stay up late/ late to school
  - Teachers need better relationships with parents, who need to engage more with the community.
  - Lack of cohesiveness in the community.
  - Most teachers at the school have not had previous experience in Indigenous schools (very few come from WA, seven teachers from Victoria).
  - Lack of continuity amongst staff: average stay is 2-3 years which is not enough e.g. four principals in 10 years
  - Except for those studying in Broome, secondary students (20) are on scholarship at boarding schools elsewhere e.g. St Bridget’s, which has Indigenous workers. Such students rarely come back to the community because they have support from boarding school and family. Those who go to Broome for schooling tend to not complete school because Broome is too close to community.

‘WISH LIST’

- Wish for strong community leadership to motivate the community
- At least 90 per cent of kids at school from the start to the end of the day
- Parents to be comfortable to be involved in the education of children
- Getting teachers to stay longer. Lack of continuity is hard for children and for sustainability.
- The school already supports Indigenous staff to pursue further education but would like to support more.

POLICE

(Source of information: Djarindjin police).

DAMPIER PENINSULA POLICE STATION

- Land for police station and police housing was excised from the Djarindjin lease.
- Prior to the establishment of the station, police did monthly patrols from Broome.
- Indigenous Police Warden Program ended early this year, due to a number of issues including lack of training; they did not have the required powers; additional administration work for police due to ‘top-up’ of CDEP wages. Funding is still available.
Women in Djarindjin community have indicated and demonstrated that they feel safer having a police station nearby.

Some police spouses work in the Djarindjin community.

INDIGENOUS OFFENCES

Mainly 25 – 50 year age groups in Djarindjin, predominantly male:
- Driving without a licence, more male than female. Police are treating this as an education as a licence is often an agency requirement.
- Drink driving.
- Mostly locally-based and alcohol-related offences – assault, family violence, domestic violence. Occurrences have not increased but reporting has increased.
- 13 – 24 year age groups: School attendance is good and most young people from the Peninsula who get into trouble, get into trouble in Broome.

NON–INDIGENOUS OFFENCES

Two to three tourists (25 to 39 year age groups) for domestic disputes and drink driving.

RESOURCES

Staff: three officers including one officer-in-charge, and one Department of Child Protection Officer who covers the whole Peninsula. No Indigenous staff
- Police posting: Minimum 1 to a maximum of 3 years, while for the officer-in-charge position it is a minimum of 2 years and maximum of 4 years.
- Funding: very good
- Equipment: very good including a spare house for visiting police

PROGRAMS

Leading agency for cyclone management and coordination role.
- Try to visit outstations when possible.
- Presentations in school:
  - Constable care program
  - Safety and seat belts
- No different to rest of the State but more involvement in the community, attend community functions, BBQs and mingle.
- Seldom use the cell. Has been used for sobering up.

ISSUES

For police:
- Increase in visitors and increase access to the Peninsula means increase in missing boats and the road will be busier. Increased need for traffic management and easier access will make for easier corridor for drugs and alcohol.

For Indigenous community members:
- Alcohol and drug abuse will increase based on assumption that the road will be sealed (easier access) and disposable income will increase.
- Overcrowding due to housing shortage made worse by the number of people moving in from outstations because funding to outstations has been cut off. Overcrowding leads to domestic violence and other dysfunctional behaviour.

‘WISH LIST’

Seeking a relief officer position. This is necessary for relief and to ensure that the station is manned while other officers are on patrol. Originally a four-man police station (including one detective who moved to Derby), then reduced to three. A part-time administration position to do financial tasks e.g. people come to the station to pay their court fines.
- A police facility established in Beagle Bay. Difficult to service the whole Peninsula with three staff if the station has to be manned. If unmanned, emergency calls are diverted to Broome.

CDEP

1 Coordinator based in the Council Office, funded by Kullari.

CDEP programs are for Lombadina/Djarindjin but most of the participants live in Djarindjin.

CDEP PROGRAMS: Total of 42 (20 males and 22 females), mainly in youth programs and child care, followed by art and craft, mostly in the 30 – 50+ age group.
- Horticulture involves four males in the 30 – 39 age group
• Breakfast program involves four females spread equally across 20 – 49 age groups
• Automotive work involves three males: one in the 20 – 29 age group; one in the 30 – 39 age group; and one in the 50+ age group
• Rangers involves one female in the 50+ age group and one male in the 40 – 49 age group
• Youth program and childcare involving nine females and two males, four females in the 20 – 29 age group and the rest spread equally between 30 – 39 and 50+ age groups
• Tourism and administration involves four females and one male between 29 – 49 age groups
• Art and craft involves two females in the 50+ age group, six males including: three in the 20 – 29 age group; one in the 30 – 39 age group and 2 in the 50+ age group.
• Essential services and municipal services program involving one female in the 30 – 39 age group and two males in the 40 – 49 age group.
• Aged care involves one male in the 20 – 29 age group and one female in the 40 – 49 age group.

ISSUES

Used to be 170 CDEP workers (Lombadina/Djarindjin and outstations), plus on costs before KRCI took over, with the intention of facilitating training and ‘real work’. If participants cannot get work they can go on to Centrelink if they report fortnightly to visiting employment agencies such as ITEC and Job Futures. If there are no jobs in the community then there are no incentives especially when a lot of municipal and housing services have been withdrawn. ‘Djarindjin will become a housing estate for unemployment,’(Council Chairman, October 2009)

HOUSING

(See also Chapter 2.3.6 for DHWA data)

HOUSING STOCK:

Total of 47 houses including:
• 3 X 1 bedroom
• 6 X 2 bedroom
• 26 X 3 bedroom
• 10 X 4 bedroom
• 1 X 5 bedroom

Houses are owned by DHWA, and community does its own maintenance because it does not receive government assistance.

People must stay in the community for 6 months to be eligible before submitting an application to membership to the Djarindjin Aboriginal Corporation and housing. Current rent now $35 per person plus $45 per house.

HOUSING MAINTENANCE: None locally, emergencies are contracted to tradesmen located at One Arm Point, via DHWA.

ISSUES

No new houses since the army built six in 2000.

• Standard of housing is variable and there is severe overcrowding, 8 – 10 and more depending on size of house.
• Community housing is like home ownership, when government owns houses, there is not the same sense of ownership. Issues around phasing out community managed housing to public housing managed by DHWA. DIA will not transfer ownership of the existing houses to Djarindjin Aboriginal Corporation to own and manage but will transfer only to DHWA or to the Bardi Jawi PBC
• According to the Council Chairperson (October 2009), Djarindjin has been promised six new houses by Michelle Roberts (Minister for Housing) but nothing has happened and DHWA took away $600 000 in repairs and upgrades.
• New houses built in the community are for non-Indigenous personnel working in the community and the five new houses at the Dampier Peninsula Police Station precinct were built for police and associated government personnel.

OTHER GOVERNMENT AND NGO SERVICES

YOUTH SERVICES

• Djarindjin Lombadina Oorang Argal Aamba Bower Aaring Gkarr Scouts (1st Djarindjin Lombadina Sea Scouts) including cubs for both males and females was invested in May 2009. It is very popular and active. It received a boat and a bus from various sponsors. The Council Chairman considered scouting the best option as it locally-based and is both a national and
international organisation and will help expand the experiences of the young. There is an issue about the sustainability of this program due to limited access to funding.

- A part-time youth officer was appointed in December by Garnduwa. This is a time share position with One Arm Point youth officer.

**CHILD PROTECTION:** An officer from the Department of Child Protection is permanently based at the Dampier Peninsula Police Station to service all the communities on the Peninsula.

**AGED CARE SERVICE:** HACC had a four-wheel-drive bus which no longer operates. HACC kitchen needs upgrading.

**LIBRARY AND LEARNING CENTRE:** DJARINDJIN TELECENTRE, which is also used as an outreach centre for Broome Library.

**CHILDCARE SERVICE:** The Djarindjin Childcare Centre is the only licensed child care service in an Indigenous community in WA which has been operating for 12 years and managed by a qualified child carer (who originally set it up), paid on CDEP top up. Uncertainty about the future of the Childcare Centre is due to funding issues especially as CDEP is coming to an end.

**METHOD OF PURCHASE**
- Credit Card i.e. Visa
- EFTPOS
- Cash

**ISSUES:**

From the management’s perspective:
- Employees are paid CDEP top-up wages
- Would like to employ more staff
- Workshop has old equipment and cannot stand alone.

From the client’s perspective:
- Prices are too expensive
- The store is not open long enough

‘WISH LIST’ (from councillors, community members)
- Upgrade facility. Council plans to build a new roadhouse near the Police Precinct at the junction with Cape Leveque Road. Council engaged consultants to assess the situation. Proposed solution is that the existing workshop and store will be moved to the new roadhouse which will be developed in 2010 and a new workshop will be built in a couple of years.
- Want a year without freezer problems and a bigger shop area.
- Discount cards issued to community members as long as benefits flow back to community and is viable.

**OTHER COMMERCIAL SERVICES/ENTERPRISES**

**BANKING:** None, need to go to Kooljaman or use the ATM machine at One Arm Point Council Office

**TRANSPORT SERVICE:** Air charters based in Broome. No bus service.

**PLUMBING SERVICE:** None locally, managed by KRSP located at One Arm Point.

**INDIGENOUS OWNED ENTERPRISES:**
- **GARAGE/WORKSHOP:** Fuel is available but currently no mechanical services.
- **KOOLJAMAN TOURIST ECO-RESORT:** Jointly owned by Bardi Jawi living at Djarindjin and One Arm Point. It provides fuel, post-office, banking, and
**Djarindjin Community Profile continued**

- Cashier services and has won State tourism awards.
- **ECO AND INDIGENOUS TOURISM ENTERPRISES:** Tourists must pay a visitor’s fee of $5 to go onto Djarindjin Beach.
- **Djarindjin / Lombadina Airport:*** is owned by Djarindjin Aboriginal Corporation (see also infrastructure section above). Employs six Indigenous male workers including: one full-time coordinator; five on award wages and one on CDEP. No drinking or drugs are allowed and testing is due to commence in the very near future. Workers are paid an hourly rate ($30), are reliable, and are happy to be paid a real wage. Everyone has 2 days off. Three choppers per day and currently servicing two companies but will increase to 10 choppers with the addition of two oil companies that will commence work in November/December.

### OTHER LOCALLY-BASED SERVICES

- Breakfast club supported by Broome Red Cross.
- New fire truck based at the Djarindjin/Lombadina Airport.

### VISITING SERVICES

#### GOVERNMENT SERVICES

- DIA
- ICC/IBS
- Kimberley TAFE
- FESA
- Dept of Fisheries
- Kimberley Aged Care Services
- Disability Services
- Mental Health and Drug Service
- Centrelink

#### NGOs

- KRCI
- Jalygurr Guwan Aboriginal Corporation Child Services
- Nirrumbuk Employment Services
- Djaringo Training Services
- University of Notre Dame
- Broome PCYC
- Burdekin Youth
- Australian Red Cross
- Goolarri Media via Pilbara and Kimberley Aboriginal Media
- Mens Outreach Centre
- Mamabulanjin
- Job Network
- ITEC
- Sandfly Circus
- Broome Air Services
- KGT
- KRSP
- Job Futures (located at Lombadina)
CHAPTER 2 Existing Cultural, Economic and Social Conditions for Indigenous People in the Area of Impact

HISTORY OF THE COMMUNITY

Established as a Pallottine Catholic Mission in the 1890s and originally named Lullmardinard but later renamed Lombadina by the Trappist Monks. It was originally set up as an outpost of Beagle Bay and used as a sheep station in the late 1890s by Thomas Puertollano, a Filipino. St John of God Sisters arrived from Ireland in 1913, and together with the Church set up a school. Lombadina Mission continued to be a second dormitory-based education centre after Beagle Bay for Indigenous children from the Kimberley region until the 1970s. ‘It was like a forced boarding school used by community welfare for kids at risk rather than Beagle Bay’ (CEO, Lombadina Community Corporation, October 2009).

The church handed over Lombadina to its Indigenous residents, who incorporated it under the Aboriginal Corporation Association Act in 1987. The Lombadina Aboriginal Community Corporation was granted a grazing lease and the former assets of the Mission enterprises. Also in the 1980s, local politics within Lombadina led to the formation of Djarindjin community. This is situated immediately adjacent to Lombadina, and the two communities are separated by the fence and have separate corporations (and hence community councils), and their own community stores. They share the same school and health clinic. Some of the people who live at Lombadina were originally from Sunday Island and there is strong influence of inter-marriage between members of different native title groups and with Indonesian, Filipino, European and Japanese people.

INFRASTRUCTURE

POWER GENERATION: Power house, underground power lines, each house has a solar panel. Shares the same power station with Djarindjin. One trained Horizon Power worker located at One Arm Point.

ROADS: Dirt road throughout the community and to the junction of the Cape Leveque Road, all weather bitumen road between the junction and One Arm Point and Beagle Bay.

SEWERAGE: Tanks are underground and waste is pumped out to ponds.

SOURCE OF WATER: Bore.
AIRSTRIP: Lombadina/Djarindjin Airport which is an all weather airstrip mainly used as a transit stop for ferrying workers from the Browse Basin (see Figure 7).

COMMUNITY FACILITIES: Visitors’ Centre, multifunctional, including council office, internet cafe, training/meeting room.

RECREATIONAL FACILITIES: Most sporting activities are undertaken at the Djarindjin-Lombadina School.

MUNICIPAL SERVICES: Carried out by the Corporation. Roads are maintained by the Centre for Alternative Technology (NT) at Derby.

COMMUNICATION
Mobile phone access
- Community phone
- Internet centre inside the Visitor’s Centre
- Mail: Delivered to the Visitor’s Centre by Cora Ewen, Mail Contractor, Broome to Cape Leveque Monday, Wednesday and Friday

GOVERNANCE
Lombadina Community Corporation is run by a committee which includes the majority of the adults in the community. Its office is in the Visitors’ Centre. Committee meetings occur three times a year, plus there is an Annual General Meeting and emergency meetings. The Corporation:
- owns everything in the community and Corporations Committee has at least one meeting per day for a minimum of 1 hour to discuss the work plans and issues for the day
- deals with around 52 or more visits from external organisations per year
- does some work for Broome Shire and Kooljaman such as earthworks and clearing the oval at One Arm Point
- is in partnership with Job Futures, Rio-Tinto and KRCI
- manages housing and collects the rent on behalf of DHWA

ISSUES:
- Municipal services are gradually being taken away from communities and outsourced by the Shire and other government agencies e.g. Centre for Appropriate Technology grades the roads
- Worried about water restrictions on the Dampier Peninsula if there is an increased demand on water supply by increased number of visitors to the Peninsula. Some outstations have little water.

HEALTH SERVICES

PROGRAMS
- General clinical services.
- 14 hours doctor’s service per fortnight – chronic disease specialist.
- 0 to 5 years care.
- Well women.
- School program, health education.
- Palliative care.
- Mental health.
- Call out to police to check defendants in custody – obligation due to ‘Deaths in Custody’ Inquiry.
- Support the Red Cross breakfast club for Djarindjin.

RESOURCES: (Source for remaining health sections: Clinic Manager)

Staffing: sufficient in terms of numbers but not with regard to continuity amongst non-Indigenous staff. Two full-time nurses (one male and one female); three Indigenous staff, two receptionists, one part-time health worker (increasingly required to do administrative duties rather than health worker duties); and a driver. Poor retention of nursing staff, maximum stay of 1 year. Forced to rely on agency and relief staff, high turnover, eight between Christmas 2008 and August 2009. Last permanent staff appointment 3 years ago. To maintain continuity of staffing, recommend that BRAMS be hooked in with WA Health.
- Funding: Insufficient.
- Equipment – Not good. The IT service is unreliable. Housing is an issue because of asbestos and poor security. Therefore doctors and allied staff refuse to stay in the health house and end up staying in the Lombadina cabins, which is an added cost.
**ISSUES**

Mostly apply to the Djarindjin community residents who use clinic.

- Clinic has little information about youth health: males do not present themselves unless they are very ill.
- Patient compliance issues relating to medication for various chronic diseases, due to limited understanding of health issues, distance further from mainstream facilities but generally the patients are in better health than patients in other communities in the Kimberley.
- Mental health issues and violent behaviour amongst the young. Associated with trauma (from family abuse), drug use and youth suicides. This is of great concern for the community so Djarindjin is starting a Men’s Group to support cultural and social activities to engage youth. The incidences of mental health issues among young indigenous males in the Kimberley are higher than the Australia average. In Djarindjin there have been two attempted hangings (10 year old and 17 year old males); ten 13-16 year olds who regularly drink and consume ganja and are generally recalcitrant. Impact of ‘kids looking after kids’, kids with responsibilities who need anger management.
- In some cases more than 10 people living in 1 house in Djarindjin; associated with occurrences of scabies in Djarindjin, doesn’t occur in Lombadina.
- Senior Traditional Owners suffer stress due to high demands of meetings, constantly fighting their case, juggling with home life and frustrations with the young.
- Deaths: mainly from chronic diseases and cancer (40+ age range).
- Increase in tourist clients, primarily fishing injuries. Also tourists are taking advantage of free clinical service. (In Perth they would have to pay or be bulk-billed on Medicare. Therefore, tourists requiring assistance are encouraged to make a donation to RFDS. However, they are not particularly generous).
- Increasing administrative tasks required but the IT infrastructure is inadequate and the service often goes down.

**WISH LIST**

- Extra nurse and consulting room
- Sealed road in the community to reduce dust issues
- Swimming pool: would be good for children as the beach is too far for them to get to if there is no transport.

**EDUCATION**

**SCHOOL:** (See also Chapter 2.3.3 for enrolment and attendance data, and Figure 2.7 Djarandjin Profile for information on school).

All secondary age children go to boarding school.

**HOUSING**

(See also Chapter 2.3.6 for DHWA data)

**Housing Stock:**
- Total of 21 houses:
  - 1 X 1 bedroom
  - 7 X 2 bedroom
  - 13 X 3 bedroom
- There are also 2 refurbished 2 bedroom houses for staff.
- Houses are owned by DHWA.

There are 4 X 2 bedroom houses for visitors, owned by the community.
- Although some of the houses are older they are in good condition and well maintained.
- Good environmental health practices.
- Community maintains the houses and collects the rent on behalf of DHWA.
- Owned and managed by DHWA.
- Average occupancy according to rentals is maximum of 5-6 per house.

**HOUSING SERVICE:** Do basic housing maintenance themselves but larger jobs are done by DHWA contract builder located at One Arm Point.
### CDEP / EMPLOYMENT

- Only one person on CDEP.
- Some people are on wages working in the various enterprises owned by the Lombadina Community Corporation.
- Some workers were originally on CDEP which provided supplementary income in the development of community enterprises and in the off season for tourism. Now staff work 30 hours per week but only get paid 27 hours to cater for the lack of income generation from tourism in the off season.
- Have job sharing to ensure people have a job, applies both to the community and to those working at the mines in the Pilbara. For example, some of the workers can exchange their shifts with co-workers if the need to spend time at home to attend funerals. In the community the same happens when there is extra work to be done especially in the tourism season.
- Jobs (agent based at Lombadina) conducts recruitment for Rio Tinto Mine. Helped 15 young men (from Lombadina and Djarindjin) get placed for Rio Tinto Mine and for KRCI.
- Some women (especially those who are single and do not have children) are interested to work in the mines. Currently two are working there.
- Eight men went through on their own accord and fulfilled the requirements e.g. a medical, driver’s licence, literacy and numeracy assessment, police clearance.
- Turnover is high but drop-outs are replaced quickly. Drop out due to personal reasons.
- Rio Tinto takes people from the Dampier Peninsula to help fill the company’s quota for the percentage of Indigenous employees employed at the mine.

### ISSUES (Source: Community Council Chairperson.)

- The ending of CDEP will set the community back especially in the off season.
- Government wants Indigenous people to be mainstreamed and wants people trained to get better jobs but at the same time pay people and companies from outside the area to do road maintenance rather than contract local people, e.g. grading of roads by Centre for Alternative Technology (Derby). Lombadina has the equipment and the people with the skills to do grading.

### OTHER GOVERNMENT SERVICES

- CENTERLINK: At the Job Futures office in Lombadina.
- CHILDCARE SERVICE: None.
- AGED CARE SERVICE: None.
- COMMUNITY LIBRARY / LEARNING CENTRE: None, other than the school.
- POLICE: None, depend on Dampier Peninsula Police Station located at Djarindjin.

### STORE

- MANAGEMENT/STAFFING: Owned by Lombadina Community Corporation. Staff include: one non-Indigenous female and five Indigenous staff (three females and two males).
- SERVICES/SUPPLIES
  - Locally-baked bread.
  - General household goods.
  - 20 per cent discount for locals and community members except frozen meats, junk food, fruit and vegetables.
  - Power cards.
- SUPPLIERS
  Perishables from Broome delivered every Thursday, eggs from Carnot Springs Outstation (an Indigenous enterprise), dry goods from Perth because it is cheaper.
- METHOD OF PURCHASE
  - Cash.
  - Deducted from pay.
  - EFTPOS.
  - Can only pay for tours and accommodation with credit card at the Visitor’s Centre.

### ISSUES

From the management’s perspective

- Wish the price of fruit and vegetables to be lower but this is difficult to sustain when freight costs are so high.
- Shop till can’t add GST automatically. Need to upgrade store and get extra shelving.
From the client’s perspective:
- Cost of delivery is too high so prices in store are too high.
- No condoms for sale.

**OTHER COMMERCIAL SERVICES/ENTERPRISES**

**BANKING SERVICE:** None, EFTPOS at the store.

**PLUMBING SERVICE:** Managed by KRSP located at One Arm Point.

**TRANSPORT SERVICE:** Air charters based in Broome, no bus service.

**GARAGE /WORKSHOP:** Only functioning workshop in the area. Also supplies fuel.

**LOMBADINA ACCOMMODATION:** Cabins, budget and backpacker facilities. Formerly a disused road works camp. Always full with either tourists or visiting government workers. Wishes to upgrade facilities.

**SHAKARI:** Boat tours, fish charters and whale watch charters.

**LOMBADINA TOURS**

**GARR KAYAKING**

**ART AND CRAFT SHOP AND CAFE** *(cafe only occasionally operational).*

**CATERING:** A small family enterprise does the catering to supplement their Eco-Tourism venture. Increasingly getting more tour bus charters from Broome.

**CHILE CREEK ECO-TOURISM**

**BUNDY’S FISH POISONING AND CULTURAL TOURS**

**VISITING SERVICES**

**GOVERNMENT SERVICES**
- DIA
- ICC /IBS
- Kimberley TAFE
- FESA
- Dept of Fisheries
- Kimberley Aged Care Services
- Disability Services
- Kinway

**NGOs**
- Nirrumbuk Employment Services
- Djaringo Training Services
- University of Notre Dame
- Goolari via (PAKAM)
- Job Network
- ITEC
- Sandfly Circus
2.3.14 OUTSTATIONS ON JABIRR JABIRR LAND

There are nine outstations in the area covered by the GJJ Native Title Claim. They are Carnot Springs; Nudungun; Jabirr Jabirr; Ngardabugun; Budgarjook; Morard; Mundud; and Djibbing. They are accessible via unsealed roads. We are informed that these outstations are located on 99-year leases granted by the ALT. They use Beagle Bay for services and supplies, and generally their residents have to meet the housing repair, vehicle maintenance and other costs from their own resources. Jabirr Jabirr is the closest outstation to the LNG Precinct site, followed by Carnot Springs and Nudungun. Jabirr Jabirr is approximately 60km in a direct line and approximately 100km by road from the site. The distance between these outstations and Beagle Bay by road ranges from 10km, (Budgarjook) and 65km, (Jabirr Jabirr), with most between 20 and 45km from the community.

These outstations are predominantly owned by Jabirr Jabirr people. Only three are permanently occupied, while one has an on-site caretaker. The standard of housing and infrastructure of outstations is variable. Houses vary in size, number and state of disrepair from huts to standard size DHWA three-bedroom houses. The houses are owned by the outstations. Each outstation has a bore and a generator while three have a bushlight power system that is a hybrid of generator and solar power. Previously these outstations were serviced by the Mambulanjin resource agency, but now the residents are responsible. Budgarjook is the only outstation that has some community facilities, i.e. a basketball court and a women’s centre.

Due to work commitments and education commitments, the majority of the owners either live in Broome or in Beagle Bay and return to their blocks on the weekends or for school holidays. Budgarjook has the largest number of residents (31 people, 20 adults and 11 children) and this number is expected to increase due to the housing shortage in Broome and the inability of some people currently resident in Broome to meet their rental obligations there. Also some former occupants of Budgarjook outstations who have been living in Broome or Derby are planning to return there if their application for a COAG position at Beagle Bay is successful. Conversely, some former residents left their outstations in search of employment when their CDEP positions at Beagle Bay ceased.

Plates 14 and 15: Wide range of facilities on outstations on Jabirr Jabirr land
CHAPTER 2 Existing Cultural, Economic and Social Conditions for Indigenous People in the Area of Impact

2.4 CONCLUSION

Indigenous people in the Area of Impact have ties to their land and sea country that are strong and enduring, and that find expression in use of the land and sea to sustain themselves and in cultural practices that are ensuring and in some cases resurgent. They are embedded in an extensive range of social relations that are interwoven with their ties to country, but also result in part from strong associations with particular communities and places. These connections to country and social and cultural relations represent an important source of resilience and of capacity to absorb impact, and represent vital resources in seeking to maximise the benefits derived from LNG development.

At the same the Indigenous population in the Area of Impact, and particularly those living in the Dampier Peninsula communities, experience serious social and economic disadvantage. For instance, they have low levels of school attendance, of school completion and of post-school qualifications. Many have low incomes, a situation often associated with long-term unemployment or under-employment. They often live in crowded and sub-standard housing, and experience a high incidence of chronic and debilitating diseases. Their young people experience high levels of substance abuse which are, tragically, associated with very high rates of suicide. These circumstances both make Indigenous people vulnerable to social impacts likely to arise from LNG development, and represent formidable barriers that must be overcome if they are to take advantages of the opportunities it can generate.
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Aboriginal Social Impact Assessment
Jabirr Jabirr Traditional Owners at James Price Point
CHAPTER 3 THE LNG PRECINCT AND INDIGENOUS PEOPLE: SOURCES OF IMPACTS AND OPPORTUNITIES

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This section provides basic information about the proposed LNG Precinct at James Price Point, an essential starting point in considering the Precinct’s potential economic, social and cultural impacts on Indigenous people. Information is provided on the Precinct’s proposed location and size, what would occur there, the project’s construction and operational workforce, and the indicative time frame for project approval and development (DSD 2009a; DSD 2009b; Woodside Petroleum Ltd 2009).

### 3.1.1 LOCATION AND AREA OF THE LNG PRECINCT

Map 3.1 shows the location of the proposed LNG Precinct at James Price Point. It is between 327 and 385km south of the Browse Basin gas fields, and 60km north of Broome. Under the Kimberley LNG Precinct Heads of Agreement (see Chapter 4.3.1) the following areas would be set aside for the LNG Precinct:

- processing plants: 1000 hectares
- infrastructure and facilities: 500-1000 hectares
- land and waters for port: 1000 hectares
- workers’ accommodation, light industrial area etc. 200-500 hectares.

This gives a total area of between 2700 and 3500 hectares (known as the Exclusion Zone), which would be fenced. A similar area of about 3000 hectares around this fenced area would be set aside as a ‘Statutory Buffer Zone’ (Non-Exclusion Zone), for safety and other reasons. It is not yet certain to what extent Traditional Owners would still be able to use this Non-Exclusion Zone. They would not be allowed to build houses on it, for example, but would be able to hunt and fish on it (DSD 2010b). The details of their access to it, and the basis of their access to the Exclusion Zone, will presumably be finalised through ILUA or other agreements with the State, Woodside and other future proponents.

The area set aside for the LNG Precinct is much larger than the original requirement (1000 – 1500 hectares) mentioned by State officials to the KLC and TOTF in 2008. It is also much bigger than the amount of land used for other existing or planned gas processing sites in Australia, for example about 200 hectares for Woodside’s Pluto LNG project in the Pilbara, and 350 hectares for a planned LNG project at Curtis Island near Gladstone in Queensland. The State apparently wishes to set aside enough land now to leave space for the highest possible level of gas processing that might possibly occur over the next 50 years. This implies that a substantial part of the land set aside may not actually be used for industrial development in the next 20 or 30 years, and some of it may never be used for development.
3.1.2 INDUSTRIAL ACTIVITY, FACILITIES AND INFRASTRUCTURE

The LNG Precinct would treat natural gas piped ashore from the Browse Basin, in gas processing plants referred to as ‘trains’. Gas would be processed from a number of different fields, instead of each gas field having its own processing plant in different places along the Kimberley coast or elsewhere. The gas trains would make three different products. The most important is LNG, which is produced by reducing gas to a very low temperature so that it turns into a liquid. It would be piped out along a jetty to specially constructed ships that maintain its very low temperature and so its liquid state, and shipped to overseas markets, mainly in Asian countries such as China, Japan and South Korea. Once the ships reach their destination, the LNG is offloaded, turned into gas again and used to provide power and fuel to industry and cities. Another type of gas, liquefied petroleum gas (LPG) would be sold in Australia. The third product, a type of oil called condensate, would either be shipped to other parts of Australia or exported overseas.

The State is hoping, and planning, to have a very large natural gas processing facility at James Price Point. Its intention is initially to have two or three trains with the ability to produce between eight and 15 million tonnes per annum (mtpa) of LNG. This compares, for example, with initial capacity of 3.5mtpa for the Darwin LNG plant completed in 2006; 4.1mtpa for a plant completed in Norway in 2007; and 4.3mtpa for the Pluto Project. The State hopes that eventually the LNG Precinct could have as many as 14 trains, producing 50mtpa of LNG.

A consortium led by Woodside would be the first proponent to undertake gas processing at James Price Point. Woodside’s parent company, Woodside Petroleum Ltd, is based in Perth, but is mostly owned by large oil companies, of which Shell is the biggest shareholder. In 2008 the value of Woodside’s oil and gas sales was $5990 million, and its post-tax profit was $1786 million.
Its partners in its Browse basin project are BHP Billiton, BP, Chevron and Shell. Woodside currently owns 50 per cent of the project, with its partners each owning 12.5 per cent. Current reserves in the consortium’s Browse Basin gas fields (Torosa, Brecknock, and Calliance) are estimated at 14 trillion cubic feet (TCF) of gas and 370 million barrels of condensate.

As well as the gas processing trains, the LNG precinct would include:

- Large storage tanks to hold LNG, LPG, and condensate until these products are shipped from the LNG Precinct.
- Jetties, berths and channels for the use of ships coming to and from the LNG Precinct, and for piping the LNG and condensate from storage tanks to ships. There would be about 200 – 300 ships per year coming to the Precinct, assuming an annual capacity of 10mtpa of LNG.
- Pipelines to bring the gas ashore, and also possibly to pipe carbon dioxide (CO2) removed in processing natural gas, back out to sea to be disposed of under the seabed.
- Offices and administration buildings.
- Support services (for example power generation, CO2 removal, treatment of wastes).
- Workforce accommodation for construction and operations.
- Roads.
- A light industrial area for businesses that service the LNG Precinct (for example, repairing or maintaining equipment and vehicles, building maintenance, cleaning).

Other activities that would be undertaken as a result of the LNG Precinct, but would not be located at James Price Point, include construction of additional houses for workers living in Broome; and expansion of government services (education, health, police, customs and quarantine), of commercial services (such as shops and leisure facilities) and of transport infrastructure (airport, roads) required by a growing population and increasing economic activity.

3.1.3 THE LNG PRECINCT WORKFORCE

The State estimates that a workforce of between 2500 and 3500, working for three to four years, will be required to construct the first phase of the LNG Precinct, with the number depending on the size of this phase and the approach taken to building it. For example, while the Darwin LNG plant had a peak workforce of only 1200, the initial phase of Woodside’s Pluto project, which is similar in scale, had a peak construction workforce of about 3000. A substantial amount of the components for the LNG trains are constructed overseas. For instance, the LNG train for Pluto was built in Thailand and shipped to site in 264 modules and supporting structures.

The construction workforce would build up steadily over two years, be at a peak for about a further 18 months, then fall quite sharply as the construction phase of the project is completed. However because of the phased...
The types of occupation available during construction include labourers, plant operators, steel fixers, concrete finishers, electricians, welders, boilermakers, riggers, pipe fixers, carpenters, engineers, safety officers, maintenance technicians, chefs/cooks, kitchen hands, room cleaners, and security staff. While some of these jobs do not require a high level of skills or qualifications, many of them do, including a significant number that require skilled trades (e.g. electricians, welders).

As mentioned above the number of workers needed to operate the LNG Precinct is much smaller. The State estimates that the operational workforce will initially be 300 on-site employees and 160 contractors. Examples of positions that would be available in the operations phase include:

- process operators
- electrical technicians
- instrument technicians
- mechanical technicians
- engineers (electrical, chemical, etc)
- information technology specialists
- human relations and corporate affairs
- environmental scientists
- laboratory technicians.

Most of these positions will require a university degree, as well as additional on-the-job experience and training in many cases.

Substantial indirect employment will also be generated by the LNG Precinct development in industries providing goods and services required for construction and operation and in government and commercial entities servicing the additional population attracted into the region. For instance, Woodside estimates that one indirect job was created by the Pluto LNG project for each job created directly on the project.

It is not yet clear what housing and accommodation configuration will apply to the construction and operational workforces, and in particular what proportion of them will live on site and what proportion will reside in Broome or other communities in the region. A report prepared for the DSD attempts to model the number of employees resident in Broome given a number of different development scenarios, and given different nature of the project development, with additional trains being added on a regular basis, the workforce would again start building up after a number of years. Woodside provided the ASIA with estimates of likely employment numbers given different 'cases', which refer to different scenarios in terms of the size and expansion rate of a Kimberley LNG Precinct, over a period of 30 years, with the final investment decision (FID) occurring in Year One. Case 1 is a ‘no development’ option where an LNG Precinct is not established in the Kimberley. Case 2 involves development of capacity of up to 15mtpa of LNG developed over 15 years; Case 3A – 25mtpa developed over 25 years; Case 3B – 35mtpa over 25 years; and Case 4 – 50mtpa over 30 years. There is relatively little variation in operational employment for Cases 2 and 3A, with the most likely employment figures at 320 for Case 2 (with four trains) and 361 for Case 3A. Case 3B, which would involve development of a separate processing area by a second proponent, would generate operational employment of about 640, and Case 4 operational employment of 722.

The peak construction workforce (offshore and onshore combined) at any one time would vary between about 3500 for Case 2 and 8500 for Case 4. A critical difference between the cases in terms of construction employment is the number and frequency with which such peaks are reached. In Case 2, there are only two construction peaks, associated with the building of trains 1-3 and of train 4 (3500 – 5000 in Year Four, 3000 – 5000 in Year 11). With Case 3A, there are an additional two peaks of 3200-4800 and 3800 – 5200 in Years 18 and 24 respectively. For Case 3B, there are five peaks, with the second (in Year 11) significantly higher than for Case 3A, at between 5000 and 7000. For Case 4 there are 7 peaks, with the highest at between 6000 and 8500 in Year 12, and with a substantial construction workforce on site for the whole period from Year 10 – Year 22.

While these figures are of course estimates based on a range of assumptions, they do highlight the fact that under every scenario there is more than one peak in employment associated with construction activity, and except for Case 2 there are multiple peaks and extended periods of time when there is a large construction workforce on site. This point is graphically illustrated by the histograms provided by Woodside (see Figure 3.1 on page 122). It has major ramifications for the nature of the economic, social and cultural impacts likely to be associated with the LNG Precinct.
Figure 3.1 Employment Histograms for Various Development ‘Cases’

Source: Data provided by Woodside
assumptions regarding LNG Precinct development scenarios and regarding population employment parameters (for instance, how many employees would be existing residents of Broome). This yields, for instance, a ‘best estimate’ of about 180 new direct employees, and about 450 new direct and indirect employees, resident in Broome at the peak of the first construction phase in about 2014. Equivalent estimates for the peak of the next construction phase, in about 2021, are between 450 and 750 new direct employees and between 1100 and 1900 new direct and indirect employees resident in Broome, depending on the LNG Precinct scenario development that eventuates (Fenton 2009, Table 5, p.10; Table 6, p.13).

3.1.4 TIME FRAME FOR THE DEVELOPMENT

The time frame for development is not yet clear. Indeed it is not yet certain that Woodside and its partners will go ahead and process gas at James Price Point. They announced on 9 February 2010 that they had made their ‘concept selection’ or ‘Theme Select’, deciding to proceed with James Price Point as the potential location for processing gas from the Browse Basin and excluding the other option still under consideration, which was to pipe it to the Pilbara for processing. They will now undertake detailed engineering, environmental, and financial studies, before making a FID to build an LNG plant or not. They might conceivably decide, in the light of these studies, that gas prices are not high enough to make it worthwhile to develop Browse Basin at the moment.

The State has indicated that regardless of Woodside and its partners’ decision, the State wishes to proceed with development of an LNG Precinct site so that it is in place for other potential proponents to use and/or for Woodside to use at a later date.

The FID is expected in mid-2012. This gives an indicative time frame for development of the LNG precinct, if it does proceed, as follows:

- Theme Select: February 2010
- FID: mid-2012
- site preparation: 2012/13
- construction: 2013 – 2017/19
- first production: 2018/20
- decommissioning: 2058+

It is expected that the LNG precinct would operate for at least 30 years, and possibly longer. This means that it might finish operating somewhere about 2055. After that a number of years would be needed for decommissioning, to close down all of the operations, rehabilitate and remediate the James Price Point site.
3.2 IMPACTS OF LARGE-SCALE RESOURCE DEVELOPMENT ON INDIGENOUS PEOPLES

3.2.1 THE AUSTRALIAN AND INTERNATIONAL EXPERIENCE

There is now a very large literature that documents the impacts of large-scale resources development on Indigenous peoples in Australia and internationally. This literature consists of:

- Published books and articles in scholarly and professional journals. An early but comprehensive review of this material is provided by O’Faircheallaigh (1991), while more recent studies covering a range of Indigenous contexts and types of resource development include Banks & Ballard 1997; Bielawski 2003; Blaser, Feit & McRae 2004; Evans, Goodman & Lansbery 2002; Gibson 2006; Hipwell et al 2002; Howitt 2001; Langton et al 2004; Macdonald & Rowland 2002; Martin & Hoffman 2008; O’Faircheallaigh 2002, 2006; O’Faircheallaigh & Ali 2008; Rumsey & Weiner 2004; Zillman, Lucas & Pring 2002.

- A large body of ‘grey’ literature, consisting of consultancy or research reports commissioned by mining companies, Indigenous organisations, government agencies and NGOs and the findings of environmental inquiries and panels (see for example Archibald & Crnkovich 1999; Cree Nation of Mistissini et al 2008; Holden & O’Faircheallaigh 1995; Howitt, Jackson & Bryson 1998; Joint Panel Review for the Mackenzie Gas Project 2009; Joyce & MacFarlane 2001; New Economy Development Group Inc 1993; O’Faircheallaigh & Langton 2008; Public Policy Forum 2005; Rio Tinto 2008; Supervising Scientist 1997; Voisey’s Bay Mine and Mill Environmental Assessment Panel 1999; Weitzner 2006). Much of this work is unpublished and it can be subject to confidentiality restrictions.

An extensive review of both types of literature was conducted as part of the ASIA. The literature demonstrates unequivocally that:

- The impacts of large-scale resource development on Indigenous people have often, though not always, been severely negative.

- Impacts have been more positive, or at least less negative, in cases where appropriate public policies and Indigenous–developer agreements have been in place.

- Indigenous influence or control over resource development activity is critical if positive outcomes for Indigenous people are to be achieved.

Even where appropriate policies and Indigenous–developer agreements are in place, major obstacles arise in ensuring that large-scale resource development actually generates positive changes in the lives of affected Indigenous people. One key problem is non-implementation of agreements negotiated between resource developments and affected Indigenous groups (see Chapter 4.2 for a detailed discussion).

The literature contains considerable and detailed information on the sources and nature of Indigenous impacts associated with large-scale resource development, information that reflects a wide range of
experiences over an extended period of time and is underpinned by extensive research. It is critical that this information be utilised in assessing the Indigenous impacts likely to result from the proposed Kimberley LNG Precinct, and the development of management responses to these potential impacts (see Chapters 3 and 4).

### 3.2.1.1 Economic impacts

#### LOSS OF ECONOMIC RESOURCES: Indigenous people can suffer loss of economic resources because development can:

- result in destruction of, or loss of Indigenous access to, land or water used in Indigenous economic production
- adversely affect wildlife and other resources that are important for Indigenous subsistence.

The second effect can occur because development causes pollution of wildlife habitats or changes wildlife behaviour, or because project workers or other outsiders drawn into an area by development compete with Indigenous residents for wildlife resources. The latter effect is often associated with project infrastructure rather than resource extraction or resource processing itself. In particular, road or track construction can result in a rapid rise in activity by non-Indigenous hunters and fishers. This was the case at Comalco’s bauxite project in Western Cape York during the 1990s, for instance, where disused exploration tracks distant from the mine itself allowed outsiders easy access to important Indigenous fishing grounds.

#### CREATION OF ADDITIONAL ECONOMIC RESOURCES: Large-scale resource development can create additional economic resources for Indigenous people and communities through provision of employment on projects or in industries that provide goods and services to projects; by providing opportunities to establish or expand Indigenous businesses; or by making financial (royalty-type) payments to Indigenous individuals or groups.

Some resource projects in Australia, Canada and the United States have generated significant employment for Indigenous people. However in many cases employment outcomes have been disappointing as acknowledged recently, for instance, by Woodside’s CEO, Don Voelte (ABC 2009). A recent review of Indigenous employment in the Australian mining industry, while acknowledging some successes, concluded that ‘Indigenous employment levels in the Australian mining industry have increased only modestly during the past four decades, from a very low base’ (Baker 2008, p.144). This situation reflects the existence of significant barriers to recruitment, retention and promotion of Indigenous workers, including:

- lack of the skills and work experience required to compete on the open job market or to achieve advancement to more senior positions, and an absence or scarcity of affordable opportunities to upgrade existing skills
- racism towards and stereotyping of Indigenous people by senior company managers, supervisors and co-workers
- a tendency for managers to prioritise the demands of production and cost containment over Indigenous employment and training in allocating financial and other resources, including their own time
- lack of awareness of employment and training opportunities among potential Indigenous recruits
- alienation and loneliness arising from the unfamiliarity of industrial environments and distance from home communities, leading to a failure to complete training and education programs, and to irregular work patterns and high turnover
- the reluctance of Indigenous people to forgo land-based activities such as hunting and fishing that may conflict with regular wage employment
- absence of suitable accommodation for Indigenous trainees and employees
- a failure to specifically address the needs and priorities of Indigenous women employees and potential recruits.

The literature highlights the fact that these obstacles can only be overcome through concerted and sustained action by resource developers, Indigenous communities, and government agencies with portfolio responsibilities in education, training and employment. We return to this point in Chapter 4.

There have also been some successes in the development of Indigenous businesses associated with resource development, with the Diavik diamond mine in
PRICE IMPACTS: A final economic impact can result from the effects of resource development on the prices paid by Indigenous people for critical items such as food, clothing, fuel and housing. Most obviously, the additional demand created by resource development activity and by the population growth associated with it can place major upward pressure on prices. On the other hand, improved transport infrastructure often associated with resource development can reduce the costs of imported goods and reduce the cost of accessing services located outside the affected area or region.

The literature contains little empirical information on the way in which resource development affects costs of living for affected Indigenous peoples. However it is clear that its impact on prices can be very substantial, as indicated by the massive increases in housing costs resulting from the recent resource booms in regions that have large Indigenous populations such as the Pilbara in Western Australia and Fort McMurray in Alberta (Canada) (DSD 2009a, pp.126-127).

It is essential to ensure adequate baseline data and ongoing price monitoring for Broome and the Dampier Peninsula if the Kimberley LNG Precinct proceeds, a point we return to later in the Report.

3.2.1.2 Social and cultural impacts

The literature review indicates that large resource development projects can have severe and adverse social and cultural impacts on Indigenous people. Some key impact factors are discussed below.

LOSS OF LAND: Loss of land or sea country can cause serious and long-term social tension and even violence. The impact of payments can also be quite different depending on whether or not they are distributed equitably in terms of the way in which project impacts are felt by different Indigenous individuals or groups, and/or in terms of Indigenous laws and norms regarding ownership of and attachment to land or water affected by resource development. Perceptions in an Indigenous community that payments are not distributed equitably can cause serious and long-term social tension and even violence. The impact of payments can also be quite different depending on whether they are expended as cash payments to individuals or families; used to fund community infrastructure or services; used to provide capital for Indigenous enterprises; or invested in capital funds to generate an independent income base over the longer term. To highlight the range of outcomes that are possible, payments distributed inequitably and entirely to individuals who use them to fund consumer goods, including alcohol, can have overwhelmingly negative economic, social and cultural impacts. Payments distributed equitably and utilised to pursue a balance of individual and community priorities over both the short-term and long-term can have strongly positive impacts.

Canada’s Northwest Territories, for instance, spending in excess of C$1 billion with Indigenous businesses during the six years after its construction started in 2000. However in this area also success has been limited, and there have been some major failures of Indigenous enterprises established as a result of resource projects (O’Faircheallaigh 2002). Here also significant obstacles must be overcome if economic opportunities are to be exploited by Indigenous groups, including:

- the high transaction costs that can be involved in standard tendering and contracting arrangements
- scarcity of capital for business investment
- lack of relevant skills
- the difficulty of competing with large, well-established, non-Indigenous businesses.

The literature indicates that impacts resulting from financial payments made from resource projects to Indigenous communities or individuals have been highly variable. This is because the nature of impacts reflects the way in which payments are distributed; the manner in which they are expended; and the quantum of resources involved, which both in Australia and Canada, for example, can vary from only a few thousand dollars to millions of dollars per annum. The impact of payments is very different, for instance, depending on whether or not they are distributed equitably in terms of the way in which project impacts are felt by different Indigenous individuals or groups, and/or in terms of Indigenous laws and norms regarding ownership of and attachment to land or water affected by resource development. Perceptions in an Indigenous community that payments are not distributed equitably can cause serious and long-term social tension and even violence. The impact of payments can also be quite different depending on whether they are expended as cash payments to individuals or families; used to fund community infrastructure or services; used to provide capital for Indigenous enterprises; or invested in capital funds to generate an independent income base over the longer term. To highlight the range of outcomes that are possible, payments distributed inequitably and entirely to individuals who use them to fund consumer goods, including alcohol, can have overwhelmingly negative economic, social and cultural impacts. Payments distributed equitably and utilised to pursue a balance of individual and community priorities over both the short-term and long-term can have strongly positive impacts.
and anxiety, making people feel uncomfortable and out of place in what is, or should be, their home.

A large influx of outsiders can also cause a number of more specific problems. The higher incomes they enjoy can cause envy and resentment, particularly if local Indigenous people do not share in the benefits of development. Sexual exploitation of local women also causes problems in some cases. In addition, outsiders may use their superior education and knowledge to gain control of community institutions.

Given this background, it is not surprising that Indigenous people often see an uncontrolled influx of outsiders as one of the most damaging effects of mineral development.

**INCOME DISTRIBUTION AND INEQUALITY:**
Numerous examples are documented in the literature of situations in which the influx of additional economic opportunities and incomes generated by resource development can create significant inequalities within Indigenous societies, or sharpen existing inequalities. This in turn can generate serious social tensions. Such outcomes are not inevitable, and indeed certain ways of using revenue from resource projects, for instance,
in the provision of health services or education scholarships that benefit poorer families, can serve to reduce inequality. However, avoidance of growing inequality requires careful management by developers in providing equitable access to employment and other opportunities, and appropriate policy approaches and effective implementation capacity on the part of Indigenous organisations that manage payments from resource projects.

**IMPACT ON SOCIAL STRUCTURES:** Large-scale resource development can, especially where it continues over extended periods of time, have significant impacts on the social structures of Indigenous groups and communities. For instance, availability of cash income can reduce the economic importance of access to land, and so the authority of elders who control that access. Absence of parents due to wage employment, especially where projects operate on a fly-in fly-out (FIFO) basis, can also undermine traditional authority patterns. The desire to share in the economic benefits of resource development can result in attempts to redefine interests in land and so to reconstitute social formations that are land-based or land-related. For instance, numerous social conflicts have arisen in Australia and Canada as a result of assertion by individual Indigenous people or groups of interests in land that is being used, or is expected to be used, for resource development. In some cases, for example in the Pilbara region, resource developers have specifically encouraged the formation of native title claim groups on a basis that has little foundation in traditional law and custom, in order to facilitate native title approval of mining projects, where the land requirements encompass portions of the traditional territories of multiple groups. This has in turn created major social tensions and organisational problems over the longer term.

**INTERNAL DIFFERENCES REGARDING DESIRABILITY OF RESOURCE DEVELOPMENT:** As in non-Indigenous communities, significant differences can arise among Indigenous people regarding the desirability of large-scale resource development. In both Australia and Canada, for example, proposed mining, oil, gas, and pipeline facilities have divided communities (Holden and O’Faircheallaigh 1995, Canadian Broadcasting Commission 2009). Such divisions can create social tensions, reduce community cohesion, and undermine community capacity to manage impacts if resource development does occur.

**LOSS OF CONTROL:** A less tangible but significant impact sometimes associated with resource development derives from a sense that Indigenous people have no control over what occurs on their land. This is often expressed as a belief that development will proceed regardless of whether or not it is desired by Indigenous landowners, reflecting perceptions regarding the overwhelming power of commercial interests and of the governments that support them.

**LOSS OF SELF-ESTEEM:** The cumulative effect of loss of land or access to land, of the influx of outsiders, and of a lack of control over what occurs on their traditional lands, can be a serious loss of self-esteem at the individual and community level. Indeed a number of analysts regard loss of Indigenous self-esteem as one of the most pervasive and debilitating effects of large-scale resource development over the longer term, resulting from messages Indigenous people constantly receive about their inferiority and their inability to control their own lives, and the sense of being caught up in developments whose values are totally different to their own.

**POSITIVE SOCIAL AND CULTURAL IMPACTS:** In some cases Indigenous people do have a substantial degree of control over their traditional lands, and a capacity to deal with large-scale resource development from at least a degree of parity with the powerful political forces typically arrayed in support of it. Where this is the case, resource development can help build self-esteem and reinforce belief in the validity of Indigenous cultural and social forms. Positive social impacts can also result where resource development is accompanied by expansion or enhancement of social services such as education, health and housing. The additional incomes generated by resource development can also generate positive social and cultural effects. Indigenous access to well-paid jobs can add to individual self-esteem, and to the regard with which employed individuals are held by family and other community members. Wage income can also support maintenance or reinvigoration of traditional hunting and fishing and of cultural activity, as for instance when wages are used to pay for boats, snowmobiles, fuel or hunting equipment, or to help defray the costs of ceremonial activity. Employment rosters that include substantial blocks of leave, for instance FIFO systems based on two weeks at work followed by two weeks leave, can facilitate use of wage income in these ways.
3.2.2 RESOURCE DEVELOPMENT: THE KIMBERLEY EXPERIENCE

Since the arrival of Europeans, Indigenous people of the Kimberley region have experienced a set of cumulative impacts that helped shape their understanding of and responses to contemporary industrial development. It is essential to have a sense of this historical context in seeking to understand the potential impacts of gas development, including establishment of an LNG Precinct. The next section very briefly highlights some key aspects of contact history in the Kimberley. The following section examines a number of large projects that have occurred since World War II and that have had a major impact on Kimberley Indigenous people’s understanding of large-scale resource development. Both sections draw substantially on the KLC’s 2008 Report, Hydrocarbon Processing in the Kimberley Region: Laying the Foundations for an Aboriginal Social Impact Assessment. This is followed by a brief discussion of more recent (and more positive) engagements between Kimberley Traditional Owners, the KLC and resource developers.

3.2.2.1 The historical context: intruders into the Kimberley

No attempt is made here to provide detailed analysis on the myriad impacts associated with the early ‘settlement’ of the Kimberley, a period often referred to as ‘the killing times’ by Indigenous people. It is sufficient to say that the impact was severe. Although the Kimberley contact context varied somewhat, with different Indigenous groups being subject to more or less violent and dispossessing forms of European incursions into their traditional lands, none escaped the presence of non-Indigenous missionaries, pastoralists, pearlers, miners, police or indeed researchers. In general terms the conflict between Indigenous people and the pastoral intruders was violent and aimed at the pacification of local Indigenous people and taking of country for cattle. Pearlers were also active in taking Indigenous men and women away from their traditional country and forcing them to work as virtual slaves as divers for pearl shell – an often fatal activity (KLC 2008, p.33).

Conflicts and assaults by Indigenous people on the European intruders generated containment and protective
measures on the part of the government of the day including legislative regulations and efforts to physically contain Indigenous people (Rowley 1974, pp.187-202, pp.252-254). Imprisonment, removing them from their country, removing children from their families and establishing reserves and missions formed the basis of these containment and incorporative actions. Sullivan (1989) concludes that the early history of this region was characterised by complex and uneven conflict and uncertainty between local Indigenous people and the white settlers who attempted to contain and control them. However, as he continues:

It is clear, then, that the colonisation of the Kimberley was not a simple process of conquest. Rather it was reciprocal aggression and counter-aggression from the time of initial contact until well after apparent incorporation (Sullivan 1989, p.96).

The first Kimberley mission was established at Beagle Bay on the Dampier Peninsula in 1885, and in subsequent years further missions were established at Forrest River, Kalumburu, Mowanjum, Sunday Island, Balgo and Lombadina. All of these mission stations were on the fringes of Kimberley pastoral areas and were to have an impact on the traditional communities whose land they occupied. The presence of missions may have saved lives but they did not necessarily save communities or societies of people, their beliefs and their quality of life (see for instance Haebich 2000, McCoy 2008).

In many instances, Kimberley Indigenous people were no longer able to feed themselves with local indigenous foods because of the impact of cattle and the punitive actions of the pastoralists and pearlers. Indigenous people living on the coast were somewhat less affected.
by these events and were able to continue to access their traditional marine foods. In 1908 James Isdell, an Inspector from the Aborigines Department, wrote that prior to the arrival of pastoralists the Kimberley had been ‘a paradise for natives, and all varieties of meat could be sought, with very little labour’, and that ‘Indigenous vegetation supplied essential food and medicinal plants to ensure the good health of the Aborigines’. He suggested that it was actions taken by the government and the introduction of cattle into the Kimberley that brought about the loss of natural abundance of the area and lead to the desperate actions by Indigenous people to secure food (KLC 2008, p.34).

In 1910 the first government reserve was established in the East Kimberley at Moola Bulla and the Marndoc Reserve was established in 1911, and another ration feeding station operated at Violet Valley from 1912 to 1943/44. The pacification and control of Indigenous movement patterns was to be achieved by feeding Indigenous people and providing land for them to grow their food including cattle for beef; by containing them and thus preventing them from entering and disturbing the pastoral regions; by providing education and training for them; and by housing the increasing number of ‘half-caste Aborigines’ (KLC 2008, p.35).

In essence, the government and the pastoralists were mostly concerned to reduce the levels of cattle killing and other forms of conflict in the Kimberley and to devise strategies to integrate Indigenous people into an unpaid, closely regulated pastoral labour force and reduce the levels of conflict and violence in the north. In coastal regions pastoralists were also often engaged in pearling and other marine activities and Indigenous people were engaged in multiple forms of employment (KLC 2008, p.36).

There are Indigenous people alive today who witnessed atrocities by the early intruders towards themselves and their families, and who suffered from the destruction of their essential food supplies, removal from their traditional country and loss of connection to kin. The impact of these events and the associated intergenerational trauma cannot be underestimated. More recent research and commentary is providing valuable insight and examining links between these experiences and associated trauma and the high levels of intra-community and individual suffering that dominates the lives of many Indigenous communities and people, including those in the Kimberley, today (see for instance Langton 2008, McCoy 2008).

3.2.2.2 Resource development post-1945

In terms of more contemporary tensions and conflict arising from large-scale resource development, the most iconic examples come from events of the late 1970s and in particular what is commonly called ‘the Noonkanbah dispute’ (Hawke and Gallaher 1989), and the making of the Good Neighbour Agreement in 1980 that enabled the development of the Argyle diamond mine (Dixon & Dillon 1990, Doohan 2008). These two examples remind Kimberley Indigenous people of the determination and lengths to which corporate and government entities will go to secure country and resources.

NOONKANBAH: Noonkanbah was a formative event for Kimberley Indigenous people and a test of the (newly formed) Kimberley Land Council as a grass roots Indigenous organisation. The experiences of Noonkanbah demonstrated to Indigenous people a number of salient lessons and have become an exemplar of:

- The power of governments (and relative powerlessness of individual Indigenous people and communities)
- The power of Indigenous people standing as ‘one mob’ in the face of governments and corporate bullying
- The importance of the Kimberley Land Council as a representative body for Indigenous people in the Kimberley.

Noonkanbah occurred at a time when the Liberal State Government of Sir Charles Court was overtly pro-development and anti-Indigenous rights (Harman & Head 1981). It led to a period of even more intense conflict regarding Indigenous land rights, resource development and the protection of Indigenous heritage sites. The conflict began when local Indigenous people opposed the proposed drilling programme by the oil exploration company AMAX at ‘Pea Hill’, (Umpampurra), a place of enormous spiritual significance to them located on Noonkanbah Station. The dispute elicited a violent response from the State, which couched it in terms of Indigenous people impeding regional resource development and thus blocking economic progress for the State and the Nation.

The dispute escalated to physical confrontation between the State, (in the form of police officers), AMAX, and Kimberley Indigenous people. Indigenous people
from throughout the Kimberley travelled to Noonkanbah to join a protest camp and blockade aimed at preventing AMAX from conducting its exploration activities. The Noonkanbah protesters had the support of the Trades and Labor Council (WA) and associated unions who imposed work bans on the movement of exploration-related equipment. The State Government's intervention included a police escort for the convoy of drilling equipment to the site to enable the exploration to commence. Pea Hill was drilled against Indigenous people’s wishes but no oil was found.

At Noonkanbah Indigenous people came to experience the State’s power in supporting resource development activities against Indigenous peoples’ efforts to protect their sacred sites and to have their say respected. Many Indigenous people have drawn parallels between the events of Noonkanbah and the current State’s threat of compulsory acquisition to facilitate establishment of the Kimberley LNG Precinct (KLC 2008, pp.39-40).

**ARGYLE AND THE ‘GOOD NEIGHBOUR’ AGREEMENT:**
The discovery of diamonds in Barramundi Gap by CRA Exploration (CRAE) occurred late in 1979. The diamond-bearing lamproite pipe that was to become the Argyle diamond mine occurs in a place that is of significance to the local Indigenous people and especially to Indigenous women. It is one of the numerous resting places of the female Barramundi creative Dreaming being, and is the place where some Dreamtime Women attempted to capture her with a spinifex fishing trap.

Local Indigenous people challenged the proposed mine and called on various sympathetic groups, including non-Indigenous local community workers and members of the KLC to support their efforts. Following a series of negotiations, legal challenges and political lobbying, an agreement was signed between two representatives of CRA (CRAE’s parent company) and five Indigenous people in July 1980. This became known as the Good Neighbour Agreement. For CRA the agreement was not about land rights, or compensation, or a mining royalty or royalty equivalent for local Indigenous people but a gesture of ‘everyday courtesy’ and ‘good neighbourliness’ (Doohan 2007, Chapter 8). The agreement provided for limited benefits to flow to some local Indigenous people in exchange for the withdrawal of opposition to the mine. However, not all of those Indigenous people with connections to, and rights and interests in the Argyle mining lease area were included in the Agreement, nor did they all enjoy the benefits that flowed from it. This became a major source of discontent among relevant Indigenous people for many years to come (Dixon & Dillon 1990; Doohan 2008).

Argyle Diamond Mines (ADM), which developed the Argyle mine, was expecting conditions for the local Indigenous people and their communities to improve as a result of the Good Neighbour Agreement. For example, it was anticipated by the company that local Indigenous people would take up employment and training opportunities at the mine and that the local communities of Mandangala, Warmun and Woolah would benefit in terms of community infrastructure and economic enterprise development opportunities from the injection of capital funds that was part of the Agreement (Doohan 2008). However, these benefits did not eventuate in any significant or sustainable form.

Neither did the Good Neighbour Agreement meet the expectations of affected Indigenous people, and was always considered a ‘miserable’ economic package in the face of the wealth of the mine and compared to what other Indigenous people were able to negotiate in the Northern Territory under the Aboriginal Land Rights (Northern Territory) Act 1976 (Dixon & Dillon 1990). As a result, Indigenous people openly challenged the Agreement from time to time, and although all parties essentially maintained their formal undertakings it did not prevent the constant informal re-negotiation of the original Agreement, something that was not anticipated by the company. Indeed during virtually the whole of the 25 years after the Good Neighbour Agreement was signed the Traditional Owners of the Argyle mine lease area were, with varying degrees of intensity and success, attempting to create a better, more appropriate and viable agreement between themselves and Argyle (see Doohan 2007 for a detailed discussion).

Theses efforts found their most recent expression in the negotiation of the Argyle Participation Agreement over the period 2001 – 2004. Like other agreements negotiated in recent years by Kimberley Traditional Owners and the KLC (see below), this includes extensive measures designed to ensure that Indigenous people share substantially in the economic benefits generated by mining, and allows Traditional Owners a major say in the way in which mining occurs, through their management of cultural heritage and their participation in environmental management (Argyle Diamonds Ltd et al 2004).
Miriuwung and Gajerrong people had been surveyed. In 1941 potential dam sites were identified. In 1945 pastoral land was resumed to establish a research station to conduct feasibility trials for a number of horticultural crops and to undertake research on soils and hydrology. At none of these times were Indigenous people consulted and nor was the impact on their lives or their country considered. Rather, there was a concern to populate and develop the northern regions in the wake of World War Two (WWII) (KLC 2008, p.43).

The horticultural project began in earnest with the damming of the lower Ord and the creation of Lake Kununurra in 1960 and the establishment of the Kununurra town site in 1961. In 1972 the flooding of land to form Lake Argyle was completed. The project commenced without any discussion with or any provision of information to local Indigenous people. According to the Commonwealth and Western Australia Government Review Committee’s findings in 1978, 250 Indigenous people were displaced from land resumed for the ORIA, with more dislocations with the inundation of Lake Argyle. The Committee found that ‘The Aboriginal community living in the ORIA is experiencing acute social problems – some of which can be identified specifically with the development of the Ord project’.

Regional impacts from the operations of Argyle experienced by Kimberley Indigenous people have not been adequately documented. For example, the local employment strategy implemented by Argyle has allowed people living in Broome to gain employment at the mine, which in turn is seen as having an impact on Broome and surrounding areas. Some Indigenous people resident in Broome believe that the increasing numbers of well-paid FIFO workers in Broome leads to further pressure on rental housing, marine food resources and community services.

ORD RIVER IRRIGATION AREA (1 AND 2): Although less prominent in the political arena and public consciousness than Noonkanbah and Argyle, the development of the Ord River Irrigation Area (ORIA) project in the East Kimberley more than 40 years earlier had a profound impact on the Indigenous people living in the Kununurra region and on their traditional country. The horticultural project was conceived in the early 1920s and by 1926 areas of traditional land of the Kija, Miriuwung and Gajerrong people had been surveyed. In 1941 potential dam sites were identified. In 1945 pastoral land was resumed to establish a research station to conduct feasibility trials for a number of horticultural crops and to undertake research on soils and hydrology. At none of these times were Indigenous people consulted and nor was the impact on their lives or their country considered. Rather, there was a concern to populate and develop the northern regions in the wake of World War Two (WWII) (KLC 2008, p.43).

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Indigenous Traditional Owners affected by the ORIA were offered no compensation for their loss of country, access to resources and traditional livelihood, or for loss of their sacred sites. Indigenous people were reluctant to disclose information about sacred materials, including their locations, and were unaware of, or
could not conceive of the fact that the flooding would cover their sacred storehouses. Much of their sacred material was lost. No social impact research was undertaken in relation to the ORIA project and building of the dam despite a recommendation from the ORIA review committee to further examine the conditions of the Indigenous people in and around the ORIA project (KLC 2008, p.44).

In the mid-1980s Dillon speculated that the Ord River scheme had had a significantly greater impact on the lives of Indigenous people of the East Kimberley than would the Argyle mine (Dillon 1990, p.143). Most recently, in the context of negotiations for the development of Ord Stage 2, Kahn, working for the KLC, prepared a report addressing the social and economic impacts of the ORIA (KLC 2004). Undertaking this research was a precondition imposed by the Miriuwung Gajerrong Traditional Owners for entering negotiations, in an effort to identify, acknowledge and alleviate some of the impacts from the earlier development and in preparation for further horticultural developments in the region.

Kahn identifies themes and recommendations from previous reviews and reports, of which at least 23 have been conducted since 1978 (KLC 2004, p.16). She found that there has been a high degree of consistency in the findings and recommendations of these reports and that they have been largely ignored over the years. This lack of attention to the findings of successive reports and the constant failure to implement their recommendations has led to a situation where Indigenous people continue to face serious dislocation and disadvantage in the face of continuing development (KLC 2004, p.3). Further, Kahn asserts that the issues Indigenous people face have become ‘compounded and remain unaddressed’ and are likely to increase if the proposed Stage 2 development of the Ord development project eventuates (KLC 2004, p.3). Her finding is a warning to Kimberley Indigenous people confronted by proposed LNG development, and one that Indigenous people raised during the consultations for this Report (see Chapter 3.4.9).

Noonkanbah, Argyle and the Ord irrigation project are experiences that Indigenous people reflect on and refer to in the current context of proposed gas development in the Kimberley. These experiences have all been raised as examples of the pitfalls and unforeseen outcomes that can happen when Indigenous people attempt to take control over their lives in the face of major development projects in their country. In particular these experiences and the associated lack of resolution of some of the legacy issues associated with them, including social and environmental impacts, remain as a critical contextual backdrop to the proposed LNG Precinct.

Indigenous people in the Kimberley today draw important lessons from these three historical cases. In summary these are, that:

- impacts are more widely spread than often thought
- Indigenous people need full- and well-presented information in order to make informed decisions about development on their country
- impacts have to be taken into consideration before, during and throughout any developments
- impacts have long-term positive and negative consequences, some of which can not be predicted and all of which have to be managed, monitored and mitigated where possible
- the mere presence of development does not necessarily ensure better outcomes for Indigenous people
- many factors have to be taken into consideration when measuring quality of life for Indigenous people, including socio-cultural factors
- governments and corporations are powerful and often fickle institutions and ignore Indigenous interests
- there is a legacy of distrust of government, corporations and their consultative and administrative processes and practices
- robust regional Indigenous governance is an essential component of ensuring reasonable long-term outcomes (KLC 2008, pp.45-46).

3.2.2.3 Resource development post-2000

In recent years the KLC and Kimberley Traditional Owners have sought to redefine the basis on which large-scale resource development occurs in the Kimberley. A core strategy in this regard has been the negotiation of legally-binding agreements with resource development
companies and/or the state, in many cases pursuant to the provisions of the Native Title Act 1993, but also drawing more generally on the political and organisational resources of Traditional Owners and the KLC as their regional land organisations. Negotiations have resulted in conclusion of agreements in relation to the Ord Stage 2 Irrigation Project; the Koolan Island iron ore project; Tanami Gold’s Coyote gold project; and Kimberley Nickel Mines nickel mining operations near Halls Creek (KLC 2009e). Extensive negotiations occurred with Inpex Browse Ltd in relation to Inpex’s proposal to develop an LNG processing plant on the Maret Islands, but these were discontinued after Inpex decided to pipe gas to Darwin for processing. The KLC and Traditional Owners are currently involved in a range of commercial negotiations in relation to other development projects, and have of course been involved in extensive negotiations related to the proposal to develop an LNG Precinct on the Kimberley coast (see Chapters 1 and KLC 2010a).

The terms of most of the agreements concluded in recent years are confidential, but in general the agreements relating to mining projects include:

- substantial payments to Traditional Owners, a large component of which is usually related to the value of minerals produced

- extensive and detailed provisions designed to maximise participation of Traditional Owners and other Kimberley Indigenous people in employment and business opportunities generated by projects

- comprehensive cultural heritage protection provisions based on principles developed by Traditional Owners and the KLC, and provisions allowing Traditional Owner access to mine lease areas, subject to safety requirements

- provision for Traditional Owner participation in monitoring and management of environmental impacts, design of environmental management systems and in rehabilitation and mine closure planning

- in some cases, provision for transfer of project infrastructure to Traditional Owners, at nominal cost, at the end of project life

- allocation of specific funding and/or staff positions to agreement implementation.

The agreement for Ord Stage 2, reflecting the fact that it deals with agricultural development rather than mining, has a somewhat different focus. It provides for initiatives to maximise Indigenous employment and business opportunities and provision for long-term investment, but also provides resourcing to establish a Miriuwung Gajerrong (MG) Corporation; an entitlement for MG to 5 per cent of the aggregate area of all new serviced farm lots; an opportunity for MG people to have a further 5 per cent equity in the project; joint management of various conservation lands by MG and State agencies; freehold to 150 000 hectares of new conservation parks, with leasehold back to the State; and progress on settling all MG native title claims (KLC 2009e).

These agreements are designed to maximise positive Indigenous impacts, and minimise negative Indigenous impacts, from large-scale resource development. Experience to date indicates that negotiated agreements do have the potential to substantially influence the balance between negative and positive impacts, as indicated for instance by the substantial Indigenous employment achieved at Argyle, the benefits being generated for Traditional Owners and other affected Indigenous people by revenues channelled through the trusts established pursuant to the Argyle agreement (Gelganyem and Kilkayi Trusts 2008), and the successful operation of provisions dealing with cultural heritage protection and Traditional Owner participation in environmental monitoring.

However discussions with KLC staff and consultants and with Traditional Owners involved in a number of the agreements indicate that significant obstacles have arisen in some cases to achieving successful implementation of agreement provisions. This reflects a variety of factors that include a lack of job-ready Indigenous candidates to fill employment opportunities; scarcity of personnel with the skills to help overcome this obstacle; a lack of sufficient time, human, and financial resources to establish and operate institutional structures to efficiently manage revenues streams; turnover of company personnel and/or changes in company ownership; the absence of funding and of a legislative and policy basis for the KLC, as a native title representative body, to continue to support Traditional Owners after agreements are signed; and the lack of priority attached to agreement implementation by some company and government employees. These and other factors relevant to agreement implementation are discussed further in Chapter 4.
As mentioned in Chapter 1, in 2007 – 2008 the State and the KLC established a site selection process that afforded a central role to the TOTF made up of representatives of all Kimberley coastal native title groups. The process of establishing the TOTF, its role and mode of operation are discussed in detail elsewhere (KLC 2008, 2010a). Its role was not to make decisions on whether individual sites would continue to be considered for an LNG Precinct, or which potential site should ultimately be approved for development. Reflecting Indigenous law and custom in the Kimberley, such decisions would be made by the Traditional Owners of each potential site, after considering the interests of adjacent groups that might be affected by development (KLC 2008, p.163). The role of the TOTF was to make sure that Traditional Owners had access to the information they needed to make informed decisions and choices; to ensure that the site selection processes reflected Indigenous cultural and social values; and to support individual groups of Traditional Owners in making their decisions, regardless of whether they decided to reject or to accept establishment of an LNG Precinct on their country.

The TOTF held numerous meetings with State and Commonwealth agencies, developers, environmental groups and other NGOs, and with engineering, environmental and other consultants retained by these entities (KLC 2008, 2010b). It commissioned and received briefs on specific issues from KLC staff and consultants; visited an LNG project in the Pilbara; and members engaged in extensive discussions regarding gas development and its likely impacts. In addition, a limited amount of consultation regarding potential impacts of gas development was undertaken by the KLC in association with the TOTF, for example as part of surveys of potential sites and, later in 2008, in response to Premier Colin Barnett’s indication, in October 2008, that North Head was his preferred site for the LNG Precinct.

Given the extent and nature of the TOTF’s activities and the fact that it included representatives of Traditional Owners for Broome and most of the Dampier Peninsula, considerable weight should be attached to the perspectives of the TOTF and of Indigenous people consulted as part of its deliberations regarding the potential impacts of establishing an LNG Precinct in the Kimberley. These are summarised below (see KLC 2008 for a detailed discussion).
3.3.1 CULTURAL AND SOCIAL VALUES AND IMPACTS

A key issue for the TOTF was to ensure that development processes were based on respect for Indigenous cultural and social values, and a major concern was that these values would be undermined by gas development. A core value was to ensure appropriate respect in consultation- and decision-making processes for Traditional Owners of land and sea country being considered for LNG processing, and for other Indigenous people living on or near to that country. Also important was to protect country, culture and language; to ensure Indigenous control of key decisions and service delivery organisations that affected their lives; and the creation of economic and social opportunities for Indigenous people now and into the future, opportunities that would be commensurate with the scale of LNG development.

The TOTF was concerned that while gas development could reinforce these values, it could also undermine them. This was clearly illustrated by changing government policy in relation to Indigenous consent for LNG development. The position of the State prior to September 2008, that development would not proceed without the approval of Kimberley Traditional Owners, supported cultural norms demanding respect for Traditional Owners in decision making. This was seen by TOTF members as a departure from decades of practice by governments and developers in which ‘their traditional connections to country have been either ignored, denied, or diluted, whereas in the TOTF context their Traditional Ownership is being publicly acknowledged and granted authority’ (KLC 2008, p.165). The reversal of this position in October
Critical issues, community members were likely to feel even more disempowered. As one resident of Beagle Bay stated at a meeting in December 2008:

*Where there is no information then there is confusion and when there is confusion there is anger and when there is anger the next thing is violence and we are the people who will be left behind fighting each other when the Government and the companies go away* (KLC 2008, p.145).

Another woman stated that she was suffering from lack of sleep and increased tension because she could not find answers to her questions about the impact of gas development on her eco-tourist business.

As noted in Chapter 1, lack of adequate information about key aspects of the proposed LNG Precinct have represented a significant constraint on the current ASIA.

### 3.3.2 REGIONAL IMPACTS

A consistent theme of TOTF discussions was that impacts from gas development, reflecting its massive scale, would be regional in nature. The concept of ‘ripple effects’ emanating from the LNG Precinct and affecting Indigenous people throughout the Kimberley was seen as critical to an adequate understanding of impacts and of appropriate responses to them. For example, the recruitment of FIFO workforces to remote sites was expected to have a significant impact on towns such as Broome, Derby and Kununurra. Impact assessment therefore, should have a regional dimension (an approach precluded, as noted in Chapter 1, in this ASIA because of time constraints); as should measures to manage impacts and to compensate Indigenous people for the negative effects of gas development. Such a regional dimension, it should be noted, is included in the Kimberley LNG Precinct HoA, discussed in Chapter 4.3.1.

### 3.3.3 LACK OF INFORMATION

Lack of adequate information regarding the proposed LNG development itself constituted a major source of impact. This reflected in part the fact that throughout 2008, TOTF made repeated requests for information to the State and to Woodside on specific aspects of gas development, without response. (A detailed list of such information requests is provided by KLC 2008, pp.146-148). If TOTF members felt they lacked information on critical issues, community members were likely to feel even more disempowered. As one resident of Beagle Bay stated at a meeting in December 2008:

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Another woman stated that she was suffering from lack of sleep and increased tension because she could not find answers to her questions about the impact of gas development on her eco-tourist business.

As noted in Chapter 1, lack of adequate information about key aspects of the proposed LNG Precinct have represented a significant constraint on the current ASIA.

### 3.3.4 LONG LEAD TIMES TO DEAL WITH IMPACTS

TOTF members stressed the need for early investment in the Kimberley region to ensure that Kimberley people could properly participate in gas development and be adequately prepared to manage its impacts. For example, early investment in identifying skill sets and gaps, and in employment and training initiatives, were seen as critical in ensuring that employment opportunities were not largely monopolised by outsiders.

### 3.3.5 GOVERNANCE AND BENEFITS MANAGEMENT

Effective governance of local communities, native title groups and of agreements and benefit packages, and of service delivery at the regional scale was seen by the TOTF and Indigenous people consulted by the KLC as essential to maximising benefits and minimising costs from gas development. One specific issue that received extensive discussion in the TOTF involved the allocation and management of benefits from any agreements associated with establishment of an LNG Precinct. It was considered essential to have careful consideration of how benefits should be allocated and managed before benefits became accessible. As one Traditional Owner commented, ‘money can make people greedy and mad, and forget their families and
country. People need to think about how they spend the money first’ (KLC 2008, p.155). The need to ensure effective implementation of agreements was also emphasised (see Chapter 4).

3.3.6 ENVIRONMENTAL IMPACTS

Concerns about environmental impacts involved all stages of the development process including site selection, feasibility studies, construction and operations, and were among the key issues raised in the TOTF and related community consultations. They were discussed extensively and repeatedly, and were the subject of intense exchanges with scientists involved in the site selection process, government officials and environmental NGOs.

A framing assumption underlying much of the discussion of environmental issues was Traditional Owner scepticism regarding claims by government and company officials that they had the knowledge and capacity to protect the environment from any potential adverse impacts associated with LNG development. Traditional Owners found at times that the results of ‘scientific’ studies were at odds with their own knowledge. A case in point involved the Karajarri Traditional Owners of the Gourdon Bay site, who were concerned that NDT environmental studies had not indicated the presence of whale sharks in their sea country, when Traditional Owners know that they are present (KLC 2008, p.158).

Another concern frequently articulated was whether Western scientific approaches, which tend to analyse various components of the environment separately (for example geology, tides, climate, flora, fauna), are capable of taking into account the interconnectedness of species, humans, landscape and spirit beings. Traditional Owners consequently did not believe that they could trust the outcomes of studies and associated recommendations carried out by Western environmental scientists (KLC 2008, pp.160-161).

3.3.7 IMPACTS ON WILD RESOURCES AND ACCESS TO COUNTRY

Concerns were expressed about the potential impact of LNG development and associated growth in non-Indigenous populations on economically and culturally critical food resources from the land and sea. People were also concerned at being denied access to their traditional land and sea country, a possibility that not only threatened major economic consequences, but was also associated with a sense of shame.

3.3.8 IMPACT ON ECONOMIC ALTERNATIVES AND WAY OF LIFE

A number of outstation residents involved in consultations expressed concern about the impact of LNG development on their small-scale, locally-focused economic pursuits, such as eco-tourism, and on their associated lifestyles. Concerns were expressed about the potential impact of gas development on their ability to maintain such activities, and about the fact that because of the LNG Precinct, processes to address planning and land tenure issues had been suspended, continuing or creating uncertainty for them.

3.3.9 SOCIAL IMPACTS

Concerns were raised about a range of potential social impacts. These included the potential for family and community disputes based on support for or opposition to gas development; about entitlement to and distribution of benefits; or about the respective roles in decision making of native title holders and other Indigenous residents of affected areas. They also included fear of escalating drug and alcohol abuse, and of increased inappropriate sexual activity between incoming workers and local Indigenous women. More generally, Traditional Owners and other residents were concerned that they would find themselves increasingly marginalised, especially in Broome and the Dampier Peninsula.

Positive social impacts anticipated by Traditional Owners included access to increased education, employment, and business development opportunities, and more generally that gas development would create a better future for Kimberley Indigenous people.
During the period from September to December 2009 a consultation program was undertaken by the ASIA team to assess the likely impacts of the proposed LNG Precinct at James Price Point (see Chapter 1). Participants involved in the consultation process raised a large number of issues and concerns about the potential negative impacts of the LNG Precinct on Indigenous people in Broome and the Dampier Peninsula, discussed in the following sections. They also expressed concerns about whether resources would be provided by governments and proponents to deal with these impacts.

They assume it [LNG Precinct] will cost $30 billion to build, that is the easy part, but the impacts, how much will we have to invest to cater for these impacts? Is there a liquidator who will come into this and work out the value of all these impacts over the life of the project? If it costs too much on top of the $30 billion, Woodside might just say they can’t afford it ... there needs to be more work done here. (Beagle Bay, December 2009)

Participants also identified potential opportunities associated with the LNG Precinct that could generate positive outcomes for them and their communities, discussed in Chapter 3.5 below.

Most of the issues and concerns raised by participants fall under the following impact categories:

- social impacts of increased population in Broome, both in the town itself and in the Dampier Peninsula
- housing and the cost of living
- employment and enterprise development
- education and training
- health and well-being
- youth
- service delivery and infrastructure
- land tenure issues
- culture and heritage.

A small number of more specific issues were raised at only one meeting, but should not be ignored for that reason. For example, one participant raised the issue of security at the LNG Precinct:

Will they be looking at an army base for security reasons and wanting more land? (Djarindjin, October 2009).

Another raised the issue of carbon offsets for emissions from the Precinct:

What are Woodside/WA Government going to do about Carbon Offsets? The emissions that will be created from the processing – is it their plan to offset those? Carbon economy – there is better room for burning offset in West Kimberley (One Arm Point, October 2009)
Such issues may at this stage only have significance for the group or community where they were mentioned, and may be based on the personal and professional experiences of the group or its members, their educational background and location, or information they have gained via various sources including the media and lobby groups. However, over time their views may extend to other groups through inter-family and group communication and increased exposure to information and media.

3.4.1 THE STRATEGIC ASSESSMENT AND RELATED NEGOTIATION PROCESSES

During the course of the consultations participants expressed their frustration with the Strategic Assessment and related negotiation processes and demonstrated little faith that the views of affected Indigenous groups would be taken into account by government and corporate decision makers. This sentiment was expressed most forcefully by members of the TOTF, who expressed anger at the TOTF’s inability to continue its participation in the Strategic Assessment process due to the change in government in September 2008 (see Chapter 1). The fate of the TOTF appears to have created or added to a sense of uncertainty and suspicion in the wider Indigenous community:

*He [Premier Barnett] just doesn’t think of the people, he just says ‘this is how I want it and you will have it that way’. That is how I see it.* (Lombadina, December 2009)

Participants felt that Traditional Owners for James Price Point had been forced to agree to the LNG Precinct due to the threat of compulsory acquisition. They were also concerned acceptance of the Precinct was the only way that affected Indigenous people would get services such as education and health to which they are entitled as citizens:

*Will the government only do the things they are supposed to do because of the gas money?* (Beagle Bay, December 2009)

They also expressed concern that the Commonwealth Government was not a party to the HoA or the ILUA negotiations, even though it will gain most revenue from the Browse Basin development if it goes ahead.

Participants were sceptical about the efficacy of the Strategic Assessment process, the ability of Indigenous people to have their voices heard, and the capacity of the process to protect Indigenous interests.

*We can tell you [the ASIA team] all these things now, but someone will look at [it] and say – not relevant, not relevant... Will we have the opportunity to talk to Peter Garrett about these things? When he looks at the [Strategic Assessment] Report, will there be anyone from the Kimberley going to see him about it?* (One Arm Point, December 2009)

*The animals have more power than us, they have the land. They are more protected than us. We are not protected. Where do we go?* (One Arm Point, December 2009)

People were also critical of what they saw as the short time frame for the Strategic Assessment and related negotiations, and a lack of transparency which was resulting in tensions between Indigenous families and Indigenous groups on the Peninsula.

*When you consider the time you have been given to consult, and then the time to make the decision, but compare that to the length of the Project, this is such a short time we have been given, but we have been given no opportunity to test it out. We just have to hope that in this short time we can come up with the solutions and that they are right.* (Beagle Bay, September 2009)

*Can we make a recommendation that the time frame that has been given so far isn’t long enough? Need to be able to extend the decision-making process and time frame.* (Beagle Bay, September 2009)

*The process of negotiation is putting Aboriginal people against Aboriginal people.* (Beagle Bay and One Arm Point, September 2009)

There is also scepticism about the likelihood that governments will abide by any commitments they make:

*With reference to the Heads of Agreement – what about breaking promises?* (Beagle Bay, September 2009)

*The money will talk greater for them [Government] than the people and these reports.* (Derby, November 2009)
Some participants, while acknowledging that the
Traditional Owners of James Price Point will be the
most affected by the LNG Precinct, believe that the
impacts will extend along the Peninsula and affect
them as saltwater people. They fear that they are being
overlooked and not listened to by the TONC.

Although Traditional Owners make a final decision,
will they take into consideration the ideas and con-
cerns of other claim groups and communities on the
Peninsula. (Beagle Bay, September 2009)

We provide our concerns, but sometimes it is hard
where there is no two-way dialogue happening. I
expect that process but we are tired of this, we don’t
have the opportunity to talk with them, the TONC.
(Beagle Bay, December 2009)

Aboriginal people must consult with Aboriginal
people to come to a decision – it needs to be a
transparent and accountable process. (Nimunbur,
Broome, December 2009)

Questions were also raised as to whether the distribu-
tion of the benefits package provided for the LNG
Precinct HoA will adequately compensate for the
impacts that may be felt for the life of the project,
especially given the ever-increasing cost of living and
the long life of the Precinct.

What are the mechanisms that have been set up – a
structure to develop funds? (Lombadina, September
2009)

It will still have an impact on the people living on the
coast all the way up to One Arm Point. How do I (as
an example) on my outstation, be compensated as
part of that package? (Beagle Bay, December 2009)

Why only 30 years? Why not life of the project? Any
benefits from the Precinct should be for the life of
the project. (Djarindjin, December 2009)

A significant number of the participants expressed
a lack of confidence that the LNG Precinct would be
used exclusively for the processing of offshore gas.
Because of the large area of land sought by the State
(see Chapter 3.1), they were suspicious that the site
would be used for other purposes, for example the
processing and shipping of minerals.

It will open up a lot of mining. If it goes ahead,
that won’t stop us from blocking something again.
(Derby, December 2009).

They’re finding bauxite and uranium, not far from
Broome, my worry is that if that precinct goes ahead,
will the government overturn that and say this is
the place we’ll do it [shipping minerals] from James
Price Point rather than take it to Derby? (Broome,
January 2010)

3.4.2 ENVIRONMENTAL IMPACTS
AND CONSERVATION

Environment issues raised by participants include:

- damage to land, sea and coastline
- impact on marine life from Precinct operations,
  possibly exacerbated by earthquakes and cyclones,
  and from the impact of worker’s recreational
  activities
- fire management
- waste and water management and impact on
  ground water levels
- quarantine issues
- environment management and monitoring
- the management of conservation areas.

DAMAGE TO SEA AND COASTLINE AND IMPACT
ON MARINE LIFE: Participants were worried that the
impacts of blasting and dredging and the dispersal of
sediments would not be restricted to the area around
James Price Point but would also be experienced further
up the Dampier Peninsula due to currents and tidal
activity as well as the movement of marine life. They
fear that cyclones and earthquakes will exacerbate the
situation given that ‘cyclones are capable of shifting
millions of tonnes of seafloor sediment’ (DEWR 2007).

A significant proportion of the environmental issues
raised were about potential impacts on marine life and
culturally significant food resources from the sea, as a
result of various activities that will be conducted at the
LNG Precinct and by the gas industry. These include
construction activities such as blasting and dredging,
oil and gas spills, leaks from either drilling, pipelines
or shipping, CO2 release, the desalination process (if
it is employed), and the disposal of ballast. Comments
included:
We live off the sea, it [spill] will have effects everywhere. (Djarindjin, December 2009)

Indigenous people on the Peninsula not only rely on marine life for customary purposes, but continue to rely heavily on such food sources to supplement their diet, especially as the majority are low-income earners and the cost of food items in the community stores are high (see Chapter 2.10). For example:

Shop is expensive – we live off the sea we need it. Broome is too far also to go and get stores. (Djarindjin, October 2009)

This turtle is enough to feed the whole family, all thirty of them. (One Arm Point, 3 December 2009)

Indigenous people follow customary codes, including seasonal patterns of fishing, to ensure the ongoing sustainability of marine stocks:

We only catch stingray when it is the right season when they show a patch on their belly like a birthmark and we throw back the female crabs if they are full of eggs. (Jabirr-Jabirr man, December 2009)

Many participants fear that the influx of outsiders, especially during the construction phase, will result in more boats going to the Peninsula, and therefore more recreational fishing, leading to depletion of fish stocks. Their fears are supported by observations...
from the Department of Fisheries WA about the north coast bioregion which encompasses the Pilbara and Kimberley Coastlines, ‘Many of the towns in this region support mining communities where the majority of the populations are FIFO. Surveys have shown that a large proportion of mining community and tourists take part in fishing while visiting the bioregion’ (Department of Fisheries Western Australia 2009, 188). According to Department of Fisheries officers interviewed by the ASIA (December 2009), there is limited data available about recreational fishing in the Impact Area, and little monitoring is being undertaken due to limited resources. The Department of Fisheries Broome Office is responsible for the Kimberley coastline to the NT border and relies on the marine surveillance work carried out by Indigenous rangers. However, at this point in time, the rangers do not have regulatory powers to act in response to any breaches of fishing regulations:

Rangers need powers to fine. They don’t have power to enforce like fisheries officer. (Lombadina, December 2009)

WATER AND WASTE MANAGEMENT: Concerns were also raised about water and waste management at the proposed Precinct, with respect to how and where waste would be disposed of and how the waste water will affect the local aquifer which is in the Waterbank area. It is one of two aquifers on the Peninsula that provides water used by Broome, neighbouring communities, and flora and fauna.

FIRE MANAGEMENT: Participants were concerned that increased fire risks will result from growth in vehicle traffic and in the numbers of people visiting the Dampier Peninsula. These concerns were heightened by the extensive bushfires experienced in October and early November 2009 along the Dampier Peninsula, and which threatened some outstations. There is limited capacity in the area to deal with fires, especially as the only fire-truck on the Peninsula is at Djarindjin Airport and rangers have limited authority to act.

We can only do so much and must get the go ahead from FESA. (Bardi Ranger, One Arm Point, December 2009)

FESA informed the ASIA in December 2009 that its inability to provide adequate services to remote Indigenous communities is due to lack of funding.

QUARANTINE ISSUES: Participants continually cited cases of exotic species and pests along the east coast of Australia brought in by ships either in contaminated ballast water or attached to their hulls. They fear the same will happen with LNG ships. They also expressed a lack of confidence in the ability of self-regulatory processes currently applied to shipping companies to prevent these issues occurring along the Kimberley coast.

Same thing happened up in Darwin, ships contaminated all that area, and they had to spend millions to fix it. (Beagle Bay, December 2009)

Participants from Djarindjin also referred to sightings of a species of fish in the waters near Djarindjin that to their knowledge is not indigenous to that area.

ENVIRONMENTAL MANAGEMENT AND MONITORING: Participants were emphatic that frequent and stringent monitoring along the coastline of the Dampier Peninsula be undertaken and that communities on the Peninsula must receive regular feedback from monitoring programs during all phases of the Precinct’s development. Participants who live on the Peninsula stated that they want to be involved in the environmental management and conservation programs related to the LNG Precinct, for a number of reasons. Firstly, because they are familiar with the local coastal environment and have a wealth of knowledge that can be applied to management and monitoring. Secondly, they wish to witness the work being undertaken and be assured that best practice processes and procedures are adhered to.

A number of participants, especially those working as rangers, were unconvinced about the extent of Indigenous input into environmental management of the LNG Precinct or the management of conservation areas planned by the State, and whether their views would be acknowledged. One participant suggested:

Maybe all Indigenous people that live on the Peninsula discuss conservation policy that they can endorse on behalf of all Traditional Owners and Aboriginal people on the Peninsula. (Beagle Bay, December 2009)

Rangers emphasise that Indigenous people have their own knowledge base that is not necessarily available to non-Indigenous environmental specialists.

The scientists have their version, we got ours. (One Arm Point, December 2009)
Furthermore, rangers do not have legal powers to enforce action should there be a breach of regulations that apply to conservation areas and parks. This lack of statutory power was raised time and time again during the consultation process.

*Rangers need more powers. They don't have power under Statute Law.* (Djarindjin, September 2009)

*Rangers have to have more power – They know the land, they should have more control for management and how to help with the effects of the project as far as working on country and caring for country goes.* (Derby, October 2009)

### 3.4.3 SOCIAL IMPACTS OF INCREASED POPULATION IN BROOME

A major focus of all consultation meetings and discussions with agencies was that one of the greatest social impacts of the proposed LNG Precinct and the associated increase in Broome’s population growth is that it will place additional pressure on social services, exacerbate social issues that already exist in Broome, and will result in a flow over of these issues to the communities on the Dampier Peninsula and to Derby. Broome’s population will of course grow even if the LNG Precinct is not developed (see Chapter 2.3.2). It is the addition to existing growth, which is seen to already generate significant issue, that concerns people, combined with a belief that the affluence of this additional population will sharpen existing inequalities. There is a particular concern that ‘the most marginalised and vulnerable will be further marginalised.’ (Centrecare, November 2009)

Social issues that raise concerns include social dysfunction and anti-social behaviour; increases in alcohol and drug abuse, crime, and racist attitudes; and impacts on Traditional Owners and other Indigenous people living in Broome as a result of the current shortage of housing, overstretched services, high cost of living, and limited access to services and supplies in the communities.

*Impact of mobility of people from the Peninsula on Yawuru people is already happening because Broome is a service town.* (Yawuru September 2009)

*More violence and theft in the town because of more new people.* (Beagle Bay, September 2009)

People are keenly aware that such issues continue to exist in Karratha, Port Hedland and Roebourne, even after 40 years, as a result of resource development in the Pilbara (Haslam-Mackenzie et al 2009, p.135).

According to individual participants and agencies and the available statistics, Broome is already struggling to cater for the annual influx of tourists during the dry season. Prices are generally inflated during this period, especially for accommodation, airfares and transport, thus adding to the costs that locals and service agencies have to bear, which in turn increases the cost of service delivery and competition for services and resources. It is anticipated that an influx of workers and their families will exacerbate the situation further.

*Cost of living will go up, and the people out in this community will go further away, we won't be able to afford to go to Broome.* (Lombadina, December 2009)

Furthermore, further increases in population growth are expected at regular intervals during the life of the LNG Precinct as additional gas trains are constructed (see Chapter 3.1.3).

The influx of a significant number of affluent people with plenty of disposable income will increase social inequality in Broome and in the communities, thus ‘widening the present economic divide in Broome even further.’ (Yawuru woman, Broome 2009) and creating a society of haves and have nots.

*There is a big difference in money distribution, some people have lots of houses and others have nothing.* (Goolarabaloo, Jabirr Jabirr, Djaberra Djaberra, Broome, September 2009)

*The prices go up and we are all paying 50 to 70 dollars more [in rent], and the others go in a big house, a big mansion.* (Djarindjin, December 2009)

Participants, especially those who reside in Broome, are fearful that as a result of the sudden impact of a large workforce of people from Perth or interstate with different values and expectations, the town will lose its unique character and become a ‘kartiya’ [white] town with the potential for racial tension and marginalisation of the most vulnerable.
You don’t know people in your town anymore, so many new faces. (Yawuru, September 2009)

Transients will be mistreated even more so and reduced self esteem. Kids will feel it and increased racism based on different views. (Yawuru Woman, November 2009)

People just come up here to make dollars with an attitude and lack of understanding. It will be subtle, if you have been sheltered like most of us have up here from the workplace racism. (Beagle Bay, December 2009)

Another major issue involves the potential impact of more rapid population growth in Broome on the Dampier Peninsula. Currently, Broome residents and visitors use James Price Point for recreation. Indigenous residents of the Peninsula believe that with increased population more people will venture further up the Peninsula for recreation especially if the road to the Peninsula is fully sealed.

Probably a lot more people coming to the Peninsula ...wandering around and getting lost. (Djarindjin, December 2009)

We need assistance up here with rangers to be ready for the influx of people. We don’t have services, public toilets for influx of people. (Lombadina, December 2009)

Furthermore, an increase in visitors will put pressure on limited services and supplies that currently exist in the communities, unless service delivery organisations are adequately prepared and funded to meet the additional demand.

Not enough fuel and accommodation or infrastructure on the Peninsula to cope – pressure on community resources. (Djarindjin, October 2009)

Increase in tourist numbers puts added strain on the clinic and its resources – primarily fishing injuries. Also tourists are taking advantage of free clinical service. In Perth they would have to pay or be bulk-billed on Medicare. (Lombadina/Djarindjin Health Clinic, October 2009)

With infrastructure, is the lack of public amenities, and all that sort of stuff. (Beagle Bay, December 2009)

Sealing of the Cape Leveque road from Broome to the tip of the Dampier Peninsula is a major issue in itself.

Even though there have been plans to upgrade the road for some time, participants believe that should the LNG Precinct proceed, these will be accelerated and actioned promptly, and that a sealed road will carry considerably more traffic and visitors. Agencies expressed the same view. Sealing of the road is seen as potentially resulting in both positive (see Chapter 3.5.5) and negative consequences depending on how it is managed.

Increased access means the road will be busier and [make for an] increased need for traffic management and [will create an] easy corridor for drugs and alcohol. (Dampier Peninsula Police, Djarindjin, October 2009)

Currently there are about 100 km of rough, unsealed road between Broome and Beagle Bay, including the turn-off to James Price Point, and only-four wheel drive vehicles can be used. The state of this section of the road varies depending on traffic and how often it is maintained. It is sometimes in poor condition, and is often impassable in the wet season. Sealing this section of the road will make the Peninsula readily accessible to conventional vehicles, and more readily accessible to four-wheel drive vehicles. Tourists and recreational fishermen will be more inclined to tow their boats directly to Cape Leveque and use traditional Indigenous fishing spots, some in close proximity to the outstations. Sealing the road will mean more traffic and potentially more accidents. Residents on the Peninsula, especially at outstations, are concerned that they will lose their privacy and fish stocks.

Weekenders, they are the biggest problem...If the sealed road goes ahead, how many people will be coming up the Peninsula. People are already going off the track, how many will be later? (Beagle Bay, December 2009)

Participants were also concerned about the social impacts of the FIFO mode of employment, for example where workers spend 2 weeks on site followed by 1 week at home. A number of the agencies consulted also expressed concerns on this issue. Potentially negative social consequences of FIFO raised include:

- increase in alcohol and drug abuse resulting in violence
- marriage break ups
especially among Indigenous people who do not recognise Broome as their usual place of residence and usually come from other towns and communities in the Kimberley (‘the outsiders’), whose numbers have grown by 95 per cent.

Alcohol and drug consumption as well as the selling of drugs, especially among the 17 – 25 age group is on the rise in Broome and across the Kimberley including the Dampier Peninsula. Ganja (marijuana/cannabis) is mainly consumed but crystal methamphetamine (Ice) or MDMA (Ecstasy) are becoming increasingly available. People living on the Peninsula attribute growing access and consumption of Ice to increased disposable income as a result of higher wages earned by Indigenous FIFO workers working in the Pilbara (a link also noted by Haslam-McKenzie et al, 2009, p.43).

Indigenous parents fear this problem will increase if the LNG Precinct goes ahead and their concerns are further compounded by the short-term, and long-term effects of Ice:

The short-term effects of Ice are that it can cause erratic, violent behaviour and death among its users and in-utero exposure can have detrimental effects on the unborn child. (Greater Dallas Council on Alcohol & Drug Abuse 2010)
Longer-term users of the drug can typically appear older than their age, have decreased lung function and poor cognitive function. Other impacts experienced when using ice are social and financial problems, compulsive repetition of actions, family arguments and conflict, the risk of family breakdown and losing friends (Department of Health and Ageing 2010).

Community consultations conducted by Haslam-McKenzie et al (2009, p.43) in the Pilbara showed that there is a broad agreement that drugs are sourced from mining and construction camps. They also reported that the police and Indigenous communities in Roebourne and Wickham are concerned that now the resource companies vigilantly undertake drug testing, they are inadvertently shifting local drug use to amphetamines which are not anatomically detectable after 36 hours, whereas the less dangerous drug marijuana is detectable in the body for up to a month (Haslam-McKenzie et al 2009, p.43).

Alcohol continues to be a key contributor to social dysfunction in Broome and the Dampier Peninsula. ‘Drugs and drunks in Beagle Bay, they party from Thursday night to Sunday night’ (Beagle Bay Clinic, September 2009). According to the Police (Broome District Police Station and Dampier Police Station, October 2009) most of the offences committed by Indigenous people, such as traffic infringement, assault, and child neglect and abuse (see Chapter 2.3.8) are alcohol related.

A number of Indigenous children are being cared by their grandmothers who are struggling to care for these kids who are often on the street and at risk. A case in point—police picked up a 9-year-old boy last week in Broome with a high blood-alcohol content and then returned him to his home. Soon after, he was seen back on the street again. The grandmothers are caring for these kids for various reasons, many of which are due to alcohol abuse and dysfunctional behaviour of the parents. (Broome District Police, November 2009)

Some agencies support the view that population increase in Broome, especially a larger population of young people with increased disposable income, will mean a growth in alcohol outlets like nightclubs which can lead to further alcohol and drug abuse and more public disorder and violence. This has been observed in other boom towns such as Darwin.

A Northern Territory surgeon says Darwin has the highest rate of broken jaws in the world and that can be attributed mostly to alcohol-related violence. Dr Thomas says most assaults occur outside pubs and nightclubs on Thursday and Friday nights (ABC 2010).

Some participants fear that should the LNG Precinct go ahead, Indigenous people in Broome and the Peninsula will experience the same social impacts as their counterparts have witnessed and experienced in the Pilbara.

Haves and have nots—social issue resulting in family disputes and violence causing some to move away. This is what happened to some Aboriginal people in Port Hedland. Also race relations deteriorated in Port Hedland because of the economic divide in the community. (Goolababaloo, Jabirr-Jabirr, Djaberra Djaberra, Broome, September 2009)

In the Pilbara everything was contained in the mining community for the miners resulting in dual economies existing side by side i.e. very rich next to the poor and disadvantaged Aboriginal community. There had been little improvement especially in the nearby Aboriginal communities e.g. same pothole in the road in the community existed 15 years later. (Kimberley District Police, October 2009)

According to Haslam-McKenzie et al (2009), after 33 years there is little evidence that Indigenous people in Roebourne have benefited from the economic investments in their town or from resource booms in the Pilbara. They stress that ‘there is a very real danger that in addition to being economically isolated from the rest of the Pilbara, Roebourne’s Aboriginal people are in the process of being economically isolated within the town itself’ (Haslam-McKenzie et al 2009, p.44).

Another issue is that the demands on current services for the socially and economically disadvantaged, many of which are run by not-for-profit organisations, will increase. Due to tight funding arrangements and staff retention issues some may not be able to provide adequate assistance to those people who will need it.

Non-profit agencies are the lowest paid services and do not receive subsidies—therefore may impact on staff retention. Will there be non-profit services here to provide necessary services to assist with negative impacts? (Marnju Jarndu Women’s Refuge Centre, November 2009).
3.4.4 HOUSING AND THE COST OF LIVING

That [the LNG Precinct] is going to add a lot of pressure on housing issues already now, how is that going to impact on housing and homeless people now? And on tourists, finding the accommodation, they will go out to other areas. (Beagle Bay, December 2009)

Throughout the consultation process, there was strong concern that the proposed LNG Precinct or other major developments would have significant impact on the cost of living, including the cost of housing, and on the availability of affordable housing, especially in Broome where there is already a critical housing shortage, and a high rate of homelessness (see below). Participants fear that the additional demand for housing in Broome as a result of population increase will cause house prices and rental prices to increase significantly. This is in a context where housing is often already beyond the means of someone earning a basic wage, as is the case in Port Hedland and Karratha (see Table 3.1).

Only people who can afford to buy a house are mining company. I can't afford to buy land or a house here even though I was born here so I may have to move. (Yawuru man, November 2009)

Concerns about rising housing costs are based in part on the personal experiences of some participants who, while living and working in Port Hedland, witnessed the impact of the recent resource boom. These concerns are supported by studies of housing costs in the Pilbara:

Where increased pressure on housing stock drives up housing and rental prices it may become more difficult for people on lower incomes to find affordable housing, reducing further the pool of affordable labour available to other industries. The end result is that uneven growth patterns may generate net economic impacts that are lower than the initial stimulus provided by the key growth industry (Rolfe et al 2007, p.135; see also DSD 2009a)

As Table 3.1 shows, as of January 2010 average house prices in Karratha and Port Hedland, for example, were at least 25 per cent more than those in Broome, while average rental prices are nearly three times those in Broome.

The lack of affordable housing may force some long-term residents to move away from Broome or alternatively, move in with relatives, resulting in overcrowded

<table>
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<tr>
<th>Table 3.1 Costs of Private Sector Housing, Broome, Derby, Karratha and Port Hedland, 8 January 2010</th>
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<tr>
<td><strong>Type of Property</strong></td>
</tr>
<tr>
<td>4 bedroom house</td>
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<tr>
<td>3 bedroom house</td>
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<tr>
<td>2 bedroom unit</td>
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<td>Land – standard residential block</td>
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<td>Rental Price per week (lowest to highest)</td>
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<td>2 bedroom unit</td>
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<td>1 bedroom unit</td>
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Source: www.realestate.com (January 2010)
accommmodation, which in turn causes social problems. Some participants were also worried that the demand and pressure for housing would expand to Derby and overflow to the communities on the Dampier Peninsula.

People will look at other land to move and build up here. (Beagle Bay, September 2009)

A high proportion of the agencies consulted by the ASIA indicated that housing costs are already a major constraint on staff retention and continuity which ultimately affects service delivery. Any inflation in accommodation costs will exacerbate the situation.

Lack of affordable housing is already a serious issue that impacts on agency’s ability to find clients suitable accommodation and impacts on agency to retain staff. (Burdekin Youth in Action, September 2009)

Our nine staff properties in Broome are subsidised rent and are included in the budget but detracts from operational costs. (Department of Fisheries, December 2009)

Furthermore, additional pressure on housing will occur in a situation where standards of housing in some communities and outstations are already poor due to inadequate repairs, maintenance and water supply.

I would be happy to pay, but there needs to be repairs, we are all human at the end of the day. That is why the kids are not going to school, because there is no water… There is also a problem because there is no housing when you are sick. (Senior Traditional Owner, Djarindjin, December 2009)

Some of the people are on outstations in substandard houses. We have been told at the Centre that there is a lot of money there with the Commonwealth Government – so where are the houses? (CDEP Manager, Djarindjin, December 2009)

We live in a house and for the shower we don’t get a drop of water. Where do we get tap water from?… We sick people too… There is no water pressure. (Djarindjin, December 2009)

In addition, there is already a serious lack of temporary housing especially hostel accommodation for people from communities and outstations visiting Broome for various reasons including medical appointments, study, sport or to provide support for relatives that are either in prison or receiving medical treatment.

Further demand for permanent housing will inevitably create further pressures on temporary accommodation. Participants expressed their fear that Indigenous people needing to visit Broome would be put at risk if there is no alternative temporary accommodation.

Need more hostels in Broome for people coming from the communities and outstations. (Lombadina, October 2009)

The hospital is for patients but when the families follow them in; Broome needs a hostel to accommodate those people. (Derby, November 2009).

According to the participants in Derby the need for temporary accommodation is also becoming an issue there.

We don’t want dialysis in Broome… That is why we need extra beds. That’s why we need hostel accommodation in Derby as well. (Derby, November 2009)

The acute shortage of affordable accommodation and lack of temporary crisis accommodation has heightened the level of homelessness in Broome. It is estimated that the number of homeless people in Broome is growing rapidly and could be as high as 2500, many of whom are Indigenous people who have been without secure housing for more than a month (Strain 2008, p.23). A significant proportion of the Indigenous homeless consider Broome as their usual place of residence or they come from elsewhere in the Kimberley and have lived in Broome for some time. The majority of them are in that position because they earn low incomes and cannot afford rented accommodation. They may stay with relatives or friends in already overcrowded circumstances, but this is considered by some to be problematic and they end up ‘sleeping rough’ under the trees on Kennedy Hill.

That is when all the social problems come in from that stuff [sharing housing]. We have enough problems like that now – overcrowding and social problems like that. (Lombadina, December 2009)

There was a general consensus amongst charity agencies interviewed that the level of homelessness in Broome will continue to rise along with rising cost of living and housing.

Another issue raised is that the increasing housing shortage and delays in the upgrades of sub-standard housing could be made worse by the lack of available skilled tradespersons, who would be attracted to work...
at the LNG Precinct. According to Haslam-McKenzie et al. (2009, p.43), this situation occurred in the Pilbara:

Another cause of the housing shortage in the Pilbara is the difficulty obtaining tradesmen to undertake the building and renovation of homes. The method used by the larger real estate development companies operating in Karratha is to hire an entire crew of tradesmen in Perth, fly them to Karratha, provide accommodation for them, and employ them for the duration of a project to develop large sections of serviced land newly released by Landcorp.

There are also concerns that local building companies would not be able to match the high wages and conditions that larger companies can afford, or alternatively that the cost of house repairs will be inflated and there will be longer waiting periods. ‘Boom affects everywhere, local businesses cannot match the dollar rate.’ (Kimberley Personnel, November 2009)

Both Indigenous participants and agencies involved in the consultation process believe that the cost of living, including the cost of daily necessities, food, fuel and utilities, will rise along with house and rental prices should the population in Broome increase because of the LNG Precinct. Their concerns are substantiated by the extensive documentation about the impact of resource booms on the cost of living in affected communities (Haslam-McKenzie et al 2009; Rolfe et al 2007).

Because of their dependence on Broome for supplies, this will impact on residents of the Dampier Peninsula who are already paying high prices for day-to-day necessities (See Chapter 2.3.11), forcing them to rely even more heavily on food resources from the sea. Also, ‘shops will focus their stocks and supplies on the needs of the workers or tourists and not for the locals’ (Broome Police Station, November 2009). This is already evident by the number and range of items sold at the One Arm Point Store to cater for tourists.

### 3.4.5 EMPLOYMENT AND ENTERPRISE DEVELOPMENT

It is widely assumed that a major development like the LNG Precinct will create a plethora of jobs and business opportunities. Yet many participants felt that local Indigenous people would be excluded from such opportunities based on the following factors:

- Most of the jobs generated by development of the LNG Precinct require people with specific qualifications and specialist skills, which few Indigenous people in Broome and the Peninsula possess.

You have to have a certificate for any job now. (Lombadina, December 2009)

Up in this area, blackfellas are no better off, because they only have one certificate available. (Beagle Bay, December 2009)

- People are not convinced that the LNG Precinct operator or its contractors will practice affirmative action to give local Indigenous people priority, but instead will deploy personnel from other projects or use their preferred contractors to work at the site on a FIFO basis, as has occurred in the Pilbara and mining sites elsewhere. Indigenous people strongly expressed the view that local people should be given priority, and that a concerted effort be made to skill up local Indigenous people. Some agencies support their views:

Companies must be serious about employing local Aboriginal people. It must be a condition that local Aboriginal people are employed and if there is a deficit of skills amongst them, the company must provide training and support for them. (Broome District Police, November 2009)

- Companies will bring in their own or preferred contractors and supplies which will have an impact on local businesses.

Because it is such a big project, they will engage the big companies, not the little ones, the small
Indigenous family businesses like plumber. At the end of the day, they will engage non-Indigenous businesses that have Indigenous people working for them. That is not the same, the money goes to non-Indigenous. (Beagle Bay, December 2009)

Their concerns are supported by experience in the Pilbara, where ‘the “fly-over effect” means little money is spent locally. ‘Few, if any, mining companies source large-scale supplies in the region, or have local procurement policies of any kind; all have head offices outside of the region and the skilled workforce is usually recruited elsewhere, so there is minimum investment by the large companies locally’ (Haslam-McKenzie et al 2009, p.34).

- The inadequate skills base of many potential Indigenous workers, including literacy and numeracy skills (see Chapter 2.3.3). This was also viewed as a substantial barrier by some of the agencies interviewed. Conversely, some agencies did not see deficits in skills or qualifications as an issue, feeling that they could be overcome, depending on the duties of the job and the skills required. For instance, the refuellers at Djarindjin Airport do not have any formal qualifications or certificates and some have limited literacy skills. However they have been taught to recognise the quantities of fuel that the helicopters require and how to record the quantities in the fuel log book. According to their supervisor, the refuellers are thorough and the log book is maintained accurately.

- Lack of transport, exacerbated by the poor state of the Cape Leveque Road and absence of regular public transport up the Peninsula, to enable Indigenous people from the Peninsula to work at the LNG Precinct. This problem is evident from the experience of Indigenous people at Roebourne, which is about 40km from Karratha, and where there is also an absence of public transport (Haslam-McKenzie et al 2009, p.41).

Some participants felt the following issues would also preclude them from gaining employed in activities associated with the development of the LNG Precinct.

- Although some Indigenous people have extensive work experience and the skills required during the site development and construction phases of the project, they do not have the necessary certificates.

- Lack of childcare facilities to enable parents to pursue work or further studies or, in the case of Broome, facilities are either too expensive or are full. For example, the cheapest rate is $81 per child full time (day rate) irrespective of the age of the child.

- An expectation that no allowance will be made for cultural and family responsibilities and obligations, for instance to attend funerals.

Some of the agencies consulted expressed similar views. However, it must be noted that participants and agencies did offer some solutions to address these issues. These are discussed in Chapter 3.5.3 and Chapter 4.

Some participants were also concerned that:

- Indigenous workers and non-Indigenous workers working at the Precinct would not receive the same wages.

- Higher-paid job opportunities at the LNG Precinct would attract Indigenous people with valuable skills and capacities and remove them from the communities and community enterprises where they are most needed, creating a ‘brain-drain’.

We work hard to get the business going and then hand it the kids, who may leave being attracted to the precinct to work for big dollars (Owner of an Indigenous eco-tourism venture, Beagle Bay, December 2009)

- The transition from CDEP incomes to higher incomes that can be earned in the gas and mineral resource industries has often resulted in negative consequences, because the people involved are ill prepared to manage larger incomes to their economic advantage.

Socially it is bad, because these boys go down there [Pilbara] and come back on their week off and piss it up all over the place, [get drunk] and have nothing to show for it. Basically most of them had just lived off CDEP or through their wives and their pensions and they go away, earn big dollars for that week... They have insecurity, so they come back and they get messed up. The three there have nice cars but they have huge debts, if they miss three shifts how will they pay for it? (Lombadina, December 2009)
• The impact of working on CDEP for many years has left some Indigenous people ill-prepared for mainstream employment, and they do not have the necessary work skills and work ethic required. This view has also been expressed by agencies interviewed, including recruitment agencies. The negative impacts of CDEP are seen as most prevalent in the 18 – 30 year age group living in the Dampier Peninsula communities, many of whom have never experienced any alternative forms of employment. As a result in many cases, ‘candidates lack work readiness skills’. (Grunt Labour Services (December 2009)

• There has been a lot of training for training’s sake without positive outcomes and with no guaranteed work on completion.

    We had kids training and getting skills then when they go to work they were refused. It was said there was no work. (Derby, December 2009)

• The challenge for Indigenous workers, should the Precinct operate on a FIFO basis, in being away from family and balancing work with the need to spend time on country. This challenge has already been observed to affect men currently working in the mining industry on a FIFO basis, working rosters that are usually 2-weeks on and 1-week off basis.

    Men fret for their wives and their safety while the men are working at the mines. (Lombadina, October 2009)

    FIFO rosters also put a lot of pressure on the wives especially those who have young children.

    My husband works at a mine, one week on and one week off which is not too bad. Any longer would be hard. When he comes home from the mine he is tired and wants to sleep. I am tired and I get cranky because I go to work every day and have to look after the kids on my own at the same time. The kids miss him too. (Jabirr-Jabirr woman, Broome, November 2009)

In relation to Indigenous enterprise development, a number of participants noted the difficulty for Indigenous people in accessing financial assistance to set up or expand enterprises. The majority of Indigenous people living on the Peninsula rely on CDEP payments for income, and do not have security of tenure, with the result that they are not eligible to get loans.

    We can’t even get money, not from the banks, we can’t get a credit rating because we are on CDEP which is work for the dole basically...It is the young generation, not us, how are they going to get funding for anything? (One Arm Point, December 2009)
Moreover, most of the existing but fledgling enterprises such as the eco-tourism enterprises were set up as CDEP programs, and people running them are dependent on CDEP payments to supplement their income. This is especially so in the wet season, when business is slow and costs are high due to increased need for air-services when the Cape Leveque Road is closed.

Like the rest of the Kimberley, the majority of Indigenous people that live in communities and outstations on the Peninsula have relied on CDEP as their major source of employment and income for several years. Depending on funding, many of the positions were either intermittent, part-time jobs, or involved working the obligatory 15 hours per week on a flexible basis. Due to irregular and/or inadequate funding arrangements there has been a heavy dependence by Indigenous organisations and communities on filling full-time skilled positions by ‘topping up’ CDEP to match award wage rates. As Taylor states, CDEP was thus an alternative for many jobs that would ‘otherwise be classified as part of the mainstream labour market (especially in the provision of local government-type services)’ (Taylor 2006, p.36).

CDEP ceased in towns in July 2009, while CDEP programs in remote communities will cease in 2011, with the assumption that current CDEP workers will by then be actively engaged in training and alternative employment or receive welfare payments. There is a lot of confusion about the change-over process.

As the CDEP reduces, the Centrelink and Job Futures options expand. People are confused about all the various agencies organising and facilitating the change over from CDEP to Centrelink and programs. (CDEP Manager, Djarinjin, December 2009)

The number of jobs on the Peninsula has reduced significantly since early 2009 due to the gradual termination of CDEP. As a result, many Indigenous residents on the Peninsula, including those with small enterprises, are anxious about their economic future as there are very few alternatives available in the communities. Another issue is that since the cessation of CDEP, those people currently holding ‘real’ jobs on CDEP wages, for example an Administration Officer’s position in the Community Council, are now required to have certificates of competency, for example Certificate III in Community Service or Certificate III in Business Administration. Previously the only prerequisites to do the job were demonstrated skills and experience. Most of the women working in the council offices are working mothers and will need to take time out to get the certification they require.

As a result of the winding down of CDEP, some former CDEP workers have moved into Broome to pursue work, in some cases adding to the issues of housing, overcrowding and homelessness.

Large percentage of our clients who need emergency relief service and crisis assistance are former CDEP workers that are out of towners looking for jobs (Centrecare, Broome, November 2009)

It is a fact that a lot of us live in town because there are no resources left out on the outstations... They got so many good houses over in some communities even when CDEP was there but now there is no CDEP and we can’t survive without being chased into town. (Derby, December 2009)

3.4.6 EDUCATION AND TRAINING

The issue of education and training was seen by participants as critical in shaping the impacts of the LNG Precinct, in particular whether Indigenous people will be able to share in the benefits created by employment opportunities, or whether these opportunities will flow largely to non-Indigenous people and outsiders, increasing existing social and economic inequalities (see Chapter 2.3.3).

During the consultation process participants raised the following issues with regard to education and training:

- the limited quality and range of VET programs currently available
- the limited secondary education programs available, especially in schools on the Peninsula
- insufficient student accommodation available in Broome
- problems with student literacy and numeracy.

Participants recognise that Indigenous people need to pursue training and the skills they need to be considered for employment at the LNG Precinct. They acknowledge that training needs to begin now, but feel that the training agencies in Broome are currently ill-prepared to assist. ‘Training pathways are not in
place so people will not be ready.' (Training Manager, Djaringo, November 2009). Participants are critical of the training programs currently available in Broome and the Dampier Peninsula and consider them inadequate and question the quality of VET programs being delivered in the communities.

TAFE courses – the method of instruction and resources used are dull and out of date. (One Arm Point, September 2009)

TAFE is a bad example of government delivering training services. Up in this area, blackfellas are no better off, because they only have one certificate available, TAFE, and they aren’t doing the stuff in which people want training (Beagle Bay December 2009).

The smaller locally-based RTOs in Broome such as Djaringo and KGT, were considered exceptions, because their method of delivery incorporates the learning styles preferred by Indigenous people and they are committed to meet the needs of their Indigenous clients.

Some RTOs and the Principal of Broome Senior High School (which also provides VET courses in conjunction with TAFE) have indicated that the availability and retention of suitable and skilled trainers is already an issue for reasons that apply to skilled personnel generally. They fear that those who have the skills to be effective trainers will go to the gas industry should the LNG Precinct go ahead.

The previous Physical Education Teacher only stayed for one year and then went to a mine as an educator for three times the salary he earned as a teacher at St Mary’s. (Principal, St Mary’s Secondary School, November 2009)

Some of the training institutions recognise the need to develop and diversify their programs to meet the future training and employments needs of the LNG Precinct, but are reluctant to proceed due to limited current funding and the absence of any assurance that the LNG Precinct will go ahead. ‘So far lots of general discussions but no training institution in Broome will commit until the LNG Precinct is signed off.’ (CEO, TAFE, October 2009). The Director of KGT also raised the issue that the present period of skills shortage may impact on the duration of training, thereby ‘setting people up to fail and lose confidence. For example, short-term training for Carpentry from Cert III to IV will rush training to meet [urgent current] needs which will then result in trainees not being fully skilled.’ (Director KGT, December 2009). After being in the workplace for a short time and demonstrating that they have not mastered some of the skills required, for example planning a building project, the former trainee will need to do ‘extensions’ or supplementary units to enhance the skills that were fast-tracked in Cert IV Carpentry.

The lack of hostel and temporary accommodation in Broome also precludes many Indigenous people from pursuing further training. This issue was raised over and over again by Indigenous participants and training organisations. Indigenous parents were also concerned about the level of pastoral care and supervision their children would receive in Broome.

The issue of inadequate secondary programs in community schools was raised by participants and school principals:

There is no Year 12 here in Beagle Bay. (Beagle Bay, September 2009)

We need a secondary school on the Peninsula. (One Arm Point, September 2009)

No facilities for secondary school. Seven Year eight students sent to Perth and Darwin early in the year, only five stayed. (School Principal, Beagle Bay, September 2009)

The school does not cater well for secondary schools – no facilities and resources. Therefore secondary-age kids are encouraged to go to boarding schools. (School Principal, Djarindjin/Lombadina, October 2009)

A major issue is that the range of subjects is limited and Year 12 is not available in most of these schools. The exception is One Arm Point School, but here the one secondary teacher also teaches some VET subjects. Consequently, some students from the Peninsula have to continue their secondary education in Broome where they either board at the Broome Residential College or alternatively stay with relatives. Others attend boarding schools in Perth or elsewhere. Should the LNG Precinct go ahead and there is an influx of people competing for accommodation, some Indigenous families whose children already attend secondary school in Broome as day students may have to return to the communities, and there may be an increased need to have children in safe accommodation, both of which could increase the need for boarding facilities (Manager of Broome Residential College, October 2009). One impact of
students going away to boarding school is that there may be no role models left in the community for younger children. ‘It is already a problem with private schools from down south poaching students and therefore no role models in the school.’ (Principal, Broome High School, November 2009)

Poor levels of literacy and numeracy are seen as a major constraint for some Indigenous people, especially the youth, preventing them from actively engaging in meaningful employment. Some participants stressed that these deficits needed to be addressed at all levels so that young Indigenous people will be better prepared to take up the employment opportunities when they arise, irrespective if the LNG Precinct goes ahead.

What it comes down to, we need to start from the bottom and go up with literacy and numeracy. (Beagle Bay, September 2009)

Schools on the Peninsula and in Broome are trying to address this issue using various programs funded by the Commonwealth, for example the Indigenous Language Speaking Students Program (ILSS); the Reading Recovery Program, offered at Beagle Bay and Djarindjin/Lombadina Schools, a KLC initiative that attempts to engage the parents in developing literacy skills; and the Home Numeracy and Literacy Packs used at One Arm Point School, which are designed for children but led by parents. NAPLAN results indicate that these programs are having an impact in some communities and that progress is being made (see Chapter 2.3.3) Yet there is some criticism that new teachers are ill-prepared to teach literacy and numeracy:

Teacher training is inadequate to provide teachers with the necessary skills to teach literacy, reading and numeracy. Also Literacy Profile and the English Curriculum does not provide coherent framework that gives direction to teachers about what to teach, and how to teach. (School Principal, One Arm Point, September 2009)

Literacy and numeracy is incorporated in some of the VET courses provided by secondary schools and Broome-based RTOs such as Kimberley TAFE. The TAFE is also providing training in literacy and numeracy to adults. As indicated in Chapter 3.4.5 the lack of literacy and numeracy skills amongst adults is a barrier to employment.

Participants were also concerned about the impacts of overcrowding, poor housing conditions, anti-social home environments and inadequate diet, all of which are not conducive to learning and are reflected in poor school attendance levels, and the behaviour and performance of some Indigenous school children and young Indigenous people enrolled in training programs. The problem of inadequate diet is being addressed by breakfast clubs in various Dampier Peninsula communities and supported by the Red Cross.

3.4.7 HEALTH AND WELL-BEING

Participants and the health agencies consulted predict that existing health issues, especially those related to alcohol abuse, will increase and show in patients at increasingly younger ages as a result of the social impacts potentially associated with the LNG Precinct and raised earlier in this chapter. They believed the following health issues could be exacerbated if the LNG Precinct goes ahead:

- **Increase in STIs**
  
  If it is an issue in Broome it will be on the Peninsula because of transference and possible increase in sexual activities – an issue if any large group coming to town, need screening. Also condoms are not available in some of the communities for religious reasons. (Djarindjin Health Clinic, October 2009)

- **Increase in alcohol and drug abuse in communities on the Peninsula, especially amongst youth.**
  
  This concern is based on the assumption that the Cape Leveque Road will be sealed and offer easier access, and that increased disposable income due to higher wages earned at the LNG Precinct will result in higher spending on alcohol and drugs (see Chapter 3.4.3).

- **The stress of attending a plethora of meetings,** which can be contentious and controversial, which affects the health of Traditional Owners, especially the elderly, some of whom have chronic medical conditions. Their level of stress is exacerbated by the context of the meetings, community and family matters and climatic conditions.

  Senior Traditional Owners, Mr A(heart) and Mr B(chronic disease) are constantly stressed due to high demands, constantly fighting their case,
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may exacerbate the already high rate of youth suicide. Identical concerns have recently been expressed in relation to large-scale gas development in northern Canada (Joint Panel Review for the Mackenzie Gas Project 2009, pp.489-492).

In considering any potential impacts on youth suicide, it is important to understand the severity of the problem that already exists in this area. Suicide amongst Indigenous youth is not a recent phenomenon, has been documented in a number of reports over the past 20 years (see Chapter 2.3.7), and continues to be a major issue of concern in Broome and communities on the Dampier Peninsula. The ‘Blank Page Summit on Suicide’ (27 – 31 July 2009), a community initiative influenced by the impact of two young members of a family committing suicide, was held at Billard, 35km from Beagle Bay, to identify and develop strategies to prevent Indigenous people in the Kimberley committing suicide. The Billard Summit concluded that:

Doubtless there are many Indigenous people in the Kimberley who live happy and rewarding lives. However the stark reality is that there are also many individuals at risk of leading unfulfilled, if not destructive and anti-social lives. They are dependent on governments and service providers every day of the week for their basic needs. The notions of independence, freedom of choice, self-determination and self-care are relatively foreign to them. (Blank Page Summit on Suicide, Billard 27 – 31 July 2009)

Similar views were expressed by some participants in the ASIA:

Young [Indigenous people] people have a lot of pressure. More pressure than a white person. Because they are being watched by their family, and white person... That is the saddest thing you see, tense communities, our kids – you don’t hardly see anybody smiling or talking. They are gloomy. The system you get into is killing our people physically and mentally. (One Arm Point, December 2009)

Currently, there are limited employment and recreational activities and few apparent future pathways, following secondary education, for many young people in the communities. Lack of future direction, dysfunctional and overcrowded home life, poor self esteem due to poor performance at school, lack of commitment by some service providers, marginalisation and insecurity and, in certain cases, the erosion of culture, can all contribute to despondency amongst...
Indigenous youth. This is reflected for instance in the poor school attendance of secondary school students and anti-social behaviour of some Indigenous youths.

There are ten 13 – 16 year olds who regularly drink and consume ganja and are recalcitrant throughout with a ‘Lord of the Flies’ mentality who need anger management (Djarindjin/ Lombadina Clinic, October 2009)

Lack of suitable accommodation in Broome is an added constraint for youth who wish to pursue opportunities such as training and employment. Moreover, there are anecdotal reports that young Indigenous people in the communities increasingly have to be responsible for their siblings because of family dysfunction. The ‘impact of kids looking after kids – kids with responsibilities,’ is having a toll on youth in Djarindjin, according to health professionals (Djarindjin/ Lombadina Clinic October 2009).

Most youth programs and other youth support services are provided by NGOs which tend to be under-resourced and highly dependent on government funding. Some youth programs such as the Derby Youth Drug and Alcohol Project had to end due to lack of funding. Although popular in the community, the continuation of Djarindjin Sea Scouts is also threatened due to lack of ongoing funding. Prior to the winding back of CDEP, recreational activities in communities were often made possible through CDEP-funded initiatives with voluntary support of teachers and other non-Indigenous members in the communities, or were short-term one-off projects. For example, Djarindjin Sea Scouts, based at the Djarindjin Council Office, was initiated by the Community Liaison Officer/ Council President who was on CDEP, but due to the cessation of CDEP this position ended in November 2009. Prior to November 2009 Recreational Officers in the communities were CDEP-funded and under-resourced and under-equipped. Consequently, some of the sporting facilities deteriorated. However, in late November 2009, Garnduwa Kimberley Youth, Sport and Recreation, a federally-funded NGO that provides sport, recreation and leadership support to Indigenous youth, appointed
two part-time Recreation Officers on award wages for One Arm Point and Djarindjin, and the clearing of the One Arm Point oval was underway. It is not clear whether this funding source will prove more durable. Until recently Garnduwa operated mainly in regional centres in the Kimberley due to funding constraints, but it has now received funding for the next three years.

3.4.9 SERVICE DELIVERY AND INFRASTRUCTURE

Participants in all ASIA consultations indicated concern that governments plan to use the LNG Precinct as the platform for providing basic public services such as health and education to their communities, so evading government responsibilities to provide these services. Their concerns are supported by the following observation with regard to the delivery of public services in the Pilbara. ‘Generally, state governments have been reluctant to invest in resource towns and mine camps, presuming that to do so is to meet the needs of an industry sector that can, seemingly, afford to provide its own resources including housing’ (Haslam-McKenzie et al 2009, p.33)

People also expressed concerns that withdrawal of government funding in recent times for community support and infrastructure indirectly forces Indigenous people on the Dampier Peninsula to support the LNG Precinct.

Are there alternative solutions to improving health, education, employment and housing other than gas? (Beagle Bay, September 2009)

$340 million [referring to a Commonwealth announcement of planned spending in the West Kimberley] is rubbish, it’s a bribe, we should have been entitled to education and housing as a general requirement and right. It shouldn’t have taken a gas hub to be offered, it’s an insult. (Beagle Bay, September 2009)

The issue is that there is talk that there will be better services – that should be provided by Government as a basic human right. (Yawuru woman, November 2009)

Land status can also compromise service delivery. For example, uncertainty in relation to the future of lands held by the ALT (Aboriginal Lands Trust) can lead to confusion about who is responsible for repairs and maintenance. For instance, although the Shire of Broome encompasses roads on ALT lands, it is not responsible for their maintenance. Houses that are owned by ALT are not maintained by the DHWA, helping to explain why houses in the communities are often in various states of repair.

As stated in Chapter 3.4.3 individual participants and service providers alike fear that an influx of people due to the development of the LNG Precinct will put a strain on existing service providers which are already stretched, particularly in the tourist season.

The expansion of government services is a laugh – people are struggling with that already. (Lombadina, December 2009)

Both groups expressed the strong need for government to upgrade infrastructure and service delivery to cater for this influx. The Broome-based agencies that provide services to Indigenous people in the West Kimberley, but more specifically Broome and the Dampier Peninsula, indicated that the LNG Precinct would impact on their capacity to deliver services in the following ways:

- Shortage of housing for staff. More than a fifth of all agencies identified this as a significant issue, and for some it has been a major constraint in recruiting and retaining appropriate staff. Its impact will be exacerbated if the cost of housing increases and creates a further drain on the agency’s financial resources.
- Staff retention and difficulty in attracting staff. The attraction of higher salaries and better conditions in the gas industry may result in staff leaving the agencies especially if they cannot match the salary and conditions offered in the LNG or allied industries.
- Increased demand on services such as child care, with the result that current waiting lists will expand. For example, the waiting list at Jalygurr Guwan Aboriginal Corporation Child Services is more than 12 months and is growing.
- Less time will be available for clients.
- A need to expand facilities, services, and staff levels and so a need for more funding.
- Increased cost in services, materials and supplies purchased by agencies.
LNG development is expected to have an even greater impact on service providers in the Dampier Peninsula communities given that they are already underfunded and experiencing some of these issues, particularly problems in retaining staff. For instance, Lombadina/Djarindjin Clinic has not had a full complement of permanent staff since 2006. It has to rely on agency nurses who are paid at a higher rate and do not tend to stay long. Between December 2008 and August 2009, for example, the Clinic had a turnover of eight staff (Lombadina/Djarindjin Clinic, October 2009).

Due to the low income base in the communities they cannot rely on donations or fund raising to fund services. Thus a significant proportion of the ‘not-for-profit’ agencies (see Figure 2.4) that provide a range of social services and support for the needy in Broome and the Dampier Peninsula will require external financial support to enable them to meet the additional demands resulting from the LNG Precinct and related developments. Not-for-profit agencies are already pressed for resources, generally depending on government grants and philanthropic contributions, and they pay lower salaries, do not provide subsidies for their staff, are under-resourced, rely on volunteers and are constantly looking for funding and staff. They are likely to be severely affected by rising wage and other costs and competition for labour.

A number of agencies expressed cynicism about whether benefits would trickle down from gas development to local service providers and so help offset these effects.

Participants in the ASIA also expressed their frustrations with misallocation of resources intended for Indigenous services, the constant change in government policies, current bureaucratic processes, and the lack of communication and coordination between agencies, all of which results in duplication, constant delays, and poor and inequitable service delivery. Participants fear that these problems in service delivery will continue to occur in the future, thus reducing the speedy amelioration of social issues that may arise from the LNG Precinct.

**Apparenty Shire gets money for every Aboriginal person but we haven’t seen anything of it. (Jabirr-Jabirr man, Broome, September 2009)**

**One of the biggest impacts is government policy. There should be something there that highlights our problem with government and the constant rule changing. (Beagle Bay, September 2009)**

You are going to need a watch dog up there ... the people dealing with these issues forever move the goal posts, if there are too many bosses it makes it worse. ...In our community there are three bodies building houses and dealing with houses and land. The housing and infrastructure is complimented by another mob – and that is only the housing! (Derby, November 2009)

Country Health would probably give a different figure on Aboriginal health to Aboriginal medical services... KAMSC are community built, whereas medical board WA is top down....We want to go up, not top down...The regional health and development mob can’t get their facts together. (Derby, November 2009)

Because of all that bureaucracy, people can’t improve their lives....We need the government’s help, I been waiting many years. (Djarindjin, December 2009)

Even if they put a strategic plan in place from the locals, the government will still make decisions for them, not listen to the people on the ground. (One Arm Point, December 2009)

### 3.4.10 IMPACT ON LAND TENURE

The topic of land tenure, including native title, leases and leaseholders rights and interests, is a complex and contentious one, and the development of the LNG Precinct and associated land tenure changes are likely to exacerbate this situation (KLC 2008, p.123). This issue was raised on numerous occasions during the consultation meetings, and was often the subject of extended and heated discussion.

People identified a number of issues around native title and its resolution:

**Before there were no physical boundaries between groups – native title has changed this.**

**Native title has caused fighting and tension between families.**

**People need to understand that native title is not individual land ownership – people are tending to fence off communities and access areas to stop including Aboriginal people living in the area and**
people from going through. (Beagle Bay and Lombadina, September 2009)

Issues around ALT lands include:

ALT still owns the land – so how can we go make policies or suggestions without negotiations with other parties who are relevant? When will people get certainty about their blocks – ALT, land reforms? (Nyul Nyul, Beagle Bay September 2009, and Derby, October 2009)

Most of us have 99-year leases on our blocks, what will happen with that? – TOs have block leases. Can they be transferred to freehold land? (Lombadina, September 2009)

No one is talking to Djarindjin re the Lease. (Djarindjin, October 2009)

ALT said people need to have a business plan. If they don’t have, the ALT will take the land away. (Nimunburr, Broome, December 2009)

The proposed LNG Precinct has increased the tension in the community between Traditional Owners and other Indigenous community members including leaseholders, especially in the Beagle Bay area where the majority are descendents of the Stolen Generations or of ‘historical’ people (see Chapter 2.2). Many have been living there for several generations and helped set up the community, rely on Beagle Bay for services, and get involved in community affairs, but often feel excluded from decision-making processes in relation to gas development. As mentioned in Chapter 2.2, Traditional Owners for their part resent that they were never consulted about the allocation of leases, to whom they should be issued, for what purposes and for how long. Furthermore, they do not have the opportunity to secure leases themselves as the ALT now has a ‘no more leases’ policy. Conversely, leaseholders feel insecure and fear that they may be evicted from their leases, which are located on native title claim land.

These issues about land tenure and lack of security are causing cultural conflict and a sense of disempowerment, which on occasions have resulted in family feuds and violence. In addition, the lack of secure tenure also restricts the leaseholders’ ability to access finance for their businesses. For example, a leaseholder at Middle Lagoon needs to obtain outside investors to help develop their eco-tourism venture into a resort, but their lease is located on 26 acres of beachfront native title land and potential investors are seeking a greater say over management of the business and a higher return because of the lack of secure tenure.

3.4.11 CULTURE AND HERITAGE

Care for country (both sea and land) and the protection of heritage sites are paramount for Kimberley Traditional Owners (see Chapter 2.2 and 2.3.9). However few issues relating to specific threats to cultural heritage in the area of the LNG Precinct were raised during the ASIA consultation meetings. We believe this reflects people’s awareness that the Traditional Owners of James Price Point and the KLC have negotiated measures, and undertaken heritage and site surveys, to minimise any impact on sites and country at the LNG Precinct site (see KLC 2010a for details). Participants may also have been reluctant to comment on matters that are seen as primarily the responsibility of the Traditional Owners for James Price Point.

One issue that was raised involved the possibility that burial remains or other artefacts would be discovered during development and construction of the Precinct.

With reference to the zones within the Precinct – a question and concern is what if there are burial areas found within those regions including bones for other people, that is, WWII people? (Beagle Bay, September and Djarindjin, October 2009).

Other and more general issues involved access to land for native title groups; the impact of an influx of tourists venturing wherever they please, and therefore affecting the privacy of Indigenous people to conduct ceremonies and other cultural activities on the Peninsula; and the heritage assessment process.

A major concern – the level of usage and access and impacts on the specific native title groups to exercise their native title rights in the area around the Precinct. (Yawuru and Beagle Bay, September 2009, and Djarindjin October 2009)

Probably get a lot more people wandering around and getting lost. (Djarindjin December 2009)

If they (company workers) found something later from the digging and stuff does that mean that they [Traditional Owners] cannot object? (Djarindjin, October 2009)
3.4.12 NEGATIVE IMPACTS ON INDIGENOUS TOURISM VENTURES

Many outstation owners and leaseholders on the Dampier Peninsula have established eco-tourism ventures offering a range of basic accommodation and recreational activities. Most of them were initially set up as CDEP projects but more recently are seen as a source of income and opportunity to live on and look after country. Some are only at a fledgling stage while others, like Kooljaman at Cape Leveque, are well established and expanding. Although it may be assumed that an influx of people on the Peninsula would boost tourism on the Peninsula, it could have negative consequences on Indigenous tourism due to the following factors:

- There are already a number of tour operators from Broome and interstate taking tourists to the Peninsula without local involvement. As they tend to be better resourced and currently dominate tourism in the West Kimberley, they may monopolise the new opportunities to the exclusion of local enterprises.

The most important thing is that people have to work together, e.g. for tourism, the people just need funding to support the opportunity for our people to run the tours, instead of getting people to go on kartiya tours that bring the tourists to here or they take them from Kooljaman. (One Arm Point, December 2009)

Tour operators, but the tours that come up now, we want our own people to do that. Those workers when they come up want to do fishing, that is another opportunity for our people. (One Arm Point, December 2009)

- The risk of a ‘brain drain’ from outstation tourism ventures, with the potential to earn higher wages at the LNG Precinct enticing tour workers from the outstations, or skilled Indigenous people being poached by other tour operators and other industries.

There are business challenges for people on the Peninsula, we establish business on the Peninsula and then the kids get lured away with other better jobs. (Beagle Bay, December 2009)

- Because effective management systems are not in place, some tour operators tend to go where they please without consulting with relevant people on the Peninsula and without using local guides. There is a concern that with an influx of visitors this activity will increase.

- For example, visitors are supposed to call in at Lombadina Visitors Centre and pay a fee and in return are given instructions and information about the area but some bypass the community and go where they please.

They pay a certain amount but like we say they are not staying where they are allowed to access. (Lombadina, December 2009)

- Once the road is sealed visitors, weekenders, recreational fishermen and tour operators from Broome or elsewhere will tow their own boats to the Peninsula and no longer depend on local operators to go fishing or lead fishing tours.

Number of people going onto our fishing blocks, camping blocks and outstations might cause conflict. (Beagle Bay, September 2009)

- Some tourists especially those who visit the Peninsula annually or regularly have indicated to residents their displeasure about the LNG Precinct which may discourage them from returning.

We get tourists in here all the time talking about if they do [build the Precinct] whether it will affect, because the Kimberley is so pristine at the moment. (Lombadina Visitor’s Centre, Lombadina, December 2009)
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3.4.13 SOCIAL CONFLICT AROUND GAS DEVELOPMENT

The proposal to establish an LNG Precinct has created deep divisions in both the Indigenous and non-Indigenous communities in Broome. Some people, particularly long-term residents of the town are strongly opposed to the proposed development (KPP Business Development 2009), and a number of groups, for example, Save the Kimberley and the Wilderness Society (Save the Kimberley 2010), are mounting major public campaigns to try and prevent it. There are also divisions within the Indigenous community and, in discussions with the ASIA Team, Traditional Owners report that there is conflict even within individual families, and talk about the distress this causes them. Graffiti attacking the KLC has appeared around Broome, the KLC has received hate mail (see Plate 3.4), and the KLC CEO’s vehicle has been vandalised. ‘Anti gas’ slogans and posters

highlighting the conflict over gas development regularly appear around Broome (see Plates 20 and 21).

Such conflict is a major source of social impact, causing stress to individuals and undermining Broome’s historical identity as a multi-racial and tolerant community (see Chapter 2.2). It threatens to weaken community cohesion, and as a result to undermine the Broome community’s capacity to deal with the negative impacts of gas development and to maximise the potential benefits associated with it.
3.5 INDIGENOUS PERSPECTIVES ON POTENTIAL OPPORTUNITIES ASSOCIATED WITH AN LNG PRECINCT

Although participants and agencies identified many potential negative impacts from the proposed LNG Precinct, they recognised that there could also be potential opportunities (short-term and long-term) for Indigenous people should the project go ahead. These opportunities, many of which are interrelated, include participation in environmental management and conservation activities, increased educational and training opportunities, employment, business opportunities including tourism, additional support for youth, improved service delivery and infrastructure, and support for cultural pursuits. Participants and organisations also identified possible strategies that could be adopted to help ensure that such opportunities can be realised. They saw their realisation as depending in particular on the following factors:

- A joint commitment and willingness by companies involved in the LNG Precinct and government and non-government agencies to actively engage with Indigenous people in the planning, design and implementation of all environmental monitoring, training, employment and other programs.

- Injection of substantial additional funding and resources to agencies that provide service to the affected groups and communities, taking into account remote location costs for both capital and operating costs needed to support programs. For example, what can be purchased or built for $500 000 in the communities on the Dampier Peninsula will be significantly less than in Perth.

- Willingness of and active participation by Indigenous people from the affected area to take advantage of the opportunities as they arise.

- Development of ‘good governance’ to manage the benefits from the LNG Precinct as well as to manage Indigenous communities, Prescribed Body Corporates (PBCs) that hold native title land, and service delivery organisations. This position is based in part on the breakdown of Beagle Bay Incorporation, and the frustration that some native title holders express with their PBCs. They attribute these failures partially to lack of governance skills.

We aren’t going to benefit from it [the LNG Precinct] but our children and grandchildren for later on. (Jabirr-Jabirr man, Broome, November 2009)

Indigenous people must be at the forefront in the dialogue – all dialogue. Need a good blue print for the future. (KGT, Broome, November 2009)
When the government handed Beagle Bay to the people they did not set up structures or governance training. (Nimunburr, Broome, December 2009)

What about a national park and wider conservation areas? (Beagle Bay, September 2009)

Ongoing monitoring conducted by Traditional Owners or their representatives e.g. appointed Rangers. (Beagle Bay, Djarindjin, One Arm Point, September/October 2009)

Opportunity for Traditional Owners to be directly involved in monitoring work as they do in Canada and with mining companies in other parts of Australia. (One Arm Point, September 2009)

Engage more rangers and Indigenous fishing inspectors – monitoring, managing conservation areas but will need resources, legislation to give Rangers’ powers. (Djarindjin, October 2009)

Control of tourists and day trippers going up the Peninsula, or going there with boats for fishing and

3.5.1 PARTICIPATION IN ENVIRONMENTAL MANAGEMENT AND CONSERVATION ACTIVITIES

Indigenous involvement in the environmental management of the LNG Precinct, proposed conservation areas and the Dampier Peninsula as a whole can provide Traditional Owners and affected groups with training and employment opportunities and allow them to fulfil their responsibilities to care for country, monitor the effectiveness of the LNG Precinct operator’s environmental management, and provide feedback to their respective groups.

Could there be more Indigenous involvement in assessment? (Beagle Bay, September 2009)

Specific components of the benefits package should be for conservation and land reserves. (Djarindjin, October 2009)
A number of the agencies interviewed also considered conservation projects and environmental protection of the Peninsula as potential opportunities for Traditional Owners.

3.5.2 EDUCATION AND TRAINING

Participants recognised the job opportunities that will arise directly and indirectly due to the LNG Precinct, and that because of its long life these could also be available to their children and grandchildren. They also recognised that most of these jobs require specific skills and qualifications, and acknowledged that many Indigenous people in the region, especially those living on the Peninsula, do not have the required skill sets and will need to address these deficits as soon as possible to be ready when jobs become available.

Suggested strategies include training networks; scholarships that are linked to acquisition of specific skills; apprenticeships; training in skills that could be used at the LNG Precinct but also back in the community; and short-term and long-term training incentives.

Training – The school leavers need to know about it, it’s their future. (One Arm Point, December 2009)

To achieve these goals requires adequate funding, provision of quality training programs that are meaningful and lead to a guaranteed job, and support for Indigenous trainees. Where possible the training programmes should be delivered locally. There must be commitment from all stakeholders, i.e. government; training institutions; potential employers and Indigenous people themselves.

Training, networking with Peninsula and increasing education opportunities and other opportunities to try different things. (Beagle Bay, September 2009)

Need to train up now and keep upgrading skills – ongoing skills development. (One Arm Point, September 2009)

More opportunities for scholarships – geared to specific training eg. Kent St School Scholarship in Aviation. (One Arm Point, September 2009)

Aboriginal parents need training scholarships to send their children away to get tertiary education. Parents who are on CDEP can’t provide such financial support to assist the kids. (One Arm Point, September 2009)

Funding young people into jobs e.g. Diji Center (Telecenter) Training (conducted in Batchelor and funded by NT). (Djarindjin, October 2009)

More community awareness of governance leads to self-esteem and confidence so more opportunity for training in leadership, governance, employment. (Derby, October 2009)

If the government is so involved with it, why don’t they do the training now, get it all done before the [Precinct] starts? (Derby, October 2009)

Other training for Aboriginal people working at the precinct or mine besides truck driving for the long-term. (Nimunburr, Broome December 2009)

Many of the agencies interviewed also identified education and training as potential opportunities that could arise from the LNG Precinct. These include additional schools and trade training centres; scholarships and sponsorships; and more diverse training programs that are work-related and training on the job programs. They also believe that the secondary schools in Broome will be able to offer wider curricula due to larger student numbers coming with the influx of personnel working on the LNG Precinct, and the potential to recruit more specialist teachers.

3.5.3 EMPLOYMENT AND BUSINESS ENTERPRISES

Both participants and many of the agencies consulted believe that the LNG Precinct will directly and indirectly provide a wide range of employment and business opportunities. Indirect employment opportunities will arise in the additional support industries that will provide goods and services to the LNG Precinct and to the workers and their families. However, both groups stressed that to realise these opportunities, the companies involved in the LNG Precinct and their contractors must be committed to employ local people; that local Indigenous people should have priority; and that companies must be held accountable if they fail to
CHAPTER 3 The LNG Precinct and Indigenous People: Sources of Impacts and Opportunities

What about all our people on the Peninsula? Will they be given priority for jobs? Will those things be considered or will they just be flying people in and out from Perth and all over Australia? (Derby, November 2009)

They need to make sure that the jobs are given to the local people first – look at Koolan Island, there are so many faces that aren’t local, what is wrong with training and using local people? (Derby, November 2009)

Employment targets at all levels that increase over time. Employment and training must be guaranteed – Training must end up in guaranteed work, include on-the-job training, Indigenous identified positions. (Nimunburr, Broome, December 2009)

Establish an Indigenous employment brokerage enterprise – pool of Indigenous workers – equal numbers from each claim group and community groups. (Nimunburr, Broome, December 2009)

Employment for local Aboriginal people – local Indigenous people should have first priority before outsiders or other Australians. (GJJ, Djaberra Djaberra, and Beagle Bay, September 2009)

Could be more jobs and more people gainfully employed. (One Arm Point, September 2009)

Having good people in charge to get the right people in the right jobs. (Beagle Bay, September 2009)

People who work in positions for a long time should have first priority. (Djarindjin, October 2009)

Plate 22: Aboriginal workers refuel helicopter servicing offshore gas facilities, Djarindjin, September 2009
The LNG Precinct will be beneficial for us, increased visitors bringing money into the community and therefore increased sales, increased business opportunities and increased profits for local enterprises. (Beagle Bay, September 2009)

Increased number of tourists using facilities in One Arm Point means increase revenue for the store and the hatchery. (One Arm Point, September 2009)

People are preparing on outstations – for camping and eco-tourism enterprises. (Lombadina, September 2009)

To take advantage of the business opportunities emanating from the LNG Precinct, existing Indigenous enterprises will need to expand or upgrade their facilities and resources. However, even if owners of these enterprises have the will, they are constrained by lack of collateral and secure tenure in seeking loans. Moreover, most of the small Indigenous enterprises on the Peninsula were established under CDEP programs and CDEP wages. Consequently, participants and agencies both agree that it is imperative that there is funding and support available to assist Indigenous enterprises in the area to succeed and benefit from the LNG Precinct.

One approach would be for PBCs or other organisations to set up a trust account like a micro-finance bank. Members could submit an application to the PBC to borrow money for a specific purpose with the commitment to pay the money back with interest.

For tourism business, just need funding to support the opportunity for our people to run tours... but we can’t even get money too, from the banks, we can’t get a credit rating because we are on CDEP which is work for the dole basically. (One Arm Point, December 2009)

That island mob [Traditional Owners who have an iron ore mine on their country] is the only mob now who have the trustee, so you can borrow money and pay it back a bit at a time. If you want something its up to them if they approve or not its up to them that’s what they do now. They’ve had that money for years. (Djarindjin, December 2009)

Beagle Bay has woman’s group here, what if they get a contract to go do all the laundry for there. If you are talking about an Indigenous contract, could probably do a situation that has infrastructure possibility to do something like that. If it is a long-term contract, it might go up for tender every five years.
or something, but after that. You have to think about, even if they are in contract situation, they will probably need an umbrella business to help with development and training people up to move out of that umbrella, to work with big business. (Beagle Bay, December 2009)

Alternatively, as participants and agencies alike proposed, these facilities could be initially funded by companies and regarded as social investment opportunities with the potential of becoming an Indigenous enterprise in time. As one agency that deals with social issues suggests, ‘Developers need to stop taking from the community – they need to give something back to the community.’ Another agency that provides social services recommended that a forum be organised between the government agencies, NGOs, the company and KLC to develop an ‘Indigenous Social Justice Strategy.’

Increased disposable income in the community will lead to different items being sold in the store and may give opportunity for the community to grow and community people to achieve their goals e.g. housing. (One Arm Point, September 2009)

I don’t think high income will be a major issue there, just the influx of people over time. If it is a problem...
Participants and agencies (especially social service agencies) recommended that to make the best use of the increased income Indigenous workers may earn from the LNG Precinct, they have access to money management advice, and to Indigenous mentors and role models who both work at the LNG Precinct and live in the community:

They need all the workers to sit around and given a run down about how to spend their money and set up an account...That’s what I did [recently]. They (the Company) paid for us to go to Broome on the plane. The boys who are working there (the mine), we talked to them and to see what they are doing up there. We [gave] them a run down on how to spend their money and not waste big bucks. They earn big bucks and they be laughing if they work for 10 years. (Djarindjin, December 2009)

3.5.5 YOUTH

Participants including groups of young people felt the benefits that Indigenous youth would gain from the LNG Precinct included training and employment opportunities and working on country, thus giving youth some direction and incentives to study. Some participants saw the LNG Precinct as an opportunity for youth to develop their interpersonal skills as well as broaden their experiences if they so desire and ultimately gain confidence.

The youth need to be fully informed of the new positions and when they hold tickets for those positions (through training) – they need priority for those positions. (Derby, November 2009)

Opportunities for kids to go out of the community to widen their experiences, gain confidence, social skills and work experience on country. (One Arm Point, October 2009)

With the demand for skilled workers and the push for community-based vocational training, as well as literacy and numeracy skills training for youth, training organisations will be more accountable for delivering quality services. Participants suggested strategies to engage and encourage youth to study and seek training and employment, for example work experience assignments for secondary school students and the use of role models. Work experience would enable students to get an insight into what goes on at an LNG Precinct and what skills are required, and they could also provide feedback to other young people in the community. Potential role models could be young Indigenous people on traineeships sponsored by the company, or Indigenous workers from the communities employed on resource projects:

If there are 15 [trainees/workers], six have to come from up around here and the rest from Broome or whatever. Seven or eight. But even if there is only six, they can be role models for our younger people coming through to see what they can do. Two from here, two from maybe Beagle Bay and if there is no interest in One Arm Point, get them elsewhere, but there needs to be enough to let our people know what it is about. Then the young ones think they should go back to school and what they want to be a scientist or a something else. A work thing but then they plan to get a qualification in whatever field...

We need to talk to our young people and encourage them. (One Arm Point, December 2009)

Increased disposal income and the possibility of the Cape Leveque Road being sealed are expected to open up other opportunities for youth. Participants and some agencies felt that the LNG Precinct could also provide social investment opportunities and incentives for youth and youth activities in communities along the Peninsula. These could be the form of subsidies, sponsorships and scholarships of the sort some companies such as Woodside and Shell already offer in Broome and elsewhere. As stated above (Chapter 3.4.8) there are few opportunities and incentives available for youth in the communities, and for some training has proven to be meaningless and discouraging as it has not opened up any doors for them. Until recently, there have been few recreational options available in the communities as indicated by the following wish list from youth who were interviewed:

Bring new things to the community and to the school e.g. library, more classrooms, canteen for the school. (Beagle Bay, September 2009)

New football oval with fence and lights, indoor basketball court, netball courts, swimming pool, gym. (Beagle Bay, September 2009)
Some participants believe that people with money have expectations and demand certain commodities and services that are currently unavailable or lacking, an outcome already observed with the expansion of the tourist industry in Broome. Also, agencies have indicated that they will expand their services if they have a guaranteed market and there is funding available.

Participants generally felt that improved service delivery, and improved infrastructure (particularly the upgrade of Cape Leveque Road), could be positive outcomes of an LNG Precinct. They believe that sealing the entire Cape Leveque Road would improve the delivery of services to communities on the Dampier Peninsula and bring other benefits, especially reduced living costs:

- **Sealed road will provide opportunities.** (One Arm Point, September 2009)
- **Upgrade of road – open up educational opportunities and options.** (Beagle Bay, September 2009)
- **Increased mobility for Beagle Bay residents to Broome for employment and recreation.** (Beagle Bay, September 2009)
- **Small eco cars – fuel economy and reduced damage to vehicles.** (Djarindjin, October 2009)
- **Prices may go down because freight costs will be cheaper and reduce cost of living.** (Djarindjin, October 2009)
- **Increased amount of produce delivered to the store. Could set up a community trucking service to freight the supplies to the Peninsula, lead to other enterprises being developed, more businesses e.g. small tourism opportunities because more people going**

### 3.5.6 SERVICE DELIVERY AND INFRASTRUCTURE

**Multifunctional Recreation Centre including internet facility/service/cafe e.g. telecentre, providing same opportunities as town Youth Centre.** (Beagle Bay, September 2009)

**Need facilities and programs after hours Recreation Officer and Youth Councillor.** (One Arm Point, September 2009)

Recreation is a big issue – need a Rec Officer so in the evenings the kids are occupied e.g. sport, community activities, and help bring kids out on Country together. There is no CDEP to fund these activities. (One Arm Point, September 2009)

**Need more hostels in Broome designed for the kids and support.** (Djarindjin, October 2009)

Since the ASIA consultations, a start has been made on upgrading some recreational facilities, for example the One Arm Point football oval has been cleared and graded and two part-time recreational officers have been appointed to One Arm Point and Djarindjin.

Money from the Precinct may provide increased services. (Djarindjin, October 2009)

More teachers, priests... Will we get more help from Woodside, help expand the clinic, communications in radio, and most of all keep people from going to Broome for dialysis. They need dialysis centre here. (Djarindjin, December 2009)
Even though there have been plans to upgrade the road for some time, participants believe that should the LNG Precinct go ahead, such plans will be actioned fairly promptly. Agencies expressed the same view. They indicated that a sealed road would make travel to the Peninsula safer, cars would last longer, and it would be easier to deliver services. Moreover, their services to the Peninsula would improve because staff would be more willing to travel to the communities more frequently, and the savings on transport costs could be utilised elsewhere. Health service providers indicated there would be lower costs for air flights and more patients transported by road because it would be a better and smoother trip. Access to shops and services in Broome would be easier and therefore personnel would not feel as isolated and be more willing to take up positions in the communities.

To cater for the potential increase in population in Broome as a result of the LNG Precinct, services such as education and health will need to expand. This could also include more resources, equipment and specialised personnel which in turn would overflow to the communities.

Infrastructure including for health services grows with development. (One Arm Point Clinic, September 2009)

In addition, the partners and spouses of workers employed at the LNG Precinct may have skills that are currently in short supply in the region, for example as nurses and specialist teachers. Depending on the demographics of Broome in the future, the range of services available may be expanded. For example, an increased number of seniors visiting families and living in Broome may mean there will be more demand for aged health services.

Participants also indicated their hope that the LNG Precinct could lead to other changes that would provide the benefits listed below, which in turn will lead to improved services for Indigenous people in Broome and on the Peninsula. Whether these suggestions are feasible or not needs to be seen:

Replace diesel power plants in communities with gas-fired plants. (Djarindjin, October 2009)

Indigenous control – Indigenous people have a fair go, looked after well and have priority. i.e. education, employment, health and well-being, housing. (Derby, October 2009)

Indigenous people engage in partnership with government departments and agencies in decision making, healthy working relationship. More grassroots involvement rather than top-managed. (Derby, October 2009)

All weather strip (no night lights) – Beagle Bay Air Strip has no lighting – need to use Lombadina for emergency. (Beagle Bay September 2009)

IT services/telecentre. (Beagle Bay and One Arm Point, September 2009)

Police station. (Beagle Bay, September 2009)

3.5.7 HERITAGE AND CULTURE

Respect cultural rights (Derby, October 2009)

During the consultation process, participants expressed the view that the TOTF established in 2008 as part of the LNG Precinct site selection process, and the studies and site clearances undertaken for the LNG Precinct (see KLC 2010a), showed respect for Indigenous cultural rights and Indigenous engagement. The participants expect this respect to continue to be shown during the life of the LNG Precinct, without any reservations. For example, Traditional Owners would expect, in consultation with the Precinct operator, to develop the company’s Indigenous heritage and culture policy, and regulations for its personnel and its contractors, including a code of conduct for workers who intend to spend time on the Peninsula. Participants recognised opportunities to impart knowledge about their culture by means of cultural awareness programs for all personnel associated with the LNG Precinct, and to use funds allocated in the proposed LNG Precinct Benefits Package to support existing cultural activities (see Chapter 2.3.9).

A number of agencies (all training providers) also recognised that the delivery of cultural awareness programs was a potential opportunity for their specific agency.
The international and Australian literature and historical experience in the Kimberley highlight the stark reality that large-scale resource development often generates serious, negative impacts for Indigenous people. The deliberations of the TOTF and the ASIA consultations show that Traditional Owners and other Indigenous people who would be affected by the LNG Precinct hold grave concerns about its potentially negative effects. These concerns focus, in particular, on the risk of damage to land and sea country and marine resources; the adverse social effects of internal conflict around gas development and of the population influx associated with it; the impact of population growth on services and on housing and living costs; the possible inability of Indigenous people to take advantage of the economic opportunities associated with the LNG Precinct, and the resulting increase in inequality between Indigenous and non-Indigenous people; and a deepening of the problems currently faced by Indigenous youth. Many participants raised the concern that a combination of rising living costs, declining access to services, greater competition for fishing stocks, and a failure to benefit from gas-related economic opportunities would leave them very much worse off than they are today.

At the same time participants saw that there are opportunities associated with the LNG Precinct. These include participation in environmental management and conservation activities, increased opportunities for education, training and employment, business opportunities including tourism, additional support for youth, improved service delivery and infrastructure, and support for cultural pursuits.

The extent to which the concerns and aspirations of affected Indigenous people are realised depends very much on the degree to which they can actively participate in the management of impacts and opportunities, and on the nature of the management responses that are put in place to minimise negative effects and maximise positive ones. We focus on these issues in the next chapter.
CHAPTER 4 MINIMISING INDIGENOUS IMPACTS AND MAXIMISING INDIGENOUS BENEFITS FROM AN LNG PRECINCT

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4.1 INTRODUCTION

This Chapter develops recommended arrangements that must be incorporated into the Plan for an LNG Precinct, or be included in conditions attached to any endorsement or statutory approval of the Plan, which address clauses 8 and 9 of the Strategic Assessment Terms of Reference, for the Indigenous social impacts assessed in the ASIA. Specifically, the recommended arrangements are designed to:

- minimise negative social impacts of the LNG Precinct and maximise the opportunities it can generate for affected Indigenous people;

- establish mechanisms to identify social impacts which cannot be identified prior to completion of the Strategic Assessment or the project approval EIA, including ongoing or new impacts throughout the project life;

- establish appropriate management arrangements to avoid, minimise, manage and mitigate those impacts.

These purposes are generally referred to as 'management' throughout this chapter.

The basis for the analysis and resulting recommendations is a review of relevant international and Australian experience, summarised in Section 4.2; an extensive review of specific management responses contained in agreements involving developers, governments and Indigenous communities in Australia and Canada (see, for example, O’Faircheallaigh 2004, 2008; O’Faircheallaigh & Corbett 2005); the deliberations of the TOTF; and in particular the outcome of the ASIA consultations, which generated many of the specific recommendations included in Section 4.4. The chapter also provides, in Section 4.3, a summary of the LNG Precinct Heads of Agreement (HoA) and of a Heritage Protection Agreement for the LNG Precinct, to recognise the fact that certain specific impact management structures and responses are already in place or in the process of being negotiated between Traditional Owners, the KLC, Woodside and the State.
4.2 MANAGEMENT OF IMPACTS FROM LARGE-SCALE RESOURCE DEVELOPMENT: INTERNATIONAL AND AUSTRALIAN EXPERIENCE

International and Australian experience indicates that there are formidable obstacles to effective management of the impacts on Indigenous peoples of large-scale resource development. Management plans for the Kimberley LNG Precinct must take this experience into account, and be designed to address known obstacles to effective impact management.

Some obstacles to effective impact management are not confined to the Indigenous sphere, but occur generally in relation to impacts of large resource projects. The scale of these obstacles has led a number of analysts to describe impact management as the weakest aspect of environmental and social impact assessment (Morrison-Saunders & Arts 2005, p.1; Sadler 2005). These obstacles include:

- The fact that environmental assessment and approval processes tend to focus largely on the initial project approval decisions required for investment to proceed, and not on ongoing responses to and management of project impacts.

- The tendency of governments to shift their attention to ‘new’ projects that generate immediate political pressures and the commencement of which can provide political kudos, and pay much less attention to managing the impacts of projects that have already been approved. Similarly, corporate leaders tend to focus their attention on ensuring the profitability of investments in new projects once they have been approved, rather than on managing their environmental and social impacts.

- The absence of effective ongoing monitoring regimes to establish whether anticipated impacts actually eventuate, or whether impacts occur that were not predicted in original impact assessment studies.

- An absence of adaptive management approaches, defined as ‘flexible approach[es] to Environmental Impact Assessment (EIA) and especially to follow-up activities in which changes are made to impact mitigation and project management strategies in response to the findings of monitoring studies’ (Morrison-Saunders & Arts 2005, p.23). Such approaches are in fact indispensable: to take account of new information; to change existing management strategies where these are ineffective; to develop new management responses to post-approval changes in project design and/or to unanticipated impacts; and to take advantage of unexpected opportunities to enhance environmental and social outcomes.

- A failure to create an enduring institutional framework within which to implement management responses, with the result that these responses are not sustained over time (Arts, Caldwell & Morrison-Saunders, 2001; Cashmore et al., 2004; Morrison-Saunders & Arts, 2005; Morrison-Saunders, Baker & Arts, 2003; Noble, 2000; Noble and Storey, 2005).
In the Indigenous context, additional issues include:

- The fact that Indigenous groups often lack numerical and political influence and so have a limited ability to ensure that political, bureaucratic and corporate decision-makers pay appropriate attention to impact management, especially once a project has been approved.

- Management regimes and activities established to deal with impacts often adopt operational and decision-making practices that take no account of Indigenous capacities, cultural values or social norms and so fail to take account of or to facilitate Indigenous participation. For example, these regimes and activities rely heavily on paper-based technical information, fail to provide translation facilities, occur away from country, leave little room for consensual decision-making, and ignore the gendered nature of decision-making in many Indigenous societies.

- The lack of financial and technical resources available to Traditional Owners to participate effectively in management structures, and to develop Indigenous institutions that can form a basis for such participation.

- The fact that existing social conditions (for example, the existence of significant health problems or limited education) can limit the capacity of a population to engage in and support management responses.

- The dominance in management forums of Western environmental and cultural paradigms that ignore Indigenous understanding of country and its relationship to people, animals and the spirit world, and devalue Indigenous knowledge, including knowledge held specifically by Indigenous women, in favour of Western ‘scientific’ knowledge.


The literature suggests that the following factors are critical in ensuring effective management of potential impacts on Indigenous peoples:

- Legal and institutional arrangements that confer a substantial degree of regulatory control on affected Indigenous groups.

- Contractual arrangements between developers, governments and affected Indigenous groups that provide an effective framework for impact management, including legally enforceable commitments and goals that are clear, precise, and linked to specific time frames; that provide for regular monitoring and review of the outcomes of management responses, and contain a process for addressing any failures; and that provide the human, financial and other resources necessary for their effective implementation.

- The establishment of management structures and processes designed to encourage Indigenous participation, for example, by facilitating communication with and among Indigenous people, and applying time frames that are consistent with Indigenous decision-making practices.

- Provision of the resources required to support effective Indigenous participation, including resources to allow Indigenous participants to gain access to the ‘scientific’ expertise and knowledge needed to understand, contribute to and challenge dominant technical discourses and so engage effectively with mainstream environmental management processes.

- Measures to prevail on regulators and project managers to accept the value and relevance of environmental, social and cultural knowledge held by Indigenous people, and to address the considerable challenges involved in applying Indigenous environmental knowledge to the management of major industrial projects.

These findings help to underpin many of the later recommendations for specific impact management responses.
Another important part of the context for recommendations for management responses is provided by the management structures and responses already in place, or in the process of being negotiated, between Traditional Owners, the KLC, Woodside and the State. The principles underlining these responses, and in some cases their core components, are set out in broad terms in a Heads of Agreement (HoA) signed in April 2009 and discussed below. In relation to the management of impacts on cultural heritage, a Heritage Protection Agreement, also discussed below, was concluded in November 2009. The Indigenous Land Use Agreement (ILUA) and other related agreements (including a State Agreement) that will give detailed and legal expression to the HoA are still (September 2010) being negotiated. Their content is thus unknown, but they will certainly constitute a key component of management plans for the LNG Precinct. Some of the recommendations and strategies identified below are likely to be implemented through the ILUA and related agreements.

4.3.1 THE LNG PRECINCT HOA

The Kimberley LNG HoA was signed by the State, Woodside and the KLC (authorised by the GJJ native title claim group) on 21 April 2009. It records the broad agreement of the parties on a number of principles necessary to obtain native title and cultural heritage consents for the LNG Precinct. It indicates the areas of land that will be required for various components of the Precinct, and states that ‘The design, construction, operation, decommissioning and rehabilitation of the LNG Precinct shall where possible avoid impacts on Aboriginal sites, or minimise impacts.’ All parties committed themselves to a cooperative relationship and to ‘support the participation of the Native Title Party and, where relevant, other Traditional Owners in the development and management of the LNG precinct and commit to the ongoing implementation of the ILUA (or ILUAs) ...’. The State and Woodside also made a series of individual commitments that are relevant to managing the environmental, cultural and social impacts of the project, and to improving ‘the educational, health, social and economic well-being of Aboriginal people across the Kimberley’.

4.3.1.1 Managing project impacts

The State committed to enter into a State Agreement in relation to matters including:

- restoring and rehabilitating the LNG Precinct;
- transferring title and other interests; and
- limiting further LNG development on the Dampier Peninsula.
The State will have the ability to take legislative acts to limit activities in the Statutory Buffer Zone, but acknowledges that certain native title rights can continue to be carried out in this Zone, and industrial areas of the LNG Precinct, while they are vacant.

The State agreed to grant an equivalent amount of freehold land to that required for the industrial precinct to GJJ native title claimants, Dampier Peninsula native title parties, and Kimberley native title parties. It also undertook to ‘reform Indigenous lands on the Dampier Peninsula to enable more effective forms of tenure to support home ownership and economic development’; and to create conservation and heritage reserves on the Dampier Peninsula, to be jointly managed by the State Department of Environment and Conservation and Traditional Owners. The purposes of the reserves will be the protection of Indigenous cultural heritage, protection of areas of environmental sensitivity, and rehabilitation of degraded lands.

The State agreed to enter into a Heritage Protection Agreement to make sure that the development of the Precinct avoids where possible, or minimises, any impacts on Indigenous sites; and will ensure that the development and operation of LNG Precinct will comply with legal requirements to minimise any environmental impacts.

The State agreed to work with the KLC to determine the Native Title Claim over the area by consent as soon as possible; and to work with the KLC to develop a framework and timetable to determine other Kimberley native title claims by consent if possible.

Woodside undertook to remediate the LNG Precinct land at the end of the project, and to develop a heritage management process to ensure that heritage sites are avoided, or impacts otherwise minimised. Woodside undertook to work with Traditional Owners ‘during all stages of design, construction and operation’ to achieve this objective. Woodside agreed that project personnel will attend cross-cultural training courses, and that senior Woodside Browse management will attend further advanced cultural awareness training. The company also agreed that, subject only to the need to restrict access to construction and operational areas for health, safety and security reasons, Traditional Owners may access the LNG Precinct land.

Woodside agreed that it must work to minimise the project’s impact on the environment and that compliance with legal obligations in this regard is the minimum standard. It will consult with Traditional Owners and have regard to their views in evaluating potential impacts and designing mitigation and management measures to reduce impacts; and will consult with them to continuously improve environmental management processes, work practices and behaviours. Woodside will work with the State, the KLC and Traditional Owners to develop management plans dealing with cultural heritage, environment, training, employment, business development and contracting.

Woodside committed to the development of an LNG Management Committee comprising an equal number of representatives of the State, Traditional Owners, Woodside and any other proponents. The Committee will monitor compliance with commitments, review and make recommendations on environmental performance, heritage protection, land access, cross-cultural training, and education, employment and business development opportunities. Committee decisions will be by majority vote, though no changes could be made to cultural heritage and environment management plans without the consent of Traditional Owner representatives, ‘which consent cannot be unreasonably withheld’.

4.3.1.2 Improving Indigenous well-being

The State will, on registration of the ILUA for the Precinct, make financial contributions to Economic Development and Indigenous Housing Funds. Upon the State securing a foundation proponent, it will make further contributions to these funds, and to an Education Fund, Cultural Preservation Fund, and a Kimberley Enhancement Scheme to boost existing social programs that are already working but would produce better results if they had more funding. It will make annual administration payments for 10 years to help set up and manage a PBC, and if the State is an employer within the LNG Precinct, it will develop an Indigenous Employment Strategy to give priority to Traditional Owners and Kimberley people.

Woodside will make financial payments to the Traditional Owners of the precinct site, and to a Regional Benefits Fund.

Woodside will take a series of measures to enhance the capacity of Traditional Owners to benefit from the employment, training and business development opportunities associated with the LNG Precinct. These include: annual contributions to an education fund and
to training initiatives; a minimum level of guaranteed contracting opportunities to Indigenous businesses; and the transfer of project accommodation facilities to a Traditional Owner entity at the end of the project.

4.3.1.3 The role of the Commonwealth

The Commonwealth is not a party to the HoA, and has rejected sustained representations by the KLC and Traditional Owners that it must formally participate in negotiations regarding the LNG Precinct. In the context of negotiations leading to the signing of the HoA in April 2009 the Federal Minister for Indigenous Affairs, Jenny Macklin, indicated that the Commonwealth would allocate additional resources to the West Kimberley region over the period 2009/10 – 2012/13 to assist in overcoming Indigenous disadvantage. Discussions have occurred between the Commonwealth, the State, the KLC and Traditional Owners in a ‘Tripartite Forum’, regarding the size of the Commonwealth’s financial allocation to the West Kimberley; whether and for how long it will be maintained after 2012/13; the extent to which it represents new funding as opposed to commitments that were already in place; and the role, if any, of the KLC and Traditional Owners in determining funding priorities and delivering relevant services. To date (September 2010) these discussions have not reached a resolution. The absence of specific, ongoing commitments by the Commonwealth drew critical comment from a number of participants in the ASIA.

Given the key role of the Commonwealth as a funder, service provider or regulator in areas that are central to managing the impacts of the LNG Precinct, such as health, education, employment, housing, environmental management, heritage protection, quarantine, and security, it must be centrally and effectively involved in mitigation and management of LNG Precinct impacts.

In Canada, for example, the Federal Government, following negotiations with the affected Indigenous organisations and the Government of the Northwest Territories (GNWT) established, by legislation, the Mackenzie Gas Projects Impact Fund (MGPIF). The Fund involves a commitment by the Federal Government of C$500 million over 10 years and reflects a recognition that ‘resources far beyond those currently available to the GNWT or NWT communities would be required to help address the combination of potential Project impacts and the existing social conditions of well-being’. The MGPIF provides for the allocation of funds directly to Indigenous regional organisations, ‘thereby giving those most directly affected by the Project some control over the mitigation process’ (Joint Panel Review for the Mackenzie Gas Project 2009, p.12).

4.3.2 THE HERITAGE PROTECTION AGREEMENT

The Heritage Protection Agreement (HPA) was concluded on 13 November 2009 by the State, Woodside and the KLC on behalf of itself and the Traditional Owners of the LNG Precinct site. It identifies processes for the identification, protection and management of Indigenous sites on the lands within the LNG Precinct, for the parties to work together to identify the precise layout of the LNG Precinct in the vicinity of James Price Point, and for the State and Woodside to seek permits or consents pursuant to the Aboriginal Heritage Act 1972 (WA).

The HPA provides for extensive consultation with the KLC and Traditional Owners in relation to protection of cultural heritage on lands within the area of the LNG Precinct. The objective of the Parties is to try to avoid a situation in which the State or the Proponent takes a course of action in relation to cultural heritage that does not have the support of Traditional Owners and the KLC. Processes are put in place by the HPA for heritage surveys and clearances for the various areas and land uses within and associated with the LNG Precinct. The HPA does not bind the Traditional Owners to agree to heritage clearances for any part of the project area, and neither does it bind Woodside and the State to the terms of any heritage clearances provided by Traditional Owners. However the HPA does bind the parties to a process of heritage clearances which maximises the likelihood of agreed culturally and technically acceptable outcomes and discourages deviation from this process.
4.4 RECOMMENDATIONS FOR ARRANGEMENTS THAT MUST BE IN PLACE TO MINIMISE THE SOCIAL IMPACTS OF THE PLAN

The following sections contain recommendations for arrangements that must be put in place by, variously, the Proponent, responsible State and Commonwealth authorities, private firms operating in the LNG Precinct, regional Aboriginal organisations and Traditional Owners if the social impact of the Plan on Indigenous people is to be avoided or minimised and if Indigenous opportunities associated with the Plan are to be maximised. As noted in the Introduction, the recommended arrangements could be part of the Plan for an LNG Precinct submitted to the Federal Minister for the Environment and the EPA or, to the extent they are not part of that Plan, could be the subject of conditions placed on any approval of the Plan. The relevance of these ‘recommendations’ is that they set out the specific measures intended to avoid, minimise and mitigate for the impacts of the Plan, as required by clause 9 of the ToR.

Thus use of the term ‘must’ in this context has quite a specific sense. It reflects the fact that, on the basis of the research and community consultation conducted for this ASIA, the recommended arrangements must be implemented if the social impacts of an LNG Precinct are to be avoided, minimised and mitigated for.

The State, as represented by the DSD, is currently the Proponent for the LNG Precinct, and the LNG Precinct HoA describes the State as ‘the operator of the LNG Precinct’, and indicates that ‘the LNG Precinct is to be controlled and managed by the State’. At the same time the HoA refers to Woodside and its partners as the ‘Foundation Proponent’ and also refers to ‘future proponents’. Woodside and other private companies will certainly, in practice, exercise control over important areas of LNG Precinct operations, for example recruitment of employees, award of contracts and operation of accommodation facilities.

Against this background it is not a simple matter to predict what entity may in practice be responsible for practices, areas or issues that are the subject of recommendations in what follows. To address this situation, it is assumed that the State as Proponent (‘the Proponent’) does control and manage LNG Precinct operations, and that if the State passes on or delegates any authority to other parties it will also pass on any relevant obligations. If it does not, those obligations are assumed to remain with the State. Thus all conditions that are proposed to be attached to any approval and that relate to any aspect of the management of the LNG Precinct are assumed to be the responsibility of ‘the Proponent’.

Where it is recommended that obligations be imposed on the State in a guise other than its role as the LNG Precinct Proponent, reference is made to ‘the State’ rather than ‘the Proponent’. The term, ‘Precinct Operators’, is used where specific reference is made to the private companies that will operate in the LNG Precinct.

In the case of conditions that would be the responsibility of specific State or Commonwealth agencies, there is a possibility that specific agencies might cease to exist or that responsibilities might be reallocated during the life of the LNG Precinct. Thus the term ‘responsible State authority’ or ‘responsible Commonwealth authority’ is used in these cases.
Some of the recommended conditions also impose obligations on the KLC. However these obligations may over time be taken up by one or more Registered Native Title Bodies Corporate or other authorised representative organisations.

The term ‘Traditional Owners’ refers to the common law holders of native title for the area to which the condition relates. In some cases, for example conditions that operate across the ASIA Area of Impact, this may mean multiple groups of Traditional Owners.

### 4.4.1 CAPACITY OF KEY ACTORS TO ADDRESS INDIGENOUS ISSUES AND IMPACTS

Below we identify specific actions, strategies, policies and resource commitments that can help address specific Indigenous impacts and opportunities arising from the LNG precinct. But if the key actors that must take responsibility for implementing those recommendations lack the capacity to hear, understand and respond to Indigenous concerns and aspirations, the outcome of the LNG Precinct can only be to further marginalise Indigenous people in the Area of Impact.

As is abundantly clear from the discussion in Chapter 3, the record of developers and governments in addressing the concerns and aspirations of Indigenous people affected by large-scale resource projects is poor, in Western Australia, in Australia, and internationally. Aspects of the Strategic Assessments and related processes surrounding the selection for an LNG Precinct on the Kimberley coast provide little assurance that better outcomes will be achieved in this instance. The issue of time frames is a case in point. As noted in Chapter 1 and as is extensively documented in the KLC Traditional Owner Consent and Indigenous Community Consultation Report (KLC 2010a), the State and Woodside have insisted on conducting the Strategic Assessment process, and related negotiations between the State, Woodside, the KLC and Traditional Owners, in time frames that have made it impossible for Traditional Owners to be appropriately informed or to use culturally appropriate decision making processes. In some cases they have also left senior Traditional Owners completely exhausted. To make matters worse, certain of the time frames imposed on the KLC and Traditional Owners on grounds of commercial considerations have, in the event, proved to be much shorter than was necessary.

The KLC is in a difficult position in this regard. It seeks to maximise the participation of Traditional Owners and other affected Indigenous people in relevant decision making processes in ways that are culturally appropriate, as indicated for example by its sustained efforts in initiating and supporting the participation of the TOTF in the NDT site selection process in 2008 (see Chapter 3.3. and KLC 2008). However in doing so the KLC must rely substantially on the State for funding to facilitate the participation of Traditional Owners and to ensure they have access to relevant technical expertise. The KLC is also to some extent reliant on the willingness of the State and Woodside to engage with Traditional Owners in negotiation processes the scope of which may be wider than that mandated by relevant legislation, in particular the Native Title Act 1993. In both respects this places the KLC under enormous pressure, in pursuing the interests of Traditional Owners, to try to comply with the time frames laid down by the State and Woodside. In doing so it can become, however unwillingly, the conduit for the application of processes that are far from optimal from the perspective of Traditional Owners and other affected Indigenous people.

These issues raise fundamental issues regarding structural and political aspects of the relationship between Indigenous people, commercial interests and the state authorities. It is difficult to frame specific recommendations that address such issues. Yet at the same time they are so important that they cannot be ignored in recommendations arising from an Aboriginal Social Impact Assessment.

**Recommendation 1**

The Proponent, the State, the Commonwealth, and Precinct Operators must commit themselves to developing the capacity to hear, understand and respond to the aspirations of Traditional Owners and other Indigenous people affected by the LNG Precinct, and demonstrate that commitment in tangible ways.

**Recommendation 2**

As one such tangible demonstration, the Proponent, the State, the Commonwealth, and Precinct Operators must commit themselves to negotiating time frames for future or ongoing impact assessment and negotiation processes that balance a realistic assessment of commercial requirements
with the need for culturally appropriate decision-making processes and Indigenous informed consent.

Recommendation 3

The KLC must reconsider its approach to the setting of time frames for impact assessment and negotiation processes related to major project developments. It must assess whether it is practical and desirable for the KLC and Traditional Owners to establish time frames they consider will allow for culturally appropriate consultation and decision-making and are also commercially realistic. If the State and private developers reject these time frames, the KLC must reconsider its willingness to engage with the State and private developers in relation to approval of large-scale resource projects.

4.4.2 ONGOING SOCIAL IMPACT MONITORING AND MANAGEMENT: PROPOSAL TO ESTABLISH AN LNG PRECINCT INDIGENOUS SOCIAL IMPACT MONITORING AND MANAGEMENT BOARD

A key and indeed central recommendation of the ASIA is for the establishment of a statutory body that will, throughout the life of the LNG Precinct, oversee the monitoring of social, cultural and economic impacts on Indigenous people and coordinate management of those impacts. This body is referred to here as the LNG Precinct Indigenous Social Impact Monitoring and Management Board (‘the Board’)

4.4.2.1 Rationale for establishment of the Board

As noted in Chapter 4.2, key obstacles to effective management of impacts from large resource projects include:

- a tendency to focus on initial approvals for a project, and not on ongoing responses to and management of project impacts
- the absence of ongoing monitoring regimes to establish whether anticipated impacts actually eventuate, or whether impacts occur that were not predicted in original impact assessment studies
- a failure to create an enduring institutional framework within which to implement management responses, with the result that these responses are not sustained over time.

The need for ongoing monitoring of social impacts and ongoing development of management response is highlighted by a number of features of the proposed LNG Precinct. The first is its long life, at least 30 years and possibly as long as 60 years between the start of construction and decommissioning, and the uncertainty regarding the length of project life. The nature of the social and cultural environment is likely to change substantially over that period. Ongoing monitoring is essential to track these changes and consequent changes in the nature of project impacts and opportunities, while new or modified management responses will be required to address impacts and maximise opportunities.

A second issue involves the fact that if the LNG Precinct expands to produce 25, 35 or 50 mtpa of LNG, there will be a need to monitor the impacts of consequential peaks in project related (especially construction) employment (see Chapter 3.1.3). There is no guarantee, for instance, that a second or third peak will have similar effects to the first one. Each peak may modify the social environment, with the result that by the time the next peak occurs, capacity to deal with impacts or opportunities will have changed, as will therefore the social impact of construction. These cumulative changes can be positive or negative. If the presence of a construction workforce results in an increase in substance abuse in affected Indigenous communities, then when the next peak occurs capacity to absorb its impact may be reduced, with the result that there is a further and more serious increase in substance abuse. Conversely, if effective Indigenous employment, training and business development initiatives are in place for the first construction peak, Indigenous people and organisations may substantially enhance their skills and business capacity during the first peak, with the result that they are able to reap substantially greater benefits from subsequent peaks.

Finally, as indicated in Chapters 2.3.2 and 3.1.3, the peak construction workforce will under some scenarios be larger than the entire Indigenous population of Broome and the Dampier Peninsula, and the relevant employment figures relate to direct employment only, ignoring potential indirect employment. This raises the possibility that, in the absence of an effective and
ongoing regime for impact monitoring and management, the LNG Precinct could create serious, adverse and irreversible cultural and social impacts.

Against this background, it is critical to establish and maintain throughout the life of the LNG Precinct a body whose primary function is to monitor and manage the social impacts arising from the LNG Precinct. Combining this function with other roles (for example environmental management or benefits management) will not allow the clarity of focus, the development of skills, and the capacity for action required to address what will be large-scale and complex social impacts and opportunities. Neither should the role of the Board be confused with discussions currently under way in a ‘Tripartite Forum’ between the State, the Commonwealth and the KLC. This forum is designed to achieve the more efficient and effective application of public revenues to closing the gap which currently exists between the social and economic conditions of Indigenous people in the Kimberley and ‘mainstream Australia’. The role of the Board, in contrast, would be to address the Indigenous impacts and opportunities arising from the LNG Precinct.

4.4.2.2 Organizational structure and roles

The proposed Board must include substantial Indigenous representation from native title and other groups affected by the LNG Precinct and from relevant Indigenous regional organisations, to ensure that it is driven by the need to address Indigenous impacts and opportunities. At the same time if it is to ensure that the LNG Precinct Operator(s) and relevant government agencies support monitoring activities and respond to identified impacts and opportunities, it must include representatives of the Precinct Operator(s) and of relevant government agencies who have responsibility for any aspect of the Precinct operations (for example, the Port Authority) or the regulatory powers to address matters relevant to social impacts of the LNG Precinct construction and operation (for example, the EPA). The Board must therefore include senior representative(s) of:

- Traditional Owners and other Indigenous people affected by the precinct and relevant Indigenous regional organisations, who must constitute a majority of the Board;
- the Proponent and/or Precinct Operators;
- Indigenous, State and Commonwealth agencies responsible for service delivery in key areas, including education, health, housing, and land management; and
- at least one independent expert in the field of Indigenous social impact monitoring and management.

Key roles for the Board would be to:

- commission and/or coordinate ongoing collection of baseline data in relevant areas;
- receive reports from any social impact monitoring conduct by the Precinct Operators or other parties;
- monitor implementation of social and cultural conditions attached by the Commonwealth Minister for the Environment or by other regulatory authorities to any approval for the Plan;
- monitor cultural, social and economic impacts of the LNG Precinct;
- coordinate responses to and management of existing or expected impacts and opportunities;
- make recommendations to relevant organizations, including those represented on the Board, regarding actions and resources required to address impacts and maximise opportunities; and
- provide regular feedback to Indigenous people affected by the LNG Precinct by means of newsletters, other printed matter and electronic media, and by publishing regular reports that summarise the Board’s activities, contain key impact monitoring data, and assesses the efficacy of responses to social impacts.

4.4.2.3 Resources to support the Board’s operations

The Board would require sufficient resources to:

- Fund a small, appropriately qualified secretariat to support its operations. The Board does not have to be a large organisation, but would at a minimum require a full-time manager to coordinate its activities; specialist in-house expertise in social and cultural impact monitoring and management; and a small secretariat to support the Board’s operations. It would also require office premises
and equipment, IT support, and a budget for communication and information dissemination;

- Commission specific monitoring or impact studies as necessary and appropriate;

- Defray the costs of Indigenous participants who do not have access to organisational budgets; and

- Facilitate and participate in coordination activities, such as workshops, of key agencies and groups addressing a specific area of social impact.

4.4.2.4 Resources for mitigation

The Board would need to be able to coordinate, through its participating organisations, the application of substantial resources to support impact mitigation and the initiatives required to allow opportunities associated with the Plan to be maximised. The extent of resources required and responsibility for allocating them is a matter for negotiation between the Proponent; Precinct operators; responsible State and Commonwealth authorities; the KLC, representing affected native title groups; and other Indigenous organisations with service delivery roles in the Area of Impact. It is critical that these negotiations follow on from, or result in specific, binding and ongoing funding commitments by the Commonwealth to help improve existing socio-economic conditions in the Area of Impact and to deal with project impacts. Certain aspects of Canada’s commitment in relation to the Mackenzie Gas Project Impact Fund, including its binding and specific nature and the allocation of funds directly to affected Indigenous organisations provide a positive and relevant precedent in this regard.

Recommendation 4

The Proponent, the Commonwealth, the KLC and other relevant Indigenous regional organizations, and Traditional Owner representatives must establish an LNG Precinct Indigenous Social Impact Monitoring and Management Board (‘the Board’) immediately following any approval of the Plan, and must maintain the Board throughout the life of the LNG Precinct. The State and Commonwealth must, at the earliest possible opportunity, establish a legislative basis for the Board to ensure its continued existence and the ongoing availability of funds to support its operations.

The Board must be composed of senior management representatives from Indigenous groups affected by the LNG Precinct and relevant regional Indigenous organisations, who must constitute a majority of the Board, and of the Proponent and relevant State and Commonwealth agencies; and at least one independent expert in the field of Indigenous social impact monitoring and management. Board members must have the authority to commit their organisations to responding to cultural and social impacts.

The Board must:

- Monitor and report on implementation of all conditions attached to any approval of the Plan that relate to management of social, cultural and economic impacts;

- Monitor cultural, social and economic impacts of the LNG Precinct and coordinate responses to and management of existing or expected impacts and opportunities;

- Be provided by the Proponent, the Commonwealth and the State with sufficient resources to support its operations over the life of the Project; and

- Be able to coordinate, through its participating organisations, the application of substantial resources to support impact mitigation and maximisation of opportunities associated with the LNG Precinct. These resources must include a specific, binding, commitment of ongoing funds by the Commonwealth to address socio-economic conditions in the Area of Impact and mitigate project impacts.

4.4.3 SURVEY OF INDIGENOUS HOUSEHOLDS IN THE AREA OF IMPACT

As noted in Chapter 2.1, there are fundamental problems with existing baseline data in relation to Indigenous people, groups and communities in the Area of Impact. In particular:

- Some of the existing statistical information, including such basic data as the size of the resident population, is seriously inaccurate or incomplete.

- The fact that much baseline data, in Taylor’s words, ‘contain no Indigenous voice’ and as a result ‘selectively describe the relative condition of Indigenous people’ (2006, p.80).
• There are important social, cultural and economic indicators in relation to which the statistical data is entirely silent.

• There is no official statistical data that relates to groups of Indigenous people on the basis of their membership of native title groups. Yet as noted in Chapter 2.1, this is a critical variable in determining the nature of people’s interests in LNG-related development, its likely impact on them, and their ability to benefit from it.

These limitations can only be addressed by undertaking a full household survey of Indigenous households in the Area of Impact (‘household survey’). In August 2009 the GJJ TONC endorsed the requirement for a household survey. In two workshop sessions TONC members, working with the ASIA team, discussed the content of a survey, considering key issues regarding cultural, practical and ethical issues involved in collecting and storing relevant information. As a result of further work by the ASIA team and discussion with the TONC, a draft household survey instrument was developed (included here as Appendix 9). As explained in Chapter 1.2, limitations of time and resources made it impossible to apply this instrument as part of the ASIA. However it can provide a useful starting point for conduct of a full household survey if an LNG Precinct is approved.

The conduct of a full Indigenous household survey in the Area of Impact is a critical precondition for development and implementation of effective social and economic policies, regardless of whether or not the LNG Precinct is developed. While the recommendation below, as with other recommendations in this Report, is framed in the context of a condition that must be attached to any approval of the Plan for an LNG Precinct, the ASIA strongly recommends that the household survey should be conducted regardless of the outcome of the Strategic Assessments and should commence as soon as possible.

Recommendation 5

The Proponent must, immediately on the grant of any approval for the Plan, provide funding for a full household survey of Indigenous households in the Area of Impact, if such a survey has not already been conducted.

The household survey must be commissioned by the KLC, which must ensure that Indigenous people are centrally involved in its design, administration and interpretation of the survey, and must retain appropriately qualified specialist staff to support this work. The survey instrument must be consistent with the Draft Household Survey developed by the ASIA and the TONC.

Additional Recommendation 6

The ASIA strongly recommends that the household survey should be conducted regardless of the outcome of the Strategic Assessments and should commence as soon as possible.

4.4.4 USE OF WILD RESOURCES

As noted in Chapter 2.3.10, there is a serious and urgent need for reliable data in relation to Indigenous people’s use of wild resources, and of the economic significance of this use. As highlighted at numerous points in this Report, use of wild resources is of great social and cultural significance to Indigenous people in the Area of Impact. Participants in the ASIA are greatly concerned about the possibility that the LNG Precinct, by adversely affecting the environment and causing a large increase in the non-Indigenous population, might damage these resources and the economic, cultural and social values associated with them. While the value of wild resources to Indigenous people is clear in general terms, there is no systematic baseline data on the use and value of wild resources. In the absence of such baseline data, it will be impossible to gauge the extent to which the LNG Precinct affects the availability and use of wild resources by Indigenous people, or to assess the significance of any changes in this area. An appropriate management response to deal with this issue consists of three components.

The first and short-term response involves gaining access to the official IFSNA data held by the Commonwealth Department of Agriculture, Fisheries and Forestry for detailed analysis at a regional scale. This would allow the establishment of a regional baseline of customary marine resource use as at 2000-2001. The analysis must be supplemented by and, where viable, tested against, the other key sources of both quantitative and qualitative data on the full range of wild resources used in the region. An economic analysis of this data would need to be informed by 2001 Census data—for example, household and personal income data. Traditional Owners, particularly those from the communities included in the IFSNA survey, must be
Recommendation 7

The Proponent must, immediately on the grant of any approval for the Plan, provide funding to undertake a detailed analysis of the official unpublished IFSNA data from the region. The analysis must be conducted with input from relevant Traditional Owners, especially those from communities that provided survey data. The analysis must be conducted by an appropriate Indigenous organisation and overseen by the Social Impact Monitoring and Management Board.

The second step is to undertake, within 12 months of any approval for the Plan, a comprehensive regional harvest study, as this is the most effective way to produce a baseline of customary use that is reliable and up-to-date (e.g., as at 2011). It must include a strong focus on aquatic resource use particularly along the coast of the Broome/Dampier Peninsula region, given that the existing data suggests that this category of wild resource use makes the greatest nutritional and economic contribution within the region. A comprehensive regional harvest study must be community-based, with Traditional Owners involved in and guiding the design, implementation, analysis and reporting stages (see Chapter 2.3.10 for more detail).

Recommendation 8

The Proponent must fund a comprehensive regional harvest study within 12 months of any approval for the Plan. The study must be community-based, with Traditional Owners guiding its design (including the choice of specific study locations), implementation, and the analysis and reporting of data. The study must be conducted by an appropriate Indigenous organisation and overseen by the Board. Affected Traditional Owners may impose constraints on the use of the study information to the extent that the information may affect cultural interests or legal interests related to ongoing native title proceedings.

The third step involves the conduct of a comprehensive regional harvest study at 10-yearly intervals over the life of the LNG Precinct to allow updating of baseline data and ongoing monitoring of use of wild resources, and of the effectiveness of any management responses taken in response to observed, adverse impacts arising from the LNG Precinct and related developments such as population increases.

Recommendation 9

The Proponent must fund periodic regional harvest studies at 10-yearly intervals over the life of the LNG Precinct. These studies must be community-based, with Traditional Owners guiding their design and implementation and the analysis and reporting of data. The studies must be conducted by an appropriate Indigenous organisation and overseen by the Board. Affected Traditional Owners may impose constraints on the use of the study information to the extent that the information may affect cultural interests or legal interests related to ongoing native title proceedings.

4.4.5 MANAGEMENT OF ENVIRONMENTAL IMPACTS

The potential for the LNG Precinct to cause significant environmental damage, especially to sea country and marine resources was, by a large margin, the issue most frequently raised in the ASIA consultations (see Chapter 3.4). The fear that such damage will eventuate constitutes, in itself, a major social and cultural impact.

4.4.5.1 Indigenous participation in environmental management

The threat of environmental damage, and the concern that it causes among Indigenous people in the Area of Impact, can only be addressed through substantial and sustained Indigenous involvement in environmental management. This is so because Indigenous people:

- Feel a strong cultural obligation to look after their land and sea country, and unless they are allowed to fulfil this obligation and are supported in doing so, their concerns about possible environmental damage and the associated cultural and social impact impacts will continue.
- Have limited faith in the capacity of Western scientists and environmental regulators to fully understand the complex interactions between landscape, people, sites, flora and fauna and the elements. They also take the view that oil and gas companies and mainstream politicians give their desire for profits and for economic growth
In relation to the local scale, as noted in Chapter 4.3.1 the LNG Precinct HoA already includes some relevant provisions. All Parties ‘support the participation of the Native Title Party and, where relevant, other Traditional Owners in the development and management of the LNG precinct’. In relation to environmental management, the ILUA currently being negotiated by Woodside, the State, the KLC and Traditional Owners will contain provisions designed to give effect to this broad commitment. Extensive research on the efficacy of arrangements dealing with Indigenous participation in environmental management (Nadesdy 2003; O’Faircheallaigh & Corbett, 2005; O’Faircheallaigh 2006) has established that certain conditions must be met if effective Indigenous participation in environmental management is to occur. The following recommendation reflects this research, and also the recent experience of the KLC and other Indigenous groups in Australia in negotiations agreements with developers and governments (see for instance KLC 2009e).

**Recommendation 11**

Any approval for the LNG Precinct must have as a condition the conclusion of an Indigenous Land Use Agreement between Woodside (to the extent Woodside remains the lead proponent), the State, the KLC and Traditional Owners, that guarantees to Traditional Owners substantive and effective participation in environmental management of the LNG Precinct and associated development. Any endorsement of the Plan will be conditional on the ILUA containing provisions to ensure that Traditional Owners:

- Possess extensive environmental knowledge based both on accumulated, inter-generational knowledge and on constant observation of the environment as they use and look after country. Harnessing and applying that knowledge is indispensable to effective environmental management.
- Priority over protection of the environment and consideration of people.

**Recommendation 10**

*Traditional Owners and other Indigenous users of country in the Area of Impact must play a central and ongoing role in identification and definition of environmental issues and impacts, and in environmental monitoring and management.*

The specific requirements for allowing affected Indigenous people to play this role occur at two different geographic and social scales and in different institutional contexts. The first relates to what might be termed the local scale, involving the management of the LNG Precinct site and of the immediate impacts of industrial activity, and here the Indigenous people involved are primarily the Traditional Owners of James Price Point. The second relates to broader regional environmental effects potentially associated with the LNG Precinct and the growth in population associated with it. In this case, the affected groups include a large number of native title claim groups and other Indigenous users of country.
• Have decision-making, and not just advisory, roles in relation to environmental management through:
  ◦ substantial representation on committees or boards with decision-making powers; or
  ◦ a capacity to require suspension of any activity that is resulting in environmental damage, or appears likely to do so, until the danger of damage is removed; or
  ◦ such similar mechanisms that meets this requirement to the satisfaction of Traditional Owners acting reasonably.

• Have access to independent technical advice that allows them to engage with and challenge Western scientific information, in part by reviewing technical documents compiled by proponents or government regulators.

• Have the capacity to inspect, accompanied by their technical advisers, all industrial areas of the LNG Precinct as required.

• Have automatic access to all environmental reports provided by the Proponent to State or Federal regulatory authorities.

• Are able to comment on all applications for environmental approvals prior to the provision of those applications to the relevant regulatory authorities and have those comments included.

• Are involved in design and review of environmental planning and management systems.

• Are centrally involved in design and implementation of rehabilitation and decommissioning and rehabilitation plans.

At the second and wider scale, there is a need for an ongoing regional environmental forum in which Traditional Owners and other affected Indigenous people can engage with the project operators and government regulators. The goals of such a forum would be to:

• share information about and understanding of environmental impacts and the efficacy of existing or proposed environmental management;

• allow the Precinct Operator(s) to provide reports on monitoring programs;

• provide affected Indigenous people with a forum in which to raise environmental concerns; and

• allow Project Operators and responsible State and Commonwealth authorities to respond to these concerns. The forum could be convened twice yearly to allow a regular flow of information and views. To minimise costs and the demands on the time of Indigenous representatives, meetings might be timed to precede or follow other regular regional meetings, for instance those to deal with regional benefits management.

Recommendation 12

Commencing within six months of any approval for the Plan, the Proponent, responsible State and Commonwealth authorities and the KLC must convene six-monthly Regional Environmental Forums with representatives of native title claim groups within the Area of Impact and of other affected Indigenous people. At these forums the Proponent and responsible Commonwealth and State authorities must report on the results of environmental monitoring and management programs, including reporting on any environmental incidents and measures taken to address them, and respond to environmental concerns or issues raised by Indigenous participants, immediately or within time frames agreed at the Forum. The KLC and Indigenous representatives must share their perspectives on relevant environmental issues, report on any environmental monitoring activity in which they are involved, and express any concerns they have regarding specific environmental impacts or issues.

In managing adverse impacts from the LNG Precinct, it is critical to ensure that Traditional Owners and other affected Indigenous people have access to accurate and complete information on environmental issues and impacts associated with the LNG Precinct. As noted above, the risk of environmental damage preys on peoples minds. While the participation of Traditional Owners in environmental management under relevant ILUA provisions should ensure their access to information, and while the Regional Environmental Forums will represent a regular channel for dissemination of information to representatives of affected native title claim groups and other Indigenous groups, additional measures are needed to ensure that information is widely disseminated throughout the affected Indigenous population. In particular, early and extensive dissemination of information on any environmental incidents is essential, as rumours regarding threats of serious or even catastrophic environmental damage can spread quickly, and cause great distress. Participants
in the ASIA commented adversely, for instance, on the lack of accurate information provided by the rig operator or Commonwealth authorities in relation to the environmental implications of the oil spills from the Montara rig. Any similar failure in the context of an LNG Precinct located close to their country and their homes would be severely criticised and cause distress.

Recommendation 13

The Proponent must, in cooperation with responsible State and Commonwealth Authorities, the KLC and Traditional Owners, ensure a regular flow of accurate and comprehensive information regarding LNG Precinct environmental issues and impacts to affected Indigenous people. This must include at a minimum:

- Production and dissemination throughout the Area of Impact of a quarterly newsletter summarising, in plain English and with photographic illustrations, outcomes of environmental monitoring and management programs, and reporting on the reasons for, and action taken to address, any incidents that cause environmental harm or threaten to do so.

- Regular information bulletins in local newspapers and on radio and television. Particular care must be taken to provide information through the latter channels if environmental incidents occur, as soon as possible after the occurrence and at regular intervals until they are resolved.

- The form and content of the newsletter and information bulletins must be approved by the Board.

Effective Indigenous participation in environmental monitoring and management can only occur if Indigenous environmental knowledge and values are recognised and respected by non-Indigenous environmental specialists and regulators and project operators. There are in fact major problems, well documented in the literature, in achieving this recognition and respect and so in applying Indigenous environmental knowledge and values to ‘mainstream’ environmental monitoring and management systems. Scientists, company environmental staff and environmental regulators all operate within a shared and very specific understanding of what constitutes ‘the environment’ and of the causal processes that affect it. As indicated in Chapter 2.2, Indigenous people often see land and sea country, and relationships between humans and their environment, quite differently. They can find it very difficult to have their insights and values acknowledged, let alone afforded weight, with the dominant environmental paradigm. In addition, there can be barriers of language and communication; Indigenous people may be restrained from sharing certain types of knowledge by cultural considerations; and may be unwilling to do so because of fear that their knowledge will be used in ways that damage their interests or may be appropriated by others for commercial gain (Nadasday 2003; O’Faircheallaigh 2006).

This does not mean that sharing of knowledge is impossible, or that Western scientists are incapable of understanding Indigenous values and priorities. Indeed, Traditional Owners and non-Indigenous scientists and engineers worked together in a productive way as part of the NDT LNG Precinct site selection process in 2007–2008 (KLC 2008), carrying out joint inspections of potential sites and exchanging information about them, and sharing insights into aspects of land and sea country in workshops. However it cannot be assumed that Indigenous environmental and cultural knowledge will be afforded appropriate recognition or given weight in environmental monitoring and management. This leads to two further recommendations.

Recommendation 14

The LNG Precinct Environmental Management Plan must contain provisions that explicitly recognise the value and importance of Indigenous environmental knowledge, and specific measures to ensure that Traditional Owners can apply this knowledge to environmental monitoring and management systems, in a manner that is consistent with their cultural values. These measures must include, but may not be limited to:

- provision by the Traditional Owners of cross-cultural awareness training for Proponents’ environmental staff and consultants;

- conduct of specific environmental monitoring and management activities jointly by the Proponent’s environmental specialists and Traditional Owners;

- training of Traditional Owners in environmental monitoring to ensure real and effective participation and skills development; and

- use of information from customary resource use surveys in environmental monitoring activities.
Recommendation 15

Representatives of the Proponent and of responsible State and Commonwealth authorities attending Regional Environmental Forums must undertake cross cultural awareness training provided by Traditional Owners that includes information on Indigenous understandings of country, environmental knowledge, and use of wild resources.

4.4.5.2 Specific environmental impacts

4.4.5.2.1 Blasting and dredging

Many participants expressed concerns regarding the impact of blasting and dredging for pipe line access, shipping channels, and construction of the break water and jetties. Little information is currently available regarding the likely extent or impact of such activities, because a final Precinct site has only just been decided; because key variables such as beach crossing points have not been determined; and because the environmental studies that will help predict key environmental impacts, including the extent, location and duration of the dredging ‘plume’, have yet to be completed. Against this background, the recommendations in relation to blasting and dredging are two tiered, firstly a general condition regarding minimisation of environmental impacts and, secondly, a more detailed condition requiring further assessment once the location and engineering matters identified above as outstanding are resolved.

Recommendation 16

It must be a condition of any approval that:

- The Proponent must employ ‘world’s best practice’ in ensuring that the impacts of dredging and blasting on sea country are minimised;
- The Proponent must involve Traditional Owners in decisions that help determine the location and duration of impacts on sea country from blasting and dredging;
- The Proponent must closely monitor the conduct of blasting and dredging and its environmental impacts must be closely monitored, with the participation of Traditional Owners; and
- The Proponent must regularly inform Indigenous people who use sea country affected by dredging and blasting about its impacts (see Recommendation 13).

Recommendation 17

Prior to commencement of dredging, the Proponent must undertake an assessment of the potential impacts of the dredging program on marine and terrestrial environments (‘Dredging Assessment’). The Assessment must:

- address the degree of certainty of the identified impacts and the significance of those impacts;
- include an analysis of the impact of the proposed dredging program on wild resources and their use by Traditional Owners and Indigenous communities (see recommended conditions 7 – 9);
- include a period of consultation with Indigenous communities and Traditional Owners; and
- generate a ‘Dredging Assessment Report’ which must be approved by the Board.

Following its approval by the Board, the Dredging Assessment Report must be provided to the Federal Minister for the Environment (‘the Minister’). The Minister may accept the Dredging Assessment Report if, in accordance with clause 7.3(e) of the Strategic Assessment Agreement, the Minister is satisfied that it addresses the impacts of the actions.

Within 2 years of commencement of dredging, and every three years thereafter, the Proponent must undertake a review of the impacts of the dredging program on the marine and terrestrial environment (“Dredging Impact Review”). The Dredging Impact Review must:

- include an assessment of whether the projected significance of impacts in the Dredging Assessment Report was accurate;
- identify any new or unanticipated impacts;
- include an analysis of the impact of the dredging program on wild resources and their use by Traditional Owners and Indigenous communities;
- include a period of consultation with Indigenous communities and Traditional Owners; and
- the Dredging Impact Review Report must be approved by the Board.
Following its approval by the Board, the Dredging Impact Review Report must be provided to the Minister and the EPA. The Dredging Impact Review Report must also be made publicly available on the internet and hard copies must be made available to Traditional Owners and Indigenous communities on the Dampier Peninsula.

4.4.5.2.2 Oil and gas spills

Little information was available to the ASIA regarding the possibility of oil and gas spills from gas extraction, shipment by pipeline, processing or shipping. The experience with the Montara oil rig did lead participants to stress the need for a rapid response to any spill that does occur. In this context some participants suggested that the project must be made subject to a condition, under which the project operator maintains an insurance policy in favour of Traditional Owners, the proceeds of which are available to pay for any remediation that is required as a result of shipping accidents.

Recommendation 18

In order to ensure that any oil or gas spills or similar incidents are addressed quickly and effectively, the Proponent must maintain an insurance policy in favour of Traditional Owners and Indigenous communities on the Peninsular to pay for any remediation that is required as a result of oil and gas spills. The value of the policy must reflect the likely cost of dealing with a major shipping accident or oil or gas leak and the impact of such an incident on Traditional Owners and Indigenous communities having regard to matters such as reliance on wild resources, reliance on cultural and nature based tourism, and existing vulnerabilities associated with lack of infrastructure, access to health care, and limited transport.

A number of participants raised issues regarding the safety of shipping in cyclones and the added risk this would create of shipping accidents and oil or gas spills. Two recommendations emerged from these discussions.

Recommendation 19

The Proponent, including any party who is responsible for management of port facilities and movements, must not permit shipping movements into or out of the Precinct, and must require vessels to stand no less that 30km off the coastline, if a cyclone is imminent.

Recommendation 20

The Proponent must work with responsible State or Commonwealth authorities to prepare an upgraded and comprehensive disaster management strategy for Broome and the Dampier Peninsula, to reflect the additional risks and responses required as a result of the presence of an LNG Precinct.

4.4.4.2.3 Disposal of ballast and other quarantine issues

In relation to disposal of ballast and other quarantine issues and in particular the danger that exotic species may be introduced, ASIA participants offered a number of suggestions that form the basis for Recommendation 21.

Recommendation 21

The following conditions are recommended to minimise the risk that shipping activity associated with the LNG Precinct might result in the introduction of exotic species. The Proponent, including any party who is responsible for management of port facilities and movements, must not permit any ships to enter into the waters of the LNG Precinct unless these conditions are fully implemented.

- The Proponent and responsible State and Commonwealth authorities must ensure that all ships travelling to the LNG Precinct site are inspected prior to departing their country of origin to ensure that no exotic marine life is attached to their hulls.
- The Proponent and responsible State and Commonwealth authorities must ensure that ships’ ballast water is tested prior to departure from country of origin and again prior to its discharge to ensure it does not contain any organisms or toxins that might threaten marine life. Reports on testing must be provided to Traditional Owners on a regular basis (see also Recommendation 13 above).
- The Proponent and responsible State and Commonwealth authorities must ensure that measures to deal with the potential introduction of exotic species comply with relevant Australian policies and standards.
- Responsible State and Commonwealth authorities must maintain a presence in overseas ports and on board ships to ensure these requirements are complied with.
- Traditional Owners must, in advance of the commencement of shipping movements to the LNG
Precinct site, develop and implement a program to monitor sea country for any indications of exotic species. The program must be developed and implemented in conjunction with AQIS. The program costs must be met by the Proponent.

4.4.5.2.4 Water and waste management

Recommendation 22

The Proponent must manage the LNG Precinct so as to minimise the impact of waste from the Precinct on the water resources of the Dampier Peninsula, and so as to minimise use of water in the development and operation of the LNG Precinct.

Recommendation 23

Prior to the commencement of activities under the Plan, the Proponent must undertake a thorough assessment of water resources on the Dampier Peninsula (“Water Resources Assessment”). The Water Resources Assessment must include the following.

- Availability of water resources on the Dampier Peninsula, and an evaluation of their adequacy to meet the long-term demands of Broome, the Dampier Peninsula communities, nature and culture based tourism and other existing commercial operations, the LNG Precinct, and other potential commercial activities.

- An assessment of existing water quality, in particular whether existing resources are likely to provide sufficient amounts for domestic use by residential communities on the Dampier Peninsula.

- An assessment of the potential impacts of the Plan on the availability of water for other uses, including as a result of competing allocations, reduction of quality, and changes to water table levels.

- A draft plan for the allocation of water over the life of the LNG Precinct to ensure that the needs of Traditional Owners and other Indigenous residents of the Peninsula, including commercial needs for activities such as nature and culture based tourism and environmental allocations, are met into the future.

A report on the Water Resources Assessment (“Water Resources Assessment Report”), which includes the draft plan, must be approved by the Board. Following its approval by the Board, the Water Resources Assessment Report must be provided to the Minister. The Minister may accept the Water Resources Assessment Report if, in accordance with clause 7.3(e) of the Strategic Assessment Agreement, the Minister is satisfied that it addresses the impacts of the actions.

Recommendation 24

Within two years of commencement of activities under the Plan, and every three years thereafter, the Proponent
must undertake a review of the impacts of those activities on water resources on the Dampier Peninsula (“Water Resources Impact Review”). The Water Resources Review must:

- include an assessment of whether the projected significance of impacts in the Water Resources Assessment Report was accurate;
- identify any new or unanticipated impacts;
- include an analysis of the impact of activities done under the Plan on other users of water resources on the Dampier Peninsula;
- include a period of consultation with Indigenous communities and Traditional Owners;
- include an assessment of the effectiveness of the Plan included in the Water Resources Assessment Report in managing and mitigating the impacts of activities under the Plan on water resources and other users of those resources; and
- the Water Resources Review Report must be approved by the Board.

Following its approval by the Board, the Water Resources Review Report must be proved to the Minister and the EPA. The Water Resources Review Report must also be made publicly available on the internet and hard copies must be made available to Traditional Owners and Indigenous communities on the Peninsula.

4.4.5.2.5 Fire management

As noted in Chapter 3, participants identified a number of major weaknesses in existing fire management systems and practices, weaknesses that they expect will create increased fire risks as vehicle traffic and the numbers of people visiting the Dampier Peninsula grow. The following recommendations are designed to address these risks.

Recommendation 25

The State must provide adequate resources to Dampier Peninsula communities to mount effective fire prevention and fire management programs. The State will afford communities the degree of control over allocation of these resources required to deal with fire risks in a timely and effective manner.

Recommendation 26

Responsible State authorities must, in cooperation with the Dampier Peninsula communities, develop a single and coordinated fire management plan for the Peninsula.

4.4.5.2.6 Impacts from growing influx of outsiders, including tourism

As discussed in detail in Chapter 3, participants in the ASIA frequently raised the risk that as a result of the LNG Precinct, growing numbers of outsiders, including tourists, will cause serious damage to land and sea country, and a major focus was the depletion of wild resources, especially marine resources. Participants identified a number of management strategies to deal with these risks, and these, combined with a review of relevant literature, provide the basis for the following recommendations.

Recommendation 27

The State must, in cooperation with the Traditional Owners and with community councils and other Indigenous organisations in Broome and the Dampier Peninsula, act to limit the numbers of, and effectively manage the activities of, the growing number of Broome residents and of short-term visitors attracted to the Peninsula as a result of the LNG Precinct and developments likely to be associated with it, including the sealing of the remainder of the Broome – Cape Leveque road.

Recommendation 28

The Proponent must operate the LNG Precinct accommodation complex as a ‘controlled access’ facility. Construction and operations employees and contractors from outside the Area of Impact (‘Precinct workers’) must all be accommodated at this facility, and it must be a condition of their employment that they do not leave the facility to engage in recreation or other activity. The Proponent must enforce a prohibition on Precinct workers taking any form of wild resources from land or sea country.

Recommendation 29

The Proponent must, in conjunction with the Traditional Owners, provide cross-cultural training for all Precinct workers, including information on land ownership, restrictions on movement and use of wild resources, the permit system (see below), and Indigenous cultural values.
Recommendation 30

The State, in cooperation with relevant Indigenous organisations including Indigenous ranger groups and community councils, must introduce a permit system that limits travel to the Dampier Peninsula by people who are not Traditional Owners and do not reside there. Permits granted to visitors to the Area of Impact or to Broome residents must specify locations in the Dampier Peninsula where the permit holder is allowed to visit and camp. The permit system must be accompanied by the establishment of visitor centres at appropriate locations, including the turn-off to the LNG Precinct from the Cape Leveque Road, which would issue permits and provide maps indicating information on land ownership and locations open to visitors and a visitor code of behaviour.

Recommendation 31

The State must provide visitor facilities including camping grounds, ablution blocks and waste disposal facilities in areas permit holders are allowed to visit.

Recommendation 32

Responsible State authorities must establish, in cooperation with relevant native title claim groups, ‘exclusion zones’ where only Indigenous residents of the Dampier Peninsula are permitted to harvest wild resources.

Recommendation 33

The Board and responsible State authorities must monitor the number of boat and fishing licences issued for use in the Area of Impact. Should numbers increase significantly and/or should stocks of wild resources appear to be under increased pressure (see Recommendations 7 – 9 on monitoring of wild resource use), responsible State authorities must impose restrictions on the issue of additional licences designed to address those impacts.

Recommendation 34

Responsible State authorities must introduce fees for fishing licences; licences must specify maximum catch levels; and the proceeds of licence fees must be used to fund relevant management initiatives, including Indigenous rangers (see below).

Recommendation 35

Responsible State authorities must effectively enforce existing regulatory controls on the activities of commercial fishers and the use of fish traps, gill nets and pots must be more effectively enforced. Fines must be imposed for breaches of relevant laws or regulations, and the proceeds utilised to help fund Indigenous rangers and other management initiatives.

Recommendation 36

Responsible State and Commonwealth authorities must provide support for Traditional Owners, other native title holders and Indigenous communities in the Area of Impact to live on their outstations and play an active role, in conjunction with Indigenous rangers, in monitoring and managing the activities of tourists and other visitors.

Recommendation 37

Responsible State and Commonwealth authorities must fund a substantially expanded and adequately resourced Indigenous ranger system, including female rangers, for Broome and the Dampier Peninsula, to assist in managing growing visitor numbers and pressures on wild resources. Rangers must be granted the authority to enforce relevant laws and regulations in relation to restrictions on access to areas of land and sea country, including cultural sites of significance, and on the use of wild resources. This authority must include powers to inspect boats, vehicles and fish catches and to detain individuals suspected of acting unlawfully. Indigenous Rangers must work with the support and direction of senior Traditional Owners, and in close partnership with relevant State Authorities including the WA police and fisheries and land management agencies.

4.4.6 THE STRATEGIC ASSESSMENT AND RELATED NEGOTIATION PROCESSES

The discussion in Chapter 3 indicated that a number of issues in this area relate to fundamental questions of power and policy. Many participants had little faith in their own ability to influence powerful corporate and government decision-makers, especially since the change in State policy regarding Indigenous consent and gas development in October 2009. It is difficult to frame specific recommendations that
address participants’ concerns about their relative powerlessness. To some extent, the most effective way of addressing these concerns is for the State and Federal Ministers of the Environment to respond to the recommendations made elsewhere in this report in a positive and substantive manner.

The issue of transparency in decision-making in relation to the LNG Precinct is also important. Many participants had limited knowledge of the LNG Precincts HoA, of the regional component of the benefits package it provides, or of the commitment it contains in relation to Traditional Owner participation in the development and management of the LNG Precinct. Greater transparency in relation to the processes involved in the negotiation of ILUA(s) and associated agreements and of their contents would help reduce the sense of marginalisation felt by some ASIA participants. This is not to deny that all parties to the ILUA negotiations, including Traditional Owners, may reasonably require that certain aspects of negotiations and agreements remain confidential. But substantial information could still be made available to Indigenous people in the Area of Impact without undermining this requirement. This leads to the following recommendation:

Recommendation 38

Taking into account the need for protection of confidential information, parties to the negotiation of the ILUA and related agreements must ensure that information on negotiation processes and outcomes is communicated on a regular basis to Indigenous people and groups affected by the LNG Precinct. Channels similar to those suggested for dissemination of environmental information must be utilised in disseminating this information (see Recommendation 13).

Another key issue involves the development of appropriate governance structures that will support affected Indigenous people in dealing with the impacts of the LNG Precinct. Recommendations in this regard are:

Recommendation 39

The responsible Commonwealth authorities must, as a matter of urgency, address the issue of funding for PBCs established as a result of native title determinations in the Area of Impact. The Commonwealth and the KLC must facilitate dissemination of information regarding the roles and functions of PBCs to native title claimants in the Area of Impact, and must ensure provision of relevant governance training for members of the PBCs.

Recommendation 40

Responsible State authorities must, as a matter of urgency, facilitate the establishment of a local governance structure at Beagle Bay. In doing so, it must offer relevant governance training to Indigenous office holders and potential office holders, and the Beagle Bay community generally.

Recommendation 41

The Commonwealth and the State must provide material support to the KLC and Traditional Owners in establishing effective Indigenous governance structures that maximise the impact of benefits provided for in an LNG Precinct ILUA(s) and enhance the quality of service delivery to Indigenous communities in the Area of Impact. The KLC and Traditional Owners must disseminate information on such governance structures to Indigenous people in the Area of Impact to promote transparency and understanding.

4.4.7 SOCIAL IMPACTS OF INCREASED POPULATION GROWTH IN BROOME

As outlined in Chapter 3.4.3, the social impacts arising from increased population growth in Broome are likely to be complex. They raise a number of discrete issues, which are the focus of the recommendations below.

4.4.7.1 Growing economic inequality and associated racial divisions

Growing inequality and associated racial divisions will be unavoidable and acute if Indigenous people in the Area of Impact do not gain access to the economic opportunities associated with the LNG Precinct and related activities; suffer the impact of rising housing and living costs; and experience declining access to public services because of growing demand for services and/or a declining level or quality of service provision. Thus potential social impacts in this area can be addressed by implementing the recommendations set out in relation to housing and the cost of living (Chapter 4.4.10); Indigenous education and training (Chapter
4.4.11); employment and business enterprise (Chapter 4.4.12); enterprise development (Chapter 4.4.13); and health and well being (4.4.14).

4.4.7.2 Growing alcohol and drug abuse

As indicated in Chapter 3, many participants in the ASIA are concerned that existing problems with illicit drug use will increase as a result of higher disposable income, easier road access between Broome and Dampier Peninsula communities, and the possibility that the LNG Precinct will, particularly during its construction phase, become an additional channel for accessing illegal drugs. Recommendations to avoid or minimise growth in alcohol and drug abuse are listed below. In proposing these recommendations participants are aware that a certain number of them are already reflected in the company policies of major firms such as Woodside, and that only a small minority of Precinct workers are likely to engage in illicit drug use. However they consider the risks associated with increase drug use by young Indigenous people in particular to be very high, and so wish to stress the need for strong measures in dealing with this potential threat.

Recommendation 42

The Proponent must apply a ‘no drugs’ policy to the LNG Precinct and the accommodation complex. Possession or sale of illicit drugs by Precinct workers must be grounds for summary dismissal.

Recommendation 43

The Proponent must operate the LNG Precinct accommodation complex as a ‘controlled access’ facility, with access by Precinct Workers to the Area of Impact limited to travel to and from the LNG Precinct, and no public access to the camp. Traditional Owner access to the camp for environmental monitoring or other Precinct management activities will be governed by specific arrangements set out in a Precinct Management Plan or equivalent document.

Recommendation 44

The State must supplement the resources available to WA police in the Area of Impact to enable them to address any increase in illegal activity, including sale of drugs and illicit trading of alcohol.

Recommendation 45

Responsible State and the Commonwealth authorities must provide additional funding to drug and alcohol education programs in schools and colleges, and to alcohol and drug abuse rehabilitation facilities, in the Area of Impact.

4.4.8 SOCIAL IMPACT OF FIFO OR LONG WORK ROSTERS

In most cases potential Indigenous employees in the Area of Impact will be within driving distance of the LNG Precinct and not, strictly speaking, ‘FIFO workers’. However they may be on long rosters, for example 10 days or two weeks of 12-hour shifts, and be living in a ‘controlled access’ accommodation complex that does not permit them to have visits from family. Recommendations to address this situation are:

Recommendation 46

The Proponent must make provision in the employment arrangements of Indigenous workers for variations to standard rosters, and for grants of leave, that recognises their cultural and family obligations.

Recommendation 47

The Proponent must ensure that Precinct Workers who supervise Indigenous workers are provided with cross-cultural training that gives them an understanding of the family and cultural obligations of Indigenous workers.

Recommendation 48

The Proponent must, on an ongoing basis, make available counselling, including advice on financial management, to workers and their families to assist them in dealing with the pressures created by FIFO and long work rosters.

4.4.9 STIS AND INAPPROPRIATE SEXUAL RELATIONS

The issue of inappropriate sexual relations is sensitive and raises important issue regarding individual privacy and personal responsibility. However it is also an issue that raises considerable concerns among ASIA participants, based on their previous experience
regarding increases in inappropriate sexual relations around major construction projects and the serious harm they can cause to health and to family and social relations (see Chapter 3.3.9, 3.4.7). As in the case of drug abuse, there is no suggestion that more than a small minority of Precinct workers might engage in inappropriate sexual relations, but the high degree of risk associated with such activity requires a strong response, leading to the following recommendations.

Recommendation 49

The Proponent must operate the LNG Precinct accommodation complex as a ‘controlled access’ facility, with no access by workers to the Area of Impact and no public access to the camp.

Recommendation 50

The Proponent must provide cross-cultural training for Precinct workers, which includes material alerting them to the personal and social costs that can result from inappropriate sexual relations.

Recommendation 51

Schools, colleges and health facilities in the Area of Impact must offer educational material on the risks involved in inappropriate sexual relations with workers and in unprotected sex.

4.4.10 HOUSING AND THE COST OF LIVING

Indigenous people in Broome and the Dampier Peninsula already face major problems in accessing affordable housing of a standard most Australians take for granted. Housing is very expensive relative to people’s incomes; public housing is scarce; the standard of housing in the Peninsula communities is often poor; no short-term emergency housing is available; housing for young people studying or training in Broome is limited; and there is a serious problem with homelessness. Not only is this situation a problem in itself, but the high cost and limited availability of housing creates serious issues in other areas. For instance, it means that service delivery organisations must allocate more and more of their funds to housing their staff rather than to their core activities. It also makes it harder for them to attract and retain qualified, experienced staff. This in turn makes it more difficult, for instance, for schools and training bodies to offer the range and quality of courses required to ensure that Indigenous people are well placed to take advantage of employment opportunities.

Population growth associated with the LNG Precinct will exacerbate all of these problems, unless there is a concerted response from government and industry, involving the commitment of substantial additional resources and a reassessment of current policies. The following recommendations can form a basis for such a response.

Recommendation 52

Responsible State and Commonwealth authorities must inject substantial additional funding into construction of public housing in Broome and the Dampier Peninsula, upgrading of the existing housing stock, provision of hostels to accommodate Indigenous youth, and emergency and short-term accommodation to help address homelessness in the short term. To gain maximum value for money, Indigenous community members and their governing bodies must be closely involved in the design and management of housing programs.

Recommendation 53

Responsible State and the Commonwealth authorities must support Indigenous people to establish and develop businesses to build houses and other forms of accommodation.

Recommendation 54

Responsible State and Commonwealth authorities must review housing and related policies to ensure that these maximise Indigenous access to housing. This policy review must recognise the need for housing policies to be regionally based and in particular recognise regional differences in cost of living. Policies that result in loss of access to housing when people gain employment and higher incomes must be changed, for instance by permitting tenants to retain their public housing but at a higher rent.

Recommendation 55

Responsible State and Commonwealth authorities must act to increase the supply of Indigenous people skilled in the construction trades, for instance by funding additional Indigenous apprenticeships in the building industry.
4.4.11 EDUCATION AND TRAINING

Few areas are as important as Indigenous education and training in shaping the potential effects of an LNG Precinct. Effective management responses in this area will help ensure that Traditional Owners and other affected Indigenous people are able to grasp employment and business opportunities associated with the LNG Precinct, which in turn will help them deal with rising living costs, avoid growing inequality with non-Indigenous people, and minimise many potential social costs such as drug and alcohol abuse, rising crime rates, and growing problems with mental illness and youth suicide. Better educational outcomes are also essential if Indigenous people are to establish and operate effective governance mechanisms, which in turn are central to achieving positive outcomes from the LNG Precinct, for example through effective management of benefit packages and effective and sustained Indigenous input into environmental management. The following recommendations arise from the earlier discussion of the Precinct’s labour requirements, ASIA consultations, and lessons drawn from the wider literature on resource development, Indigenous people and negotiated agreements (see Chapter 3 and Chapter 4.2).

Recommendation 59

The State, the Commonwealth, the Proponent and relevant Indigenous organisations must develop a program which will operate for 30 years and may be extended to the life of the project if that life exceeds 30 years, to raise the quality and effectiveness of Indigenous education in the Area of Impact and in the Kimberley generally. This program must include:

- a strong and sustained focus on numeracy and literacy from early education onwards;
- initiatives to enhance parental involvement in education;
- specific incentives to reduce staff turnover and retain experienced teachers;
- provision of additional student accommodation in Broome and the Dampier Peninsula;
- design and delivery of school, TAFE and university courses that are relevant to Indigenous students and to the employment opportunities available to them,
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and are readily accessible to students in the Dampier Peninsula, including on-site delivery on the Dampier Peninsula, and through distance learning;

• provision of reliable IT facilities and services in the Dampier Peninsula communities to enable Indigenous students to access on-line education and training programs;

• initiatives to enhance literacy and numeracy skills among adults;

• major public investment to help meet the housing and health needs of Indigenous students;

• a substantial scholarship scheme, funded by the Proponent and responsible State and Commonwealth authorities, to enhance Indigenous access to university and VET education; and

• Child care support and services to permit Indigenous students of any age to access formal education.

Recommendation 60

The Proponent, the State and the Commonwealth must make substantial and sustained investment, starting immediately, in training and training facilities to permit the program to be effectively implemented. This investment must include:

• development of suitable training facilities in the Area of Impact, and improved access to specialist facilities in Perth or elsewhere;

• building on existing training resources, programs and organisations in the Area of Impact, development of training programs which prepare Indigenous trainees for employment in skilled as well as semi-skilled positions, in construction, operation of the LNG Precinct and related industries. These programs must include on-the-job training at existing LNG facilities in the Pilbara or Darwin;

• specific training initiatives that focus on allowing former and current CDEP workers to make a successful transition to ‘mainstream’ employment;

• a focus on skills development for governance and community development and employment opportunities in areas other than the LNG Precinct;

• a concerted effort to recruit and retain high-calibre trainers, recognising the keen competition that exists for such skills; and

• legally-binding commitments by the Proponent to provide specified training outcomes throughout the life of the LNG Precinct and to apply a preference in favour of Traditional Owners and other Indigenous people living in the Area of Impact in providing access to training opportunities.
4.4.12 EMPLOYMENT

As noted in Chapter 3.2, resource industries in Australia and elsewhere, with a few exceptions, do not have a strong record in recruiting and retaining Indigenous workers, particularly in relation to more highly-skilled positions. A great deal of knowledge now exists regarding the sorts of policies and programs that are required to achieve success in this area (see Chapter 3.2), and comprehensive Indigenous programs must be developed and implemented for the LNG Precinct that build on this knowledge. The commitment of Proponents to establish such programs must be legally binding and sustained over the life of the LNG Precinct, operating throughout the development, construction, operation, decommissioning and rehabilitation of the LNG Precinct.

Recommendation 61

The Proponent must establish employment programs that operate throughout the life of the LNG Precinct and include, at a minimum, the following components:

- an employment preference for Traditional Owners and other affected Indigenous people in the Area of Impact;
- allocation of specific financial and other resources to employment programs;
- targets for local Indigenous employment that increase over time and apply to all areas of LNG Precinct operations;
- mechanisms that ensure that any failure to meet these targets automatically requires additional allocation of resources and enhanced training and recruitment efforts;
- specific initiatives to aid retention of Indigenous workers, including measures to make the workplace a positive environment for Indigenous people; training on anti-discrimination legislation and human rights; establishment of clear paths for career and professional development; and use of work rosters that recognise cultural and family and social obligations;
- provision of transport between communities in the Area of Impact and the LNG Precinct site;
- employment initiatives aimed specifically at recruiting and retaining Indigenous women;

- initiatives to overcome ‘threshold’ issues that can prevent Indigenous people from entering the industrial workforce, including limited English language skills, lack of a driver’s licence, convictions for minor criminal offences, and absence of formal qualifications. Such initiatives must include recognition of prior learning and skills;
- the establishment of career pathways and the provision of ongoing professional and skills development for Indigenous workers; and
- periodic reporting on compliance with this condition to the Board and the Minister. The reports must be made publicly available. Non-compliance with this condition will result in penalties.

These initiatives are focused largely on institutional responses to general issues around employment. Participants in the ASIA expressed concern that the potential benefits of high-wage employment in the LNG Precinct could be dissipated, and that it could create social impacts, for example, through alcohol and drug abuse, if the individuals concerned lack personal skills in money management and planning. While recognising that employers cannot force individuals to manage their money prudently, they believed that employers should provide access to relevant programs and encourage employees to attend. They also suggested that employers should offer a facility whereby a portion of their wages could be channelled into a ‘restricted access’ account that encourages saving.

Recommendation 62

Proponents and their contractors must offer their employees access to, and encourage them to participate in, personal financial counselling, and support them in efforts to channel a portion of their wages into savings.

4.4.13 ENTERPRISE DEVELOPMENT

The LNG Precinct will generate significant opportunities for Indigenous enterprises, both in providing goods and services to the LNG Precinct and its workforce, and as a result of population growth and infrastructure development. The possible sealing of the Broome to Cape Leveque road is particularly important in that regard. In relation to provisions of goods and services to the Precinct, it is essential that legally-binding
arrangements are in place requiring proponents to support the establishment and growth of local and Kimberley Indigenous enterprises. In relation to wider business opportunities, a key issue is to recognise the specific issues facing small Indigenous enterprises in Broome and the Dampier Peninsula.

Recommendation 63

The Proponent must support local and Kimberley Indigenous enterprises by implementing a Business Support program which includes measures as follows:

- Assisting them to obtain access to capital, for example by providing documentation regarding potential contracts to financial institutions, establishing joint ventures, or creating a revolving loan fund.
- Helping them develop relevant business skills, including planning and management skills, by sharing technical and financial expertise and appointing Indigenous business development officers.
- Assisting them in overcoming the barriers they face in seeking to compete with large, established suppliers, for instance by allocating certain types of contracts to Indigenous businesses; applying a preference clause to Indigenous businesses; offering them right of first refusal on specific contracts; waiving standard tendering procedures; unbundling large contracts into smaller ones that are within the capacity of Indigenous businesses.

Recommendation 64

The Proponent and State and Commonwealth must help address the particular difficulties facing small Indigenous businesses in the Area of Impact, and in particular must:

- address land tenure issues on the Dampier Peninsula that deny potential businesses secure tenure and so the capacity to raise loan finance;
- provide specific assistance to potential business operators who previously drew on CDEP for support and/or have no credit history; and
- recognise the difficulty that Indigenous people can face in accessing business support services, facilitate their access to government services that support and promote newly-formed businesses or assist small businesses to expand their operations.

4.4.14 HEALTH AND WELL-BEING

To some extent outcomes in relation to health and well-being will be a function of matters dealt with in other recommendations relating to education and training, employment opportunities, and housing. Improved outcomes in these areas will significantly enhance health and well-being.

Identification of strategies focused specifically on health would be assisted by access to more detailed and robust data in relation to the Area of Impact. Indeed this is a matter of considerable urgency, given that the absence of systematic health data will make monitoring of the LNG Precinct health impacts virtually impossible.

Recommendation 65

Prior to the commencement of activities under the Plan, the State and Commonwealth Departments of Health and other relevant agencies, in conjunction with local health organisations shall:

- review and consolidate existing data relating to Indigenous health in the Area of Impact, and develop and maintain a single data base of relevant information;
- identify any gaps in available health information, and undertake health surveys of relevant populations required to fill these gaps; and
- on the basis of this enhanced information, expand funding for relevant health and social welfare programs, including those currently provided by NGOs and Indigenous organisations, and place funding on a more secure and long-term footing.

Two specific issues that are of major concern to ASIA participants are mental health issues, especially in relation to young people, and the expansion of regional dialysis centres. The latter would both enhance patients’ health by keeping them close to country and family, and help ease pressure on accommodation in Broome.

Recommendation 66

The Commonwealth and State Departments of Health must commit funding on a long-term basis, and at a higher level, to developing services for people suffering from mental illness in the Area of Impact.
Recommendation 67

The Commonwealth and State Departments of Health must commit additional funding to enable expansion of regional dialysis services in the Area of Impact.

Recommendation 68

Responsible Commonwealth and State authorities must expand funding for recreation and other youth activities in the Area of Impact and place funding on a more secure and long-term footing.

Recommendation 69

The KLC and Traditional Owners must develop measures to provide greater support to and recognition to youth. The Proponent will meet the cost of these measures which will include:

- using communication channels that will reach young people in providing information on the LNG Precinct;
- sponsoring and promoting cultural, sporting and other events for youth;
- making specific provision for liaison with young people; and
- providing opportunities for work experience at the LNG Precinct and in their own organisations.

4.4.15 YOUTH

In this case also some of the recommendations discussed earlier are of critical importance, especially those relating to substance abuse (42-45), to STIs (49-51), education and training (59-60) and employment opportunities (61-62). Additional specific matters relate to the need for more secure funding for recreational and other youth-related activities, and greater recognition for youth.
A fundamental issue involves the need to resolve long-standing issues related to ALT lands on the Dampier Peninsula, an issue that particularly affects the area of the Beagle Bay community and outstations. As noted earlier, the State has made a commitment in the HoA to resolve land tenure issues, but no time line is attached to this commitment. It is essential that it occurs quickly so that the uncertainties faced by many Indigenous leaseholders can be resolved. The State is in the process of developing a land use plan for the Dampier Peninsula, but there is no guarantee that this will result in resolution of specific land tenure matters or in timely implementation of relevant HoA provisions. To address this issue, Recommendation 70 proposes that the State pay a bond of $100 million or some other amount negotiated between the State, the KLC and Traditional Owners, to fund a process to resolve any outstanding tenure issues in the area of the Beagle Bay Community or outstations which remain unresolved at the third anniversary of any endorsement of the Plan. A figure of $100 million is suggested as a guide because the amount has to be sufficiently large to create an effective incentive to ensure that relevant matters are resolved in a timely manner.

Uncertainty and concern has been created by a lack of information regarding provisions of the HoA that deal with land tenure matters. This can be minimised in the future if the KLC and the Traditional Owners maintain a flow of relevant information to other native title groups and affected Indigenous people on the Dampier Peninsula.

Recommendation 70

- The State must act to resolve uncertainty in relation to land tenure in the Dampier Peninsula as a matter of urgency, and within 3 years of any endorsement of the Plan.

- In the event that any land transfer within the area of a native title determination remains outstanding at that anniversary, then (except in relation to the area of the Beagle Bay Community or outstations), the State will transfer unconditional freehold title, under an ILUA which provides for no extinguishment of native title as a result of that future act, to the relevant Registered Native Title Bodies Corporate.

- The State will pay a bond of $100 million or some other amount negotiated between the State, the KLC and Traditional Owners, to fund a process to resolve any outstanding tenure issues in the area of the Beagle Bay Community or outstations which remain unresolved at the third anniversary of any endorsement of the Plan.

Recommendation 71

The KLC and Traditional Owners must maintain a flow of relevant and timely information regarding land tenure and other aspects of ILUA and related negotiations that have implications for other native title groups and affected Indigenous communities, employing both face-to-face meetings and regular updates via newsletters and electronic media.

4.4.17 CULTURE AND HERITAGE

As outlined above in Chapter 4.3, the KLC, the State and Woodside have already entered into a Heritage Protection Agreement that seeks to avoid where possible, and otherwise to minimise impacts on cultural heritage sites. Provisions dealing with these matters will also be included in the LNG Precinct ILUA and associated agreements. The Heritage Impact Assessment Report, which is part of the Indigenous Impacts Report, also contains recommendations that address these impacts. However, set out below are additional recommendations which arise out of the findings of the ASIA.

Recommendation 72

Any endorsement of the Plan must be subject to the conclusion of an ILUA which allows the Traditional Owners to ensure that any impact of the LNG Precinct and associated developments on their cultural heritage is avoided where possible and, where avoidance is not possible, is minimised. Recognising the principle of Indigenous Free Prior Informed Consent (KLC 2010), no damage to Indigenous cultural heritage must be permitted without the informed consent of Traditional Owners.

More generally, the Proponents, the State and the Commonwealth must take measures to ensure that the value and importance of Indigenous culture is recognised and
must support Indigenous people in the Area of Impact in practising and fostering their culture.

Recommendation 73

All Precinct Workers and State and Commonwealth employees and consultants required to interact with Traditional Owners in a substantive manner should undergo cross-cultural training provided in conjunction with the Traditional Owners.

Recommendation 74

The Proponent and relevant State and Commonwealth authorities must take specific measures to support the practice of Indigenous culture in the Area of Impact, for example by supporting:

- oral history projects conducted by organisations such as Goolarri Media;
- cultural festivals and other activities conducted by KALACC;
- Indigenous language programs offered in schools;
- women’s law groups;
- establishment of an interpretative display on the history of Jabirr Jabirr people, possibly as part of a Visitor’s Centre established on the Cape Leveque Road (see Recommendation 30); and
- flexible work practices, particularly in the period December – February.

4.4.18 NEGATIVE IMPACTS ON INDIGENOUS TOURISM VENTURES

Potential negative effects on Indigenous tourism are addressed through Recommendations 27-37 and Recommendation 64.

4.4.19 SOCIAL CONFLICT AROUND LNG DEVELOPMENT

Many participants are deeply concerned about the social conflict that is being generated and may be generated by the LNG development, both within the Indigenous community and within the broader community in Broome. There is no obvious management response that can help address such concerns, as people’s positions reflect fundamental values they are most unlikely to abandon.

There is however a strong desire on the part of many ASIA participants to minimise the consequences of differing positions in relation to the LNG development for inter-personal and social relations. The following recommendation can assist in that regard:

Recommendation 75

The Proponent, the State, the Commonwealth, the KLC and Traditional Owners must:

- Promote transparency and the free flow of information in relation to LNG development, so that misunderstandings regarding processes and decisions relating to gas development are minimised; and
- Promote adherence to values of mutual tolerance and respect, through a public information campaign using local media, and stressing the benefits to all of maintaining such values in the fact of conflict over gas development.

4.4.20 BROADER ISSUES REGARDING GOVERNMENT POLICY AND SERVICES

A number of broader issues arose from the ASIA consultations in relation to service delivery and infrastructure which, though not amenable to being addressed through a requirement for specific management plans or responses, are important in determining the social and cultural impact of the LNG Precinct on Indigenous people.

Participants expressed great frustration at frequent and, to them, unexplained changes in government policies. They saw frequent policy change as a major obstacle in addressing serious structural issues such as poor education outcomes and entrenched unemployment, and believe the impact of policy change is compounded because government does not explain to recipients of
Another issue involves policy relating to the provision of shire services on ALT lands. The ASIA is informed that while the Shire of Broome, for example, obtains per capita funding for Indigenous people residing within the Shire boundary, it does not provide services such as maintenance of roads that are within that boundary but traverse ALT lands. This is inequitable. Either the policy must be changed so that ALT lands are treated in the same way as other areas within the Shire, or funds currently allocated to the Broome shire in relation to Indigenous people resident on ALT lands should be reallocated to the relevant Indigenous community councils.

Participants also expressed serious concern at what they see as a lack of policy coordination, and cited many examples of where different government agencies or different levels of government seemed to know little about each other’s activities and at times worked at cross purposes. In the Dampier Peninsula communities in particular they took the view that it should be possible to establish community coordination centres that brought together service delivery for that community, whatever level and agency of government is responsible for provision of individual services.
CHAPTER 5 MATRIX OF IMPACTS, RISKS AND RECOMMENDED MANAGEMENT ARRANGEMENTS

5.1 Rationale and Construction of Matrix ..................................................................................................210
5.1 RATIONALE AND CONSTRUCTION OF MATRIX

Figure 5.1 draws together, in summary form, the major findings and recommended arrangements identified in this Report. It lists impact factors in the first column (A) and, for each factor, indicates in blue type the Chapter and section references where that factor is identified and discussed. The next column (B) indicates the stage of project development at which the impact is relevant and/or most likely to be felt, from pre-construction (PRE-CON), to construction (CON), to operations (OPS) and to decommissioning (DECOM). The third column (C) identifies the nature of the effects on Traditional Owners and other affected Indigenous people associated with each impact factor.

Column (D) indicates the level of risk associated with each impact factor. This is based on an assessment of the probability that specific impacts will have negative consequences on Traditional Owners and Indigenous people in the affected area if the corresponding recommendations are not implemented. The assessment is based on the analysis of historical experience regarding the impact of large resource projects on and Indigenous people (Chapter 3.2) and Indigenous people’s own assessments, as documented in Chapters 3.3 and 3.4 and Chapter 4. The risk factors are as follows:

- High: There is a high degree of certainty that the impact will occur in the absence of effective management responses; the impact will be severe and is likely to continue for an extended period of time.
- Medium: Impacts will be serious and may be difficult to remediate if they do occur, but the probability of them occurring is not high.
- Low: Impacts are unlikely to occur and are subject to remediation within a short time frame.

Column (E) indicates the relevant recommendations for arrangements that must be in place if the impacts of the Plan are to be avoided, minimised and mitigated for. These are summarised for the sake of brevity, and the reader is referred to Chapter 4.4 for the full recommendations. The next column (F) indicates the entities with responsibility for implementation of the recommended arrangements, and the final column (G) indicates the desired outcomes that will eventuate from effective implementation of those arrangements.
### Figure 5.1 Matrix of Impacts, Risks and Recommended Management Responses

<table>
<thead>
<tr>
<th>Impact factors/ASIA report reference (A)</th>
<th>Stage of project (B)</th>
<th>Impact on Indigenous people (C)</th>
<th>Risk factor (D)</th>
<th>Relevant recommendation(s) (E)</th>
<th>Responsibility (F)</th>
<th>Desired outcomes (G)</th>
</tr>
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<tbody>
<tr>
<td>1. Failure of Government and the Proponent to have the capacity to address Indigenous issues and impacts. Chapter 1.1, 1.2.4, 3.3.1, 4.4.1</td>
<td>PRE-CON CON OPS DECOM</td>
<td>Failure to manage social impacts and to realise opportunities. Deterioration in the status and living conditions of Traditional Owners and other Indigenous people in the Area of Impact.</td>
<td>High</td>
<td><strong>Recommendation 1</strong> Commit and demonstrate in tangible ways to develop the capacity to hear, understand and respond to the aspirations of Traditional Owners and other Indigenous people affected by the LNG Precinct.</td>
<td>The State, the Commonwealth, the Proponent and Precinct operators.</td>
<td>The Proponent and Government support Traditional Owners and other affected Indigenous people in realizing their aspirations in relation to LNG development.</td>
</tr>
<tr>
<td>2. Imposition of time frames on Traditional Owners that ignore requirements for culturally appropriate decision making Chapter 1.1, 1.2.4, 4.4.1</td>
<td>PRE-CON CON OPS</td>
<td>Traditional Owners are marginalised from decision making, are unable to achieve best outcomes from negotiations, and incur social costs arising from culturally inappropriate decision making.</td>
<td>High</td>
<td><strong>Recommendations 2 – 3</strong> Negotiate time frames for impact assessment and negotiation processes that balance a realistic assessment of commercial requirements with the need for culturally appropriate decision-making processes and Indigenous informed consent.</td>
<td>The State, the Commonwealth, the Proponent, Precinct operators, KLC.</td>
<td>Balance achieved between need for culturally appropriate decisions and commercial requirements, generating improved outcomes for all stakeholders.</td>
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<tr>
<td>3. Absence of effective, ongoing social impact monitoring and management Chapter 4.2, 4.4.2</td>
<td>PRE-CON CON OPS DECOM</td>
<td>Existing or potential social impacts are not recognised or are not managed effectively, with serious social and economic consequences for affected Indigenous people.</td>
<td>High</td>
<td><strong>Recommendation 4</strong> Establish an LNG Precinct Indigenous Social Impact Monitoring and Management Board for the life of the Project that will monitor social impacts and coordinate impact mitigation and maximisation of opportunities associated with the LNG Precinct. Establish a legislative basis to ensure that Board will be maintained and appropriately resourced throughout the life of the Precinct.</td>
<td>The Proponent, the State, the Commonwealth, the KLC and other relevant Indigenous regional organizations, and Traditional Owner representatives</td>
<td>Existing and potential social impacts are identified in a timely manner, and appropriate mitigation and management responses are implemented.</td>
</tr>
<tr>
<td>4. Absence of comprehensive and accurate baseline data Chapter 1.2.2, 2.1, 4.4.3</td>
<td>PRE-CON CON</td>
<td>Inadequate baseline data will result in an inability to identify, measure and respond effectively to social impacts.</td>
<td>High</td>
<td><strong>Recommendation 5</strong> Conduct a survey of Indigenous households in the Area of Impact that is consistent with the Draft Household Survey developed by the ASIA and the TONC and involves Indigenous people in its design, administration and interpretation. <strong>Recommendation 6</strong> The household survey should be conducted regardless of the outcome of the Strategic Assessments and commence as soon as possible.</td>
<td>Funding by the Proponent Commissioned by the KLC, input from TONC</td>
<td>Accurate and comprehensive baseline data will be available organised around socially meaningful entities, including native title and cultural groups. Availability of this data will provide a firm foundation for social impact monitoring and design of effective management arrangements.</td>
</tr>
<tr>
<td>Impact factors / ASIA report reference (A)</td>
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<tr>
<td>5. Absence of data on use of wild resources, inability to measure future changes in use of, and competition for, wild resources, especially marine resources Chapter 2.3.10, 4.4.4</td>
<td>PRE-CON CON OPS</td>
<td>Inability to accurately identify and effectively respond to pressures on wild resources will result in their depletion, with serious economic, social and cultural consequences for Traditional Owners and other affected Indigenous people.</td>
<td>High</td>
<td>Recommendation 7 Conduct a detailed analysis of the official unpublished IFSNA data from the region which also involves the input from relevant Traditional Owners, especially those from communities that provided survey data. Recommendations 8 – 9 Conduct a comprehensive regional harvest study within 12 months of any approval for the Plan, and at 10-yearly intervals thereafter, with Traditional Owners guiding study design, implementation, and the analysis and reporting of data.</td>
<td>Funding by the Proponent Conducted by an appropriate Indigenous organisation and overseen by the Board</td>
<td>The ability of Traditional Owners and other affected Indigenous people to conserve and utilise wild resources is maintained.</td>
</tr>
<tr>
<td>6. Exclusion of Indigenous people from environmental management processes Chapter 3.2, 3.3.6, 3.4.2, 3.5.1, 4.4.5</td>
<td>PRE-CON CON OPS DECOM</td>
<td>Existing Indigenous concerns about possible environmental damage and associated cultural and social impacts will continue, imposing significant social costs. Opportunities to mobilise Indigenous environmental expertise will be lost, resulting in avoidable environmental damage with associated costs for Traditional Owners and non-Indigenous Australians.</td>
<td>High</td>
<td>Recommendation 10 Involve traditional Owners and other Indigenous users of country in the Area of Impact in the identification and definition of environmental issues and impacts, and in environmental monitoring and management. Recommendation 11 Conclude an Indigenous Land Use Agreement that guarantees substantive and effective participation of Traditional Owners in the Environmental Management of the LNG Precinct and associated developments.</td>
<td>The Proponent, responsible State and Commonwealth authorities, Traditional Owners, The Board, KLC</td>
<td>Guaranteed and effective Traditional Owner participation in environmental management during all phases of project life, generating positive social and cultural effects and ensuring improved environmental outcomes.</td>
</tr>
<tr>
<td>7. Traditional Owners and other affected Indigenous people are not properly informed about environmental issues and incidents or about responses to them. Chapter 3.2.1.3, Chapter 3.2.2, 3.3.6, 3.4.2, 4.4.5.1</td>
<td>CON CON OPS DECOM</td>
<td>Social and cultural impacts arising from Traditional Owners and Indigenous people in the Area of Impact being inadequately informed and so concerned about environmental damage and their inability to look after country.</td>
<td>High</td>
<td>Recommendation 12 Six-monthly Regional Environmental Forums to report on the results of environmental monitoring and management programs, and on any environmental incidents and measures taken to address them; and to respond to environmental concerns or issues. Recommendation 13 Regular flow of accurate and comprehensive information to affected Indigenous people regarding LNG Precinct environmental issues and incidents via local newspapers, radio and television</td>
<td>The Proponent, responsible State and Commonwealth authorities, Traditional Owners, The Board, KLC</td>
<td>Concerns of Traditional Owners and other Indigenous people regarding damage to country are minimised, and are quickly addressed if environmental incidents occur.</td>
</tr>
</tbody>
</table>
### 8. Environmental knowledge of Traditional Owners is overlooked or discounted

**Impact factors/ASIA report reference (A)**
- Chapter 3.2.1.3, Chapter 3.2.2, 3.3.6, 3.4.2, 4.4.5.1

<table>
<thead>
<tr>
<th>Impact factors</th>
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</thead>
<tbody>
<tr>
<td>Traditional Owners experience social and cultural costs of not being permitted to apply their knowledge to look after country. Avoidable environmental damage occurs.</td>
<td>PRE-CON CON OPS DECOM</td>
<td>High</td>
<td><strong>Recommendation 14</strong></td>
<td>LNG Precinct Environmental Management Plan recognises and ensures the application of Indigenous environmental knowledge and cultural values by Traditional Owners in environmental monitoring and management systems. <strong>Recommendation 15</strong></td>
<td>The Proponent, Responsible State and Commonwealth authorities, Traditional Owners, The Board, KLC, Indigenous rangers</td>
<td>Indigenous environmental knowledge, experience and values are respected and incorporated in environmental management systems, resulting in improved environmental outcomes.</td>
</tr>
</tbody>
</table>

### 9. Specific Environmental Impacts

#### 9.1 Blasting and dredging

**Chapter 4.4.5.2.1**

<table>
<thead>
<tr>
<th>Stage of project</th>
<th>Impact on marine life and wild resources. Increased anxiety, adverse impacts on health and on culture and eco-tourism.</th>
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<th>Relevant recommendation(s)</th>
<th>Responsibility</th>
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</tr>
</thead>
<tbody>
<tr>
<td>CON</td>
<td>High</td>
<td><strong>Recommendation 16</strong></td>
<td>'World’s best practice' monitoring and management; Participation of Traditional Owners; Regularly inform Indigenous people who use the affected sea country about the impacts of dredging and blasting. <strong>Recommendation 17</strong></td>
<td>The Proponent, responsible State and Commonwealth authorities</td>
<td>Reduced risk of negative environmental effects and of associated cultural and social impacts. Effective flow of information on monitoring and management measures to Traditional Owners, helping to reduce concerns.</td>
</tr>
</tbody>
</table>

#### 9.2 Oil spills and gas leaks

**Chapter 4.4.5.2.2**

<table>
<thead>
<tr>
<th>Stage of project</th>
<th>Adverse impact on marine life and wild resources. Increase in anxiety, adverse impacts on health and on culture and eco-tourism.</th>
<th>Risk factor</th>
<th>Relevant recommendation(s)</th>
<th>Responsibility</th>
<th>Desired outcomes</th>
</tr>
</thead>
<tbody>
<tr>
<td>CON</td>
<td>Low</td>
<td><strong>Recommendation 18</strong></td>
<td>Insurance Policy in favour of Traditional Owners, the proceeds to be used to pay for any immediate and long term remediation.</td>
<td>The Proponent</td>
<td>Reduced environmental risk. Instil confidence that prompt remediation of any spill will occur, with consequent reduction in anxiety.</td>
</tr>
</tbody>
</table>

#### 9.3 Potential impacts of cyclones (on ships and Precinct site)

**Chapter 4.4.5.2.2**

<table>
<thead>
<tr>
<th>Stage of project</th>
<th>Adverse impact on marine life and wild resources. Increase in anxiety, adverse impacts on health and on culture and eco-tourism.</th>
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<th>Relevant recommendation(s)</th>
<th>Responsibility</th>
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</thead>
<tbody>
<tr>
<td>CON</td>
<td>Low</td>
<td><strong>Recommendation 19</strong></td>
<td>Ships must be secured at jetty or stand out to sea. <strong>Recommendation 20</strong></td>
<td>The Proponent Shipping contractors</td>
<td>Reduced environmental risk. Reduce anxiety regarding environmental impacts during cyclone season.</td>
</tr>
<tr>
<td>Impact factors/ASIA report reference (A)</td>
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<tr>
<td>9.4 Disposal of ballast and other quarantine issues Chapter 4.4.5.2.3</td>
<td>OPS</td>
<td>LNG Precinct will result in introduction of exotic species and contaminants, affecting marine life, traditional food sources and health</td>
<td>High</td>
<td>Recommendation 21 “Best Practice” (Australian Standards) procedures implemented to minimise the introduction of exotics and contaminants, including pre-departure inspections of hulls by Australian authorities in port of origin and testing quality of ballast water prior to departure from place of origin and before discharge. Routine reports to Traditional Owners and communities about ballast discharge testing. Traditional Owners employed to monitor and report any sightings of exotic pests to AQUIS.</td>
<td>Responsible State and Commonwealth authorities, The Proponent, Shipping Contractors, Traditional Owners</td>
</tr>
<tr>
<td>9.5 Decline in water quality and available water resources Chapter 4.4.5.2.4</td>
<td>CON OPS DECOM</td>
<td>Contamination of the water table via poor waste management and/or over-use of water resources will result in: loss of traditional food sources; insufficient water to meet residential and other commercial needs. Impact on Indigenous eco-tourism industry.</td>
<td>Medium</td>
<td>Recommendation 22 Manage the LNG Precinct waste and minimise use of water to lessen impact on the water resources of the Dampier Peninsula. Recommendation 23 Undertake a ‘Water Resources Assessment’ of water resources on the Dampier Peninsula to be the basis of a long term water management plan and routine monitoring of water quality. Recommendation 24 Undertake regular ‘Water Resources Impact Reviews’ of the impacts of Precinct activities on water resources on the Dampier Peninsula. Review Reports to be publically available.</td>
<td>The Proponent, responsible State and Commonwealth authorities The Board</td>
</tr>
<tr>
<td>9.6 Inadequate fire management to deal with added fire risks arising from LNG Precinct and growing population Chapter 4.4.5.2.4</td>
<td>PRE-CON CONS OPS</td>
<td>Loss of food resources and cultural values. Anxiety about safety and potential damage to property and safety.</td>
<td>Medium</td>
<td>Recommendation 25 Additional and adequate funding for fire prevention and fire management programs to enable communities to deal effectively with fire risks. Recommendation 26 Develop a single and coordinated fire management plan for the Dampier Peninsula.</td>
<td>Responsible State authorities, Indigenous community councils, Indigenous rangers</td>
</tr>
<tr>
<td>Impact factors/ASIA report reference (A)</td>
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<td>10. Impacts from a growing influx of outsiders including tourism Chapter 3.2.1.2, 3.3.9, 3.4.3, 4.4.5.2.6</td>
<td>CON OPS DECOM</td>
<td>Impacts of growing influx of outsiders will be uncontrolled or inadequately controlled, resulting in: pressures on wild resources; damage to land and sea country; heritage and cultural values; social tensions; pressure on social services and infrastructure; loss of amenity and privacy; increased access to illegal drugs.</td>
<td>High</td>
<td>Recommendation 27 – 37, including: Limit on visitor numbers; LNG Precinct accommodation complex to be a ‘controlled access’ facility; cross-cultural training for all Precinct workers; permit system limiting travel on Dampier Peninsula by non-residents; provision of facilities at permitted visitor sites; zones where only Indigenous residents are permitted to harvest wild resources; effective enforcement of existing fishing regulations; monitor boat and fishing licences; support for outstations; funding for an expanded Indigenous ranger program.</td>
<td>The Proponent, Responsible State and Commonwealth authorities, Traditional Owners, Indigenous regional organizations</td>
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<td>11. Impact of Strategic Assessment and related negotiation processes Chapter 3.3.3, 4.4.6</td>
<td>PRE-CON</td>
<td>Affected Indigenous people feel alienated from project approval and negotiation processes, partly due to a lack of transparency, contributing to their sense of powerlessness and undermining their capacity to deal with LNG Precinct impacts.</td>
<td>Low</td>
<td>Recommendation 38 Taking into account the need for confidentiality, ensure that information on project approval and related negotiation processes and outcomes is communicated on a regular basis to affected Indigenous people.</td>
<td>The Proponent, responsible Commonwealth authorities, Woodside, the KLC and Traditional Owners.</td>
</tr>
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<td>12. Absence of or insufficient support for appropriate governance structures Chapter 3.4.9, 3.5.6, 4.4.6</td>
<td>PRE-CON</td>
<td>Absence of effective and adequately resourced governance structures that have the confidence of affected Indigenous results in: growing conflict within Indigenous communities; poor and declining public services; diminished capacity to address impacts and take advantage of opportunities.</td>
<td>Low</td>
<td>Recommendation 39 Address issue of funding for PBCs in the Area of Impact and facilitate dissemination of information regarding the roles and functions of PBCs; ensure provision of relevant governance training for members of PBCs. Recommendation 40 As a matter of urgency: facilitate the establishment of a local governance structure at Beagle Bay; provide governance training to Indigenous office holders and potential office holders, and the Beagle Bay community. Recommendation 41 Provide material support to the KLC and Traditional Owners in establishing effective Indigenous governance structures; disseminate information on such governance structures to Indigenous people in the Area of Impact.</td>
<td>Responsible Commonwealth and State authorities, KLC, Traditional Owners</td>
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| 13. Growth in abuse of alcohol and illegal drugs | CON OPS DECOM | Greater access to illegal drugs as a result of LNG Precinct construction and high disposable income will result in greater alcohol and drug abuse with attendant social costs for individuals, their families and communities. | High | Recommendation 42
Apply a ‘no drugs’ policy to the LNG Precinct and the accommodation complex including summary dismissal for possession or sale of illicit drugs by Precinct workers.
Recommendation 43
Operate the LNG Precinct accommodation complex as a ‘controlled access’ facility.
Recommendation 44
The State must supplement the resources available to WA police in the Area of Impact to enable them to address any increase in sale of illegal drugs.
Recommendation 45
Responsible State and the Commonwealth authorities must provide additional funding to drug and alcohol education programs in schools and colleges, and to alcohol and drug abuse rehabilitation facilities, in the Area of Impact. | The Proponent, responsible State and Commonwealth |
|                                           |                      |                                |                | Little increase in access to and consumption of illegal drugs among Indigenous workers and in the Area of Impact. |
|                                           |                      |                                |                | Absence of drug-related aggressive and dysfunctional behaviour by Precinct workers. |
|                                           |                      |                                |                | No increase in domestic violence due to alcohol and drug abuse. |
|                                           |                      |                                |                | Increased disposable income arising from the LNG Precinct is spent in ways that are individual and socially productive. |
| 14. Social impacts of FIFO or long work rosters | CONS OPS DECOM | Low retention rates for Indigenous LNG Precinct workers due to family concerns and anxiety. Stress on family relations resulting in violence in some cases. Sudden access to higher income results in alcohol and substance abuse, anti-social behaviour and stress on community relations. | High | Recommendation 46
Recognition of cultural and family obligations in employment arrangements for Indigenous workers, including variations to standard rosters and leave.
Recommendation 47
Recommendation 48
Counselling and advice on financial management for Indigenous workers and their families on an optional and ongoing basis. | The Proponent, Project contractors |
<p>|                                           |                      |                                |                | Greater work satisfaction and higher retention rates for Indigenous Precinct workers. |
|                                           |                      |                                |                | Reduced negative social behaviour in communities. |
|                                           |                      |                                |                | Indigenous workers and families better placed to cope with pressures of high-wage industrial employment. |</p>
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| 15. STIs and inappropriate sexual relations Chapter 3.4.3, 4.4.9 | CON OPS | Increase in health risks associated with spread of STIs. Potential inter-personal and family conflict due to inappropriate relationships. | Medium | Recommendation 49
Run LNG Precinct accommodation as a ‘controlled access’ facility.
Recommendation 50
Provide cross-cultural training for Precinct workers highlighting personal and social risks associated with inappropriate sexual relations.
Recommendation 51
Provide educational material in schools and colleges on the risks involved in inappropriate sexual relations with Precinct workers and unprotected sex. | The Proponent, Responsible State and Commonwealth authorities | Reduced risk of inappropriate sexual relationships between Precinct workers and Indigenous residents in the Area of Impact and consequent effects on families and social relations; No, or minimal increase in incidence of STIs in Area of Impact communities. |

16. Impact of population growth associated with LNG Precinct on access to housing, cost of housing Chapter 2.3.6, 3.4.4, 4.4.10 | PRE-CON CON OPS | LNG development and associated population growth will result in: Decline in access to housing and home ownership; Growing waiting lists for public housing; Increase in overcrowding and in homelessness; Growing shortage of accommodation for students and Indigenous visitors to Broome. | High | Recommendation 52
Substantial additional public funding for construction of public housing and upgrade of existing housing stock in the Area of Impact, and for provision of hostel, emergency and short-term accommodation. Involve Indigenous community members and their governing bodies in design and management of housing programs.
Recommendation 53
Support Indigenous people to establish and develop businesses to build houses and other forms of accommodation.
Recommendation 54
Review housing and related policies of responsible State and Commonwealth authorities to ensure they maximise Indigenous access to housing,
Recommendation 55
Increased supply of Indigenous people skilled in the construction trades.
Recommendation 56
Proponent must: provide accommodation for all Precinct workers and contractors; contribute to the cost of constructing additional housing to house ‘indirect employees’ of Precinct. | Responsible State and Commonwealth authorities | Increase in supply of affordable housing for Indigenous people in the Area of Impact; Increase in availability of hostel and temporary accommodation; No or minimal increase in homelessness; Expansion of supply in private housing market, containing rise in rents and house prices. |
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<tr>
<td>17. Impact of population growth associated with LNG Precinct on cost of living Chapter 2.3.11, 3.4.4, 4.4.10</td>
<td>CON OPS</td>
<td>Falling Indigenous standards of living and quality of life due to rising prices.</td>
<td>High</td>
<td>Recommendation 57&lt;br&gt;Establish and maintain monitoring of prices for key components of Indigenous living costs in the Area of Impact.&lt;br&gt;Recommendation 58&lt;br&gt;Encourage the establishment of Indigenous enterprises that produce food and other consumables for the local market and supply transport and communication services to the LNG Precinct.</td>
<td>The Board, Responsible State and Commonwealth authorities, the Proponent</td>
<td>Price increases and fall in living standards are minimised.</td>
</tr>
<tr>
<td>18. Education and Training Chapter 2.3.3, 3.4.6, 3.5.2, 4.4.11</td>
<td>PRE-CON&lt;br&gt;CON&lt;br&gt;OPS&lt;br&gt;DECOM</td>
<td>Poor educational outcomes and limited training opportunities will preclude Indigenous people from employment and training opportunities generated by the LNG Precinct, contributing in turn to dysfunctional social behaviour, poverty, substance abuse, mental health issues and youth suicide.</td>
<td>High</td>
<td>Recommendation 59&lt;br&gt;Develop a program for a minimum of 30 years that raises the quality and effectiveness of Indigenous education in the Area of Impact and the Kimberley.&lt;br&gt;Recommendation 60&lt;br&gt;Substantial and sustained investment, starting immediately in training and training facilities, designed to prepare Indigenous people for employment in the LNG Precinct and elsewhere in the Area of Impact.</td>
<td>The Proponent, responsible State and Commonwealth authorities, Indigenous education and training organizations.</td>
<td>Major increase in proportion of Indigenous population completing Y12, VET courses, apprenticeships, traineeships, and tertiary degrees</td>
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<td>19. Employment Chapter 2.3.4, 3.2.1, 3.4.5, 3.5.3, 4.4.12</td>
<td>CON&lt;br&gt;OPS&lt;br&gt;DECOM</td>
<td>Lack of technical skills and workplace skills and experience may preclude many Indigenous people in the Area of Impact from being employed in the LNG Precinct, or in related enterprises, resulting in growing economic and social inequality.</td>
<td>High</td>
<td>Recommendation 61&lt;br&gt;Employment programs that operate throughout the life of the LNG Precinct and that include: preference for Traditional Owners and other Indigenous people; mechanisms that create a positive workplace for Indigenous people; career paths for Indigenous employees; provision of transport for Indigenous workers; initiatives to overcome ‘threshold’ issues that can prevent Indigenous people from entering the workforce; periodic reporting on compliance to the Board and the Minister.</td>
<td>The Proponent</td>
<td>A substantial and steadily growing proportion of workforce in LNG Precinct and related enterprises is comprised of local Indigenous people; Reduction in existing economic and social inequalities between Indigenous and non-Indigenous people in the Area of Impact.</td>
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<td>20. Utilisation of incomes from employment</td>
<td>CONOPSDECOM</td>
<td>Potential benefits of high-wage employment are dissipated because of lack of money management skills; increase in alcohol and drug abuse with resultant social costs.</td>
<td>Medium</td>
<td>Recommendation 62 Offer employees access to, and encourage them to participate in, personal financial counselling, and support them in efforts to channel a portion of their wages into savings.</td>
<td>The Proponent</td>
<td>Indigenous people and their families are able to enjoy the benefits of high-wage employment.</td>
</tr>
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<td>21. Enterprise development</td>
<td>CONOPSDECOM</td>
<td>Outsiders rather than local Aboriginal people will gain from business development opportunities associated with LNG Precinct, contributing to growing economic and social inequality</td>
<td>Medium</td>
<td>Recommendation 63 Implement a Business Support program which assists Indigenous enterprises gain access to capital and business skills and overcome the competitive disadvantage they face relative to large, establish non-Indigenous businesses. Recommendation 64 Measures to address the particular difficulties facing small Indigenous businesses in the Area of Impact including resolution of land tenure issues and specific support for business operators who previously drew on CDEP.</td>
<td>The Proponent and its contractors</td>
<td>Indigenous enterprises supply a significant and steadily increasing proportion of the goods and services required by the LNG Precinct; Reduction in existing economic and social inequalities between Indigenous and non-Indigenous people in the Area of Impact.</td>
</tr>
<tr>
<td>22. Impact on health and well being</td>
<td>PRE-CONOPSDECOM</td>
<td>Absence of accurate and consolidated health data precludes monitoring of health status of affected Indigenous population and effective health planning and resource allocation; Health issues are not effectively addressed, compromising ability of Indigenous people to deal with Precinct impacts and take advantage of opportunities.</td>
<td>High</td>
<td>Recommendation 65 Indigenous health audit of the Area of Impact prior to the commencement of activities under the Plan; undertake health surveys of relevant populations required to fill gaps in base line data. Expanded funding (secure and long term) for relevant health and social welfare programs, including those currently provided by NGOs and Indigenous organisations.</td>
<td>Responsible State and Commonwealth authorities, Indigenous health organisations</td>
<td>Accurate and comprehensive baseline health data is available, allowing monitoring of impacts of the LNG Precinct on Indigenous Health; Effective planning and expansion of health services in Area of Impact; Affected Indigenous people have enhanced capacity to absorb impacts and take advantage of opportunities.</td>
</tr>
<tr>
<td>23. Specific health issues: mental illness</td>
<td>PRE-CONOPS</td>
<td>LNG Precinct and associated social impacts will exacerbate already high incidence of mental illness and suicide especially among youth</td>
<td>High</td>
<td>Recommendation 66 Long term commitment of additional funds to services for people suffering from mental illness in the Area of Impact.</td>
<td>Responsible Commonwealth and State authorities</td>
<td>Better managed and more frequent treatment for mental health patients living in the Area of Impact, and more effective support for their families. Declining incidence of mental illness and suicide.</td>
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| 24. Specific health issues: dialysis Chapter 2.3.7, 3.4.7, 4.4.14 | PRE-CON CON OPS | Patients have to live away from family and country, placing stress on them and families and undermining capacity to absorb impact; One factor placing stress on limited accommodation in Broome, which will be exacerbated by population growth. | Medium | Recommendation 67  
Commit additional funding to enable expansion of regional dialysis services in the Area of Impact. | Responsible Commonwealth and State authorities | Dialysis patients can live with family and close to country, enhancing individual and social well being and capacity to absorb impact. Reduction in one source of pressure on accommodation in Broome. |
| 25. Impact of LNG Precinct on youth Chapter 2.3.8, 3.4.8, 3.5.5, 4.4.15 | PRE-CON CON OPS | LNG Precinct will exacerbate current problems facing Indigenous youth including high level of involvement in criminal justice system, low educational achievement, lack of economic and social opportunity, high levels of substance abuse and incidence of suicide | High | See Recommendations 42-45, 49-51, 59-60 and 61-62 above  
Recommendation 68  
Expand secure and long term funding for recreation and other youth activities in the Area of Impact.  
Recommendation 69  
Develop measures to provide greater support to and recognition of youth, including communication channels providing information about the LNG Precinct specifically directed to youth; sponsorship and promotion of youth events; youth liaison; work experience opportunities for youth. | The Proponent, Responsible Commonwealth and State authorities, KLC, Traditional Owners. | LNG Precinct will generate education, training and employment opportunities for Indigenous youth and result in expanded and sustainable youth services. The result will be a decline in representation of youth in the criminal justice system, lower rates of alcohol and drug abuse and socially disruptive behaviour, and a decline in youth suicide rates. |
| 26. Impact on Land Tenure Chapter 2.3.6, 3.4.10, 4.4.16 | CON OPS | LNG development will exacerbate social tensions and loss of economic opportunity associated with unresolved land tenure issues in the Dampier Peninsula and especially at Beagle Bay. | High | Recommendation 70  
The State must act to resolve uncertainty in relation to land tenure in the Dampier Peninsula as a matter of urgency, and within 3 years of any endorsement of the Plan.  
Alternative courses of action must be in place to ensure that land tenure matters are quickly resolved if the State has not achieved a resolution by the third anniversary of any endorsement of the Plan.  
Recommendation 71  
The KLC and Traditional Owners must maintain a flow of relevant and timely information regarding land tenure aspects of ILUA and related negotiations that have implications for other native title groups and affected Indigenous communities. | The State, KLC, Traditional Owners | Land tenure issues on the Dampier Peninsula are resolved within 3 years of any endorsement of the Plan and affected Indigenous people are well informed regarding the nature of the resolution and its implications for them, reducing social tensions and helping to open up additional economic opportunities for Traditional Owners and Indigenous leaseholders. |
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| 27. Impact on Indigenous culture and heritage Chapter 2.3.9, 3.4.11, 4.4.17 | PRE-CON CON OPS | LNG development will cause damage to Indigenous heritage and undermine cultural heritage values or threaten to do so, in the processes creating anxiety and stress for Traditional Owners and undermining their self-esteem. | High | Recommendation 72
Any endorsement of the Plan must be subject to the conclusion of an ILUA which allows Traditional Owners to ensure that any impact of the LNG Precinct and associated developments on their cultural heritage is avoided or minimised. No damage to Indigenous cultural heritage must be permitted without the informed consent of Traditional Owners.
Recommendation 73
Cross-cultural training for all Precinct workers and State and Commonwealth employees and consultants required to interact with Traditional Owners in a substantive manner.
Recommendation 74
Specific and positive measures to support the practice of Indigenous culture in the Area of Impact. | The Proponent, responsible State and Commonwealth authorities, KLC, Traditional Owners | Indigenous cultural heritage and cultural values are protected and afforded respect by non-Indigenous organisations and individuals associated with LNG development. Traditional Owners maintain control of their culture and heritage and are supported in continuing to fulfil their cultural obligations. |
| 28. Social conflict around LNG development Chapter 3.4.3, 3.4.13, 4.4.19 | PRE-CON CON OPS | Values of social and racial tolerance are undermined; social cohesion is reduced, and with it capacity to absorb impact; individuals experience greater stress of daily life. | High | Recommendation 75
Information campaign to promote transparency regarding LNG development, and values of mutual tolerance and respect. | The Proponent, the State, the Commonwealth, the KLC and Traditional Owners | Reduced risk of social conflict related to LNG development. |
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ENVIRONMENT PROTECTION AND BIODIVERSITY
CONSERVATION ACT 1999
Part 10 Strategic Assessments
Section 146 (1) Agreement

Relating to the assessment of the impacts of actions under the Plan for the Browse Basin Common-
User Liquefied Natural Gas Hub Precinct and associated activities

between

THE MINISTER FOR THE ENVIRONMENT, HERITAGE AND THE ARTS ON BEHALF OF THE
AUSTRALIAN GOVERNMENT

and

THE WESTERN AUSTRALIAN MINISTER FOR STATE DEVELOPMENT AND THE WESTERN
AUSTRALIAN MINISTER FOR THE ENVIRONMENT AND CLIMATE CHANGE ON BEHALF OF THE
WESTERN AUSTRALIAN GOVERNMENT
1 PARTIES

This is an agreement between:

The Australian Government Minister for the Environment, Heritage and the Arts (Minister) on behalf of the Australian Government.

and

The Western Australian Minister for State Development and the Western Australian Minister for the Environment and Climate Change (WA Ministers) on behalf of the Western Australian Government.

2 DEFINITIONS

2.1 Working days means a business day as measured in Canberra, ACT.

2.2 Browse Basin Liquefied Natural Gas Common-User Hub Precinct (the Precinct) means an area of land suitable for development of gas processing infrastructure, gas storage and port facilities and associated activities.

2.3 Plan means the Plan for a Common-User Liquefied Natural Gas Hub Precinct and its associated activities.

2.4 LNG means Liquefied Natural Gas.

2.5 EPBC Act means the Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth).

2.6 EP Act means the Environmental Protection Act 1986 (Western Australia).

2.7 EPA means the Environmental Protection Authority (Western Australia).

2.8 Environment means environment as defined in section 528 of the EPBC Act. Note this definition includes heritage values.

2.9 Unless stated otherwise within this agreement, the definitions, meanings and terms in the Environment Protection and Biodiversity Conservation Act 1999 apply to this agreement and its attachments.

3 PREAMBLE

3.1 The Western Australian Government and the Australian Government recognise that the Kimberley Region of Western Australia (as generally identified in Map 1) has significant environmental and heritage values as well as significant economic potential in relation to the extraction and processing of LNG from the Browse Basin.

3.2 Both Governments commit to undertake an assessment under section 146 of the EPBC Act, of a Plan for a Common-User Liquefied Natural Gas Hub Precinct and its associated activities, and recognise the requirements for assessment under 53 of the EP Act. To ensure the best sustainable and timely outcome, assessment of the plan will be undertaken concurrently through a coordinated and collaborative process, producing a set of reports that meet the requirements of both the EPBC Act and EP Act. The Plan will promote ecologically sustainable development and provide for the protection and conservation of the environment, especially matters of National Environmental Significance.

3.3 The parties agree that their Departments will share information and work collaboratively on the analysis of the environmental issues associated with the hub. Subject to a separate agreement, the parties will provide funding in relation to implementation of this agreement.
4 BACKGROUND

4.1 Section 146(1) of the EPBC Act allows the Minister to agree in writing with a person responsible for the adoption or implementation of a policy, plan or program that an assessment be made of the impacts of actions under the policy, plan or program on a matter protected by a provision of Part 3 of the EPBC Act. This agreement provides for the assessment of impacts of actions under the Plan for a Common-User Liquefied Natural Gas Hub Precinct on all matters protected by Part 3 of the EPBC Act.

4.2 In accordance with section 146(1A) of the EPBC Act, WA Ministers request that the assessment provided by this agreement will deal with the impacts of actions under the Plan on the environment generally, being impacts referred to in the Terms of Reference (other than impacts mentioned in clause 4.1) within the area identified in Map 2.

4.3 Section 38 of Division 1 of Part IV of the EP Act enables the EPA to carry out a Strategic Environmental Impact Assessment (SEIA) of proposals that it considers likely to have a significant effect on the environment, where the proponent has requested a SEIA.

4.4 The EPA may develop Memoranda of Understanding or guidelines with decision-making authorities to provide guidance on the environmental impact assessment of proposals under Division 1 of Part IV of the Act.

4.5 It is intended under this agreement that an assessment will be undertaken in accordance with the approved Terms of Reference of this agreement, to meet the requirements of both the EPBC Act and the EP Act.

4.6 In addition to the strategic assessment of the Plan the parties to this agreement have collaborated in the development of the draft site selection criteria (Attachment A) to cover all relevant matters, including particularly matters of National Environmental Significance. The process for selection of the Precinct will consider feasible alternatives to locations of the Precinct outside of the Kimberley Region. The parties to this agreement agree to finalise the criteria following further consultations.

4.7 Further to the strategic assessment of the Plan, this agreement acknowledges the outstanding natural, Indigenous and historic heritage values of the region. The parties agree to immediately commence a formal assessment of the National Heritage (and potentially international heritage) values in accordance with the requirements set out in the EPBC Act and as part of a strategic assessment of broader land use development within the Kimberley Region, as generally identified in Map 1. Regular progress reports will be provided to the parties. It is anticipated that this assessment will be completed within 2 years of signing this Agreement.

5 TERMS OF REFERENCE

5.1 The Western Australian Government shall as soon as possible seek public comment on the Draft Terms of Reference (Attachment B) for the preparation of a report on the impacts of actions under the Plan.

5.2 The Western Australian Government shall provide the Draft Terms of Reference for public comment by Notice:
   a) posted on the Western Australian Government’s website; and
   b) published in a newspaper(s) circulating nationally, in Western Australia, and locally in the Kimberley region.

   The Notice must advise that the Draft Terms of Reference is available and how copies may be obtained, provide contact details, invite public comments on the Draft Terms of Reference and set a period of 28 days within which comments must be received.

5.3 The Western Australian Government and Australian Government Department of the Environment, Water, Heritage and the Arts will each notify specific interested parties of the Notice and of the availability of the Draft Terms of Reference. The Western Australian Government and Australian Government Department of the Environment, Water, Heritage and the Arts will make copies of the Notice and Draft Terms of Reference available electronically through their websites.
5.4 Following the consideration of public comments on the Draft Terms of Reference the Western Australian Government will provide Revised Terms of Reference to the Minister.

5.5 The Minister shall as soon as possible either:
   a) notify the Western Australian Government that the Revised Terms of Reference are satisfactory; or
   b) if not satisfied that the Revised Terms of Reference will provide for an adequate assessment of the impacts of the actions under the Plan, the Minister will:
      i) notify the Western Australian Government of his concerns and provide an opportunity for the Western Australian Government to respond and provide further Revised Terms of Reference which take those concerns into account; and
      ii) within 15 working days of receipt of the further Revised Terms of Reference, mentioned in (i) above, either:
          A) notify the Western Australian Government of his acceptance of the Revised Terms of Reference;
          B) provide Terms of Reference further amended to meet his requirements.

6 PREPARATION OF REPORT

DRAFT REPORT

6.1 The Western Australian Government will as soon as possible after agreement on the Terms of Reference cause a Draft Report to be prepared in accordance with the approved Terms of Reference (as in accordance with clause 5).

6.2 The parties will agree on a work program and methodology to ensure the Draft Report delivers on its objectives and achieves broad-based scientific and community support for the selected location.

6.3 The Western Australian Government shall provide the Draft Report for public comment by Notice:
   a) posted on the Western Australian Government's website; and
   b) published in a newspaper(s) circulating nationally, in Western Australia, and locally in the Kimberley region.

The Notice must advise that the Draft Report is available and how copies may be obtained, provide contact details, invite public comments on the Draft Report and set a period of 28 days within which comments must be received.


COLLABORATIVE AND ASSESSMENT OF PUBLIC COMMENTS

6.5 If possible, within 60 days of the closure of the public comment period, the Western Australian Government will prepare an amended Draft Report, or a Supplementary Report to the Draft Report, taking account of the comments received.

7 MINISTERIAL CONSIDERATION

7.1 The WA Government will submit to the Minister:
   a) the Final Report, which must comprise of either the amended Draft Report or the Draft Report and a Supplementary Report as referred to in clause 6.5 above;
   b) the Plan;
   c) public responses relating to the Draft report; and
   d) comments on how the public responses have been taken into account in the Final Report.
7.2 In accordance with section 146 of the EPBC Act, the Minister will consider the Final Report on impacts of actions under the Plan. Attachment C outlines what the Minister will consider when deciding whether to make an endorsement of the Plan.

7.3 If not satisfied that the Plan will adequately address the impacts of the actions to which the Agreement relates:
   a) The Minister will make recommendations to the WA Ministers about the management arrangements for the Precinct, including recommendations for its modification.
   b) The Western Australian Government will consult with the Australian Government Department of the Environment, Water, Heritage and the Arts on the recommendations made by the Minister, including those for modification of the Plan, and will take those recommendations into account in amending or modifying the Plan.
   c) Where it considers it necessary, the Western Australian Government may provide to the Minister a proposed response on particular recommendations, which in its view require clarification, or where the Western Australian Government has formed a view that it may not be practicable or reasonable to implement the recommendation.
   d) The Western Australian Government will provide to the Minister the revised Plan and a summary of the way in which recommendations have been addressed, the required modifications have been made, or in which modifications having the same effect have been made.
   e) The Minister will consider the revised Plan and supporting material and may either accept it or request further modifications if not satisfied that it addresses adequately the impacts of the actions to which the agreement relates.

7.4 If satisfied that the Final Report adequately addresses the impacts to which the agreement relates, and that any recommended modifications of the Plan or modifications having the same effect have been made, and the requirements set out in Attachment C are met the Minister will endorse the Plan.

8 VARIATION

8.1 The parties may vary this Agreement by an exchange of letters (including electronic communications) to the extent only that such variation is consistent with the provisions of the EPBC Act.

SIGNED BY:

The Honourable Peter Garrett AM MP
Minister for the Environment, Heritage and the Arts
(Australian Government)

Other Party

The Honourable Eric Ripper MLA
Treasurer; Minister for State Development
(Western Australia)

The Honourable David Templeman MLA
Minister for the Environment, Climate Change
(Western Australia)

Dated this ........ day of ...... 2008
<table>
<thead>
<tr>
<th>Sub-cat A</th>
<th>Sub-cat B</th>
<th>Sub-cat C</th>
<th>Definition/Description</th>
<th>Preliminary Objective</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conservation Reserves/Marine Parks/Indigenous protected areas</td>
<td>Existing/recommended</td>
<td>Existing or Government recommended conservation reserves/PAs</td>
<td>Avoid impacts on existing reserves/PAs. Seek to prioritize sites not proposed for future conservation reserves</td>
<td></td>
</tr>
<tr>
<td>Threatened Flora</td>
<td>EPBC Act Wildl &amp; Conservation Act listed</td>
<td>Acts also allow for newly identified taxa without formal status</td>
<td>Avoid, or mitigate impact. Avoid sites that would have significant impact</td>
<td></td>
</tr>
<tr>
<td>Threatened Fauna</td>
<td>EPBC Act Wildl &amp; Conservation Act listed</td>
<td>Acts also allow for newly identified taxa without formal status, including migratory species subject to international agreements (Ramsar, JAMBA/CAMBA)</td>
<td>Seek to avoid or mitigate impact. Avoid sites that would have significant impact</td>
<td></td>
</tr>
<tr>
<td>Significant Ecological Communities</td>
<td>Threatened ecological Community (EPBC Act or State listed) or found through site surveys</td>
<td>Seek to avoid or minimize impact on Threatened Ecological Communities. Avoid sites that would have significant impact</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Marine Biophysical</td>
<td>Marine Impacts: seasonal issues, seabed mobility, quantity of sea dumping, wave energy</td>
<td>Seek to avoid impact on most sheltered coastal and shallow marine environments. Classify as high, moderate, low exposure</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Coastal exposure to long period wave energy</td>
<td>Sheltered coastal and shallow marine environments are more sensitive to disturbance because of low-exposure to periodic disturbances from natural processes. Typically, recovery times lower and less capacity to tolerate pollutants.</td>
<td>Seek to avoid impact on most sheltered coastal and shallow marine environments and other threatened fauna, apart from turtles</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Significant Marine Benthic Primary producer Ecological Communities</td>
<td>Conservation value, ecological value, Primary Producer Habitat, (e.g., Coral reef, Mangrove, Macro-algae, seagrass) (Coral sea, Coral mortality from dredging)</td>
<td>Seek to avoid or mitigate impact. Identify sites with high value. Avoid significant impact sites</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mariculture</td>
<td>Culturally significant ecological communities and flora/fauna</td>
<td>Culturally significant to Aboriginal people</td>
<td>Seek to avoid or minimize impact. Sites that would be of risk of significant impact</td>
<td></td>
</tr>
<tr>
<td>Ecological Risk/Hazard</td>
<td>Quarantine Breaches, Weed/feral species, pathogens introduction</td>
<td>Seek to avoid or mitigate impact. Avoid sites that would be of risk of significant impact</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Culturally significant ecological communities and flora/fauna</td>
<td>Fire, Plant/Transport Accidents</td>
<td>Seek to avoid or mitigate impact. Avoid sites that would be of risk of significant impact</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Terrestrial Biophysical</td>
<td>Sites with high biodiversity and ecological/vegetation diversity</td>
<td>Seek to avoid or mitigate impact on sites with high biodiversity and ecological/vegetation diversity</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Threatened Marine Fauna</td>
<td>EPBC Act Wildl &amp; Conservation Act listed</td>
<td>Especially endangered species such as Humpback Whales, Dugong, Turtle breeding beaches, White Sharks, including migratory species subject to international agreements (JAMBA/CAMBA). Consider significance of impact (eg breeding, nursery, feeding, migration, resting), season of occupation and relative importance of the area (global impact) and other gases related to gas processing or stormwater on site</td>
<td>Seek to avoid high value sites. Identify sensitivities and ranking of sites and prioritize identified impacts and scope for possible mitigation strategies</td>
<td></td>
</tr>
<tr>
<td>Ecological Risk/Hazard Assessment (Slate waters)</td>
<td>Relative mishandled Accidents, Spills, Quarantine breaches, exposure to sensitivity to introduced marine pests etc.</td>
<td>Seek to identify relative sensitivities of sites to mishandled and avoid sites with elevated risk/hazard. What is the relative significance of site surrounding including shipping and pipeline corridors</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dredging impacts</td>
<td>Marine Impacts: seasonality issues, seabed mobility, quantity, sea dumping, wave energy</td>
<td>Seek to avoid or mitigate impact. Identify site sensitivities and ranking. Avoid significant impact sites</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commonwealth Marine Environment</td>
<td>Consideration of significant impacts to the Commonwealth Marine Environment</td>
<td>Seek to avoid or mitigate impact. Identify site sensitivities and ranking. Avoid significant impact sites</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Light spill</td>
<td>Potential for significant impacts from plummet and light pollution</td>
<td>Seek to avoid, minimize or mitigate impacts of light pollution. Avoid sites that self-impose significant light pollution</td>
<td>Seek to avoid, minimize or mitigate sites</td>
<td></td>
</tr>
<tr>
<td>Stormwater management</td>
<td>Stormwater management on site, avoid uncontrolled discharge to sensitive environments</td>
<td>Avoid sites with limited capacity to manage stormwater on site</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Greenhouse Gas Emissions (global impact) and other greenhouse emissions (local impact)</td>
<td>Release to the atmosphere of in-gas CO2 and other gases related to gas processing and the overall operations of the Hub</td>
<td>Seek to avoid, minimize or mitigate sites. Seek to avoid sites that would inhibit access to suitable geological storage locations should these be identified. Identify other CO2 management mecanisms</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Landscape Assessment</td>
<td>Wilderness values</td>
<td>Large areas remote from and undisturbed by the influence of modern technological society. Note wilderness refers to an area that is remote from and undisturbed by the influence of modern technological society and recognizes that the land has been shaped by selective land management practices by Indigenous Australians.</td>
<td>Identify wilderness ecological and biophysical values and integrity of biodiversity (degree of disturbance). Seek to avoid high value intact areas</td>
<td></td>
</tr>
<tr>
<td>Landscape Quality of immediate region surrounding the site including transport routes</td>
<td>Landscape Quality of immediate region surrounding the site including transport routes</td>
<td>Protect regions of highest landscape quality</td>
<td></td>
<td></td>
</tr>
<tr>
<td>South Site specific landscape significance</td>
<td>Quality, Flavity, Diversity of the Site inclusive of Indigenous perceptions of quality</td>
<td>Seek to avoid sites that would impact significantly</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Natural Heritage</td>
<td>Areas with natural heritage values of national significance</td>
<td>Avoid impacts on sites with natural heritage values of national significance</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Attachment A: Site Selection Criteria

<table>
<thead>
<tr>
<th>Sub-cat A</th>
<th>Sub-cat B</th>
<th>Sub-cat C</th>
<th>Definition/Description</th>
<th>Preliminary Objective</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Public Perception</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Interest Groups</td>
<td>e.g. NGOs, local business and community groups.</td>
<td>Respond to legitimate concerns through transparency of decision making</td>
<td></td>
<td></td>
</tr>
<tr>
<td>National and International Perspective</td>
<td>e.g. NGOs, business and community groups, media.</td>
<td>Respond to legitimate concerns through transparency of decision making</td>
<td></td>
<td></td>
</tr>
<tr>
<td>EPBC Act</td>
<td>Public Consultation process under strategic assessment of NES values (DEWHA)</td>
<td>Respond to legitimate concerns through transparency of decision making</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Capacity</td>
<td>Ability to manage new influx of people in relation to housing, services and infrastructure.</td>
<td>The new influx should be integrated with the existing community</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Proximity</td>
<td>Distance to accommodation and services</td>
<td>Seek to identify advantages and disadvantages of sites related to proximity to urban centres inclusive of consideratie of fly in fly out options</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Disruption</td>
<td>Such as to traffic, access to services, etc</td>
<td>Seek to avoid or mitigate impact. Rank sites according to sensitivity to impact</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Urban</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Community</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Services</td>
<td>Medical, Education, Emergency Services, Police, Local Government, etc</td>
<td>Seek to access existing services if capable of supporting the project. Identify fly in/out option or potential for stand alone services</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Health</td>
<td>Value to Community Health of non-industrialised environment</td>
<td>Seek to avoid or mitigate impact. Rank sites according to sensitivity to impact</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Regional/local economic development</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Local business</td>
<td>Positive and negative impact</td>
<td>Prioritise sites that can deliver positive impact or seek to mitigate significant negative impacts</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cost of living</td>
<td>Positive and negative impact</td>
<td>Prioritise sites that can deliver positive impact or seek to mitigate significant negative impacts</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Indigenous Communities</td>
<td>Positive and negative impact</td>
<td>Prioritise sites that can deliver positive impact or seek to mitigate significant negative impacts</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Availability of Labour</td>
<td>Employment of local residents</td>
<td>Seek sites that maximise opportunity for local employment</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recreation</td>
<td>Local, regional and international interests and their losses or inconvenience</td>
<td>Seek to avoid or minimise impact. Avoid sites that would have significant impact</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Industry</td>
<td>Obstruction or synergies with other industry operating in the area in particular Pearling, Fishing, Mining and Pastoral/Agricultural</td>
<td>Prioritise sites that can deliver positive impact or seek to mitigate negative impacts</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Infrastructure</td>
<td>Physical infrastructure, e.g. road, rail, airport, electricity, water supply, telecommunications</td>
<td>Seek sites that require minimum of additional infrastructure</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Marine use</td>
<td>Conflict with other shipping, commercial fishing activities, Tourism, Aquaculture, etc</td>
<td>Seek to avoid or minimise impact. Avoid sites or seek mitigation if there is likely to be significant impact</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cultural Heritage</td>
<td>Non-Indigenous Significant site exhibiting aesthetic, historic, scientific and/or social characteristics valued by Western Australia and Australia</td>
<td>Seek to avoid or minimise impact. Avoid sites that would have significant impact</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Tenure</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>State Agreements</td>
<td>e.g. Koolan Island</td>
<td>Acknowledge legislative risks associated with areas covered by State agreements</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Licences</td>
<td>e.g. s.91 Land Administration Act</td>
<td>Seek to identify the sensitivities around locations covered by licence</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Leases</td>
<td>e.g. Pearing Lease, Pastoral Lease, etc.</td>
<td>Seek to identify the sensitivities around locations covered by lease</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Security</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Asset Protection</td>
<td>Exposure to asset security risks</td>
<td>Seek to avoid or minimise impact</td>
<td></td>
<td></td>
</tr>
<tr>
<td>National Security / Interests</td>
<td></td>
<td></td>
<td>Seek to optimise through site ranking.</td>
<td></td>
</tr>
<tr>
<td><strong>Statutory Approve Procedures</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Planning</td>
<td>Requirement for planning approvals</td>
<td>Seek to identify complexity of planning approval issues related to each site</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Tourism</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land Based</td>
<td>Commercial/Non-commercial ventures, Indigenous - Local, regional and international interests and their losses or inconvenience</td>
<td>Seek to avoid or minimise impact. Avoid sites that would have significant negative impact</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Marine Based</td>
<td>Commercial ventures, Indigenous - Local, regional and international interests and their losses or inconvenience</td>
<td>Seek to avoid or minimise impact. Avoid sites that would have significant negative impact</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## Attachment A: Site Selection Criteria

<table>
<thead>
<tr>
<th>Category</th>
<th>Sub-cat A</th>
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<th>Definition/Description</th>
<th>Preliminary Objective</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location</td>
<td>Proximity to existing infrastructure</td>
<td>e.g. Ports, airfields, towns</td>
<td>Seek to identify advantages or disadvantages of having site close to existing infrastructure and to reduce cost of infrastructure</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Proximity of plant site to coastline</td>
<td>Reduce cryogenic pipe distance from LNG Plant to Loading Facility</td>
<td>Seek site close to coast and identify cost sensitivity</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Port Suitability</td>
<td>Distance to navigable water for LNG carriers</td>
<td>Seek site close to coast with 10m+ deep water and identify cost sensitivity</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Proximity to gas fields</td>
<td>Close as possible for gas use efficiency</td>
<td>Minimise pipeline distance from field to processing site and identify cost sensitivity</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Proximity to CO2 storage sites</td>
<td>Close as possible to potential storage sites</td>
<td>Minimise pipeline distance from processing site to CO2 storage site</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Safety</td>
<td>Emergency Evacuation/Risk Assessment</td>
<td>Construction Phase</td>
<td>Seek to identify site risk sensitivities and seasonality issues prioritise low risk sites</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Safety</td>
<td>Site specific and Transport risks (land/air/sea)</td>
<td>Operational Phase</td>
<td>Seek to identify site risk sensitivities and seasonality issues prioritise low risk sites</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Development</td>
<td>Land area</td>
<td>Requirements for infrastructure hub development</td>
<td>Seek a hub site that can fully meet strategic requirements</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Development</td>
<td>Site Elevation</td>
<td>Relative to storm surge and gradient</td>
<td>Seek a site with low risk of storm surge damage</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Development</td>
<td>Physical Environment</td>
<td>Pipeline Access</td>
<td>Marine and terrestrial suitability of environment for landing of offshore to onshore/onshore to offshore Gas and CO2 pipelines</td>
<td>Seek to identify site risk sensitivities and prioritise low risk sites</td>
<td></td>
</tr>
<tr>
<td>Development</td>
<td>Site slope</td>
<td>&lt;5 degrees at plant location</td>
<td>Seek to minimise site preparation and soil disturbance</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Development</td>
<td>Geotechnical Conditions</td>
<td>Geotechnically stable and relatively level site requiring limited terrestrial site and earthmoving requirements</td>
<td>Seek to rank sites according to suitability</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Development</td>
<td>Bathymetry</td>
<td>Off shore Bathymetry</td>
<td>LNG tanker off shore navigation and suitable off shore bathymetry for pipeline access</td>
<td>Seek to rank sites according to suitability</td>
<td></td>
</tr>
<tr>
<td>Cultural Practice</td>
<td>Hunting, Gathering, Fishing</td>
<td>Areas of high value for maintenance of hunting, gathering and fishing by indigenous groups</td>
<td>Seek to avoid injury or desecration caused by inappropriate intrusions not sanctioned by traditional owners</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cultural Practice</td>
<td>Law/Lore Practices</td>
<td>Areas of high value for maintenance of Mythological/Ceremonial sites and traditional practices</td>
<td>Seek to avoid injury or desecration caused by inappropriate intrusions not sanctioned by traditional owners</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Native Title</td>
<td>Nature and complexity of Tenure</td>
<td>Determined Claims, registered Claims, Represented and Unrepresented Claims, Unrepresented Land</td>
<td>Seek to locate a site with the support and informed consent of traditional owners</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Outstations and Leases</td>
<td>Rights to occupation</td>
<td>Existing outstations and leases</td>
<td>Seek to avoid, minimise or mitigate impact</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Informed Consent</td>
<td>Traditional owners</td>
<td>Required by WA cabinet as precondition for site selection</td>
<td>Seek to identify site supported by traditional owners through their informed consent as ratified by the Native Title Tribunal</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Indigenous</td>
<td>Aesthetic</td>
<td>Significance in exhibiting particular aesthetic characteristics valued by the community</td>
<td>Seek to avoid or minimise impact. Avoid sites that would have significant impact</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Indigenous</td>
<td>Historic</td>
<td>Significance in the evolution or pattern of the History of Western Australia and Australia</td>
<td>Seek to avoid or minimise impact. Avoid sites that would have significant impact</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Indigenous</td>
<td>Scientific</td>
<td>Potential to yield information that will contribute to an understanding of the natural and cultural history of Western Australia</td>
<td>Seek to avoid or minimise impact. Avoid sites that would have significant impact</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Indigenous</td>
<td>Indigenous Environmental values</td>
<td>Value of the environment to indigenous people including ethno - biological significance</td>
<td>Seek to avoid or minimise impact. Avoid sites that would have significant impact</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Indigenous</td>
<td>Social</td>
<td>Significance through association with a community or cultural group for social, cultural, educational or spiritual reasons</td>
<td>Prioritise sites that can deliver positive impact or seek to mitigate significant negative impacts</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Heritage Sites</td>
<td>OIA and Commonwealth Heritage sites (RNE,CHL,NHL)</td>
<td>Registered sites and those identified through site surveys or other traditional knowledge</td>
<td>Seek to avoid or minimise impact. Avoid sites that would have significant impact</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Terre</td>
<td>Reserves</td>
<td>e.g. Aboriginal Reserve</td>
<td>Seek to avoid reserve locations unless informed consent of traditional owners and support from local Aboriginal community to change of tenure</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
SITE SELECTION CRITERIA EVALUATION METHODOLOGY

The Site Selection Criteria (SSC) is constructed as a multivariate matrix intended to provide a means to compare the net impacts of the Gas Processing Hub on various short listed sites.

The criteria will be populated by the array of experts and working group participants assembled by the Northern Development Taskforce (NDT) and will draw upon both quantitative data and qualitative assessments.

It is not intended that the SSC alone will determine the preferred site but rather help inform the ranking of sites and identify potential cumulative impacts both negative and positive which may indicate a site is problematic or prospective.

Sites to be evaluated through this process have already been screened for basic technical viability reducing some 43 possible sites to 9. As a consequence of this preliminary assessment the SSC being applied are focused predominantly on environmental impacts, socio economic impacts and indigenous interests. The technical criteria will be used to establish the relative advantages and disadvantages of sites when considered for use as single operator sites, multi operator sites or as a processing Hub.

The SSC will be applied within the overall framework of the Strategic Assessment report which in turn responds to the Terms of Reference endorsed by the Commonwealth Environment Minister and the State Environment Minister related to the Environment Protection and Biodiversity Conservation Act 1999 (Cth) and Environmental Protection Act 1986 (WA) respectively.

It is envisaged that most criteria will be both quantitatively and qualitatively assessed and the results compiled within the Strategic Assessment report or other referenced documents.

The use of the matrix as a decision making tool will be limited to demonstrating the potential of cumulative impacts across a wide range of criteria and to assist with ranking prospective sites and will be supported by the creation of a GIS platform of underpinning data.

It can be identified that some criteria are of greater significance than others and should be weighted more heavily when undertaking comparative analysis.

It is also recognised that not all impacts can be quantified through available data. To overcome this the environmental and other working groups have developed complex sub criteria and the use of High, Medium and Low as indicators of potential impact risk to reflect the uncertainty of knowledge implicit in areas of the State that are remote and not fully studied. This process might see some groupings of criteria being assessed holistically rather than individually.
The SSC are intended to be used by groups with differing representation undertaking independent assessment of the criteria using the same data but bringing their own subjective assessments to the process. These groups will include the proposed Independent Assessment Group (made up of representatives nominated from each of the NDT working groups), the NDT itself, industry interests and the Traditional Owner Taskforce leading to a comparison of the outcome of each group’s assessment and the identification of both a shortlist and a ranking of sites.

The assessing groups will participate in a three day seminar program where each working group inclusive of the environmental experts and traditional owners will present information on each of the sites relative to the SSC.

The NDT proposes that each selection criteria will be evaluated subjectively for potential advantage or disadvantage based on the available technical data and non technical information provided by the experts and interested parties incorporated within the NDT stakeholder process.

A six point relative scale will be used with three scales for disadvantage, Minor, Major and Significant, Neutral and two scales for advantage, Minor and Major.

It is recognised that a significant environmental or heritage value or major technical constraint issue may constitute a fatal flaw for any one site and the application of a fatal flaw evaluation on a critical criterion could potentially eliminate the site from further consideration. The application of Fatal Flaw analysis would need to be determined on a quantitative basis where possible, or a risk assessment basis with the reasonable application of the precautionary principle, where there is incomplete information.

The SSC evaluation and resulting ranking will be incorporated into the Strategic Assessment report and subject to public release and comment.
ATTACHMENT B

TERMS OF REFERENCE FOR STRATEGIC ASSESSMENT OF A PLAN FOR A COMMON-USER LIQUEFIED NATURAL GAS HUB PRECINCT TO SERVICE THE BROWSE BASIN GAS FIELD

The following Terms of Reference (ToR) provide the basis for a report, referred to in clause 6.1 of the Agreement, assessing the environmental, heritage and socio-economic impacts of actions under a Plan for a Browse Basin Common-User Liquefied Natural Gas (LNG) Hub Precinct and its associated activities, as defined in the Agreement. It is intended that this assessment report will satisfy the requirements of both the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and the *WA Environmental Protection Act 1986* (WA EP Act). A process diagram outlining the respective assessment processes is attached to these ToR.

1. **Project Purpose**

   The Report must include a general description of the purpose that a Common-User LNG Hub (the Precinct) will serve, including the resources the Precinct will need to function, the actions or classes of actions likely to be undertaken, the scope of related activities, the estimated life of the Precinct, and the regional context in which the Precinct will operate.

2. **Description of the Plan**

   The Report must include a detailed description of the Plan to which the Agreement relates, including (but not limited to):
   
   - how the plan has been developed and its legal standing;
   - identifying the person(s) or authority responsible for its adoption or implementation, and their jurisdiction;
   - the legal structure under which owners, managers and users of the Precinct will participate in the Precinct;
   - the basis of land/asset tenure;
   - a description of the management arrangements required to ensure the Plan is implemented successfully; and
   - identifying the actions or classes of actions that are a subject of the Plan, including the short, medium and long term aspects of the actions or classes of actions at or associated with the Precinct. These could include relevant construction, operational and decommissioning aspects as well as a comprehensive description of each type of development or facility comprising the Precinct and its associated infrastructure.

3. **Project Focus**

   The Report must provide the rationale for the need to develop the Precinct. The Report must include an analysis of the impacts as they relate to the bio-physical, social and economic aspects of the development proposal associated with the development of the Precinct.
4. **Short-Listing Process**

The Report must include a copy of the finalised Site Selection Criteria, and a comprehensive description of how the proposed site(s) for the Precinct were identified including (but not limited to) consideration of:

- EPBC Act matters of National Environmental Significance (NES) (both current and identified as prospective, including likely National Heritage values);
- land tenure;
- stakeholder and public consultation;
- how the Site Selection Criteria were used in the shortlisting;
- the independent verification of feasibility and technical or engineering constraints as identified by the oil and gas industry;
- regional environmental and social context and other relevant socio-economic matters inclusive of site security issues;
- An analysis of technically and economically viable gas processing options outside the Kimberley, focussing on locations that already have substantial industrial infrastructure, inclusive of floating LNG; and
- cultural heritage and Indigenous knowledge, and Indigenous aspirations.

5. **The Environment Likely to be Affected**

The Report must provide a detailed description of the environment likely to be affected by the Plan, the actions or classes of actions taken under the Plan including any associated infrastructure and construction and operational activities. This description must identify the environmental assets and characteristics, including biophysical processes associated with the site(s) selected in the Plan and the terrestrial and marine environments likely to be directly or indirectly impacted, for example:

a) components of biodiversity including maintenance of important ecological processes recognising the potential importance of large intact areas in protecting and maintaining ecological processes;

b) listed threatened species, other protected and significant taxa (EPBC Act or WA listed), and new, unnamed species or taxa;

c) a description of ecological communities, with reference to Threatened Ecological Communities (EPBC Act or WA listed) or other significant ecological communities;

d) a description given about how uncertainties will be treated in relation to the environment that will be affected;

e) potential National Heritage values;

f) any physical environmental drivers influencing the environmental characteristics of the site or surrounds, or influencing the potential impacts on the site or surrounds, including tidal regime, cyclonic and other severe weather conditions and coastal processes;

g) any other environmental factors required to be described in the environmental impact assessment scoping document developed for the assessment under the EP Act; and
h) Indigenous environmental values and Indigenous cultural heritage (environmental) values, including all values held by Traditional Owners in the area likely to be affected and including broader biological communities, habitats and environments in which species with Indigenous environmental/conservation values might live*.

6. Environmental Impacts

The Report must include an assessment of the potential impacts of the Plan, the actions or classes of actions taken under the Plan including any associated infrastructure, construction and operational activities on the environment including matters of NES and effects of the environment on the Plan.

In particular, the assessment must include:

a) a description of the potential impacts of the Plan on the environment (including to the extent possible, information on the degree of confidence with which impacts can be predicted and quantified and any indirect impacts as defined by Section 527E of the EPBC Act);

b) an assessment of the nature and extent of the likely impacts on the environment, including whether the impacts will be short or long term, at the local and/or regional scale and cumulative impacts;

c) an assessment of the extent to which impacts on the environment are likely to be unknown, unpredictable or irreversible;

d) an analysis of the significance of potential impacts on known (or prospective) matters of NES – with reference to the EPBC Act Policy Statement 1.1 Significant Impact Guidelines and other relevant guidelines or policy advice; and

e) reference to the technical data (including traditional/Indigenous knowledge) and other information relied upon in assessing the environmental impacts of the Plan, including information collected and compiled to be consistent with the expectations of the Western Australian Environmental Protection Authority (WA EPA), including, but not limited to, that outlined in relevant position and guidance statements.

7. Indigenous Impacts

The Report must include a comprehensive analysis of the potential impacts of the Plan on Indigenous people and culture (including matters of NES and those prescribed under the WA Aboriginal Heritage Act 1972 and the WA EP Act) that are likely to be directly or indirectly affected by the Plan.

In particular, the analysis must include:

a) a description of the potential impacts, including socio-economic impacts, of the Plan on Indigenous people (including to the extent possible, information on the degree of confidence with which impacts and indirect impacts can be predicted and quantified)*;

b) an assessment of whether any impacts on Indigenous people (including Indigenous heritage) are likely to be unknown, unpredictable or irreversible;

c) an analysis of the significance of potential impacts on known listed and unlisted Aboriginal heritage sites, objects or landscapes and values of cultural

* Certain Indigenous information and knowledge provided as part of the assessment and consideration of approval for a Common-User LNG Hub will not necessarily be made available to the public.
significance with reference to the *Aboriginal Heritage Act 1972*—section 5, 6 and Indigenous Heritage values under the EPBC Act.

d) reference to the technical data and other information relied upon in assessing the Indigenous heritage impacts of the Plan; and

e) whether the Traditional Owners have given informed consent, in a culturally appropriate manner to the implementation of the Plan.

### 8. Proposed Management Arrangements for the LNG Precinct and associated activities

The Report must include a description of legislation, policies, performance and mitigation measures that are relevant to the implementation of the Plan, the actions and classes of actions undertaken under the Plan, to avoid, minimise, manage and mitigate the associated environmental and Indigenous impacts.

The Report must include information on any other requirements for approval that apply, or are likely to apply, in relation to the Plan including details of any Local or State Government planning scheme, or plan or policy under any Local or State Government planning system, or State or Commonwealth legislation, such as:

a) what environmental assessment of the proposed project has been, or is being, carried out under the scheme, plan or policy;
b) how the scheme, plan or policy provides for the prevention, minimisation and management of any relevant impacts;
c) explicit clarification as to who is responsible for the proposed management arrangements;
d) how the scheme will ensure that obligations contained in the *Aboriginal Heritage Act 1972 (WA)* are met; and
e) how to provide effective protection for places that can be considered under the *Aboriginal and Torres Strait Islander Heritage Protection Act 1984*.

The Report must set out specific management arrangements, including the possible role of Traditional Owners in those arrangements. It must describe arrangements that will be in place under or associated with the Plan that are intended to ensure that development and operation of the Precinct and associated actions and classes of actions are undertaken in a manner designed to avoid impacts on significant environments, minimise environmental impacts generally and enable areas beyond the hub and port precinct to be maintained in an environmentally and an ecologically sustainable manner.

The report must also provide a description of the likely effectiveness of these management arrangements and how and to what extent they will meet endorsement criteria at Attachment C.

### 9. Proposed Safeguards and Mitigation Measures

The Report must identify and describe the specific measures intended to prevent, minimise and compensate for the potential environmental impacts of the Plan, and any measures to rehabilitate or offset damage to the environment. The Report must recognise and detail the role that Traditional Owners will play in these matters.

The Report should include an analysis of the expected or predicted effectiveness of these measures. The assessment should identify the basis (e.g. statutory or policy) for implementation of each measure and the agency or authority responsible for ensuring
implementation. The assessment must also identify how the relevant agency or authority will ensure compliance with these measures, and what steps will be taken in the event that environmental performance is other than anticipated.

The Report must also provide a description of how and to what extent these proposed safeguards, mitigation and offset measures will meet the endorsement criteria at Attachment C.

The Report must identify and describe the specific measures intended to avoid, minimise and mitigate for the potential environmental and Indigenous impacts of the Plan, and any measures to rehabilitate damage to the environment or impacts on Indigenous peoples’ live, values, or culture.

The Report must also identify any program that is proposed to be put in place under the Plan to monitor and report on the proposed safeguards, mitigation and offset measures in the short and long term.

10. Information Sources

For information used in the assessment, the Report must state:

a) the source of the information used in the assessment;
b) how recent the information is;
c) how the reliability of the information was tested; and
d) what uncertainties (if any) are in the information.

11. Consultation

The Report must include any details of consultation, in addition to the statutory consultation, about the Plan, including:

a) details of the consultation process for site selection including the public process and directed engagement with stakeholders, and the outcome of these consultations;
b) any consultation that has already taken place, including with Indigenous communities;
c) proposed consultation about relevant impacts of the action, including with Indigenous communities; and
d) if there has been consultation about the proposed development, and if so, whether there is any documented response resulting from the consultation (including how the assessment and Report have addressed issues raised by the consultation).
Strategic Assessment - Endorsement Criteria:

The EPBC Act permits the Australian Government Minister for the Environment, Heritage and the Arts to approve the taking of actions or classes of actions in accordance with an endorsed policy, plan or program (section 146B). The effect of such a decision is that the approved actions or classes of actions would not need further approval from the Minister under the EPBC Act.

When deciding whether to endorse a policy, plan, or program the Minister must be satisfied that the assessment report adequately addresses the impacts to which the agreement relates, and that any recommendations to modify the policy, plan or program have been responded to appropriately.

In determining whether or not to endorse the Plan the Minister will have regard to the extent to which the Plan meets the Objects of the EPBC Act. In particular, that it:

- protects the environment, especially matters of National Environmental Significance;
- promotes ecologically sustainable development;
- promotes the conservation of biodiversity; and
- provides for the protection and conservation of heritage.

Accordingly, the Plan should:

- prevent actions from being taken in any location that have an impact on matters of National Environmental Significance or of high biodiversity or heritage value; or
- where potential impacts can not be avoided, then the impacts should be less than significant; and
- provide for effective management, mitigation or offset of the likely impacts; and
- contain an effective system of adaptive management that is independently audited and publicly reported.

The extent to which the Plan adequately incorporates the precautionary principle and the other principles of ecologically sustainable development, in particular, intergenerational equity in relation to areas containing matters the Minister considers have a high likelihood of being potentially eligible for listing as matters of National Environment Significance, will also be considered.

In arriving at a decision to approve an action or a class of actions the Minister must act in accordance with his obligations, including giving consideration to:

- issues relevant to any matter protected by a provision of the EPBC Act; and
- social and economic matters.

- 1 -
Kimberley Land Council - Aboriginal Social Impact Assessment

Proposed James Price Point Gas Precinct

Terms of Reference

1. Aboriginal Social Impact Assessment

The Kimberley Land Council (“KLC”) is undertaking an Aboriginal Social Impact Assessment (“ASIA”) in the context of hydrocarbon-related development in the Kimberley and in particular of the Heads of Agreement signed on 26 April 2006 between the KLC, on behalf of the Goolarabooloo Jabirr Jabirr Native Title Group (GJJ NTG), the State of Western Australia (“State”) and Woodside Energy Ltd (“Woodside”), for the establishment of a gas processing precinct (“Gas Precinct”) at James Price Point on the Dampier Peninsula.

1.1 Objectives

The ASIA has four major objectives:

- Ensure that affected native title groups and other affected Aboriginal people play a central role in the impact assessment and project approval processes for the Gas Precinct;

- Identify the social impacts of hydrocarbon-related development, with a view to maximising the positive impacts and minimising the negative impacts of the Precinct, including through informing the Goolarabooloo / Jabirr Jabirr native title claimants and the KLC in negotiating an ILUA and other agreements with the State and Woodside and other potential proponents, and discussions with the Commonwealth designed to ensure that it fully meets its responsibilities in relation to gas development and provides appropriate support to native title groups and other Aboriginal people affected by it. The Heads of Agreement between the KLC, Woodside and the State requires that an ILUA be executed by 31 December 2009. While this date may be deferred by agreement between the parties, it is therefore essential that consultation takes place in 2009 in respect of development-related impacts and the mechanisms to manage them, and in relation to development-related opportunities, so that relevant information can be fed into the negotiation process.

- Provide a basis for input by Aboriginal people into statutory impact assessment processes, having regard to the Strategic Assessment processes being undertaken by the Commonwealth and the State in respect of Kimberley hydrocarbon-related development (“Strategic Assessments”). The Strategic Assessments are being undertaken concurrently under the Environment Protection Biodiversity Conservation Act 1999 (Cth) and the Environment Protection Act 1984 (WA) in accordance with terms of reference attached to an agreement signed in February 2008.

- Assist in developing effective and sustainable approaches to benefit sharing and Regional benefit packages related to gas developments.
In pursuing these objectives, the ASIA will create maximum opportunity for participation by Kimberley Aboriginal people and their organizations, and in particular by the native title groups whose land and sea country may be affected by the Gas Precinct (see Section 2.1 below).

This document identifies the work that must be carried out by the KLC in 2009 and early 2010 in respect of the ASIA, having regard to the objectives set out above, and how the KLC proposes to undertake this work.

1.2 Strategic Assessment

The statutory Strategic Assessments require the preparation of a report which identifies the impacts of the development of the Precinct on the matters set out in their Terms of Reference. The State and Commonwealth Ministers will make their decision on whether or not to approve the development based on the report, including any conditions on approval recommended in the report. The KLC understands that the State’s proposed timeframe and process for preparation of this report requires that:

1. a Social Impact Assessment subreport must be completed by December 2009; and
2. an Indigenous Impacts Management Plan must be completed prior to the finalisation of the Strategic Assessment Report in February 2010.

These timeframes make it clear that a comprehensive and appropriate ASIA cannot be completed prior to the finalisation of the relevant parts of the Strategic Impact Assessment Report over the period December 2009 – February 2010. However, preliminary impact work can be completed, and scoping work undertaken to establish what further social impact assessment and monitoring should subsequently be completed if the Gas Precinct is approved. The outcomes of this impact assessment and scoping work can be used to:

1. Develop appropriate conditions on any approval for the Precinct, including the completion of further ASIA work in accordance with the scope and methodology identified in the preliminary ASIA;
2. Develop requirements for the Indigenous Impacts Management Plan, and conditions necessary for the implementation of the Impacts Management Plan to be enforced against a proponent with certainty.

This ASIA Terms of Reference therefore allows for completion of preliminary impact assessment work and scoping for further ASIA work by January 2009, to ensure that the impacts required to be assessed by the Terms of Reference are identified and incorporated into ASIA methodology consistent with the requirements of the Strategic Assessments. The ASIA will also provide for a process for identification of conditions and principles for management plans, relevant to the ASIA, prior to finalisation of the Strategic Assessment Report, expected to be in February 2010.

The KLC understands that the State intends to establish a Steering Committee that will guide the preparation of the Strategic Assessment report (including, therefore, the undertaking of a Social Impact Assessment). The KLC has suggested that the following four KLC/Traditional Owner representatives be on the Committee:

- The KLC’s Project Manager for the ASIA;
- One KLC staff member or consultant with experience in environmental issues / impacts
- One male Traditional Owner
- One female Traditional Owner

Discussions about the role and composition of any such Committee are ongoing.
1.3 ASIA and Benefits Packages

The negotiations in relation to the ILUA include a proposal for benefits that will address the regional, Kimberley-wide impacts of the proposed Precinct. A key driver of the regional aspects of the proposed benefits packages has been the need to deal with regional impacts of hydrocarbon development (i.e. the ripple effects). Thus there are strong linkages between the ASIA and Regional Benefits. The KLC notes that the Department of State Development has suggested to the KLC that the KLC’s ASIA work must have regard to the possible opportunities arising out of the Regional Benefits package and the package that flows directly to the Goolarabooloo / Jabirr Jabirr native title claimants when considering the impacts of hydrocarbon-related development on Kimberley Indigenous people.

2 Consultation Model and Timeline / Priorities for ASIA work in 2009-2010

2.1 Consultation Model for ASIA

The KLC’s ASIA consultation model assumes that the key decision makers about land use and planning are the Native Title Claim Groups and, where relevant, any Registered Native Title Bodies Corporate. The KLC therefore proposes to consult with these decision-makers in the first instance. The KLC acknowledges that bodies that represent other Aboriginal people affected by gas development, such as Community Councils, have an important role to play in the consultation process, as do Aboriginal service delivery organisations. The KLC therefore also proposes to build upon field work undertaken in 2008 and further consult with such bodies. It also proposes to consult directly with other Aboriginal land users such as people living on outstations. The KLC has previously provided a copy of its draft consultation model to the State, which has indicated that it is amenable to using this approach.

2.2 Time Frames and Priorities

Given the very limited timeframes for completion of the Strategic Assessment, the KLC proposes to prioritise the following tasks in undertaking ASIA work during August 2009 – January 2010:

- Enhance the quality of existing social baseline data (information on ‘the way people live today’) in relation to affected Aboriginal people, groups and communities. Reliable baseline data is essential to understand potential impacts, to develop strategies in areas such as Aboriginal employment and training, and to measure the future impacts of gas development. Existing baseline data, in particular 2006 Census figures, are seriously deficient. In particular, no census data is collected that is organised around native title groups and people’s connection to country. The KLC proposes to start compiling relevant and reliable data by:
  - Undertaking a household survey of the Goolarabooloo / Jabirr Jabirr native title group;
  - Compiling basic demographic data on a number of other native title groups;
  - Developing recommendations for additional baseline work in 2010 and beyond.

- Prepare a series of information papers dealing with the proposed Gas Precinct and issues and impacts associated with it. This will draw on information compiled by the KLC during 2007-2008; on a 2008 report undertaken for the KLC on social impacts and issues associated with
selection of a Gas Precinct site; and on information obtained from
government agencies, proponents and Aboriginal organizations.

- Undertake consultations with native title groups whose land and sea country
  may be affected by the Gas Precinct, and with other affected Aboriginal
  people living in Broome, Derby and the Dampier Peninsula communities and
  outstations. These consultations would involve dissemination of information
  papers and other materials on key aspects of the proposed Gas Precinct;
  conduct of native claim group meetings; meetings in Broome, Derby and
  Dampier Peninsula open to native title groups and other Aboriginal people;
  and one-on-one and small group discussions to facilitate effective
  consultation. These activities would allow affected people to express their
  aspirations and concerns in relation to gas development and its impacts,
  including on issues related to benefits management, and to help identify
  strategies to manage impacts and maximise benefits.

- Consult with Kimberley Aboriginal organisations, including Aboriginal
  community councils, that may hold information relevant to social impact
  issues, or that have a role in relation to impact mitigation and maximising
  gas-related opportunities for Kimberley Aboriginal people

- Draft reports which:
  - Provide advice to the KLC and the GJJ NTG in relation to ILUA
    negotiations;
  - Document the result of baseline work and of community consultations;
  - Set out requirements for additional social impact and monitoring work;
  - Identify conditions that should be attached to any approval for the Gas
    Precinct and designed to minimise negative impacts and maximise
    opportunities, including requirements for additional and ongoing social
    impact assessment and monitoring;
  - Address matters relevant to social impact and identified in the ToR for the
    Strategic Assessments (see Attachment 1).

As noted above, further work in respect of the ASIA (including work outside of the Dampier
Peninsula/Derby region) could be undertaken by the KLC subsequent to the Strategic
Assessment Report being provided to the EPA as part of the conditions on any approval (i.e.
in 2010). This process also has the benefit of allowing the ASIA to address the more specific
detail of the Precinct proposal, which it may be assumed will be known with greater certainty
following any approval from the Strategic Assessment process.

3 KLC ASIA Team for 2009 - 2010

<table>
<thead>
<tr>
<th>Name</th>
<th>Role</th>
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<tbody>
<tr>
<td>Ciaran O'Faircheallaigh</td>
<td>Project Manager, ASIA</td>
</tr>
<tr>
<td>Kitty Kahn</td>
<td>ASIA Consultant</td>
</tr>
<tr>
<td>Divina D'Anna</td>
<td>Community Consultation Coordinator</td>
</tr>
<tr>
<td>Field Officers (Two positions)</td>
<td>Community Consultation Support</td>
</tr>
<tr>
<td>John Taylor</td>
<td>Demography and Baseline Assessment</td>
</tr>
<tr>
<td>Kim Doohan</td>
<td>Anthropological advice in relation to ASIA</td>
</tr>
<tr>
<td>Richie Howett</td>
<td>Peer Review</td>
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Attachment 1: Role of the ASIA in Statutory Approvals Processes (Strategic Assessment)

On 6 February 2008, the Australian Government and the Western Australian Government entered into an Agreement “Relating to the assessment of the impacts of actions under the Plan for the Browse Basin Common User Liquefied Natural Gas Hub Precinct and associated activities (‘Plan’)” under section 146 (1) of the Environment Protection and Biodiversity Conservation Act 1999 (Cth) (“Agreement”). Clause 6.1 of the Agreement provides that:

“The Western Australian Government will as soon as possible after agreement on the Terms of Reference cause a Draft Report to be prepared in accordance with the approved Terms of Reference (as in accordance with clause 5).”

This draft report is the Strategic Assessment Report referred to above. It’s expected that the draft report will be finalised in April 2009.

Attachment B to the Agreement, titled “Terms Of Reference For Strategic Assessment Of A Plan For A Common-User Liquefied Natural Gas Hub Precinct To Service The Browse Basin Gas Field”, contains the Terms of Reference referred to above. The Terms of Reference identify the matters that must be assessed in relation to the potential impacts of the Precinct, including impact identification, management, mitigation, and management planning. The potentially impacted matters that must be assessed under the Terms of Reference include the environmental, heritage and socioeconomic impacts of actions under the proposed development of the Precinct (“the Plan”). When having regard to the scoping work for the ASIA that can be completed prior to December 2009 and used to inform the development of conditions and impact management and mitigation plans, it is necessary to consider the social impact related aspects of the Terms of Reference.

As noted above, the KLC understands that the State requires the KLC’s input in respect of the ASIA component of the Strategic Assessment Report by end January 2010, and that during November 2009 – February 2010 the State will assume responsibility for compiling the Strategic Assessment Report. The KLC understands that the draft Report will be publicly notified in late January 2010 and finalised for submission to the relevant statutory authorities in April 2010. The KLC expects to receive written confirmation of this timetable imminently.

Social Impact Matters to be Included in the Strategic Assessment Report

The Terms of Reference require, relevantly, that the impact of the Precinct on the following matters be identified, together with appropriate conditions to manage those impacts.

3. A description given about how uncertainties will be treated in relation to the environment that will be affected (9(d))

4. A description of the potential impacts of the Plan on the environment (6(a));

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1 The term “environment” in the EPBC Act is defined broadly and includes aspects of the social and human environment including:
   (a) ecosystems and their constituent parts, including people and communities; and
   (b) natural and physical resources; and
   (c) the qualities and characteristics of locations, places and areas; and
   (d) heritage values of places; and
   (e) the social, economic and cultural aspects of a thing mentioned in paragraph (a), (b), (c) or (d).

2 The EPBC Act defines an impact as follows.

“527E (1) For the purposes of this Act, an event or circumstance is an impact of an action taken by a person if:
   (a) the event or circumstance is a direct consequence of the action; or
   (b) for an event or circumstance that is an indirect consequence of the action—subject to subsection (2), the action is a substantial cause of that event or circumstance.”
5. An assessment of the nature and extent of the likely impacts on the environment, including whether the impacts will be short or long term, at the local and/or regional scale and cumulative impacts (6(b));

6. An assessment of the extent to which impacts on the environment are likely to be unknown, unpredictable or irreversible (6(c));

7. Reference to the technical data (including traditional/Indigenous knowledge) and other information relied upon in assessing the environmental impacts of the Plan (6(e));

8. A comprehensive analysis of the potential impacts of the Plan on Indigenous people and culture including (7(a) and (b)):

A) a description of the potential impacts, including socio-economic impacts, of the Plan on Indigenous people (including to the extent possible, information on the degree of confidence with which impacts and indirect impacts can be predicted and quantified);
B) an assessment of whether any impacts on Indigenous people (including Indigenous heritage) are likely to be unknown, unpredictable or irreversible.

9. Whether the Traditional Owners have given informed consent, in a culturally appropriate manner to the implementation of the Plan (7(d));

10. A description of legislation, policies, performance and mitigation measures that are relevant to the implementation of the Plan, the actions and classes of actions undertaken under the Plan, to avoid, minimise, manage and mitigate the associated Indigenous impacts (8).

11. How the scheme, plan or policy provides for the prevention, minimisation and management of any relevant impacts (8(b));

12. Explicit clarification as to who is responsible for the proposed management arrangements (8(c));

13. Details of impact management arrangements, including the possible role of Traditional Owners in those arrangements (8).

14. Identification and description of the specific measures intended to prevent, minimise and compensate for the potential environmental impacts of the Plan, and any measures to rehabilitate or offset damage to the environment, and the role that Traditional Owners will play in these matters (9).

15. Identification and description of specific measures intended to avoid, minimise and mitigate for the potential environmental and Indigenous impacts of the Plan, and any measures to rehabilitate damage to the environment or impacts on Indigenous peoples’ live, values, or culture (9).

16. Details of consultation, in addition to the statutory consultation, about the Plan (11).

Kimberley Land Council
6 August 2009
Kimberley Land Council

Aboriginal Social Impact Assessment (ASIA)

Proposed Liquefied Natural Gas (LNG) Processing Precinct, James Price Point

FACT SHEET 1: Initial Information on the Proposed LNG (‘Gas’) Precinct

This Fact Sheet provides basic information about the proposed Gas Precinct at James Price Point including its location and size, what will happen there if the project proceeds, the project workforce, and the time frame for project approval and development.

The proposed Gas Precinct or ‘Hub’ would be located at James Price Point, 60 kilometres north of Broome (see Map 1). It would treat natural gas piped ashore from the Browse Basin, about 300 km off the coast, in gas processing plants that are called ‘trains’. A ‘Precinct’ or ‘Hub’ is a large industrial area where gas could be processed from a number of different fields, instead of each gas field having its own processing plant in different places along the Kimberley Coast. The idea of a Precinct is to allow gas to be developed in a way that causes as little damage as possible to land and sea country along the Kimberley Coast.
The gas ‘trains’ would make three different products. Most of the natural gas would end up as Liquefied Natural Gas (LNG), which is produced by reducing gas to a very low temperature so that it turns from a gas into a liquid. It would be piped out along a jetty to special ships that can keep it very cold, and then shipped to overseas markets, mainly in Asian countries such as China, Japan and South Korea. Once it gets there, it is turned into gas again and used to provide power and fuel to industry and cities.

Another type of gas, Liquefied Petroleum Gas (LPG) would be sold in Australia. The third product is called condensate, which is a type of oil. It would either be shipped to other parts of Australia or exported overseas.

As well as the gas processing ‘trains’, the LNG precinct would include:

- Large storage tanks to hold LNG, LPG, and condensate until these products are shipped from the Gas Precinct;
- Jetties, berths and channels for the use of ships coming to and from the Gas Precinct, and for piping the LNG and condensate from storage tanks to ships. There would be about 200-300 ships per year coming to the Precinct, assuming an annual capacity of 10 million tonnes per annum (mtpa) of LNG (see below);
- Pipelines to bring the gas ashore and also possibly to pipe carbon dioxide (CO2) removed in processing natural gas, back out to sea to be disposed of under the seabed. CO2 is a ‘greenhouse gas’ that contributes to climate change;
- Offices and administration buildings;
- Support services (for example power generation, CO2 removal, treatment of wastes);
- Workforce accommodation for construction and operations;
- Roads;
- A light industrial area for those businesses that do work for the LNG Precinct (for example repairing or maintaining equipment and vehicles, building maintenance, cleaning).

Below are photos of LNG projects in Darwin and the Pilbara.
Other activities would also have to take place as a result of the Gas Precinct, but would not be located at James Price Point. These include construction of additional houses for workers living in Broome; and expansion of government services (education, health, police, customs and quarantine), commercial services (such as shops and leisure facilities) and transport infrastructure (airport, roads).

The West Australian (WA) Government is planning, or hoping to have a very large LNG processing business at the James Price Precinct. It is talking about initially having 2 or 3 trains with the ability to produce between 8 and 15 million tonnes of LNG each year (8-15 mtpa). This compares, for example, with initial volume of 3.5 mtpa for the Darwin LNG plant completed in 2006; 4.1 mtpa for a plant completed in Norway in 2007; and 4.3 mtpa for the Pluto Project that Woodside plans to complete in the Pilbara in 2010. The WA government hopes that eventually the Precinct could have as many as 14 trains, producing 50 mtpa of LNG.

Woodside Energy Ltd (WEL) would be the first company to develop a natural gas processing plant at James Price Point. Woodside’s parent company, Woodside Petroleum Ltd, is based in Perth, but is mostly owned by large oil companies, of which Shell is the biggest shareholder. In 2008 the value of all the oil and gas that Woodside sold was $5990 million, and the profit it made after paying tax to the government was $1786 million.

Woodside is currently in a partnership with BHP Billiton, BP, Chevron and Shell to develop the gas it has found in the Browse Basin. Other companies might bring their natural gas to the Gas Precinct for processing later on, maybe in 10 or 20 years or even longer.

It is not yet certain that Woodside and its partners will go ahead and process gas at James Price Point in the next few years. They might decide to take the gas to the Pilbara in a longer pipeline and process it there, because they believe this would be cheaper; or they might decide that gas prices are not high enough to make it worthwhile to develop Browse basin at the moment, and come back and look at it again later.

The WA Government says it wants to go ahead and develop the site for the Gas Precinct to make it ready even if Woodside and its partners decide not to go ahead just now. The Government says it is better to have everything geared up, such as a site finalised and permission given by traditional owners and the Federal government in Canberra, so that later on if gas companies need a site, it is ready for them straight away.
Location and Area of the Precinct

Map 2 shows the proposed general location of the Gas Precinct at James Price Point. The exact location has yet to be decided. This will depend on two things:

- cultural heritage work being done at the moment by traditional owners for the site, to try and make sure that the Gas Precinct is put where it will do as little damage as possible;
- work being done by Woodside’s engineers about how the gas precinct should be laid out so that it will work properly.

Under the Heads of Agreement (HoA) on the Proposed Gas Precinct signed by the Government of Western Australia, Woodside and the Kimberley Land Council on behalf of the Goolarabooloo Jabirr Jabirr Native Title Claim Group on 21 April 2009, the following areas would be set aside for the gas precinct:

- Processing plants: 1000 hectares
- Infrastructure and facilities: 500-1000 hectares
- Land and waters for port: 1000 hectares
- Workers accommodation, light industrial area etc 200-500 hectares.

This gives a total area of between 2700 and 3500 hectares, which would be fenced (known as the Exclusion Zone). A similar area of about 3000 hectares around this fenced area would be set aside as a ‘Statutory Buffer Zone’ (Non-Exclusion Zone), for safety and other reasons. It is not yet certain to what extent traditional owners would still be able to use this Non-Exclusion zone. It
seems clear that they would not be allowed to build houses on it, for example, but they might be able to hunt and fish on it.

The area set aside for the Gas Precinct is much larger than originally mentioned by WA Government officials to the Traditional Owner Task Force in 2008 (1000 – 1500 hectares). It is also much bigger than the amount of land used for other existing or planned gas processing sites in Australia (for example about 350 hectares for a planned three train gas project at Curtis Island near Gladstone in Queensland).

It seems clear that the WA Government wants to set aside enough land now to leave space for the biggest possible gas development that might possibly happen over the next 50 years. This means that a lot of the land set aside may not actually be used for industrial development in the next 20 or 30 years, and some of it may never be used for development.

**The Gas Precinct Workforce**

The WA Government estimates that a workforce of between 2500 and 3500, working for 3 to 4 years, will be required to construct the first phase of the Gas Precinct, with the number depending on the size of this phase and the approach taken to building it. Even the lower figure of 2500 is high, compared to the work force for the Darwin plant (1200) and the planned workforce for the Queensland project mentioned earlier (1500). It may be that the actual workforce may not be quite as high as the WA Government is suggesting.

The workforce will build up steadily over two years, be at a peak for about a further 18 months, then fall quite sharply as the construction phase of the Project is completed.

The sorts of jobs available during construction include labourers, plant operators, steel fixers, concrete finishers, electricians, welders, boilermakers, riggers, pipe fixers, carpenters, engineers, safety officers, maintenance technicians, chefs/cooks, kitchen hands, room cleaners, and security staff. While some of these jobs do not require a high level of skills or qualifications, many of them do, including a lot that will be filled by skilled tradespeople (e.g. electricians, welders).

The number of workers needed to operate the LNG Precinct is much smaller, estimated initially by the WA Government at 300 on-site employees and 160 contractors. Even if the Gas Precinct grows much bigger, the number of jobs would still only grow to about 550 employees and 250 contractors. The sorts of jobs that would be available in the operation phase include:

- Process operators
- Electrical technicians
• Instrument technicians
• Mechanical technicians
• Engineers (electrical, chemical, etc)
• Information technology specialists
• Human Relations and corporate affairs
• Environmental scientists
• Laboratory technicians

A lot of these jobs would require a university degree, as well as additional on-the-job experience and training.

**Time Frame for the Development**

There is always a lot of uncertainty about the timeframe for making decisions about very big projects like the Gas Precinct. It can take a lot longer than expected, for example, to get government permission to go ahead with the project; or to raise the very large amount of money required to build them; or for all the companies involved to make up their minds about whether they want to go ahead.

At the moment, it is expected that Woodside and its partners will make their final decision about whether to develop the project (called the ‘Final Investment Decision’) in late 2010. If this does happen and the decision is to go ahead, then the rest of the timeframe would probably be something like:

- Preparation of the James Price Point site - 2011
- Construction: 2011/12 – 2016/17
- Operation - First production of LNG: 2016/17

It is expected that the gas project would operate for at least 30 years, and possibly longer. This means that it might finish operating somewhere about 2050. After that a number of years would be needed for decommissioning, that is to close down all of the operations, clean up and rehabilitate the site, and make sure that no environmental problems were left behind.
Kimberley Land Council

Aboriginal Social Impact Assessment (ASIA)

Proposed Liquefied Natural Gas (LNG) Processing Precinct, James Price Point

FACT SHEET 2: Gas Precinct Heads of Agreement (Updated 6 October 2009)

This fact sheet describes the Heads of Agreement for the proposed Gas Precinct signed on 21 April 2009. The Heads of Agreement deals, at a general level, with many of the key issues raised by development of the Precinct. But it is not a final agreement, because a lot of important details still have to be negotiated. These will be included in an Indigenous land Use Agreement (ILUA).

Parts of the Heads of Agreement are confidential. They are not discussed in this Fact Sheet, which is being distributed widely and may be read by non-indigenous people or media reporters.

The Heads of Agreement was signed by the following parties:

- The Government of Western Australia (‘the State’) which will manage and operate the LNG Precinct;
- The Kimberley Land Council (KLC) authorised by the Goolarabooloo /Jabirr Jabirr native title claimants (‘the Native Title Party);
- Woodside Energy Ltd), the ‘foundation proponent’ which who may build the facilities at the Precinct to process gas extracted by the Browse Joint Venture, which Woodside leads, from the Browse Basin.

The HoA is a broad agreement that provides a basis for the negotiation and development of ILUAs according the following terms:

- That an ILUA or ILUAs will be signed no later than 31 December 2009 and registered soon after.
- That the exact location and layout of LNG Precinct will be identified with regard to Aboriginal heritage protection considerations, environment issues and the construction, operation and economic feasibility of the location.
• That the commitments of each Party and commitments of the Commonwealth Government are finalised before the execution of the ILUA

THE LNG PRECINCT

The total area of land (2,500 hectares) and sea (1,000 hectares) allocated for the LNG Precinct (the ‘Exclusion Zone’) will be approximately 3,500 hectares excluding the Statutory Buffer Zone (3,000ha). The land affected by the LNG precinct is shown in the table below:

<table>
<thead>
<tr>
<th>Zone</th>
<th>Proposed Use</th>
<th>Hectares (ha)</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>EXCLUSION ZONE</td>
<td>Industrial Precinct (fenced) including gas processing facility,</td>
<td>2 industrial blocks for proponents 1,000ha</td>
<td>2,500 – 3,000 ha</td>
</tr>
<tr>
<td>(Fenced – No access)</td>
<td>Common use area (service area, lay-down area, internal buffer-zone)</td>
<td>500 – 1,000ha</td>
<td></td>
</tr>
<tr>
<td>(Fenced – No access)</td>
<td>Port Area including port facility, marine area</td>
<td>Land (fenced) and water 1,000 ha</td>
<td></td>
</tr>
<tr>
<td>NON-EXCLUSION ZONE</td>
<td>Statutory Buffer Zone (around the Exclusion Zone)</td>
<td>A legal requirement 3,000 ha</td>
<td>3,000 ha</td>
</tr>
<tr>
<td>(Ancillary land)</td>
<td>Non-exclusion zone associated with the LNG precinct</td>
<td>Workers accommodation Up to 200ha</td>
<td>400ha +</td>
</tr>
<tr>
<td>(Unfenced) (some restrictions)</td>
<td>Light industrial area</td>
<td>Up to 200ha</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Access roads</td>
<td>Area unknown</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Area unknown</td>
<td></td>
</tr>
</tbody>
</table>

COMMITMENTS

All parties have agreed to commit to a cooperative relationship in the development and management of the LNG Precinct to their mutual advantage. This will include the establishment of LNG Management Committee comprising of equal representation from each party and future proponents to monitor that commitments are being fulfilled and to review and make recommendations to the State, Woodside and any other proponents about matters dealt with in the Heads of Agreement and ILUA. In addition, each party have also made commitments.

State’s Commitments

• The LNG Precinct will be restored and rehabilitated, and title and other interests within the LNG Precinct will be transferred to the Native Title Party at the end of the Project’s life.

• The creation of:
- Tenures required for the industrial precinct, port and ancillary land in association to the project
- Leases and other tenure granted directly to the proponents
- Legislative acts to limit activities in the Statutory Buffer Zone.

- Acknowledgement that native title rights can continue to be carried out in the Statutory Buffer Zone, and the industrial areas while they are vacant.

- A Compensation Package. The first component of the package (financial contributions to economic development and indigenous housing funds) is payable on registration of the ILUA for the precinct, and the remainder on engagement and commitment of a Foundation Proponent.

The Compensation Package will include:

- **Freehold land** (equivalent in area required for the LNG precinct) granted to the Goolarabooloo Jabirr Jabirr native title claimants (40%), Dampier Peninsula native title parties (30%) and Kimberley native title parties (30%)

- **Reform of indigenous lands on the Dampier peninsula with tenure** that support home ownership and economic development

- **The creation and joint management of conservation and heritage reserves** on the Dampier Peninsula

- **Special funds** including: an Economic Development Fund, a Housing Fund, and Education Fund, and a Cultural Preservation Fund

- **A Kimberley Enhancement Scheme** to boost existing social programs that are already working but would produce better results if they had more funding.

- **Administration Payments** to help set up and manage a PBC

- **If the State is an employer within the LNG Precinct, an Indigenous Employment Strategy** to give priority to traditional owners and Kimberley people.

- **Other commitments:**
  - **Seek contributions from proponents to the compensation package** in the form of a lump sum and other payments over the life of the project as compensation for the use of the land allocated for the
Precinct and to address education, training, employment, business opportunity and administration needs.

- **Enter into a Heritage Protection Agreement** to make sure that the development of the Precinct avoids and minimizes any impacts on Aboriginal sites.

- **Ensure that the development and operation of Precinct will comply with legal requirements to minimize any environmental impacts**

- **Work with the KLC to determine Native Title claims by means of consent:**
  - for Goolarabooloo/Jabirr Jabirr as soon as possible
  - by developing a framework and timetable to determine other Kimberley Native Title Claims by consent if possible

- **Enter a funding agreement with the KLC to cover costs for the continuation of negotiations.**

- **Limit further LNG development on the Dampier Peninsula.**

### Woodside’s Commitments

Woodside and its joint venture partners will carry out the following commitments if their plan to develop a gas processing facility at the LNG Precinct goes ahead:

- **Business and contracting opportunities** including guaranteed contracts with Woodside and its contractors and subcontractors to suitably qualified indigenous businesses with 100% Traditional Owner ownership or joint ventures with indigenous participation such as;
  - **Contracts** for cleaning, transport, environmental monitoring, cross-cultural training, servicing of accommodation and catering.

  - **Contribute funding to a business development organisation** to provide business development and management support

- **Education, training and employment opportunities** to Traditional Owners and other Kimberley Indigenous people. These will include:
Training opportunities provided in the pre-construction phase in preparation for employment on the Project and in support services.

Training opportunities for women during all phases of the Project.

An employment strategy jointly developed with traditional owners to maximize indigenous employment opportunities during all phases of the Project. This would, for example, give priority given to traditional owners, set out career paths and leadership development opportunities, and ensure that criminal records are not considered an impediment to gaining employment.

Employment opportunities during each phase of the Project.

- Support to the Native Title Determination
- Environmental management and remediation commitments that comply to legislation and more, and are developed in consultation with Traditional Owners.
- Heritage protection and management commitments in consultation and involvement of Traditional Owners
- Cross cultural training commitments of Project personnel (Woodside and its contractors)
- Land access commitments
- Involvement of Native Title Party in the management of the LNG Precinct
- Transfer ownership of accommodation facilities to a Traditional Owner Entity at the end of the Project’s life. Alternatively, if the Traditional Owners do not want these facilities, they will be removed.
- Financial commitments on condition that the rules of the distribution of funds and benefits to be established by the KLC and Traditional Owners ensure good governance. These are:
  - Milestone payments to a Traditional Owner Entity on completion of set milestones including: ILUA registration, commencement of Front End Engineering and Design, Project’s Final Investment Decision, first LNG cargo loaded and delivered to a Project customer, any new LNG train developed in addition to the initial plan of 3 LNG trains.
  - Native Title payments paid annually directly to the Native Title Claimants in compensation for impact of the Project on their Native Title rights and interests
Regional Benefits Fund

- An Educational Trust (including provision of resources to administer and implement fund)

- Support the State granting leasehold title of vacant industrial land to a Traditional Owner Entity if access to contractors working on the Project is allowed and at commercial terms and rental rates equal to industrial land in Broome.

Native Title Party Commitments

The Native Title Party and the KLC will:

- Support the development of the Project and not object when cultural heritage and other considerations are comprised if all environmental and cultural heritage obligations by the Proponents and the State have been fulfilled. (This is subject to the registration of the ILUA.)

- Confirm that there are no heritage issues that will prevent the establishment of the LNG precinct in the area of James Price Point and the construction of operation of facilities within the precinct. (This is subject to the Studies Agreements, the Heritage Protection Agreement and future cultural management plans)

Federal Government

The Federal (Commonwealth) Government in Canberra is not a party to the Heads of Agreement. The KLC and the Traditional Owner Negotiating Committee (TONC) believe that the Federal Government should be a party, because it will get a lot of tax revenue from development of the Browse Basin and has a duty to help make sure that affected Aboriginal people also benefit from development and to support them in dealing with its impacts. The KLC and the TONC are continuing to express this view to the Commonwealth.

The Federal Minister for Indigenous Affairs, Jenny Macklin, stated in March 2009 that the Federal Government had budgeted an extra $340 million over the next four years to help improve services (including education, health, and housing) for Aboriginal people in the West Kimberley. However the KLC advises that it now seems that this is not in fact extra money but is money the Federal Government is already spending in the West Kimberley.

Dampier Peninsula and Regional Benefits

Throughout the site selection process that was conducted in 2008, the Traditional Owner Task Force and the KLC recognised that a Gas Precinct is
such a big project that it would affect not just the traditional owners for the
country where it is located, but all Aboriginal people in the Kimberley. So the
TONC and the KLC pushed hard to make sure that the Heads of Agreement
would contain benefits for affected Aboriginal people on the Dampier
Peninsula and the Kimberley region as a whole. These benefits include:

**Dampier Peninsula**

- ‘Reform of Indigenous lands on the Peninsula’ to enable more
effective forms of tenure;
- Conservation and Heritage Reserves Dampier Peninsula,
  Western Australia government (WA) annual funding allocation
  for 10 years;
- 30% of equivalent amount of freehold land.

**Kimberley region**

- Framework for consent determinations of Kimberley Native Title
  Claims
- 30% of equivalent amount of freehold land
- WA Regional Cultural Preservation Fund, annual funding
  allocation for 6 years to support cultural heritage.
- WA Kimberley Enhancement Scheme, annual funding allocation
  for 30 years;
- WA Indigenous Employment Strategy
- Woodside Energy Ltd (WEL) Community benefits’ Education
  Trust, annual budget allocation for life of project;
- WEL Business development and contracting, including
  minimum level of guaranteed contracts;
- WEL employment and training programs, annual funding
  allocation;
- WEL Regional benefits fund, annual funding allocation.
Kimberley Land Council

Aboriginal Social Impact Assessment (ASIA)

Proposed Liquefied Natural Gas (LNG) Processing Precinct, James Price Point

Fact Sheet 3: The Site Selection and Project Approvals Process, the Western Australia - Federal Government Strategic Assessment, and the Aboriginal Social Impact Assessment

In 2007, the Government of Western Australia (WA) decided to look for a location somewhere on the Kimberley coast for a Gas Precinct or ‘Hub’ that could treat natural gas piped ashore from the Browse Basin, about 300 km off the coast. A ‘Precinct’ or ‘Hub’ is a large industrial area where gas could be processed from a number of different fields by a number of different companies, instead of each gas company having its own processing plant at different places along the Kimberley coast. The idea of a Precinct is to allow gas to be developed in a way that causes as little damage as possible to land and sea country along the Kimberley coast.

This Fact Sheet talks about:

- The Strategic Assessment process being used by the Western Australia Government and the Federal Government to consider the environmental, social and cultural impacts of the proposed Gas Precinct and to decide whether to allow it to go ahead;

- The process used during 2008 to identify a site for the Gas Precinct, including the role of the Kimberley Land Council and the Traditional Owner Task Force;

- The Aboriginal Social Impact Assessment which is being undertaken now that a site for the Precinct has been identified at James Price Point.
Strategic Assessment Process

Large projects like the proposed Gas Precinct on the Kimberley Coast usually have to get the go-ahead from both the WA Government and the Federal Government in Canberra. The two governments agreed in 2007 that they would work together to assess the proposal for a Gas Precinct on the Kimberley Coast, through a process called a Strategic Assessment. The diagram in Figure 1 provides a simplified version of the process involved.

Under a Strategic Assessment the two governments first agree on Terms of Reference for the Strategic Assessment. These set out the things that must be considered by the governments when deciding whether to give approval for the Gas Precinct. This includes the possible effects, good and bad, of the Gas Precinct (called ‘impacts’), which must be studied and reported on, before the two governments will make their decisions. The matters set out in the Terms of Reference for the Gas Precinct include potential impacts on:

- The environment;
- Indigenous people; and
- Aboriginal heritage sites.

![Diagram of WA Government/Federal Government Approval Process for Gas Precinct](image)

The Terms of Reference also require the Strategic Assessment to identify ways to ensure that the Gas Precinct operates so that it is ‘ecologically sustainable’, and that any effects on the environment should be avoided or kept as small as possible (‘minimised’).

A number of studies are being carried out to examine what effects the precinct may have on people and the environment, and how any bad effects can be avoided or kept as small as possible. These include environmental impact
assessments; the Aboriginal Social Impact Assessment, discussed in detail below; and tourism and fisheries impact assessments.

Reports from all of these studies will be brought together and sent to the WA and the Federal Governments. The reports can include ideas about how to make sure that there are as few bad impacts as possible.

The Federal Minister for the Environment, who is currently Peter Garrett, examines these reports and can make one of a number of decisions (see the diagram above, Figure 1).

- He can decide that the Precinct will have good effects and that there is little danger it will create bad effects, and approve it straight away (the top green box in the diagram);

- He can decide that the Precinct will probably have serious, bad effects and that nothing can be done to prevent these, and stop the project (dark blue box in the middle of the diagram);

- He can decide that though the Precinct could have bad effects if nothing is done about it, these can be prevented or minimised if action is taken. This action could for example involve additional measures to monitor and avoid impacts on the environment, or changes to the way the project is built. He can approve the project, but impose conditions on the approval which require actions to be taken to make sure that bad effects are avoided or minimised (green box at bottom of diagram). These conditions are legally binding on the project developer, that is the developer MUST accept them if they want to the project to proceed.

This last approach is the one adopted by Minister Garrett to the proposed Gorgon gas project off the Pilbara coast on 26 August 2009. He approved this project, but imposed 32 pages of conditions, which mainly relate to the need to carry out additional environmental assessment and monitoring work and take additional measures to protect the environment.

**Gas Precinct Site Selection Process**

At the same time as the Strategic Assessment process got under way (early 2008), the WA government set up the Northern Development Taskforce to consider about 40 different places along the Kimberley coast that might be good sites for a Gas Precinct. The idea was to look at whether each site had the physical aspects needed (for example flat land above a certain height above sea level and close to deep water), and to look at how easy or hard it would be to manage the impact of a Gas Precinct on people, on the environment, and on cultural heritage.
In early 2008 the WA government agreed to fund the KLC to set up a Traditional Owner Task Force (TOTF) to play a part in examining different potential sites. The TOTF was made up of representatives of all the native title groups along the Kimberley Coast, and Kimberley Aboriginal cultural bosses who were there to give advice and to make sure the TOTF’s business was done in a way that respected Aboriginal law and custom.

The job of the TOTF was not to make decisions about whether or not development should happen. These decisions would be taken by the Traditional Owners for sites being considered. The job of the TOTF was to make sure that Traditional Owners had all the information they needed to make proper decisions; and to back up the Traditional Owners, whatever decision they made.

During 2008 the number of potential sites was reduced from about 40 to 11, and then later to 4, and then finally 3. Some of the sites were ‘knocked out’ by the Government’s scientists and engineers because they were not suitable on physical or environmental grounds (for example too far from deep water, in a rich environment that could not be protected). Some were knocked out by their Traditional Owners because they decided they were too important from a cultural or environmental point of view and so could not be developed.

The KLC supported each decision made by Traditional Owners, whether this was to take a site on their land off the list, or to leave it on the list and continue to consider having a Gas Precinct on their land.

The scientists and engineers and the Traditional Owners did not just work separately, but often worked together looking at potential sites. In many cases they both agreed that sites were not suitable, or might be suitable.

By September 2008 the four remaining sites were North Head, James Price Point, Gourdon Bay, and Anjo Peninsula. By now there had been a change of Government in Western Australia and the new Premier, Colin Barnett, said he would not continue with the site selection process set up by the former Labor government under Alan Carpenter. The new Premier also said he believed that North Head was the best site.

In late 2008 the WA Environmental Protection Authority identified James Price Point as the best site. The Premier agreed with this view, gave up the idea of North Head as the site, and announced the Gas Precinct would be at James Price Point. He said that this was ‘clearly the best location’, on environmental grounds, because there were no communities nearby, and because offshore and onshore geological and technical conditions were favorable.

In the meantime the Traditional Owners for Gourdon Bay had decided that they did not want this site used. But because of the Premier’s decision to
choose James Price Point, the Traditional Owners for North Head and Anjo Peninsula did not get a chance to make a final decision about whether they wanted a Gas Precinct on their land.

In April 2009 the Goolarabooloo /Jabirr Jabirr native title claim group decided that it would support a Gas Precinct at James Price Point, and signed a ‘Heads of Agreement’ or an in-principle agreement with the WA Government and Woodside Energy Ltd, the company most likely to be the first developer to use the gas Precinct. This Agreement is to be developed into a detailed Indigenous Land Use Agreement (ILUA) or ILUAs and other agreements during late 2009 and early 2010. Fact Sheet 2 provides detailed information about the Heads of Agreement.

The Aboriginal Social Impact Assessment (ASIA)

During 2008 and early 2009 it was very hard to do a proper Aboriginal Social Impact Assessment (ASIA), because no one knew for certain where the Gas Precinct would be, and only limited information was available about what sort of development would happen at a Precinct. After April 2009 lack of government funding further delayed the ASIA. However the ASIA is now under way. This section of the Fact Sheet discusses what an ASIA is for; the benefits it can bring; and how it fits into the Strategic Assessment process.

Any big project like the Gas Precinct does some things that make people better off, like create employment opportunities, and some things that leave people worse off, like limit their access to their traditional land and sea country. The big issue is whether, on balance or overall, a project leaves a community better or worse off. Do the good things outweigh the bad things, or the other way around?

The job of ASIA is to help make sure that the Gas Precinct makes the lives of Aboriginal people better. It does this by helping to make bad impacts as small as possible, and good impacts as big as possible. It can only work if Aboriginal people are at the heart of the Social Impact Assessment (SIA). That is why it is Aboriginal Social Impact Assessment. If this is not the case and the SIA is done by companies or governments, they are often more worried about ‘ticking the box’ and getting projects approved, and not protecting the interests of Aboriginal people.

The diagram in Figure 2 shows how an Aboriginal Social Impact Assessment works.
The first stage in the ASIA is to collect information on the proposed project that will cause impacts, in this case the Gas Precinct at James Price Point. It needs to understand, for example:

- How big will the Gas Precinct be?
- What will happen there?
- How many outsiders will it bring in?
- How much water will it use?
- When will it start up? When will it finish?

Some information about the proposed Gas Precinct is provided in Fact Sheet 1.

The next step is to understand how the people who may be affected by the project live today. It is impossible to understand how the project might affect people if we don’t understand how they live today. For example:

- How many people are there? How old are they?
- What education and skills do they have?
- Where do they live today?
- How do they organise themselves?
- How do they make decisions? How do they deal with conflict?
This sort of information is also called ‘baseline data’. Fact Sheet 4 talks about the baseline data that is being collected as part of the ASIA.

The next step is to understand people’s goals and concerns. For example:

- What worries them most about the proposed Gas Precinct?
- What would they like to see happen as a result of it?
- How would the community or group want to change how things are today?
- What is most important to them?

If we don’t know the answers to these questions, we can’t even say what is a good or bad impact, what effects we should be trying to make as small as possible, and what ones we should try and make as large as possible.

The community consultations being undertaken as part of the ASIA are very important here. They are the major way in which we find out what are the worries, hopes, and goals of Traditional Owners and other Aboriginal people affected by the Gas Precinct.

On the basis of information about a proposed project, about how people live today, and about their goals and concerns, the ASIA can assess the likely effects of the project. These may include:

- Can the project create opportunities for people?
- Can it help them achieve their goals?
- Will it lead to things the community does not want?
- Will it create risks and dangers, e.g. if things go very wrong, are there really bad things that might happen?

Finally, the ASIA will work with the community to identify ways (‘strategies’) to minimise bad effects and maximise positive impacts. For example, if jobs will be available but people lack skills to do them, a strategy will find ways of increasing their skills. If there is a danger or risk of oil spills in the sea from LNG ships, a strategy will find ways of making that danger as small as possible and of controlling an oil spill if it does happen.
You can't develop effective strategies except by engaging with the community. The ASIA team can draw on experience elsewhere and come up with options, but the community knows what will and won't work. Also, community buy-in is often critical in making sure that strategies are put into effect.

An Aboriginal community on its own is rarely able to carry out strategies to minimise costs and maximise benefits of a large project. For instance, improving education in order to increase people’s chances of getting jobs needs funding from government and support from the education system. The cooperation and support of the companies operating the Gas Precinct is needed to develop effective strategies to deal with the risk of oil pollution.

There are two very important ways in which the ASIA can help achieve the support of government and companies for the goals and strategies of Traditional Owners and other affected Aboriginal people.

The first is that information on people’s goals, priorities and strategies will flow from the ASIA to the Traditional Owner Negotiating Committee (TONC) and the KLC team that is negotiating the ILUA or ILUAs and other Agreements for the Gas Precinct. The TONC and the ASIA can use this information to push for legally binding commitments from the WA Government and Woodside that support the goals and deal with the concerns of Traditional Owners.

Secondly and very importantly the ASIA report that flows into the Strategic Assessment will include recommendations for conditions that the Federal Government should impose on any approval for the Gas precinct. It is important to have a really strong ASIA so that the Federal Environment Minister (currently Peter Garrett) will pay attention, and impose conditions that help make sure that the Gas Precinct will help make people’s lives better.

How the Aboriginal Social Impact Assessment will be conducted

Consultation Strategy

The KLC’s ASIA consultation model assumes that the key decision makers about land use and planning are the Native Title Claim Groups or PBCs. The KLC therefore proposes to consult with these decision-makers in the first instance. The KLC acknowledges that bodies that represent other Aboriginal people affected by gas development, such as Community Councils, have an important role to play in the consultation process, as do Aboriginal service delivery organisations. The ASIA team will also consult with these bodies. KLC also proposes to consult directly with other Aboriginal land users such as people living on outstations.
**Timeframes and Priorities**

There is limited time available before the Strategic Assessment report has to be completed (in February 2010, as far as the KLC understands). Community consultation will happen over the period September – November 2009, and the ASIA Team will spend the period November 2009 – February 2010 writing up reports from the ASIA work. The KLC’s priorities in conducting the ASIA and for report writing are:

- Improve the quality of existing social baseline data (information on ‘the way people live today’) in relation to affected Aboriginal people, groups and communities;

- Prepare a series of Fact Sheets dealing with the proposed Gas Precinct and issues and impacts associated with it;

- Undertake consultations with native title groups and with other affected Aboriginal people living in Broome, Derby and the Dampier Peninsula communities and outstations. This will allow affected people to express their aspirations and concerns in relation to gas development and its impacts, including on issues related to benefits management, and to help identify strategies to manage impacts and maximise benefits.

- Consult with Kimberley Aboriginal organisations, including Aboriginal community councils;

- Draft reports that will:
  - provide advice to the KLC and the TONC in relation to ILUA negotiations;
  - document the result of baseline work and of community consultations;
  - set out strategies to maximise overall benefits from gas development;
  - set out requirements for additional Aboriginal social impact and monitoring work; and
  - identify conditions that should be attached by the Federal Minister to any approval for the Gas Precinct.
Kimberley Land Council

Aboriginal Social Impact Assessment (ASIA)

Proposed Liquefied Natural Gas (LNG) Processing Precinct, James Price Point

FACT SHEET 4:
The Baseline Study (‘How Aboriginal People in the Kimberley Live Today’) being Conducted as part of the Aboriginal Social Impact Assessment

An Aboriginal Social Impact Assessment (ASIA) tries to work out what the effects of a major development like the proposed Gas Precinct will be on Aboriginal people. It looks at both good effects (like creation of jobs or opportunities for education and training) and bad effects (such as people not being able to use their land and sea country, or the cost of housing going up because of more people moving into an area from outside). An ASIA also tries to find ways (or ‘strategies’) to make sure that as many good things as possible, and as few bad things as possible, happen.
If a large project is developed, ASIA can be used to measure and keep track of what good and bad things actually do happen and when they happen. This is done by measuring how things were before the project started, how they are after the project has been working for some years, and comparing the two. For example, measuring average rents paid by Aboriginal people before the iron ore boom in the Pilbara region (say in 2002) and measuring them again after the boom (say in 2008) would let you figure out what effect the boom had on rents. This in turn allows you to say if the boom made this side of life better or worse for Aboriginal people.

If unexpected problems come up, or if the strategies developed at the beginning are not working, new strategies can be put in place, or the way the project operates can be changed to help avoid the problems.

It is not possible to do a proper ASIA without good information on the way people live before the project starts, or what is called ‘baseline Information’. Without this information, we cannot track changes brought about by a project, because we do not know how things were before the project started. Also, we need information on things like how many have jobs and don’t have jobs, and what education and skills they have, to know if they will be able to get the jobs created by a project. We also need this information to put together education and training strategies to try and make sure that Aboriginal people are in a better position to get the jobs.

Good baseline information is also important in negotiations between Aboriginal organizations and the Western Australia (WA) and Federal Governments, which will be happening because of the gas development. An accurate and well documented picture of Aboriginal people’s needs in areas like housing, health, education, aged care, and youth facilities is needed in order to persuade governments that they should provide more funding and resources for these services.

Baseline covers many questions about the way people live today, such as:

- How many people are there?
- How many people are in different age groups (e.g. children, youth, young adults, middle aged, and the elderly)?
- What education and skills do people have?
- Where do they live today?
- What sort of housing do they have?
- What health issues do many people experience?
• What services are available, and how easy or hard is it for people to use services like child care, transport, health, or aged care, formal training?

• How do people organise themselves? For example, how do they make decisions? How do they deal with conflict?

Problems with existing baseline information

There are big problems with the existing baseline information for Aboriginal people in the Kimberley, much of which is collected by the Federal Government through the Australian Bureau of Statistics, and especially using the Census that is carried out once every five years. For instance:

• The information is often wrong. For example it is estimated that the number of Kimberley Aboriginal people counted in the 2006 Census is about a quarter less than the actual number. This is a huge problem, for example, in working out how many houses, or teachers, or doctors are needed in the Kimberley;

• It does not include information about parts of peoples lives that are very important, for example their cultural activities or their use of land and sea country for food or medicine;

• Information is collected and reported according to the broad area in which people live, for example the Broome Local Government area, which includes Broome, the Dampier Peninsula and the Broome pastoral region. None of it is collected or reported on the basis of people’s connection to country and membership of native title groups. This means that we have very little separate information on the groups of people who will be most affected by the proposed Gas Precinct.

• There is little Aboriginal input into the questions asked when information is collected, and no Aboriginal ownership of the information or control over how it is used.

The ASIA Strategy on Baseline Information

The best way to improve baseline information for native title groups is for the groups to organise ‘household surveys’ of the families that make up each group. A household survey involves collecting information from people themselves about all the key aspects of how they live today. Each native title group would be involved in deciding what questions to ask its members, and people from each group would be trained to carry out the survey, working with the KLC ASIA team. This would ensure that the information
collected is what each group really wants and needs to know, and helps make sure it is accurate because it is based on local knowledge.

However it takes time and quite a lot of money to organise household surveys. The workers have to be paid; groups have to be consulted about what questions they want asked; all the families belonging to the groups have to be contacted; the surveys carried out; and the information analysed and written up in reports that the native title groups can use.

While it would be good to do surveys of all the native title groups affected by the Gas as part of the ASIA work being carried out in September – November 2009, this will not be possible. So the KLC’s plan is to:

- Do a household survey of Goolarabooloo Jabirr/Jabirr native title claim group members in October – November 2009. This idea has been endorsed by this group’s Traditional Owner Negotiating Committee (TONC);

- Use this to start getting some more accurate baseline information on native title groups, and to highlight the importance of doing household surveys;

- Ask Peter Garrett, the Federal Minister for the Environment, that if he approves the Gas Precinct, he should impose a condition that requires funding to be provided for household surveys of other native title groups affected by the Precinct. The Minister will make this decision in 2010 under the Strategic Assessment of the Gas Precinct being undertaken by the WA and Federal Governments (see Fact Sheet 3).

In the meantime, the KLC’s ASIA Team will also request permission of other native title claim groups or PBCs whose members are affected by the gas Precinct to obtain basic information from membership lists or genealogies. This information will only include numbers of people, their age group, gender, and place of residence. No names of individuals or information on individuals would be used, so there would be no threat to privacy. But this work would provide important knowledge on, for instance, the numbers of people affected by the Gas Precinct and where they live, and other knowledge that we do not have at the moment.
## Appendix 7

### ASIA Native Title Claim Group and Community Meetings

**September 2009 – January 2010**

<table>
<thead>
<tr>
<th>Date</th>
<th>Name of Meeting</th>
<th>Attendance</th>
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<tbody>
<tr>
<td>07/09/09</td>
<td>Nyul Nyul, Nimunburr and Djaberra Djaberra</td>
<td>Male: 7</td>
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<tr>
<td></td>
<td></td>
<td>Female: 17</td>
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<td>08/09/09</td>
<td>Beagle Bay Community</td>
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<td></td>
<td></td>
<td>Female: 13</td>
</tr>
<tr>
<td>21/09/09</td>
<td>Goolarabaloo &amp; Jabirr Jabirr</td>
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</tr>
<tr>
<td></td>
<td></td>
<td>Female: 26</td>
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<tr>
<td>13/10/09</td>
<td>One Arm Point Community, Bardi Jawi, Mayala</td>
<td>Male: 9</td>
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<tr>
<td></td>
<td></td>
<td>Female: 6</td>
</tr>
<tr>
<td>15/10/09</td>
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<tr>
<td></td>
<td></td>
<td>Female: 4</td>
</tr>
<tr>
<td>20/10/09</td>
<td>Djarindjin Community, Bardi Jawi, Mayala</td>
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<tr>
<td></td>
<td></td>
<td>Female: 11</td>
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<tr>
<td>27/10/09</td>
<td>Derby, Warawa, Nykina Mangala, Mayala</td>
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<td></td>
<td></td>
<td>Female: 6</td>
</tr>
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<td>30/11/09</td>
<td>Derby 2(^{nd}) round meeting, Warawa, Nykina Mangala, Mayala</td>
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<td></td>
<td></td>
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<td>01/12/09</td>
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<td>02/12/09</td>
<td>One Arm Point Community 2(^{nd}) round meeting, Bardi Jawi</td>
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<td></td>
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<td>17/12/09</td>
<td>Nimunburr</td>
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<td>19/01/10</td>
<td>Broome Community</td>
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<td>Female: 19</td>
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<td><strong>TOTAL</strong></td>
<td></td>
<td>Male: 116</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Female: 143</td>
</tr>
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### Appendix 8

**List of Organisations Contacted by the ASIA**

<table>
<thead>
<tr>
<th>Organisation Name</th>
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</thead>
<tbody>
<tr>
<td>Aboriginal Independent Community Schools (AICS) Support Unit</td>
</tr>
<tr>
<td>Aboriginal Legal Service</td>
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<tr>
<td>Anglicare</td>
</tr>
<tr>
<td>Ardyaloon Hatchery</td>
</tr>
<tr>
<td>Ardyaloon Store</td>
</tr>
<tr>
<td>Australian Red Cross Community Service</td>
</tr>
<tr>
<td>Bardi Ardyaloon Office</td>
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<tr>
<td>Bardi Jawi Rangers</td>
</tr>
<tr>
<td>Beagle Bay Clinic</td>
</tr>
<tr>
<td>Beagle Bay Community</td>
</tr>
<tr>
<td>Beagle Bay Catholic Church</td>
</tr>
<tr>
<td>Beagle Bay Store</td>
</tr>
<tr>
<td>Bran Nue Dae</td>
</tr>
<tr>
<td>Broome Advertiser</td>
</tr>
<tr>
<td>Broome Air Services</td>
</tr>
<tr>
<td>Broome Care Centre</td>
</tr>
<tr>
<td>Broome CIRCLE House</td>
</tr>
<tr>
<td>Broome Court House</td>
</tr>
<tr>
<td>Broome Daycare Centre</td>
</tr>
<tr>
<td>Broome Dental Clinic</td>
</tr>
<tr>
<td>Broome Diocese</td>
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<tr>
<td>Broome High School</td>
</tr>
<tr>
<td>Broome Historical Museum</td>
</tr>
<tr>
<td>Broome Medical Clinic</td>
</tr>
<tr>
<td>Broome Police and Citizens Youth Centre</td>
</tr>
<tr>
<td>Broome Primary School</td>
</tr>
<tr>
<td>Broome Public Library</td>
</tr>
<tr>
<td>Broome Regional Aboriginal Medical Service</td>
</tr>
<tr>
<td>Broome Regional Prison</td>
</tr>
<tr>
<td>Broome Residential College</td>
</tr>
<tr>
<td>Broome Telecentre</td>
</tr>
<tr>
<td>Broome Youth Accommodation Service</td>
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<tr>
<td>Broome Youth Support Service</td>
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<td>Burdekin Youth In Action</td>
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<tr>
<td>Cable Beach Primary School</td>
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<td>Catholic Education Office WA</td>
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<tr>
<td>Centrecare</td>
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<tr>
<td>Centrelink</td>
</tr>
<tr>
<td>--------------------------</td>
</tr>
<tr>
<td>Conservation Volunteers</td>
</tr>
<tr>
<td>Dampier Peninsula Police Station</td>
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<tr>
<td>Department of Corrective Services</td>
</tr>
<tr>
<td>Dept of Education and Training Kimberley District Education Office</td>
</tr>
<tr>
<td>Department of Education, Employment and Workplace Relations</td>
</tr>
<tr>
<td>Department of Environment &amp; Conservation</td>
</tr>
<tr>
<td>Department of Families, Housing, Community Services and Indigenous Affairs</td>
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<tr>
<td>Department of Fisheries</td>
</tr>
<tr>
<td>Department of Housing and Works</td>
</tr>
<tr>
<td>Department of Indigenous Affairs</td>
</tr>
<tr>
<td>Department of Planning and Infrastructure</td>
</tr>
<tr>
<td>Disability Services Commission</td>
</tr>
<tr>
<td>Djarindjin Aboriginal Corporation</td>
</tr>
<tr>
<td>Djarindjin Lombadina School</td>
</tr>
<tr>
<td>Djaringo</td>
</tr>
<tr>
<td>Fire and Emergency Services Authority</td>
</tr>
<tr>
<td>Garnduwa</td>
</tr>
<tr>
<td>Goolarri Media</td>
</tr>
<tr>
<td>Grunt Labour Services</td>
</tr>
<tr>
<td>Headspace Broome</td>
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<tr>
<td>Helping Young People Engage (HYPE)</td>
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<tr>
<td>Indigenous Business Australia</td>
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<tr>
<td>Indigenous Coordination Centre Broome</td>
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<td>Indigenous Volunteers of Australia</td>
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<td>ITEC Employment Services</td>
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<tr>
<td>Jalgurr-Guwan Mutifunctional Aboriginal Children’s Service</td>
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<td>Job Futures Network</td>
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<tr>
<td>Job Network Assist</td>
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<tr>
<td>Kidbiz Childcare Centre</td>
</tr>
<tr>
<td>Kimberley Group Training</td>
</tr>
<tr>
<td>Kimberley Aboriginal Medical Service Council Inc</td>
</tr>
<tr>
<td>Kimberley Aged Care Service</td>
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<tr>
<td>Kimberley District Police</td>
</tr>
<tr>
<td>Kimberley Personnel</td>
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<tr>
<td>Kimberley Population Health Unit</td>
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<tr>
<td>Kimberley Satellite Dialysis</td>
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<tr>
<td>Kimberley Stolen Generation Corporation</td>
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<tr>
<td>KPP Business Development</td>
</tr>
<tr>
<td>Kimberley Regional Service Providers</td>
</tr>
<tr>
<td>Kullari Regional CDEP Inc</td>
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<tr>
<td>Legal Aide WA</td>
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<tr>
<td>Little Pearlers Child Care Centre</td>
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<tr>
<td>Lombadina Community</td>
</tr>
<tr>
<td>Mamanbulanjin Aboriginal Corporation</td>
</tr>
<tr>
<td>Mangala Books</td>
</tr>
<tr>
<td>Marnju Jarndu Women’s Refuge Centre</td>
</tr>
<tr>
<td>Men’s Outreach Centre</td>
</tr>
<tr>
<td>Mental Health and Drug service</td>
</tr>
<tr>
<td>Milliya Rumurru Alcohol Centre</td>
</tr>
<tr>
<td>Mulberry Tree Childcare</td>
</tr>
<tr>
<td>Nirrumbuk Aboriginal Corporation</td>
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<tr>
<td>One Arm Point Community</td>
</tr>
<tr>
<td>One Arm Point Community School</td>
</tr>
<tr>
<td>One Arm Point Health Clinic</td>
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<tr>
<td>Pinakarra Aboriginal counselling</td>
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<td>Sandfly Circus</td>
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<td>St Mary’s College</td>
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<td>TAFE Broome</td>
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<tr>
<td>University of Notre Dame Australia Broome</td>
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<tr>
<td>WA FM Spirit 102.9</td>
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<tr>
<td>Walangari Broome Sober up Shelter</td>
</tr>
<tr>
<td>Yawura Jarndu Aboriginal Corporation</td>
</tr>
<tr>
<td>Yawuru Native Title Holders Corporation</td>
</tr>
</tbody>
</table>
Appendix 9: Indigenous Household Survey Instrument Developed by ASIA and GJJ TONC

**HOUSEHOLD SURVEY QUESTIONNAIRE**

**INSTRUCTIONS**

1. **One questionnaire per household.** This questionnaire must be completed by the Interviewer during the interview.

2. **Introductions** - The Interviewer introduces herself/himself and outlines the purpose of the household survey. Clarify that the time is convenient or arrange with the Head of the Household an alternative time to return. An alternative time may also need to be arranged for members of the household who are not present at the time of the interview.

3. **Identify who is the Head of the Household** (Person 1), i.e. the resident whose name is on documents associated to the residence e.g. Homeswest Application form, Title, Rental Application.

4. **All sections in this questionnaire must be completed.** If the respondent (the person/household member being interviewed) does not respond, or cannot respond to a question, write NC (NO COMMENT) in the space provided.

5. **Start the interview by asking the Head of the Household** the names of all members of the household (those that identify this residence as their “place of residence”) even if they are not residing there at the time of the interview eg, they may be away for study or work. Each household member must be allocated a number starting from Number 1 in PART 1.

6. **All Sections are directed to the Head of the Household to respond to.** Those sections that list Person No 1 to 20 (members of the household who identify this residence as their “Place of Residents”) must be completed by all household members. Each person’s response must correspond with the number they are allocated eg. Person No 2 - Fred Smith.
7. Completing sections – types of questions:
   7.1 Tick only - Options that are marked with an asterisk *.
   7.2 Circle preferred Options - Circle options that are indicated by a number.
   7.3 State - a word, $, or number is required. These also include option Other (State).

8. At the end of the interview thank the respondents for their support and cooperation.

Name of Interviewer

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<thead>
<tr>
<th>Address of Household</th>
<th>Details of Interviews</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1st visit</td>
</tr>
<tr>
<td>Day</td>
<td></td>
</tr>
<tr>
<td>Date</td>
<td></td>
</tr>
<tr>
<td>Interviews completed</td>
<td>YES</td>
</tr>
<tr>
<td>Date completed</td>
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## HOUSEHOLD SURVEY QUESTIONNAIRE

### PART 1 - Basic Household Information  (At current place of residence)

<table>
<thead>
<tr>
<th>PERSON NO</th>
<th>1.1 NAME</th>
<th>1.2 RELATIONSHIP TO PERSON 1</th>
<th>1.3 NATIVE TITLE GROUP</th>
<th>1.4 STATUS</th>
<th>1.5 GENDER</th>
<th>1.6 AGE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Names of the people who usually live at this address or regard this address as their “Usual Place of Residence”</td>
<td>1 Spouse (husband or wife) 2 Partner 3 Father 4 Mother 5 Sister 6 Brother 7 Daughter 8 Son 9 Cousin 10 Not-related Add S for Step-relative e.g. S8 Step Son</td>
<td>1 Gollarabaloo 2 Jabirr Jabirr 3 Other</td>
<td>1 Married 2 Defacto 3 Single 4 Separated 5 Divorced</td>
<td>1 Female 2 Male</td>
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<tr>
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## HOUSEHOLD SURVEY QUESTIONNAIRE

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## HOUSEHOLD SURVEY QUESTIONNAIRE

<table>
<thead>
<tr>
<th>PERSON NO</th>
<th>1.8 How long have you lived at this address?</th>
<th>1.9 Will you stay at this address next year?</th>
<th>1.10 Previous Address</th>
<th>1.11 Reasons for leaving the previous address</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1 / Weeks</td>
<td>1.9.1 How long do you think you will stay?</td>
<td>1 / Weeks</td>
<td>1 Education</td>
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<tr>
<td></td>
<td>2 / Months</td>
<td></td>
<td>2 Training</td>
<td>2 Training</td>
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<tr>
<td></td>
<td>3 / Years (State e.g. 1/3)</td>
<td>1.9.2 NO Reasons why not?</td>
<td>3 Going Home</td>
<td>3 Going Home</td>
</tr>
<tr>
<td></td>
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<td></td>
<td>4 Health</td>
<td>4 Health</td>
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<td></td>
<td>5 Work</td>
<td>5 Work</td>
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<td></td>
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<td></td>
<td>6 New home</td>
<td>6 New home</td>
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<td></td>
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<td></td>
<td>7 Accommodation issues - State</td>
<td>7 Accommodation issues - State</td>
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<td>8 Rent issues – State</td>
<td>8 Rent issues – State</td>
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<td></td>
<td>9 Other</td>
<td>9 Other</td>
</tr>
</tbody>
</table>

1. Education
2. Training
3. Going Home
4. Health
5. Work
6. New home
7. Accommodation issues - State
8. Rent issues – State
9. Other
## HOUSEHOLD SURVEY QUESTIONNAIRE

<table>
<thead>
<tr>
<th>PERSON NO</th>
<th>1.12 Do you have any children?</th>
<th>1.13 How many? (State)</th>
<th>1.14 Where do they live? (If the children are under 16 years of age)</th>
<th>1.15 How old were you when you had your first child? (State)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1 YES 2 NO</td>
<td></td>
<td>1 Child is sixteen years and over in age</td>
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<td>2 With the mother</td>
<td>3 With relatives</td>
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<td>4 Other (State)</td>
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<td>14</td>
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<td></td>
</tr>
</tbody>
</table>
## HOUSEHOLD SURVEY QUESTIONNAIRE

<table>
<thead>
<tr>
<th>TYPE OF HOUSING</th>
<th>15</th>
<th>16</th>
<th>17</th>
<th>18</th>
<th>19</th>
<th>20</th>
</tr>
</thead>
</table>

### PART 2 – HOUSING – Direct questions to Person 1

<table>
<thead>
<tr>
<th>2.1 TYPE OF HOUSING</th>
<th><em>HOUSE</em></th>
<th><em>UNIT</em></th>
<th><em>TOWN HOUSE</em></th>
<th><em>HOSTEL</em></th>
<th><em>HOTEL</em></th>
<th><em>SHED</em></th>
<th><em>CARAVAN</em></th>
<th>OTHER</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>2.2 NUMBER OF BEDROOMS</th>
<th><em>Working Stove</em></th>
<th><em>Kitchen with sink, cupboards and benches</em></th>
<th><em>Working refrigerator</em></th>
<th><em>Working Toilet</em></th>
<th><em>Working bath</em></th>
<th><em>Working shower</em></th>
<th><em>Laundry tub</em></th>
<th><em>Working washing machine</em></th>
<th><em>Working television</em></th>
</tr>
</thead>
</table>
## HOUSEHOLD SURVEY QUESTIONNAIRE

### 2.4 GENERAL CONDITION

<table>
<thead>
<tr>
<th>RATING</th>
<th>DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>*Good</td>
<td>Everything functions. No maintenance or repairs required.</td>
</tr>
<tr>
<td>*Fair</td>
<td>A few things don't function. Some maintenance and repairs required.</td>
</tr>
<tr>
<td>*Poor</td>
<td>Major maintenance and repairs urgently required and considered unsafe.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>*Own (fully)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>*Mortgage (buying)</td>
<td></td>
</tr>
<tr>
<td>*Renting Private</td>
<td></td>
</tr>
</tbody>
</table>

### 2.5 OWNERSHIP

<table>
<thead>
<tr>
<th>*Subsidized Housing (Supplied by employer)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>*Renting Homeswest</td>
<td></td>
</tr>
</tbody>
</table>

### 2.6 PAYMENT

<table>
<thead>
<tr>
<th>Amount</th>
<th>Pay Period (circle)</th>
</tr>
</thead>
<tbody>
<tr>
<td>$</td>
<td>*Per week</td>
</tr>
<tr>
<td>$</td>
<td>*Per month</td>
</tr>
<tr>
<td>$</td>
<td>*Per week</td>
</tr>
<tr>
<td>$</td>
<td>*Per month</td>
</tr>
</tbody>
</table>
### HOUSEHOLD SURVEY QUESTIONNAIRE

#### PART 3 – ACCESS TO SERVICES—* Direct questions to Person 1

<table>
<thead>
<tr>
<th>3.1 What essential services are connected or delivered to this place of residence?</th>
<th>Service</th>
<th>*Power</th>
<th>*Water</th>
<th>*Gas</th>
</tr>
</thead>
<tbody>
<tr>
<td>Connected</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Delivered</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>3.2 What is the distance (in approximate km) from the place of residence to the service /supplier?</th>
</tr>
</thead>
<tbody>
<tr>
<td>SERVICE /SUPPLIER</td>
</tr>
<tr>
<td>All weather road</td>
</tr>
<tr>
<td>Health clinic</td>
</tr>
<tr>
<td>Hospital</td>
</tr>
<tr>
<td>Medical evacuation</td>
</tr>
<tr>
<td>Police</td>
</tr>
<tr>
<td>Supermarket</td>
</tr>
</tbody>
</table>
### 3.3 What is the main form of transport used? *(There may be more than one option)*

| PERSON NO | *Only Public Transport | *Public Transport and.. | *Own car | *Borrowed car | *Car supplied by employer | *Motor bike | *Bicycle | Other *(state)* |
|-----------|-------------------------|-------------------------|---------|---------------|--------------------------|-------------|-----------|-----------------
| 1         |                         |                         |         |               |                          |             |           |                 |
| 2         |                         |                         |         |               |                          |             |           |                 |
| 3         |                         |                         |         |               |                          |             |           |                 |
| 4         |                         |                         |         |               |                          |             |           |                 |
| 5         |                         |                         |         |               |                          |             |           |                 |
| 6         |                         |                         |         |               |                          |             |           |                 |
| 7         |                         |                         |         |               |                          |             |           |                 |
| 8         |                         |                         |         |               |                          |             |           |                 |
| 9         |                         |                         |         |               |                          |             |           |                 |
| 10        |                         |                         |         |               |                          |             |           |                 |
| 11        |                         |                         |         |               |                          |             |           |                 |
| 12        |                         |                         |         |               |                          |             |           |                 |
| 13        |                         |                         |         |               |                          |             |           |                 |
| 14        |                         |                         |         |               |                          |             |           |                 |
### 3.4 CHILD CARE

<table>
<thead>
<tr>
<th>PERSON NO</th>
<th>3.4.1 Do you have main caring responsibility for your children?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1 YES</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>PERSON NO</th>
<th>3.4.2 Which types of formal child care have you used?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1 Before and/or after school care</td>
</tr>
<tr>
<td></td>
<td>2 Full time Day Care</td>
</tr>
<tr>
<td></td>
<td>3 Occasional (Part-Time Day Care)</td>
</tr>
<tr>
<td></td>
<td>4 Holiday Care</td>
</tr>
<tr>
<td></td>
<td>5 Other (State)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>PERSON NO</th>
<th>3.4.3 What was the main reason you do not use formal child care services? There may be more than one response.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1 Not working, Prefer/Available to look after child</td>
</tr>
<tr>
<td></td>
<td>2 Transport / Distance</td>
</tr>
<tr>
<td></td>
<td>3 Booked out / no places</td>
</tr>
<tr>
<td></td>
<td>4 Time/days available are not suitable</td>
</tr>
<tr>
<td></td>
<td>5 Child has special needs (illness/disability)</td>
</tr>
<tr>
<td></td>
<td>6 Not flexible enough / not available at short notice</td>
</tr>
<tr>
<td></td>
<td>7 Made other arrangements e.g. family/friends</td>
</tr>
<tr>
<td></td>
<td>8 Child too young/ too old</td>
</tr>
<tr>
<td></td>
<td>9 Parent(s) prefers other type of care</td>
</tr>
<tr>
<td></td>
<td>10 Child’s preference</td>
</tr>
<tr>
<td></td>
<td>11 Parent(s) unhappy with service and carers</td>
</tr>
<tr>
<td></td>
<td>12 Had not yet applied</td>
</tr>
<tr>
<td></td>
<td>13 No need</td>
</tr>
<tr>
<td></td>
<td>14 Other (State)</td>
</tr>
</tbody>
</table>

1
2
3
4
5
**PART 4 – COMMUNICATION – Direct questions to Person 1**

<table>
<thead>
<tr>
<th>4.1 What COMMUNICATION EQUIPMENT does this residence have?</th>
<th>*Land line installed</th>
<th>*Functioning computer</th>
<th>*Internet connection</th>
</tr>
</thead>
</table>
### HOUSEHOLD SURVEY QUESTIONNAIRE

**4.2** How many MOBILE PHONES are there in this household? (State)

<table>
<thead>
<tr>
<th>4.3 MAIL</th>
<th>4.3.1 *Mail delivered to the house</th>
<th>4.3.2 *Mail held at the post office/shop</th>
<th>4.3.3 *Post Box</th>
<th>4.3.4 How often is mail collected? (State)</th>
<th>4.3.5 Other (State)</th>
</tr>
</thead>
</table>

**4.4 ACCESS TO INFORMATION**

How important are the following sources of information on a scale of 1 to 5?

**Rating:**
1. Very Important
2. Important
3. Useful
4. Not Important
5. Don't Know

<table>
<thead>
<tr>
<th>PERSON NO</th>
<th>Newspaper</th>
<th>Radio</th>
<th>TV News</th>
<th>The web</th>
<th>Newsletters/notices from Aboriginal organizations (e.g. KLC)</th>
<th>Word of mouth from family and friends</th>
<th>Notice boards (State location)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
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<td>11</td>
</tr>
</tbody>
</table>
## PART 5 – EDUCATION AND TRAINING

<table>
<thead>
<tr>
<th>PERSON NO</th>
<th>5.1 AT SCHOOL</th>
<th>5.2 PRIMARY SCHOOL</th>
<th>5.3 SECONDARY SCHOOL</th>
<th>5.4 POST SCHOOL QUALIFICATION (There may be more than one option)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1 Yes</td>
<td>Last Grade/Year Completed</td>
<td>Last Form/Year Completed</td>
<td>5.4.1 TERTIARY 1 Bachelor degree 2 Masters Degree 3 Ph Doctorate State e.g.1 Nursing</td>
</tr>
<tr>
<td></td>
<td>2 No</td>
<td>1 Grade 2 Year</td>
<td>1 Form 2 Year</td>
<td>5.4.2 VOCATIONAL / TAFE 1 Certificate 2 Diploma State e.g.1 Horticulture</td>
</tr>
<tr>
<td>1</td>
<td></td>
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<td>2</td>
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<tr>
<td>HOUSEHOLD SURVEY QUESTIONNAIRE</td>
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</tbody>
</table>
### 5.5 Doing Study Now


### 5.6 Educational Institution Currently Enrolled At

- **(See 5.4 above)**
  - [1] Secondary School
  - [2] TAFE
  - [3] University
  - [4] Vocational Institution
  - [5] Other (State)

### 5.7 Name of Course / Study

### 5.8 Funding for Study

<table>
<thead>
<tr>
<th>5.8.1 Self Funded</th>
<th>5.8.2 Scholarship</th>
<th>5.8.3 Employer Sponsored</th>
</tr>
</thead>
<tbody>
<tr>
<td>[4] Other (State)</td>
<td></td>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>5.8.4 Other (State)</th>
</tr>
</thead>
<tbody>
<tr>
<td>[1] Employer</td>
</tr>
<tr>
<td>[3] Family</td>
</tr>
<tr>
<td>[4] Other (State)</td>
</tr>
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<td>8</td>
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</tbody>
</table>
## HOUSEHOLD SURVEY QUESTIONNAIRE

### PART 6 – EMPLOYMENT STATUS

#### 6.1 Current Employment (Work)

<table>
<thead>
<tr>
<th>Field of Work</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Agriculture and Horticulture</td>
<td>2 Pastoral industry</td>
</tr>
<tr>
<td>4 Pearling</td>
<td>5 Fishing</td>
</tr>
<tr>
<td>7 Building and Construction</td>
<td>8 Road Works</td>
</tr>
<tr>
<td>10 Manufacturing</td>
<td>11 Pastoral Industry</td>
</tr>
<tr>
<td>13 Health</td>
<td>14 Education</td>
</tr>
<tr>
<td>16 Service Industry e.g. hairdresser, deaninng,</td>
<td></td>
</tr>
<tr>
<td>19 Self Employed - Own Business or Family business</td>
<td></td>
</tr>
<tr>
<td>3 Environmental Management/Conservation</td>
<td>6 Mining</td>
</tr>
<tr>
<td>9 Transport</td>
<td>12 Tourism and Hospitality</td>
</tr>
<tr>
<td>15 Administration (Private Sector)</td>
<td>18 Public Service - Local, State, or Commonwealth</td>
</tr>
<tr>
<td>20 Cultural Activities - Music, Art, Dance</td>
<td>21 Other (State)</td>
</tr>
</tbody>
</table>
### HOUSEHOLD SURVEY QUESTIONNAIRE

<table>
<thead>
<tr>
<th>PERSON NO</th>
<th>6.1 Current Employment</th>
<th>6.2 How long have you been on CDEP altogether?</th>
<th>6.3 How long have you worked altogether in your life?</th>
<th>6.4 Not Employed. Are you looking for work?</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>6.1.1 Currently Employed</td>
<td>6.1.4 Type of position</td>
<td>6.4.1 YES</td>
<td>6.4.2 NO, Why?</td>
</tr>
<tr>
<td></td>
<td>1 Yes</td>
<td>Y = Years M = Months (State e.g. 1Y 4M)</td>
<td>Y = Years M = Months (State e.g. 1Y 4M)</td>
<td>1 Carer</td>
</tr>
<tr>
<td>2</td>
<td>2 No</td>
<td></td>
<td></td>
<td>2 Centerlink Benefits</td>
</tr>
<tr>
<td>3</td>
<td></td>
<td></td>
<td></td>
<td>3 Contract Finished</td>
</tr>
<tr>
<td>4</td>
<td></td>
<td></td>
<td></td>
<td>4 Disability</td>
</tr>
<tr>
<td>5</td>
<td></td>
<td></td>
<td></td>
<td>5 In Prison</td>
</tr>
<tr>
<td>6</td>
<td></td>
<td></td>
<td></td>
<td>6 Parenting &amp; Childcare</td>
</tr>
<tr>
<td>7</td>
<td></td>
<td></td>
<td></td>
<td>7 Retired</td>
</tr>
</tbody>
</table>

**6.1 Current Employment**
- **6.1.1 Currently Employed**
  - 1 Yes
  - 2 No
  - If No, → Sec 6.4
- **6.1.2 Field of Work**
  - List number of field shown in table above
- **6.1.3 How long have you worked in current position?**
  - Y = Years
  - M = Months
  - (State e.g. 1Y 4M)
- **6.1.4 Type of position**
  - 1 Full Time
  - 2 Part Time
  - 3 Casual
  - 4 Shift work
  - 5 CDEP

**6.2 How long have you been on CDEP altogether?**
- Y = Years
- M = Months
- (State e.g. 1Y 4M)

**6.3 How long have you worked altogether in your life?**
- Y = Years
- M = Months
- (State e.g. 1Y 4M)

**6.4 Not Employed. Are you looking for work?**
- **6.4.1 YES**
  - How long have you been looking for work?
    - Y = Years
    - M = Months
    - W = Weeks
    - (State e.g. 1Y 4M)
- **6.4.2 NO, Why?**
  - 1 Carer
  - 2 Centerlink Benefits
  - 3 Contract Finished
  - 4 Disability
  - 5 In Prison
  - 6 Parenting & Childcare
  - 7 Retired
  - 8 Studying
  - 9 Other (State)
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</tr>
</tbody>
</table>
### HOUSEHOLD SURVEY QUESTIONNAIRE

**PART 7 – INCOME**

#### 7.1 Primary Income earner – Direct question to Person 1

<table>
<thead>
<tr>
<th>7.1.1</th>
<th>7.1.2</th>
<th>7.1.3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Who is the primary (<em>main</em>) income earner in this household?</td>
<td>How much income is earnt per week?</td>
<td>How many people are supported by the primary income earner?</td>
</tr>
<tr>
<td>Person No_______</td>
<td>___________</td>
<td>_________</td>
</tr>
</tbody>
</table>
7.2 Income earnt in the household

<table>
<thead>
<tr>
<th>PERSON NO</th>
<th>7.2.1 How much income earnt each pay? (State in $)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>PERSON NO</th>
<th>7.2.2 Pay period</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Monthly</td>
</tr>
<tr>
<td>2</td>
<td>Weekly</td>
</tr>
<tr>
<td>3</td>
<td>Daily</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>PERSON NO</th>
<th>7.2.3 Source of Income - How do you earn your income? (One or more options is possible)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wages or Salary</td>
<td></td>
</tr>
<tr>
<td>1 Government</td>
<td>2 Non-Government</td>
</tr>
<tr>
<td>3 Indigenous Agency or Organisation</td>
<td>4 Private Sector</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>PERSON NO</th>
<th>7.2.3 Source of Income - How do you earn your income? (One or more options is possible)</th>
</tr>
</thead>
<tbody>
<tr>
<td>CDEP</td>
<td></td>
</tr>
<tr>
<td>1 CDEP Only</td>
<td></td>
</tr>
<tr>
<td>2 CDEP plus Top Up</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>PERSON NO</th>
<th>7.2.3 Source of Income - How do you earn your income? (One or more options is possible)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cultural Activities</td>
<td></td>
</tr>
<tr>
<td>1 Art</td>
<td>2 Dance</td>
</tr>
<tr>
<td>3 Music</td>
<td>4 Culture tours</td>
</tr>
<tr>
<td>5 Culture Awareness Training</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>PERSON NO</th>
<th>7.2.3 Source of Income - How do you earn your income? (One or more options is possible)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Children Support and Maintenance</td>
<td></td>
</tr>
<tr>
<td>1 YES</td>
<td>2 NO</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>PERSON NO</th>
<th>7.2.3 Source of Income - How do you earn your income? (One or more options is possible)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non-Employment Income</td>
<td></td>
</tr>
<tr>
<td>1 Carer Payment</td>
<td></td>
</tr>
<tr>
<td>2 Centrelink Payments</td>
<td></td>
</tr>
<tr>
<td>3 Newstart Allowance</td>
<td></td>
</tr>
<tr>
<td>4 Pension,</td>
<td></td>
</tr>
<tr>
<td>5 Royalties</td>
<td></td>
</tr>
<tr>
<td>6 Study Allowance</td>
<td></td>
</tr>
<tr>
<td>7 Superannuation</td>
<td></td>
</tr>
<tr>
<td>8 Sickness Allowance</td>
<td></td>
</tr>
<tr>
<td>9 Worker’s Compensation</td>
<td></td>
</tr>
<tr>
<td>10 None</td>
<td></td>
</tr>
<tr>
<td>11 Other (state)</td>
<td></td>
</tr>
<tr>
<td>Column 7</td>
<td>Column 8</td>
</tr>
<tr>
<td>---------</td>
<td>----------</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>
# 7.3 Financial Management

- *Direct question to Person 1*

<table>
<thead>
<tr>
<th>7.3.1 Do you, or any members of this household save money regularly? (Eg. from each pay)</th>
<th>1 Yes</th>
<th>2 No</th>
<th>3 Don’t Know</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>7.3.2 Do you, or any members of this household who earn income run out of money before the next pay period so they are unable to pay for food, clothes or bills?</th>
<th>1 Yes</th>
<th>2 No</th>
<th>3 Don’t Know</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>7.3.3 In the last 2 weeks were there any days when you, or any members of this household ran out of money for food, clothing or to pay bills?</th>
<th>1 Yes</th>
<th>2 No</th>
<th>3 Don’t Know</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>7.3.4 In the last 12 months were there any days when you, or any members of this household ran out of money for food, clothing or to pay bills?</th>
<th>1 Yes</th>
<th>2 No</th>
<th>3 Don’t Know</th>
</tr>
</thead>
</table>
### HOUSEHOLD SURVEY QUESTIONNAIRE

#### 7.3.5 In the last 12 months did you, or any members of this household do any of these things to get money for food, clothing or bills?

(More than one response is possible)

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Used short term loan (e.g. personal loan)</td>
</tr>
<tr>
<td>2</td>
<td>Pawn or sold something to get money</td>
</tr>
<tr>
<td>3</td>
<td>Didn’t have meals</td>
</tr>
<tr>
<td>4</td>
<td>Asked for help from welfare, charity or community organisations</td>
</tr>
<tr>
<td>5</td>
<td>Asked for money from friends and/or family</td>
</tr>
<tr>
<td>6</td>
<td>Book up at the local store</td>
</tr>
<tr>
<td>7</td>
<td>Give somebody else access to your keycard</td>
</tr>
<tr>
<td>8</td>
<td>None of these</td>
</tr>
<tr>
<td>9</td>
<td>Don’t know</td>
</tr>
<tr>
<td>10</td>
<td>Other (State)</td>
</tr>
</tbody>
</table>
### PART 8 – HEALTH AND WELL-BEING

#### 8.1 General State of Health

<table>
<thead>
<tr>
<th>PERSON NO</th>
<th>8.1.1 Would you say your health is...?</th>
<th>8.1.2 Do you have any disabilities?</th>
<th>8.1.3 Have you ever suffered during your life...?</th>
<th>8.1.4 Do you have any chronic illnesses such as...?</th>
<th>8.1.5 Have you stayed overnight in hospital because of your chronic illness?</th>
<th>8.1.6 Private Medical Insurance</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1 Very good</td>
<td>1 Hearing</td>
<td>1 Scabies</td>
<td>1 Diabetes</td>
<td>1 Yes</td>
<td>1 Yes</td>
</tr>
<tr>
<td>2</td>
<td>2 Good</td>
<td>2 Visual</td>
<td>2 Rheumatic Fever</td>
<td>2 Kidney Disease</td>
<td>2 No</td>
<td>2 No</td>
</tr>
<tr>
<td>3</td>
<td>3 Fair</td>
<td>3 Speech</td>
<td>3 Mosquito-borne diseases</td>
<td>3 Cardio-Vascular Disease (heart, strokes, blood disease)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>4 Poor</td>
<td>4 Physical</td>
<td>4 Stroke</td>
<td>4 Hypertension (high blood pressure)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>5 Mental Illness</td>
<td>5 Asthma and Respiratory diseases</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(more than 1 response is possible)</td>
<td>6 Chronic Mental illness</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>(more than 1 response is possible)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Rate extent of illness in brackets**
e.g. Mild Diabetes1(2)
(1) Severe
(2) Mild
(3) Slightly
<table>
<thead>
<tr>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
<th>8</th>
<th>9</th>
<th>10</th>
<th>11</th>
<th>12</th>
<th>13</th>
<th>14</th>
<th>15</th>
<th>16</th>
<th>17</th>
<th>18</th>
<th>19</th>
<th>20</th>
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</thead>
<tbody>
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<td></td>
</tr>
</tbody>
</table>
### 8.2 Dialysis Treatment - Direct question to Person 1

<table>
<thead>
<tr>
<th>Question</th>
<th>1 (State)</th>
<th>2 (Don't Know)</th>
</tr>
</thead>
<tbody>
<tr>
<td>8.2.1 Are any members of this household are on dialysis?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8.2.2 How many members of this household are on dialysis?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8.2.3 How long have they been on dialysis?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8.2.4 Where do they have dialysis?</td>
<td>1 At home</td>
<td>2 Community Clinic</td>
</tr>
<tr>
<td></td>
<td>3 Renal Unit – Broome</td>
<td>4 Renal Unit – Perth</td>
</tr>
<tr>
<td></td>
<td>5 Other (State)</td>
<td></td>
</tr>
</tbody>
</table>
## HOUSEHOLD SURVEY QUESTIONNAIRE

### 8.3 – Food Basket

**Food List (available in the Community Store or Supermarket)**

<table>
<thead>
<tr>
<th>Bread and Cereals</th>
<th>Meat and alternatives</th>
<th>Dairy</th>
<th>Fruit</th>
<th>Vegetables</th>
<th>Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Flour</td>
<td>Fresh meat</td>
<td>21</td>
<td>29</td>
<td>37</td>
<td>50</td>
</tr>
<tr>
<td>2 Bread</td>
<td>Fresh chicken</td>
<td>22</td>
<td>30</td>
<td>38</td>
<td>51</td>
</tr>
<tr>
<td>3 Cereal e.g. Weetbix</td>
<td>Fresh fish</td>
<td>23</td>
<td>31</td>
<td>39</td>
<td>52</td>
</tr>
<tr>
<td>4 Rolled Oats</td>
<td>Frozen meat</td>
<td>24</td>
<td>32</td>
<td>40</td>
<td>53</td>
</tr>
<tr>
<td>5 Rice</td>
<td>Frozen chicken</td>
<td>25</td>
<td>33</td>
<td>41</td>
<td>54</td>
</tr>
<tr>
<td>6. Pasta</td>
<td>Frozen fish</td>
<td>26</td>
<td>34</td>
<td>42</td>
<td>55</td>
</tr>
<tr>
<td>7 Canned spaghetti</td>
<td>Canned corn beef</td>
<td>27</td>
<td>35</td>
<td>43</td>
<td>56</td>
</tr>
<tr>
<td>8 2 minute noodles</td>
<td>Canned meat and vegetables</td>
<td>28</td>
<td>36</td>
<td>44</td>
<td>57</td>
</tr>
<tr>
<td></td>
<td>Canned fish</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Bread and Cereals</td>
<td>Meat and alternatives</td>
<td>Dairy</td>
<td>Fruit</td>
<td>Vegetables</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### APPENDIX 9

Indigenous Household Survey Questionnaire  Page 33 of 43

<table>
<thead>
<tr>
<th>No.</th>
<th>Item</th>
</tr>
</thead>
<tbody>
<tr>
<td>18</td>
<td>Sliced meat</td>
</tr>
<tr>
<td>19</td>
<td>Sausages</td>
</tr>
<tr>
<td>20</td>
<td>Eggs</td>
</tr>
<tr>
<td>47</td>
<td>Canned beans</td>
</tr>
<tr>
<td>48</td>
<td>Baked beans</td>
</tr>
<tr>
<td>49</td>
<td>Other canned vegetables</td>
</tr>
</tbody>
</table>

| 8.3.1 What food do you buy from the community store? How often do you by buy it? |
|---|---|---|---|
| **PERSON NO** | **Always** (List numbers of food shown in table above) | **Sometimes** (List numbers of food shown in table above) | **Occasionally** (List numbers of food shown in table above) | **Never** (List numbers of food shown in table above) |
| 1  |               |               |               |               |
| 2  |               |               |               |               |
| 3  |               |               |               |               |
| 4  |               |               |               |               |
| 5  |               |               |               |               |
| 6  |               |               |               |               |
| 7  |               |               |               |               |

8.3.2 How often do you buy and eat "Take Away Food?"

1. Every day
2. More than 3 times a week
3. Once a week
4. Never
### 8.4 – Substance Abuse (Alcohol, Ganja and Drugs)

<table>
<thead>
<tr>
<th>PERSON NO</th>
<th>8.4.1</th>
<th>Do you or any member of your family often drink alcohol?</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1</td>
<td>Drunk all the time.</td>
</tr>
<tr>
<td>2</td>
<td>2</td>
<td>Drunk sometimes.</td>
</tr>
<tr>
<td>3</td>
<td>3</td>
<td>More than 4 alcoholic drinks per day.</td>
</tr>
<tr>
<td>4</td>
<td>4</td>
<td>Less than 10 drinks or per week.</td>
</tr>
<tr>
<td>5</td>
<td>5</td>
<td>Never</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>8.4.2</th>
<th>Do you or any member of your family often take drugs?</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Stoned all the time.</td>
</tr>
<tr>
<td>2</td>
<td>Stoned sometimes.</td>
</tr>
<tr>
<td>3</td>
<td>Every day but not stoned.</td>
</tr>
<tr>
<td>4</td>
<td>Less than 3 times a week but not stoned.</td>
</tr>
<tr>
<td>5</td>
<td>Never</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>8.4.3</th>
<th>Have you or any member of your family been injured, hospitalized or prosecuted because of alcohol or drug abuse?</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Yes</td>
</tr>
<tr>
<td>2</td>
<td>No</td>
</tr>
<tr>
<td>3</td>
<td>Don't Know</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>8.4.4</th>
<th>How many times have you or any member of your family been hospitalized because of alcohol and drug abuse?</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>More than 2 times (State Number)</td>
</tr>
<tr>
<td>2</td>
<td>1 to 2 times</td>
</tr>
<tr>
<td>3</td>
<td>Never</td>
</tr>
<tr>
<td>4</td>
<td>Don't know</td>
</tr>
</tbody>
</table>
### HOUSEHOLD SURVEY QUESTIONNAIRE

**PART 9 – SOCIAL WELL-BEING (SOCIAL TRAUMA AND PROBLEMS)** - Direct question to Person 1

<table>
<thead>
<tr>
<th>Question</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
</tr>
</thead>
<tbody>
<tr>
<td>9.1 Has any member in this household been affected by the suicide death of a family member?</td>
<td>Yes</td>
<td>No</td>
<td>Don't know</td>
<td>Don't want to say</td>
</tr>
<tr>
<td>9.2 Has any member in this household lose a member of their family due to premature (early) death?</td>
<td>Yes</td>
<td>No</td>
<td>Don't know</td>
<td>Don't want to say</td>
</tr>
<tr>
<td>9.2.1 What was the cause of early death?</td>
<td>In infancy</td>
<td>Sudden illness</td>
<td>Chronic illness</td>
<td>Violence</td>
</tr>
<tr>
<td></td>
<td>Road Accident</td>
<td>Drug and alcohol abuse</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Don't know</td>
<td>Don't want to say</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Other (state)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9.3 Have you or any member of your family experienced domestic violence or abuse?</td>
<td>Yes</td>
<td>No</td>
<td>Don't know</td>
<td>Don't want to say</td>
</tr>
<tr>
<td>9.4 Do you or any of your family spend a lot of time gambling (eg. playing cards)?</td>
<td>Yes</td>
<td>No</td>
<td>Don't know</td>
<td>Don't want to say</td>
</tr>
<tr>
<td>9.5 Have you or any member of your family been, or are still incarcerated (in jail)?</td>
<td>Yes</td>
<td>No</td>
<td>Don't know</td>
<td>Don't want to say</td>
</tr>
<tr>
<td>9.5.1 What is the reason for this incarceration?</td>
<td>Homicide</td>
<td>Assault</td>
<td>Drugs</td>
<td>Driving offences</td>
</tr>
<tr>
<td></td>
<td>Alcohol related offences</td>
<td>Theft</td>
<td>Domestic violence</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Damage to property</td>
<td>Don't know</td>
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<tr>
<td></td>
<td>Don't want to say</td>
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## HOUSEHOLD SURVEY QUESTIONNAIRE

### PART 10 – CULTURAL ACTIVITIES

<table>
<thead>
<tr>
<th>PERSON NO</th>
<th>10.1 Do you speak an Aboriginal Language?</th>
<th>10.2 How much time do you spend on preservation and connection to country (including attending organized meetings about country and site clearance)?</th>
<th>10.3 How important a part do traditional obligations play in family life?</th>
<th>10.4 Apart from your membership in the Goolarabooloo Jabirr Jabirr Native Title Group do you and your family have other interests in land?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Yes</td>
<td>Goolarabooloo Jabirr Jabirr Other (State)</td>
<td>1 Most important part of life</td>
<td>1 Affiliation with other Native Title Groups</td>
</tr>
<tr>
<td>1</td>
<td>2 Some words only</td>
<td></td>
<td>2 Important</td>
<td>2 Leases</td>
</tr>
<tr>
<td>2</td>
<td>3 No</td>
<td></td>
<td>3 Not so important</td>
<td>3 Freehold land</td>
</tr>
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<td>3</td>
<td></td>
<td></td>
<td>4 Don’t know</td>
<td>4 Other (State)</td>
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<td>4</td>
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<td>5 Don’t want to say</td>
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### HOUSEHOLD SURVEY QUESTIONNAIRE

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#### 10.5 Bush food, bush materials and bush medicine - Direct question to Person 1

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<tr>
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<tbody>
<tr>
<td><strong>10.5.1</strong> How much of the household’s food comes from hunting, fishing and collecting bush food?</td>
<td>1</td>
<td>All (100%)</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>3</td>
<td>Half (50%)</td>
<td>4</td>
</tr>
<tr>
<td></td>
<td>5</td>
<td>Seldom (less than 25%)</td>
<td>6</td>
</tr>
<tr>
<td>PERSON NO</td>
<td>10.5.2 How often do you eat “Bush Food?”</td>
<td>10.5.3 How often do you and members of your family go hunting, fishing, and collecting bush food, bush materials and bush medicine?</td>
<td>10.5.4 What species of bush animals, fish and plants do you and your family depend on food?</td>
</tr>
<tr>
<td>-----------</td>
<td>----------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------</td>
<td>----------------------------------------------------------------------------------</td>
</tr>
<tr>
<td></td>
<td>1 Every day</td>
<td>1 __times per week (State) 2 __times per month (State) 3 Only on weekends 4 Never</td>
<td>(State e.g. kangaroo, turtle)</td>
</tr>
<tr>
<td>1</td>
<td></td>
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## PART 11 – GENERAL PERSONAL WELL-BEING, SATISFACTION WITH LIFE

On a scale of 1 to 5, how would you rate your general well-being and level of satisfaction with life?

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<th>Rating</th>
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<table>
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<th>PERSON NO</th>
<th>Rating</th>
<th>Any Comments?</th>
<th>PERSON NO</th>
<th>Rating</th>
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<td></td>
<td></td>
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</tr>
</tbody>
</table>
Thank-you for your cooperation with this household survey!
Indigenous People's Customary Use of Wild Resources in the Broome/Dampier Peninsula Region

A Desktop Study for the Kimberley Land Council Aboriginal Social Impact Assessment

Final Report

Prepared by

Mr Geoff Buchanan
Centre for Aboriginal Economic Policy Research
College of Arts and Social Sciences
The Australian National University

For the Kimberley Land Council

December 2009

The Australian National University
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<td>3</td>
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<td>6</td>
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<td>7</td>
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<tr>
<td>2.1.3 National Aboriginal and Torres Strait Islander Survey (hunting, fishing and gathering)</td>
<td>9</td>
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<tr>
<td>2.1.4 Marine resource use among the Bardi people of One Arm Point</td>
<td>10</td>
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<td>2.1.5 Indigenous Fishing Survey of Northern Australia</td>
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<tr>
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<td>2.2.1 Customary use of terrestrial plants</td>
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<tr>
<td>2.2.2 Customary use of terrestrial animals</td>
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<td>2.2.3 Other literature of note</td>
<td>16</td>
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<tr>
<td>3. Key information gaps and recommendations</td>
<td>17</td>
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<tr>
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<td>Summary of identified sources on wild resource use in the Broome/Dampier Peninsula region, animals and plants</td>
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<td>Table 2.2</td>
<td>Participation in harvesting by Indigenous people aged 15 and over, 1994 NATSIS</td>
<td>9</td>
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<td>Table A1</td>
<td>Broome/Dampier Peninsula communities surveyed by the Indigenous Fishing Survey of Northern Australia (IFSNA)</td>
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<td>Weights and values for species recorded in the IFSNA</td>
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<td>Table B1</td>
<td>Catch recorded by Rouja over a total of 131 days, One Arm Point, 1995 &amp; 1996</td>
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ACKNOWLEDGMENTS

Phil Sahlqvist from the Fisheries and Marine Sciences Program in the Bureau of Rural Sciences provided initial assistance and advice regarding access to unpublished data from the Indigenous Fishing Survey of Northern Australia (IFSNA).

Dennis Reid, Research Scientist at the Cronulla Fisheries Centre within the NSW Department of Industry and Investment had worked as a biometrician on the IFSNA and provided much appreciated expert advice on the use of unofficial data from that survey that was used in the preliminary analysis mentioned in this report. Dennis also kindly provided some hard-to-find background reports to the IFSNA.

Nicholas Biddle, Research Fellow and colleague at the Centre for Aboriginal Economic Policy Research provided advice at short notice on the derivation of estimates using IFSNA data.

Any errors are the responsibility of the author.

Kim Doohan, Katie Glaskin and Catherine Wohlan all provided much appreciated advice on potential sources of data based on their extensive experience in the Kimberley region.
# ACRONYMS

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
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<tbody>
<tr>
<td>ABS</td>
<td>Australian Bureau of Statistics</td>
</tr>
<tr>
<td>AFMA</td>
<td>Australian Fisheries Management Authority</td>
</tr>
<tr>
<td>ANU</td>
<td>Australian National University</td>
</tr>
<tr>
<td>ASIA</td>
<td>Aboriginal Social Impact Assessment</td>
</tr>
<tr>
<td>ATSIC</td>
<td>Aboriginal and Torres Strait Islander Commission</td>
</tr>
<tr>
<td>CAEPR</td>
<td>Centre for Aboriginal Economic Policy Research</td>
</tr>
<tr>
<td>CALM</td>
<td>WA Department of Conservation and Land Management</td>
</tr>
<tr>
<td>DAFF</td>
<td>Commonwealth Department of Agriculture, Fisheries and Forestry</td>
</tr>
<tr>
<td>FSANZ</td>
<td>Food Standards Australia and New Zealand</td>
</tr>
<tr>
<td>IFSNA</td>
<td>Indigenous Fishing Survey of Northern Australia</td>
</tr>
<tr>
<td>KLC</td>
<td>Kimberley Land Council</td>
</tr>
<tr>
<td>LNG</td>
<td>Liquefied Natural Gas</td>
</tr>
<tr>
<td>NATSIS</td>
<td>National Aboriginal and Torres Strait Islander Survey</td>
</tr>
<tr>
<td>NATSISS</td>
<td>National Aboriginal and Torres Strait Islander Social Survey</td>
</tr>
<tr>
<td>NTDBIRD</td>
<td>Northern Territory Department of Business, Industry and Resource Development</td>
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EXECUTIVE SUMMARY

BACKGROUND

The Kimberley Land Council (KLC) Aboriginal Social Impact Assessment (ASIA) is conducting a baseline study in view of the proposed liquefied natural gas (LNG) processing precinct at James Price Point. This report, commissioned by the KLC, provides the ASIA with an overview and assessment of sources identified as being of potential use in establishing a baseline of Indigenous people's customary use of wild resources in the Broome/Dampier Peninsula region. This report is the result of a 10-day desktop study undertaken at the Centre for Aboriginal Economic Policy Research (CAEPR) at the Australian National University (ANU). It is also informed by previous extensive research undertaken on this topic and in this region over the past four years.

INFORMATION GAPS

Three key information gaps have been identified by this desktop study that impede the establishment of an effective baseline of current customary use of wild resources. During the desktop study:

- no quantitative data was identified on the customary use of plants;
- no quantitative data was identified on the customary use of terrestrial animals;
- no systematically collected and/or readily comparable quantitative data was identified on the customary use of any type of wild resources (other than marine turtles) in the region.

The few sources containing quantitative data with the potential to inform a baseline that were identified by this desktop study were all focused upon customary use of marine (or aquatic) resources. Of these, only one source was identified as holding the potential in itself to establish a baseline.

PRELIMINARY ANALYSIS

The Indigenous Fishing Survey of Northern Australia (IFSNA) was undertaken in 2000-2001. The survey included households from a significant number of communities in the Broome/Dampier Peninsula region, including La Grange/Bidyadanga, Mallingbar, Morgans Camp, Beagle Bay, and One Arm Point. Published data from the IFSNA is not provided at the scale needed to establish a regional baseline of customary use of marine resources. Access to official IFSNA data was not possible as part of the desktop study due to the time required to have a formal request approved by the Commonwealth Department of Agriculture, Fisheries and Forestry. Some access was provided to unofficial unpublished IFSNA data which allowed for a preliminary and exploratory analysis to be conducted as part of this desktop study. The results of this analysis strongly suggest that detailed analysis of the official community-level data is warranted so as to establish a baseline for the region as at 2000-2001. This analysis suggests that the nutritional and economic contribution from customary use of marine resources across the five surveyed coastal communities in the region for 2000-2001 was substantial. Due to the unofficial nature of the data used the estimates derived from the preliminary analysis are not published in this public report.

On the basis of the overview and assessment of the identified sources and upon the results of this preliminary exploratory analysis two key recommendations are made as to how best to proceed should the ASIA wish to establish a baseline of customary use of wild resources for the region.
RECOMMENDATIONS

Two key recommendations follow from the overview and assessment of identified sources of baseline data. These are:

Option 1. Undertake a detailed analysis of the official unpublished IFSNA data from the region

In the short-term and in view of significant constraints on time and resources it is recommended that access to the official IFSNA data be sought from the Commonwealth Department of Agriculture, Fisheries and Forestry for detailed analysis at a regional scale. This would allow the establishment of a regional baseline of customary marine resource use as at 2000-2001. While almost a decade old, this is the most reliable and comprehensive dataset available based on the search of the literature and data to date. Estimates based on this data would, at the very least, be indicative of contemporary customary use and of the nutritional and/or economic contribution to Indigenous households in the region.

Option 2. Undertake a comprehensive regional harvest study

This option presents a much more time and resource intensive solution that is unlikely to fit within the constraints faced by the ASIA. A comprehensive regional harvest study would be the most effective way to produce a baseline that reliably reflects current customary use. Literature reviewed from Canada indicates how such a study might be undertaken and also how it might usefully be incorporated into a socio-economic baseline produced by the ASIA (see, for example, Priest & Usher 2004). The IFSNA documentation also provides useful guidance as to how a survey of customary use of wild resources might be effectively and efficiently designed and implemented (see Coleman 1999; Coleman et al. 2003).

CONCLUSION

The two key options presented here are not mutually exclusive. It would be ideal to undertake both so as to produce comparable estimates that span a decade. However, in view of time and resource constraints, the detailed analysis of the IFSNA would be most likely to produce the highest quality estimates possible in the shortest amount of time. However, time and resource constraints may even prohibit this option.

The preliminary analysis of unofficial IFSNA data strongly suggests that estimates of dietary and/or economic contributions using the official IFSNA data are likely to be significant across the Broome/Dampier Peninsula region. This presents a strong case for this contribution to be incorporated into any socioeconomic baseline so that it is adequately acknowledged in any assessment of potential impacts of the proposed LNG processing precinct development at James Price Point.
1. BACKGROUND AND METHODOLOGY

This report has been prepared as part of the Kimberley Land Council’s (KLC’s) Aboriginal Social Impact Assessment (ASIA) for the proposed liquefied natural gas (LNG) processing precinct at James Price Point on the Dampier Peninsula, West Kimberley, Western Australia. It provides the results of a review and assessment of existing data on Indigenous people’s customary use of wild resources in the Broome/Dampier Peninsula region in view of efforts to produce comprehensive baseline socioeconomic data for the region.

The report was commissioned by the KLC based on the following requirements:

- to undertake a desktop study on the customary use of wild resources from land and sea by Indigenous people in the Broome/Dampier Peninsula region;
- to contribute to the baseline socioeconomic data for the ASIA by providing a preliminary estimate of Indigenous people’s participation in and/or the dietary contribution of their customary use of wild resources in the region;
- to identify key information gaps and provide recommendations for addressing these in the future.

This research has been undertaken at the Centre for Aboriginal Economic Policy Research (CAEPR) at the Australian National University (ANU) in Canberra over a period of 10 working days. It draws significantly on the author’s existing knowledge and existing collection of information relating to Indigenous people’s customary use of wild resources in the region. This existing knowledge and information has been developed primarily through research conducted collaboratively with Bardi Jawi Traditional Owners from 2006-2009 as part of the North Australian Indigenous Land and Sea Management Alliance (NAILSMA) Dugong and Marine Turtle Project (see Buchanan et al. 2009). Further information has been collected as part of this study through a short, but extensive search of data bases, libraries and literature.

Due to the desktop nature and the short duration of the research, significant information may have been missed and estimates of customary use of wild resources derived from existing data come with significant qualifications (see, in particular, Appendix A). As a result, the analytical aspect of this study has been essentially preliminary and exploratory. The information provided, the gaps identified, and the recommendations presented for addressing these gaps are aimed at assisting the KLC ASIA and any other relevant decision making bodies to determine if any further work in this area is warranted and, if so, where such efforts might best be directed. This desktop study does not attempt to assess or predict potential impacts on customary use by the proposed LNG processing precinct at James Price Point. This study also does not attempt to capture the social and cultural significance of the customary harvest, distribution and consumption of wild resources, or their importance in terms of the maintenance and transmission of spiritual and ecological knowledge.

1.1 METHODOLOGY

This desktop study has involved a review of the literature and datasets that could usefully contribute to the establishment of a baseline of Indigenous people’s customary use of wild resources in the Broome/Dampier Peninsula region. It has primarily involved a search of libraries (largely online but also physical libraries in a few instances) and online databases or catalogues (mostly on government department websites). Key researchers, government agency staff, and
other people with knowledge of the topic and/or region have been contacted to seek information or assistance with access to and/or the interpretation of data.

The study has sought not only to identify sources of data, but also to assess their usefulness (including their accuracy and reliability) in terms establishing a baseline. This has required a review not only of the data but of the methods used to produce that data. Part of this assessment has involved a preliminary and exploratory analysis of one particular dataset which has been identified as having the greatest potential to assist in establishing a baseline (see Appendix A). Where data have been analysed the specific methods along with any assumptions, limitations and caveats are also outlined. In itself, this desktop study does not seek to establish a baseline. It merely provides guidance as to how such a baseline may be established based on the existing data and the filling of key information gaps. It aims to do this by providing a rapid assessment of key data sources and by identifying options for their further utilisation.

1.2 NOTE ON TERMINOLOGY

Throughout this report the term **customary use** is used to refer to the non-commercial consumptive use of wild resources by Traditional Owners of country. **Wild resources** refers to any undomesticated terrestrial and aquatic (freshwater and marine) animals and plants whether or not they are indigenous to the area or have been introduced since European settlement. The terms **catch** and **harvest** are often used and are generally interchangeable with each other and with 'customary use'.
2. REVIEW OF LITERATURE AND DATA

Outside of the Torres Strait turtle and dugong fishery there is little evidence of any systematic assessment of Indigenous people’s customary use of wild resources in any part of mainland Australia. The available data for a particular community or region tends to be found in one or more discrete sources. Where there are multiple sources these are often based on research conducted at various points in time by different people or groups sometimes coming from different disciplines who are often using different methods and taking a different geographical and/or biological focus. This can make the task of establishing a baseline of Indigenous people’s customary use of wild resources challenging if not impossible based on the existing disjointed data.

To an extent, this has been the case with this desktop study. However, when compared to many other parts of mainland Australia, the Broome/Dampier Peninsula region—or at least parts of it—has a relatively rich collection of data sources that can be drawn on from research conducted over the past 30 years. There are three significant features of the data collated through this desktop review of literature and data for this region:

- quantitative data on Indigenous people’s harvest and/or consumption of wild resources is almost exclusively focused on the use of marine resources (namely, fish, dugong and marine turtles)
- qualitative data on customary use and knowledge of wild resources is most detailed in relation to terrestrial plants
- data on customary use of terrestrial fauna is almost non-existent.

Establishing a baseline of the customary use of wild resources for a particular area requires access to a significant amount of detailed quantitative data that can be used to estimate current rates of effort, harvest and/or consumption of a range of species across the entire region. Ideally this baseline should reflect current use as well as indicating differences (or trends) in these rates across space and time.

This section provides a summary of the relevant information from key sources identified through the desktop review of literature and data. It also provides an assessment as to their usefulness in terms of establishing a baseline of Indigenous people’s customary use of wild resources in the Broome/Dampier Peninsular region. Table 2.1 provides a summary of the key data sources identified which are discussed in more detail below. As per the three observations above, the primary focus is placed on the most detailed quantitative data identified by this study—that is, data on the customary use of marine resources.
### Table 2.1 Summary of identified sources on wild resource use in the Broome/Dampier Peninsula region, animals and plants

<table>
<thead>
<tr>
<th>Source</th>
<th>Location</th>
<th>Wild Resource</th>
<th>Data type</th>
<th>Description</th>
</tr>
</thead>
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<tr>
<td>Capelle (1979), unpublished manuscript cited in Kowarsky (1995)</td>
<td>Port Hedland to Wyndham, WA (includes One Arm Point)</td>
<td>Marine turtles</td>
<td>Quantitative</td>
<td>Provides an estimate of annual marine turtle harvest by Aboriginal communities from Port Hedland to Wyndham. In relation to the Broome/Dampier Peninsula region, it reports an estimated annual catch at One Arm Point of 48 though the method used to determine this is not discussed.</td>
</tr>
<tr>
<td>Prince (1986)</td>
<td>Broome/Dampier Peninsula area</td>
<td>Dugong</td>
<td>Quantitative</td>
<td>Presents estimates of annual dugong harvest by Aboriginal people in Bidyadanga, Broome, Beagle Bay, Lombadina and One Arm Point—totaling 50-80 per year across the region as at 1983/1984.</td>
</tr>
<tr>
<td>ABS (1996a&amp;b); Smith &amp; Roach (1996); Coleman (1999)</td>
<td>Broome ATSIC Region; Derby ATSIC Region</td>
<td>General (hunting, fishing &amp; gathering of bush food)</td>
<td>Quantitative</td>
<td>Provides estimates of participation in hunting, fishing and gathering of bush foods in the region as well as an indication of time spent undertaking these activities per week. The participation rates reported for the Broome and Derby ATSIC regions were 36% and 5% respectively with significant stratification in terms of time allocated.</td>
</tr>
<tr>
<td>Rouja (1998)</td>
<td>One Arm Point</td>
<td>Fish; marine turtles; dugong; other marine resources</td>
<td>Quantitative &amp; Qualitative</td>
<td>This Doctoral thesis on patterns of marine resource use among the Bardi people of One Arm Point provides a 131 day record of catch by a small group of Bardi men from one family group. The thesis also contains significant details regarding Bardi marine resource use and knowledge.</td>
</tr>
<tr>
<td>Coleman et al. (2003)</td>
<td>Broome/Dampier Peninsula area (Bidyadanga, Broome, Beagle Bay, One Arm Point)</td>
<td>Fish; marine turtles, dugong; other marine resources</td>
<td>Quantitative</td>
<td>This is the final report of the Indigenous Fishing Survey of Northern Australia undertaken in 2000-2001. Coastal communities along the Broome/Dampier Peninsula region were well represented. Published reports do not contain data at this level. However, unpublished data may be accessed that would be capable of supporting finer-scale analysis of results from this region.</td>
</tr>
<tr>
<td>Morris &amp; Lapwood (n.d., 2006)</td>
<td>Broome/Dampier Peninsular area (Broome, Beagle Bay, Djarindjin/Lombadina, One Arm Point)</td>
<td>Marine turtles</td>
<td>Quantitative</td>
<td>This presents the results of an assessment of the customary harvest of marine turtles by Aboriginal communities in the Dampier Peninsula by the WA Department of Conservation and Land Management in 2001-2002. It provides an estimate of catch within the region for that period of at least 195 marine turtles.</td>
</tr>
<tr>
<td>Source</td>
<td>Location</td>
<td>Wild Resource</td>
<td>Data type</td>
<td>Description</td>
</tr>
<tr>
<td>------------------------------</td>
<td>-----------------------------------------------</td>
<td>-------------------</td>
<td>--------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Buchanan et al. (2009)</td>
<td>Djarindjin, Lombadina, One Arm Point, nearby Bardi Jawi outstations</td>
<td>Marine turtles; dugong</td>
<td>Quantitative &amp; Qualitative</td>
<td>This report presents the findings from a community-based survey of Bardi Jawi dugong and marine turtle harvest from February 2007 to January 2008. It estimated the total harvest to have provided the communities with 11,840kg of edible meat with a replacement value of over $340,000 over the year.</td>
</tr>
<tr>
<td>Smith &amp; Kalotas (1985)</td>
<td>Bardi (Djarindjin, Lombadina, One Arm Point)</td>
<td>Plants</td>
<td>Qualitative</td>
<td>Provides an extensive annotated list of plants (Bardi, common and botanical names) and their uses by Bardi people. Includes information on distribution of useful species according to vegetation communities, the Bardi seasonal calendar, and patterns of wild resource use.</td>
</tr>
<tr>
<td>Paddy, Paddy &amp; Smith (1987)</td>
<td>Bardi (Djarindjin, Lombadina, One Arm Point)</td>
<td>Plants</td>
<td>Qualitative</td>
<td>Provides information on Bardi plants and their uses with text both in English and in Bardi. Includes illustrations of plants to aid identification and a list at the end containing Bardi names, botanical names, uses, parts used and information on their preparation for use.</td>
</tr>
<tr>
<td>Lands (1987)</td>
<td>Broome/Dampier Peninsula area</td>
<td>Plants (fruits)</td>
<td>Qualitative</td>
<td>Provides the names, uses and illustrations of 20 bush fruits used by four of the language groups from the region—Bardi, Nyulnyul, Nyangumarta, Karajarri, and Yawuru. Names are provided in each language as well as the botanical name and in some instances the common name.</td>
</tr>
<tr>
<td>Kenneally, Edinger &amp; Willing (1996)</td>
<td>Broome/Dampier Peninsula area</td>
<td>Plants</td>
<td>Qualitative</td>
<td>Provides an extensive list and description of native plants of the region. It includes information on the Bardi and Yawuru seasonal calendars as well as a list of 'Aboriginal Plant Usage'. Significant overlap with Smith &amp; Kalotas (1985), while not specific to Bardi.</td>
</tr>
</tbody>
</table>
2.1 SEa: Customary Use of Marine and Coastal Fauna

The desktop study identified seven key sources of quantitative data on the customary use of wild resources in the region published over a 30 year period from 1979 to 2009. A common feature of these sources is their focus on the customary use of marine resources—in particular, marine turtles, dugong and fish. Overall, the identified published sources do not in themselves contain sufficient data upon which to establish a baseline of current customary use. They are also of little value in terms of establishing a set of longitudinal data. Some data is too dated, too unreliable (or unverifiable), and/or too specific (to certain species and/or locations) to provide anything but an indication of past use or to provide useful case study material. Differences in scope and methodology generally make aggregation or comparison of data extremely challenging if not impossible.

The source that contains the greatest potential for use in establishing a baseline is the Indigenous Fishing Survey of Northern Australia (IFSNA) conducted in 2000-2001 (Coleman et al. 2003). Its advantages are:

- it covers a broad range of aquatic fauna including fish, shellfish, crustaceans, marine turtles and dugong
- surveys were conducted in five communities along the Broome/Dampier Peninsula coast and in a number of other inland communities in the West Kimberley/Fitzroy Valley area
- raw data collected from relevant communities may be accessed by permission from the appropriate government departments and analysed to produce more localised estimates
- it is based on a rigorous, transparent and repeatable survey methodology with seemingly high sampling rates in the region and covering a 12-month period
- there is potential to expand the survey sample data to produce estimates for the broader region.

Its key disadvantages or limitations are:

- it is now almost a decade old
- it does not quantify customary use of terrestrial animals and plants.

Ultimately, the IFSNA data could provide a baseline at 2000-2001. There is some potential to feed in insights from some previous and subsequent studies in the region (e.g. Rouja 1998; Morris & Lapwood n.d., 2006; Buchanan et al. 2009; see comparison of marine turtle estimates in Appendix A).

Below are summaries of the seven key sources identified that contained quantitative data on customary use of marine resources in the region. The key findings of each source are presented as well as an assessment of its potential in the construction of a baseline. These sources cover a 30 year period from 1979 to 2009 and the summaries are presented in chronological order below.
2.1.1 Estimating marine turtle harvest along the Kimberley coast

Year: c.1979


Usefulness as baseline data: Not useful

Location: Kimberley Coast, Port Hedland to Wyndham (including One Arm Point)

Wild resources: marine turtles

Method: Unknown.

Purpose: Kowarsky's (1995) paper seeks to provide an estimate of the national harvest of marine turtles by Aboriginal and Torres Strait Islander communities as part of a biological assessment of hunting pressure, including reference to socioeconomic influences on harvest levels. Capelle's estimates for the Kimberley coast, cited by Kowarsky, appear to have been part of a similar, regional assessment along the Kimberley coast.

Key findings: Kowarsky (1995) cites an unpublished manuscript by Mikael Capelle (1979) in which Capelle estimates the annual catch of marine turtles at One Arm Point as 48 (Kowarsky 1995: 309). Capelle produced estimates of customary harvest of marine turtles for the north-west coast of Western Australia from Port Hedland to Wyndham of 104 per year. One Arm Point had the highest estimated catch of all of the coastal communities and towns Capelle had surveyed in the region. Capelle also estimated that 'the total number of persons who might hunt [marine] turtles between Port Hedland and Wyndham would not exceed 600' (cited in Kowarsky 1995: 306). Kowarsky's (1995) paper—originally delivered at a conference in November 1979—uses Capelle's estimates to assist in the production of an estimate of the annual customary harvest of marine turtles in Australian waters. His national estimate (c.1979) is further informed by studies from other locations and by completed questionnaires he had distributed to selected people and communities across northern Australia. While some questionnaire respondents appear to have provided information on marine turtle harvest in the Broome/Dampier Peninsula region they are not discussed in Kowarsky's paper.

Usefulness: The age of this data and the lack of any details as to the method used to estimate harvest levels (and hence its reliability) makes it of little or no use. The original manuscript was not located during this study. It would be of some interest if exploring historical levels of harvest, including reasons for change and/or continuity over time. In the early 1990s, Prince noted that the contemporary validity of Capelle's estimate had yet to be 'fully assessed', but that 'recent observations I have made in the West Kimberley, along with information offered by hunters, suggest a much greater local harvest' (1994: 6).
2.1.2 Estimating dugong harvest in the Broome/Dampier Peninsula region

Year: 1983 and 1984

Source: Prince (1986)

Usefulness as baseline data: Not useful

Location: Broome/Dampier Peninsula region (including references to La Grange/Bidyadanga, Broome/Roebuck Bay, Beagle Bay, Lombadina, One Arm Point)

Wild resources: dugong

Method: Data gathered through observations, personal communications from hunters and researchers, and a Broome District Fisheries Officer’s report, all of which were collected while undertaking aerial survey work in the area in July-August 1984.

Purpose: The aims of the research were to: (i) make a pilot assessment of dugong distribution and abundance along the north coast of Western Australia from Port Hedland to the Northern Territory border; and (ii) provide an assessment of survey design requirements and costing of a program to establish current distribution and abundance of dugong in this area and the levels and possible impact of traditional hunting (Prince 1986: 3-4). Prince notes that part of the motivation for the research was due to '[g]rowing public concern regarding the potential impact of a considered increase in the take of dugong in the Broome area (Roebuck Bay) by Aboriginal people' that was 'brought to the attention of the Western Australian Department of Fisheries and Wildlife during 1983' (1986: 3).

Key findings: Prince (1986) provides estimates of the annual customary harvest of dugong in the Broome/Dampier Peninsula region relating to the years around 1983 and 1984. Prince estimates an annual catch in the region of 50-80 dugong. This regional estimate is based on an aggregation of various observations, reports and estimates for La Grange/Bidyadanga (4-5), Broome/Roebuck Bay (20-30), One Arm Point (6-11), Beagle Bay (believed to be ‘similar to those taken by the One Arm Point group’), and Lombadina (believed to be ‘similar to those taken by the One Arm Point group’). Prince also notes an estimate of the 1983 dugong catch of 25-35 in the Broome area as reported by Broome District Fisheries Officer, Mr. John Looby in a Report of 19 May 1983.

Usefulness: The age of this data and the fact that it was collected primarily on the basis of anecdote (rather than, for example, through a formal survey) means that it is highly speculative and of little value in terms of formal baseline data. It highlights that, particularly since the 1980s there has been concern amongst government scientists and Indigenous communities regarding impacts on dugong (and marine turtles). Sources reviewed through this desktop study suggest that few formal subsequent efforts were successful in recording the customary harvest of dugong (or marine turtles) apart from research undertaken in the region in 2001-2002 (Morris et Lapwood n.d.) and in 2007-2008 (Buchanan et al. 2009). However, further efforts could be made to attempt to locate any relevant records kept by key government agencies (particularly, WA Department of Environment and Conservation and WA Department of Fisheries).
2.1.3 National Aboriginal and Torres Strait Islander Survey (hunting, fishing and gathering of bush foods)

Year: 1994

Source: ABS (1996a & b); Coleman (1999); Smith & Roach (1996); see also Altman, Buchanan & Biddle (2006) re 2002 NATSISS; 2008 NATSISS data is expected to be released in 2010.

Usefulness as baseline data: Minimal (insights into participation and stratification within and between regions)

Location: Broome ATSIC Region & Derby ATSIC Region

Wild resources: general (hunting, fishing or gathering bush food)

Method: The 1994 National Aboriginal and Torres Strait Islander Survey (NATSIS) was administered as a social survey by the Australian Bureau of Statistics (ABS). NATSIS question 59 asked: ‘Do you do any work that you are not paid for?’ with ‘hunting, fishing or gathering bush food’ as one of six possible responses. Respondents were also asked how many hours a week they usually spent doing this ‘unpaid work’.

Purpose: This was one aspect among many of the 1994 NATSIS. It aimed to capture Indigenous people’s participation in unpaid/voluntary work, including hunting, fishing and gathering bush food.

Key findings: The estimated proportion of the Indigenous population aged 15 and over who participated in hunting, fishing and gathering was 36 per cent in the Broome ATSIC Region and 5 per cent in the Derby ATSIC Region (Coleman 1999). This compares with a national figure of 27 per cent (63% of whom were male; 37% female) and a rural figure of 59 per cent (Smith & Roach 1996). No breakdown of harvesting by sex is included in the published data. Coleman (1999) also shows that the number of hours spent hunting, fishing and gathering bush foods varied significantly among respondents, suggesting a stratification of harvesters in terms of effort (see Table 2.2).

Table 2.2. Participation in harvesting by Indigenous people aged 15 and over, 1994 NATSIS

<table>
<thead>
<tr>
<th>ATSIC Region</th>
<th>Proportion Harvesting (%)</th>
<th>&lt;6 hours/week</th>
<th>6-10 hours/week</th>
<th>11-24 hours/week</th>
<th>&gt;25 hours/week</th>
</tr>
</thead>
<tbody>
<tr>
<td>Broome</td>
<td>36%</td>
<td>32%</td>
<td>34%</td>
<td>26%</td>
<td>8%</td>
</tr>
<tr>
<td>Derby</td>
<td>5%</td>
<td>42%</td>
<td>14%</td>
<td>24%</td>
<td>21%</td>
</tr>
<tr>
<td>Total WA</td>
<td>5%</td>
<td>28%</td>
<td>39%</td>
<td>23%</td>
<td>7%</td>
</tr>
</tbody>
</table>

Source: Coleman (1999: 12)

Usefulness: A key insight it provides is the likely stratification of harvesters within communities and regions (and between regions themselves). Any future survey of harvest or any estimation of harvest from existing data would need to account for differing levels of people’s participation in the customary use of wild resources (see, for example, Coleman et al. 2003; Buchanan et al. 2009).
This is of particular importance in terms of survey design, sampling, and weighting of data to produce estimates from the sample for a wider population.

The age of the NATSIS data and its general nature make it of minimal use in establishing a baseline. This is compounded by the fact that it cannot be effectively compared with subsequent National Aboriginal and Torres Strait Islander Social Survey's (NATSISS) (see Altman, Buchanan & Biddle 2006). Key changes in the 2002 NATSISS that prevent such comparison include:

- a change in sampling and survey design means that data cannot be analysed using the same geography (i.e. ATSIC Regions), but only at state and national level;
- the question on harvest was changed so as to exclude information on the gathering of bush foods and the hours spent hunting and fishing.

In the 2002 NATSISS only the 2,120 respondents aged 15 and over from Community Areas (i.e. discrete communities in remote and very remote parts of Queensland, SA, WA, and the NT) were asked to provide information on hunting and fishing—and only when carried out as part of a group within the previous three months. Of this sample 82.4 per cent answered that they had been hunting or fishing in a group in the past three months—84.0% for males and 80.8 per cent for females (Altman, Buchanan & Biddle 2006). The participation rate for Western Australia from the 2002 NATSISS was 80.1 per cent.

The results of the 2008 NATSISS are due to be released in 2010. There have been improvements in the way in which information has been sought on hunting, fishing and the gathering of bush foods. For example, gathering is re-included; responses are in terms of participation over the last 12 months (a full seasonal cycle); the reason for participation is also included (e.g. for food, medicine, cultural learning or ceremony, etc.); and the sample includes selected persons 3 years and over. However, the information this will produce will remain broad in nature, lack certain comparability with previous NATIS(S) data, and be unable to provide accurate estimates of participation at a regional level.

2.1.4 Marine resource use among the Bardi people of One Arm Point

Year: 1995 & 1996

Source: Rouja (1998)

Usefulness as baseline data: Minimal (potential case study material; contains qualitative data relating to Bardi people’s marine resource use and knowledge)

Location: One Arm Point

Wild resources: marine turtle; dugong; fish; shellfish; crustaceans

Method: Participant observation including recording of catch from daily fishing expeditions undertaken primarily with one or more of three male members of a Bardi family residing at One Arm Point over two recording periods: 1 January to 30 April 1995; and 12 to 22 September 1996.

Purpose: Rouja (1998) undertook field work at One Arm Point from November 1994 to June 1995 and from September to October 1996 as part of doctoral studies in the field of anthropology. He notes that his record of daily catch is ‘not meant to prove anything statistically but simply to
demonstrate what and if any patterns of resource use are apparent’ (1998: 192). This documentation of catch is not, therefore, designed to provide estimates of levels of participation and/or consumption of marine resources by the One Arm Point community but to assist Rouja in his broader ‘analysis of Bardi Aboriginal hunting and fishing behaviour’ and the ‘overriding ethical cultural concerns’ that guide Bardi marine resource use (1998: i).

**Key findings:** Rouja (1998) produces a complete list of marine species harvested by himself and at least three Bardi men over 120 days in 1995 (January-April) and 11 days in 1996 (September). This data is produced in a list which has been revised here to provide data on recorded catch of each species (see Appendix B). Importantly, it indicates the significant amount of wild resources that can be harvested by a few members of a single family group in the region. No nutritional or replacement value analysis is undertaken as part of the thesis. However, Rouja was involved in a later analysis of the fatty acid composition of marine species harvested by Bardi people. This later research concluded that customary fishing patterns and consumption of marine resources had potential health benefits in terms of the maximisation of beneficial fatty acid intake (Rouja et al. 2003; cf. O’Dea & Sinclair 1982; Naughton, O’Dea & Sinclair 1986). Rouja’s thesis also contains some significant qualitative data on Bardi marine resource use (see also Smith 1984; Davey 1988; Green 1988; Glaskin 2002; Berson 2004; Car 2004; Smyth 2007). In the body of his thesis, Rouja provides some details of Bardi customary knowledge, rules, and patterns of use relating to a number of the species harvested along with Bardi names and other relevant terms. Rouja also provides observations of how the customary sector of the Bardi community economy articulates with the state and market sectors (see also Buchanan et al. 2009). A fuller list of Bardi and scientific names for marine species (including those not harvested during his recording periods) is also provided at the end of the thesis (Rouja 1998: 280-9; for discussion around the species caught during the daily hunting and fishing expeditions see pp. 192-214).

**Usefulness:** This data highlights what a small group of highly productive hunters and fishers is capable of producing in only one third of a year. The data provided by Rouja could be used on a case study basis, potentially including further analysis of his data to attempt to estimate nutritional and/or economic contribution. However, the value of such analysis would be limited in terms of the age of the data and its specificity (i.e. a record of catch by male members of one family in one community over only a portion of a year).

### 2.1.5 Indigenous Fishing Survey of Northern Australia

**Year:** 2000-2001

**Source:** Coleman et al. (2003); see also Coleman (1999) for further background to the survey.

**Usefulness as baseline data:** Best source identified (but with limitations)

**Location:** Kimberley Region (including La Grange/Bidyadanga, Morgans Camp (Broome), Mallingbar (Broome), Beagle Bay and One Arm Point)

**Wild resources:** marine turtle; dugong; fish; shellfish; crustaceans

**Method:** A 7-day recall survey of fishing catch and effort was administered six times over a 12 month period between June 2000 and November 2001 with sampled Indigenous households in selected communities in northern Australia (WA, NT and Queensland). The survey population was Indigenous people aged 5 years and over. Communities surveyed in the West Kimberley region...
included the coastal communities of La Grange/Bidyadanga, Beagle Bay, One Arm Point, Mallingbar, and Morgans Camp and the inland communities of Junjuwa, Looma, Yungungora, and Dugerari (Cherrabun).

**Purpose:** This formed part of a National Recreational and Indigenous Fishing Survey inspired by the 1994 *A National Policy for Recreational Fishing* which recommended a five yearly survey of recreational fishing to support fisheries management decisions. In recognition of the significant use of fisheries resources in northern Australia by Indigenous people, the terms of reference were expanded to include all non-commercial fishing, including Indigenous fishing. A feasibility study suggested a separate study of Indigenous fishing in northern Australia.

**Key findings:** The survey found a regional fishing participation rate of 89.6 per cent (5,900 people) for the Indigenous population of northern Western Australia (an area equivalent to the Kimberley region) (Coleman *et al.* 2003). This was slightly lower than the rate for the whole of northern Australia of 91.7 per cent. For northern Western Australia, the survey estimated a total of 67,200 fisher days over the 12 month period equating to an average of 10 days fishing per person per year. In northern Western Australia, the majority of fishing effort reported was from freshwater (54.8%) rather than saltwater (45.2%)—in contrast to the whole of northern Australia (72% and 28%). The percentage of catch from each water type within the region is not presented in the survey findings.

**Usefulness:** The Indigenous Fishing Survey of Northern Australia is the only data set that has been identified through this desktop study that would be able to be used to establish a baseline of the customary use of wild resources in the Broome/Dampier Peninsula region. The main limitation on its usefulness is that the data is now almost a decade old. While the *National Policy* may have recommended a five yearly survey, this has not eventuated and the Indigenous Fishing Survey of Northern Australia has not been repeated. A major limitation of the publicly available data from the survey is that results are reported at too broad a level. The greatest potential lies in gaining access to the raw community-level data for those communities surveyed within the Broome/Dampier Peninsula region and to establish a regional baseline estimate as at 2000-2001 (See Appendix A).

### 2.1.6 Assessment of the traditional catch of marine turtles on the Dampier Peninsula

**Year:** 2001-2002

**Source:** Morris & Lapwood (n.d., 2006)

**Usefulness as baseline data:** Moderate (potential as case study material; data for comparison against IFSNA estimates of marine turtle catch)

**Location:** Broome/Dampier Peninsula region (including Broome, Beagle Bay, Lombadina, Djarindjin, One Arm Point)

**Wild resources:** marine turtles

**Method:** A WA Department of Conservation and Land Management community survey of 30 families using data sheets to record marine turtle harvest between October 2001 and September 2002. Minimal details on methodology are available.
Purpose: To determine the nature and quantify the extent of existing marine turtle harvest for meat and to use this data to determine if existing levels of harvest are sustainable. This research was to lay the foundations for a management plan for the Indigenous harvesting and conservation of marine turtles in the Broome/Dampier Peninsula region. This was linked to objectives set out in the 1998 *National Draft Recovery Plan for Marine Turtles in Australia*.

Key findings: Morris and Lapwood (2006) report that at least 209 marine turtles were taken by the surveyed communities over the 12 months from October 2001 to September 2002. Morris and Lapwood (n.d.) report a slightly lower catch of 195. Well over half of the recorded catch was at One Arm Point (134) where 14 families were surveyed. While catch numbers at other communities are not reported explicitly by Morris and Lapwood (n.d. & 2006), it is inferred from charts produced in (n.d.) that 20 marine turtles were caught in Beagle Bay (2 families surveyed), 25 in Lombadina and Djarindjin (combined; 8 families), and 16 in Broome (6 families). Morris and Lapwood (2006) report that the total catch figures for the region (whether 209 or 195) are probably underestimates 'as there are several smaller communities and family groups that reside on the Peninsula that were not included in this survey'.

Usefulness: This data is of potential value in terms of allowing comparison with the IFSNA which collected information on marine turtle harvest in parts of Broome, Beagle Bay and One Arm Point in the previous year (2000–2001). It also provides a point of comparison with a later survey of dugong and marine turtle harvest by Bardi Jawi communities (i.e. Djarindjin, Lombadina and One Arm Point) (Buchanan et al. 2009). As noted earlier, the lack of a systematic approach to the collection of such data in the region may limit the ability to make comparisons between data sets due to different survey designs used, sample sizes, etc. The collection of marine turtle harvest data identified by this desktop study is the nearest thing to a longitudinal record of wild resource use in the region.

A further limitation on the usefulness of these data is that to date they appear only to have been published as a power point presentation (Morris & Lapwood n.d.) and as an abstract in a collection of conference proceedings (Morris & Lapwood 2006). Previous attempts to access either the raw data or any formal reports on methods and findings from what is now the WA Department of Environment and Conservation have been unsuccessful. It is not known whether the raw data is held within the Department or by the researchers. Further attempts to access such data or reports would be recommended as part of any further research towards establishing a baseline of wild resource use. While only one of many species harvested, the customary use of marine turtles have been shown make a significant contribution to some communities in the region (see, for example, Buchanan et al. 2009; also refer to exploratory analysis of unofficial IFSNA data discussed in Appendix A).

### 2.1.7 Survey of the harvest of marine turtles and dugong by Bardi Jawi communities

**Year:** 2007–2008

**Source:** Buchanan et al. (2009)

**Usefulness as baseline data:** Moderate (most recent data identified; potential case study material; data for comparison against IFSNA and Morris & Lapwood (n.d.))

**Location:** Bardi Jawi communities and nearby outstations (i.e. Djarindjin, Lombadina and One Arm Point)
**Wild resources:** marine turtles; dugong

**Method:** Community-based harvest survey of all known dugong and marine turtle hunters over a 12 month period from 1 February 2007 to 31 January 2008. Recall periods for the survey were usually two weeks with the longest recall period being one month. Analysis of the survey data included an estimation of the replacement value of the recorded harvest based on average edible weights and local store prices of the nearest nutritionally equivalent meats ($30/kg).

**Purpose:** To quantify dugong and marine turtle harvest as part of Bardi Jawi Traditional Owner efforts to manage these species sustainably (see KLC 2005). To document in a holistic sense the social and economic contribution of dugong and marine turtles to Bardi Jawi communities and livelihoods.

**Key findings:** The study estimated that the total catch of marine turtles and dugong over the 12 month survey period provided 11,840 kilograms of edible meat to the residents of Djarindjin, Lombadina, One Arm Point and nearby outstations. Numbers of animals harvested were not published at the request of Bardi Jawi Traditional Owners. Over 85 per cent (10,064 kg) of this meat was from marine turtles—mostly Green turtles (*Chelonia mydas*)—with almost 15 per cent from dugong (1,776 kg). On average, this equated to 2.6 kilograms of meat per household per week and 55.2 grams of meat per person per day. The replacement value of this meat to the Bardi Jawi communities was estimated to be $341,708 over the 12 months. This equated to an imputed addition to average household income of $76.41 per week—equivalent to 11 per cent of the average Bardi Jawi household income. In terms of effort over the 12 months, the survey of 55 Bardi Jawi hunters recorded 169 trips with an average of 3.2 people participating in each trip. The total time recorded was 610.5 trip hours, with an average trip time of 3.7 hours. The survey results indicated a stratification of Bardi Jawi hunters in terms of catch and effort, with 9.1 per cent of hunters producing 47.1 per cent of the catch.

**Usefulness:** Though this is the most recent set of quantitative harvest data, this study was highly localised (covering only Bardi Jawi communities) and it was specific to the harvest of marine turtles and dugong. This data is not able to be expanded to estimate regional catch over the period. The publicly available data from the survey as reported in Buchanan *et al.* (2006) is also limited in that there is no reporting of actual numbers of marine turtles and dugong caught. As part of the data sharing agreement guiding the study these figures were not to be reported but were to be held by the Bardi Jawi Traditional Owners. The study reports on the first full year of data collected by the Bardi Jawi Rangers as part of their involvement in the North Australian Indigenous Land and Sea Management Alliance (NAILSMA) Dugong and Marine Turtle Project. The socioeconomic study reported in Buchanan *et al.* (2009) assisted in designing and implementing the survey which is an ongoing part of the Bardi Jawi Ranger’s work activities—meaning that longer term and more recent records may be held within the Bardi Jawi communities. Access to this type of data would be at the discretion of the Bardi Jawi Rangers and Traditional Owners.
2.2 LAND: CUSTOMARY USE OF TERRESTRIAL PLANTS AND ANIMALS

While most of the identified quantitative data relates to people's use of marine animals, a significant amount of qualitative data identified relates to terrestrial plants used in the Broome/Dampier Peninsula region. Very little information was identified in terms of the customary use of terrestrial animals.

2.2.1. Customary Use of Terrestrial Plants

A number of sources identified provide significant amounts of detail on the plant species used and their traditional and contemporary uses (see, for example, Kenneally et al. 1996; Lands 1987; Paddy, Paddy & Smith 1987; Smith & Kalotas 1985; see also Akerman n.d.). For example, Smith and Kalotas (1985) provide an annotated list of 144 plants recognised and used by Bardi people. No quantitative data was identified on levels of harvest or consumption of these plant species in the region. The various uses of plants include as food (including drinks), water, medicine, soap, seasonal indicators (e.g. indicating fatness of fish), fire wood, smoke (e.g. mosquito repellant), ash (e.g. for chewing with bush tobacco), paint, dye, adhesive, fish poison, animal attractors, animal habitats (e.g. hives for bush honey), tools and artefacts (including hunting equipment), string, toys, art and craft, ceremony, and shelter. As with the identified quantitative data on customary harvest, the literature is strongest in terms of Bardi people's use of plants (see, for example, Paddy, Paddy & Smith 1987; and Smith & Kalotas 1985). Lands (1987) provides the names of 20 bush fruits in four of the regional languages—Bardi, Nyulnyul, Nyangumarta, Karajarri, and Yawuru—as well as providing some details as to their use by particular language groups. Kenneally et al. (1996) also provide a regional focus.

In terms of usefulness for establishing baseline data, the published sources identified provide an extensive list of plants and their uses by (and their importance to) Traditional Owners in the region. These sources reveal an extensive amount of Indigenous ecological knowledge held by Traditional Owners. These features in themselves are extremely important. While there is no indication given as to current levels of use, these lists would also provide a valuable guide to a comprehensive survey of customary use of wild resources in the region.

2.2.2 Customary Use of Terrestrial Animals

This desktop study did not identify any sources of detailed information—quantitative or qualitative—on Indigenous people's customary use of terrestrial animals in the Broome/Dampier Peninsula region. This may be explained by the comparative richness of marine resources along the coast as well as concerns relating to harvest impact on marine species. Technological change (e.g. dinghies with outboard motors) has allowed many coastal groups to extend their use of the sea. Contemporary use of land animals appears to have been heavily influenced by the environmental, social and dietary changes brought about by the introduction of cattle to the Kimberley region (Smith 1983). The extent to which killer cattle currently contributes to people's diets in the region appears to be unknown but it would be useful to include in any survey of wild resource harvest in the region. In the 1980s Moya Smith (1983, 1984, 1987; see also Smith & Kalotas 1985) documented Bardi people's traditional resource use. Smith estimated that before 1940, more than 70 per cent of Bardi food intake was from the sea. Smith noted that 'Pindan [inland] resources (bush honey, animals, reptiles, plant foods) were exploited mainly during the cold season, Bargana, and less frequently throughout the rest of the year' (1987: 46). Key native animals harvested appear to have included native bee hives, kangaroo, wallaby, possum, guanna, and snake (Smith 1983, 1985). No further detailed information on customary use of terrestrial...
fauna was identified, though some published information reviewed as part of this desktop study provided passing references or very rough estimates of contemporary use.

2.2.3 Other Literature of Note

Some sources of data identified through this desktop study contained relevant information that was either too specific or not detailed enough to view as of use to establishing a baseline (see, for example, Smith 1983; Wahlqvist et al. 1991). In some instances estimates provided have little or no supporting evidence (see, for example, Wahlqvist et al. 1991; Kouris-Blazos & Wahlqvist 2000 regarding the estimated bush food intake of elderly Aboriginal people in the Fitzroy Valley community of Junjuwa). Other data identified was too specific and/or for too short a period of time to be of use in a baseline study. For example, Smith (1983) presents findings from a study of Bardi stone fish traps as part of an ethno-archaeological documentation of customary resource use. Part of this research involved re-creating a stone fish trap and documenting the harvest of fish over a period of three days. The study also reports on a fish trap at One Arm Point that was still functional and still being used and maintained (using both old and new materials) by Bardi residents. The data for this contemporary fish trap, while signifying a very high rate of catch per unit of effort, was only for one day. Smith's (1983) ethno-archaeological research raises the issue of data that is based on an experiment—for example, re-creating a past technique of resource use or a past pattern of consumption. A key example of the latter form of experiment is found in O'Dea’s research on the health effects of bush food consumption, conducted in Mowanjum in the early 1980s (O’Dea & Sinclair 1982; O’Dea, Spargo & Nestel 1982; Naughton, O’Dea & Sinclair 1986; O’Dea et al. 1987). In reviewing these types of research caution needs to be taken in terms of interpreting data, particularly in terms of whether what is being reported refers to contemporary use, to past use, or to an experimental re-creation of past use. The distinction between past and contemporary use is often not made explicit in the qualitative data—this is particularly the case in terms of documented plant use in the region.
3. KEY INFORMATION GAPS AND RECOMMENDATIONS

This desktop study has identified a lack of any systematically collected data on Indigenous people’s customary use of wild resources in the Broome/Dampier Peninsula region. In terms of data collected over the past three decades the most commonly studied harvest has been of marine turtles. In terms of providing a detailed insight into the use of a wide range of wild resources across the study region at a particular point in time, the IFSNA provides the most likely source of quality quantitative data. Only one of the data sources identified (i.e. Buchanan et al. 2006) presents data collected since the 2006 Census of Population and Housing or within the past five years. In terms of establishing a baseline of current customary wild resource use the available data is far less than ideal. The three key information gaps identified by this 10-day desktop study are as follows:

- no quantitative data on Indigenous people’s use of plants
- no quantitative data on Indigenous people’s use of terrestrial animals
- no systematically collected and/or readily comparable quantitative data on Indigenous people’s use of any type of wild resources (with the possible exception of marine turtles).

Only one source was identified which provided detailed estimates of the nutritional and/or economic contribution of the customary use of wild resources, and while recent this was specific to the Bardi Jawi communities (see Buchanan et al. 2009).

Certain of these information gaps may be related to the limitations of the current study. Key limitations of this study include:

- 10 working days were taken to compile this report
- the report is based on desktop research conducted from Canberra
- no on-the-ground research was undertaken in the region specifically for this study
- the study did not include a review of unpublished reports or data sets held by the KLC or by other Aboriginal organizations or government agencies in the region
- no access was able to be gained to official unpublished IFSNA data for communities in the region due to access restrictions and time constraints.

While these may be seen as significant limitations, the report has also been compiled on the basis of previous research on the customary use of wild resources within the region, including both literature reviews and fieldwork. On the basis of the previous extensive searches and the additional review of available literature and data carried out through this desktop study, the coverage is believed to be very extensive though not necessarily exhaustive.

Overall, the probability of there being any unidentified published sources which provide detailed quantitative information on customary wild resource use in the region is extremely unlikely. While some relevant unidentified unpublished reports or data sets may exist it is unlikely that they would be sufficient for the purposes of establishing a baseline. Collectively, the data required to establish a baseline would need to:

- contain up-to-date, recent data
- include significant quantitative detail of both harvest and effort
- cover the region
- cover the diversity of wild resources used (aquatic and terrestrial, plants and animals).
3.1 Recommendations

On the basis of this desktop study and the assessment of the sources identified, two key recommendations are made here as to how a baseline of Indigenous people’s customary use of wild resources in the Broome/Dampier Peninsula region might be established (or at least approached). This includes the potential of staging the production of such a baseline. The following recommendations are set out in order of the steps that might be followed in a longer term development of a more rigorous and current baseline. These recommendations are provided subject to KLC and Traditional Owner priorities, timeframes, resources, and access to data or to communities being possible.

The two key recommendations provided here are not exclusive of each other. Rather, ideally they would both be able to be implemented so as to establish a more rigorous baseline of customary use of wild resources. The two recommendations are provided in order of priority and in order of magnitude of time and resources that would be required to undertake them.

**Recommendation 1: Detailed analysis of IFSNA data from the region**

As a first priority and/or first step it is strongly recommended that the official data from the IFSNA be formally analysed to produce baseline estimates of customary marine resource use as at 2000–2001.

The analysis should be supplemented by and, where viable, tested against the other key sources of both quantitative and qualitative data on the full range of wild resources used in the region. As per the exploratory analysis of unofficial IFSNA data presented in Appendix A, it is recommended that the analysis include estimations of the nutritional and/or economic contribution made by the harvest of these marine resources. This would aid in filling a significant gap in current knowledge as to the contribution made by the customary sector of Indigenous community economies. An economic analysis of this data would need to be informed by 2001 Census data—for example, household and personal income data.

Particular attention needs to be paid to the expansion of any IFSNA data to provided either community-level or regional estimates of harvest. The analysis would require gaining a thorough appreciation of the sampling and survey design, including expansion factors used to produce broader-level estimates. The published output from the IFSNA (Coleman 1999; Coleman et al. 2003) provides a significant amount of information on this.

Traditional Owners, particularly those from the communities included in the IFSNA survey, should be consulted as to the use of this data to provide such estimates. The data contains recorded catch of marine turtles and dugong which may require special care in terms of both estimation and reporting, particularly due to concerns over sustainability at a national level. The type of analysis should also be decided upon in consultation with Traditional Owners. For example, the idea of estimating a dollar replacement value for marine turtles or dugong in particular may not be acceptable to some groups or individuals.
Recommendation 2: A comprehensive regional harvest study

It is recommended that the option of undertaking a comprehensive regional harvest study be considered so as to establish an up-to-date baseline of customary use of wild resources (e.g. as at 2010-2011). The investment required for such a study would be significant, and probably well beyond the scope of the KLC ASIA. Ultimately, undertaking such a study would be likely to require the gaining of government and/or private sector (or non-government) support for its development and implementation (including the analysis of data collected). Ideally such a study would cover all types of wild resources used.

If the scope needed to be limited it would be recommended that it focus on aquatic resource use particularly along the coast of the Broome/Dampier Peninsula region. Such a survey would ideally attempt to maintain maximum comparability with the data from the IFSNA. This would prove particularly useful in providing a longer term comparison of wild resource use. The key argument for focusing a more limited study on marine resource use in the region is that data at hand suggests that this category of wild resource use makes the greatest nutritional and economic contribution within the region.

Ideally, a comprehensive regional harvest study would be community-based, with Traditional Owners involved in and guiding the design, implementation, analysis and reporting stages. Such a study could also be productively integrated with and informed by the recording and transmission of Traditional Owners’ ecological, cultural and spiritual knowledge. It could also usefully explore other issues of relevance to Traditional Owner concerns and to the effective assessment of social impacts—for example, impacts of tourism and of recreational and commercial fishing; cost of living; and employment opportunities and livelihoods.

To limit the imposition on communities it is recommend that any such harvest study be undertaken as a community-based survey. The survey approach used in the IFSNA could well be used as a guide as to how to effectively sample communities rather than relying upon gaining census coverage to establish a baseline. A survey approach would mean only selected (consenting) community members/households would be asked to provide data and this would only be requested of them a certain number of times over a year. For example, the IFSNA was based on a 7-day recall survey conducted with sample households on six occasions over a year. A survey approach would need to account for the apparent stratification of wild resource harvesters within communities which may require a screening survey or otherwise draw on local knowledge (see Coleman 1999; Buchanan et al. 2009; see also Priest & Usher 2004; Kwan, Marsh & Delean 2006). It would also need to account for seasonal variation in effort, availability of, and access to resources.

Ideally data would be collected on both catch and effort. This would prove particularly useful in any monitoring of impacts on customary use. Catch per unit effort (CPUE) is commonly used as an indicator of marine species abundance in particular, with proportional changes in CPUE seen as representing proportional changes in abundance (see, for example, Tian et al. (2009); Vieira, Schirmer & Loxton (2009)). In terms of ongoing monitoring, an assessment would need to be made regarding if and when any or all of the components of the harvest study would need to be repeated to observe any impacts on customary use resulting from development-related activity. This raises the issue of securing ongoing funding and community support to undertake such a baseline study along with ongoing monitoring.
APPENDIX A


Please note that this section is based on a preliminary exploratory analysis of unofficial data from the Indigenous Fishing Survey of Northern Australia (IFSNA). Estimates derived from this analysis are not published here due to the unofficial nature of the data used. The estimates have been provided to KLC for internal use only. The analysis of the unofficial IFSNA data is discussed here purely to provide an indication of how official unpublished data from the IFSNA survey of customary marine resource use might inform a baseline. It is intended to be used by KLC or other decision-making bodies to assess the value of any further research in this area to attempt to develop a baseline as at 2000-2001. It also outlines a possible approach to data analysis.

A1. BACKGROUND

Of all the quantitative data identified by this desktop study, the Indigenous Fishing Survey of Northern Australia (IFSNA) has the greatest potential in terms of establishing a baseline of Indigenous people’s customary use of wild resources in the Broome/Dampier Peninsula region. The key problem with such a baseline would be that it can only be as at 2000-2001—almost a decade old. To rely solely on this data would be to assume that customary use of those particular marine resources has remained constant over that period of time. The IFSNA data on the customary harvest of marine turtles could possibly be revised and adjusted in light of subsequent research—that is, the regional study undertaken by CALM in WA in 2001-2002 (Morris & Lapwood n.d.) and the study undertaken in Bardi Jawi communities in 2007-2008 (Buchanan et al, 2009). Depending on a number of factors (e.g. Traditional Owner consent, time, resources), a 2000-2001 baseline could also be used to inform the development of and to compare findings with a regional customary harvest survey one decade on (2010-2011).

An attempt was made during the current study to arrange access to official unpublished IFSNA data for each community in the region. The time available (and time of year) did not permit access due to the need to make a formal data request through Domestic Fisheries within the Commonwealth Department of Agriculture, Fisheries and Forestry (DAFF). Departmental staff advised that the processing of such a request would be likely to take one month and would not be able to be considered until 2010. Based on knowledge of previous applications for such access to unpublished IFSNA data it would be expected that conditions would apply to the publication of any results from analysis of this data. Publication of statistics not already published in the survey final report (Coleman et al. 2003) would be likely to require clearance from the primary data custodians (i.e. DAFF, NT Fisheries and the Fisheries Research and Development Commission). Any published data would also need to be aggregated for multiple communities unless permission is obtained from individual communities for publication of community-level statistics.

Some access was permitted to community-level IFSNA data held by Fisheries staff within the NSW Department of Industry and Investment. NSW Fisheries staff had been heavily involved in the design of the IFSNA and the analysis of data. They were able to provide important background information and advice on the use of this data. The data provided for use in this desktop study was not the final IFSNA data and was only used to provide an insight into what the official data contains and its potential for further analysis and for establishing a regional baseline as at 2000-2001.

An attempt was also made to contact Fisheries staff in the NT Department of Resources due to the original involvement of fisheries staff from the then NT Department of Business, Industry and Resource Development (NTDBIRD) in the survey. The survey final report (Coleman et al. 2003)
makes a number of references to plans for NTDBIRD to undertake further and more detailed analyses and reporting of the IFSNA data at smaller regional scales. To date, no such finer-scale reporting has been made publicly available. The drafting of such a report by the Fisheries Group based in NTDBIRD had commenced in January 2004, but no final or publicly available version of this report was identified by this desktop study.

Data received for use in this desktop study was from all of the Kimberley region communities surveyed by the IFSNA. The data analysed here relates to just five of these communities (see Table A1).

<table>
<thead>
<tr>
<th>Community Name</th>
<th>Estimated Population</th>
<th>Estimated No. of Dwellings</th>
<th>No. of Households Surveyed</th>
<th>Coverage (%) of Households</th>
</tr>
</thead>
<tbody>
<tr>
<td>La Grange/Bidyadanga</td>
<td>483</td>
<td>79</td>
<td>31</td>
<td>40%</td>
</tr>
<tr>
<td>Beagle Bay</td>
<td>277</td>
<td>52</td>
<td>26</td>
<td>50%</td>
</tr>
<tr>
<td>One Arm Point</td>
<td>295</td>
<td>58</td>
<td>30</td>
<td>52%</td>
</tr>
<tr>
<td>Mallingbar</td>
<td>100</td>
<td>25</td>
<td>9</td>
<td>36%</td>
</tr>
<tr>
<td>Morgans Camp</td>
<td>60</td>
<td>15</td>
<td>1</td>
<td>6%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>1,215</strong></td>
<td><strong>229</strong></td>
<td><strong>97</strong></td>
<td><strong>44%</strong></td>
</tr>
</tbody>
</table>

Source: Coleman et al. (2003); with additional data provided by NSW Fisheries.

Data analysis was restricted to using the catch reported by surveyed households to produce an estimate of their catch over a 12 month period. No attempt was made to produce an estimate for the total population of the surveyed communities or for the total population of the region. It may be possible to produce such broader estimates through access to the official unpublished IFSNA data. The estimates derived, therefore, were purely indicative. The analysis sought to test the potential of the IFSNA data to produce a 2000–2001 baseline of Indigenous people’s customary wild resource use in the region. It was also intended as a guide to determining whether or not further examination of IFSNA data would be beneficial as part of the KLC ASIA and what direction such an examination might take.

A2. EXPLORATORY ANALYSIS

In 2000–2001, the IFSNA surveyed a total of 97 households from the Broome/Dampier Peninsula region coastal communities of La Grange/Bidyadanga, Mallingbar, Morgans Camp, Beagle Bay and One Arm Point. The total population of these communities at the time of the 2001 Census was reported in the IFSNA final report as 1,215 across a total of 229 dwellings (Coleman et al. 2003). On the basis of this data an occupancy rate can be determined of an average of 5.3 persons per dwelling. For the purposes of this preliminary analysis it is assumed that each surveyed household contained this average number of residents. This occupancy rate provides an estimate of the people in the 97 surveyed households as being a total of 515. These are the key population figures used in the exploratory analysis. Official data from the IFSNA along with 2001 Census data would allow for more accurate household and population estimates rather than the unofficial data currently at hand.

This desktop study set out to provide a preliminary estimate of participation in and/or dietary contribution of the customary use of wild resources in the region. The data identified through this
The desktop study provides data that can potentially be used to produce more regionally-specific estimates of both participation (or effort) and catch (or harvest). This data can subsequently be used to estimate dietary intake (or consumption). There is also scope to produce estimates of economic contribution (e.g. in terms of the replacement value of wild resources compared to store-bought alternatives). Alongside the relevant Census data, analysis of the official IFSNA data is likely to be able to provide more localised estimates of participation in fishing at 2000-2001. In the exploratory analysis the focus was on exploring the use of IFSNA data to estimate dietary or nutritional contribution—in particular, estimates of the edible weight of food produced, its energy value, and its protein content.

The exploratory analysis of unofficial IFSNA data estimated that the catch of seafood (excluding marine turtles) for the surveyed households in the five selected communities was significant in terms of its edible weight. The analysis assumed no wastage or external distribution. The catch was further estimated to have made a significant contribution in terms of both energy (kJ) and protein to the surveyed households over the 12 month period. The exploratory analysis also estimated the replacement value of the catch of fish, shellfish and crustaceans based on a replacement cost of store-bought alternatives at $10 per kilogram. The catch was estimated to have made a very significant economic contribution to the 97 households over the year. When the estimated marine turtle catch was included in the analysis the estimates of nutritional and economic contributions more than doubled.

The Canadian literature provides useful examples of how such harvest data and replacement value estimates might be used as part of a socioeconomic baseline (see, for example, Imperial Oil Resources Ventures Limited 2004; Priest & Usher 2004; Gartner Lee Ltd 2005).

It bears repeating that this analysis is preliminary and purely exploratory, being based on unofficial unpublished data. An attempt was made to use conservative figures to estimate the edible weights of species caught. This preliminary exploration suggests that the official unpublished IFSNA data would be likely to indicate a significant estimated dietary and economic contribution from Indigenous people’s customary use of wild resources in the Broome/Dampier Peninsula region.

The marine turtle data provides a notable point of comparison with two other sources identified by the desktop study. Morris and Lapwood’s (n.d.) survey of marine turtle harvest was conducted in the year following the IFSNA. They surveyed a smaller sample of just 30 households from much the same region as was covered by the IFSNA—though Morris and Lapwood did not survey La Grange/Bidyadanga they did survey Djarindjin and Lombadina. They estimated that at least 195 marine turtles were caught in the region that year.

The Bardi Jawi survey of marine turtle harvest undertaken in 2007-2008 also reported a comparable total edible weight figure for marine turtles—10,064 kilograms (Buchanan et al. 2009). The weekly contribution of edible meat to the household from marine turtle and dugong for the Bardi Jawi communities was estimated to be 2.6 kilograms (across 86 households). Of this, 85 per cent of the edible meat was from marine turtles—that is, an estimated 2.2 kilograms per household per week (Buchanan et al. 2009).

While not publishable, the marine turtle harvest estimates derived from the unofficial IFSNA data are in line with these other pieces of research undertaken within the region.
A3. METHODS AND VALUES USED

As mentioned above the exploratory estimates were derived from responses provided by 97 households in five communities in the Broome/Dampier Peninsula region. As noted in the body of the report, the IFSNA data was collected via a survey which asked respondents to provide information on catch recalled from the previous seven days. Each household was surveyed six times over a 12 month period to account for seasonal influence. Efforts were made to avoid administering each survey during the same lunar phase so as to avoid bias in terms of tidal influence. The estimate of the 12 month catch was expanded from the 42 days worth of data per household (i.e. six 7-day recall surveys over 12 months) by multiplying household catch of each species by a factor of 8.69 (i.e. 365 days of the year divided by 42 surveyed days).

Edible weights were determined for each species drawing in the first instance on data relating to live weights. Table A2 (at end of section) shows the weights and values used for each species. For the vast majority of the species, live weights were drawn from the Australian Seafood Handbook (Yearsley, Last & Ward 2001). In most cases the live weight used was the lowest of the range provided (e.g. Barracuda size 1.5–2.5kg, 1.5kg was used as live weight). In the few instances that the Handbook only reported one common weight this was the weight used. Where the Handbook did not contain information on size of a particular species this was gained from another source (e.g. shellfish information was gained from Meehan 1982). The total catch of each species was multiplied by its recorded live weight to get a total live weight. Edible weights were then mostly determined using the factor for converting live weight to edible weight used by the United States Department of Agriculture (1992). For both fish and shellfish this factor was 0.20 (or 20% of the live weight). There were only a few exceptions to this (e.g. the edible weight of marine turtles followed that used by the Australian Fisheries Management Authority (AFMA 2006)).

The nutritional values used for all fish species were the same, using energy and protein values for the ‘fish average’ as provided in Tables of Composition of Australian Aboriginal Foods (Miller, James & Maggiore 1993). The figures per 100 grams of fish were 621 kilojoules and 20.0 grams of protein (1993: 222). Specific nutritional values for some fish are provided by Food Standards Australia and New Zealand (FSANZ) from either AUSNUT 2007 or NUTTAB 2006, both of which are available online and are included in the reference list should more specific values be sought in any future analysis (FSANZ 2006, 2007). For other seafoods energy and protein values were gained either from Miller, James and Maggiore (1993) or from another reliable source (e.g. FSANZ). In some instances weights and values were used from the closest equivalent species for which data was available. In all instances the nutritional values were based on the seafood being cooked—primarily baked, grilled or boiled.

A4. CONCLUSION

The exploratory analysis of the unofficial IFSNA data strongly suggests that a further exploration of the official IFSNA data is warranted. However, this is only if a baseline set at 2000–2001 is acceptable and/or useful as part of the social impact assessment process or of any future monitoring should development of the LNG processing precinct proceed. The main reason that further exploration is recommended here is that the exploratory analysis suggests a significant level of customary marine resource use along the coastline of the Broome/Dampier Peninsula region. This customary activity is likely to provide a significant dietary and, therefore, economic contribution to communities in the region that remains largely unquantified. The IFSNA provides the only identified dataset that would be capable of forming the basis of any reliable regional estimate of this contribution at this point in time. Using the dataset, at least as a first step
towards establishing a baseline, has a number of significant benefits when compared the cost of the main alternative of undertaking a regional harvest survey. These benefits include:

- it would be non-intrusive—that is, it would not involve any imposition on communities that may arise through a detailed harvest survey
- it would require far less of an investment of time and resources than would undertaking a regional harvest survey—for example, the investment in design and development of a new survey and the gathering of up-to-date background data
- it would provide important background data should a regional survey be undertaken at any point in the future
- it would provide the quickest means of producing rigorous baseline estimates for formal consideration in the assessment process.

As noted in the body of the report, the key disadvantages are that it will produce estimates that are almost 10 years old and will not cover the full range of wild resources used by Indigenous people in the region. However, as shown in the estimates derived from the unofficial IFSNA data here, if the aim is to highlight the economic contribution from customary use, and to make sure that it is formally recognised in the assessment process, then producing estimates based on people's use of marine resources along the coast of this region is likely to do this best.
<table>
<thead>
<tr>
<th>Common Name</th>
<th>Live Weight (g)</th>
<th>Conversion Factor</th>
<th>Edible Weight (g)</th>
<th>Energy kJ per 100g</th>
<th>Protein (g) per 100g</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barracuda/ striped sea pike</td>
<td>1,500</td>
<td>0.2</td>
<td>300</td>
<td>621</td>
<td>20.0</td>
</tr>
<tr>
<td>Barramundi</td>
<td>500</td>
<td>0.2</td>
<td>100</td>
<td>621</td>
<td>20.0</td>
</tr>
<tr>
<td>BonefishA</td>
<td>100</td>
<td>0.2</td>
<td>20</td>
<td>621</td>
<td>20.0</td>
</tr>
<tr>
<td>Bream - black/ northern/ pikey/ marine</td>
<td>400</td>
<td>0.2</td>
<td>80</td>
<td>621</td>
<td>20.0</td>
</tr>
<tr>
<td>Bream - black/ southern/ golden/ silver</td>
<td>400</td>
<td>0.2</td>
<td>80</td>
<td>621</td>
<td>20.0</td>
</tr>
<tr>
<td>Bream - other</td>
<td>400</td>
<td>0.2</td>
<td>80</td>
<td>621</td>
<td>20.0</td>
</tr>
<tr>
<td>Bream - unspecified</td>
<td>400</td>
<td>0.2</td>
<td>80</td>
<td>621</td>
<td>20.0</td>
</tr>
<tr>
<td>Butterfish - unspecified</td>
<td>500</td>
<td>0.2</td>
<td>100</td>
<td>621</td>
<td>20.0</td>
</tr>
<tr>
<td>Butterfish - western</td>
<td>500</td>
<td>0.2</td>
<td>100</td>
<td>621</td>
<td>20.0</td>
</tr>
<tr>
<td>Catfish - saltwater/ fork-tailed</td>
<td>600</td>
<td>0.2</td>
<td>120</td>
<td>621</td>
<td>20.0</td>
</tr>
<tr>
<td>Catfish - unspecified</td>
<td>600</td>
<td>0.2</td>
<td>120</td>
<td>621</td>
<td>20.0</td>
</tr>
<tr>
<td>Cod - unspecified</td>
<td>500</td>
<td>0.2</td>
<td>100</td>
<td>621</td>
<td>20.0</td>
</tr>
<tr>
<td>Coral trout - unspecified</td>
<td>800</td>
<td>0.2</td>
<td>160</td>
<td>621</td>
<td>20.0</td>
</tr>
<tr>
<td>Emperor - blue-lined/ black snapper</td>
<td>500</td>
<td>0.2</td>
<td>100</td>
<td>621</td>
<td>20.0</td>
</tr>
<tr>
<td>Emperor - red throat/ sweetlip</td>
<td>500</td>
<td>0.2</td>
<td>100</td>
<td>621</td>
<td>20.0</td>
</tr>
<tr>
<td>Emperor - spangled</td>
<td>800</td>
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<td>160</td>
<td>621</td>
<td>20.0</td>
</tr>
<tr>
<td>Emperor - unspecified</td>
<td>500</td>
<td>0.2</td>
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</tr>
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<td>Fish - otherA</td>
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<td>Groper - baldchin/ blue bone</td>
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<td>Leatherjacket</td>
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<tr>
<td>Long Tom</td>
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</tr>
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<td>Mackerel - blue/ slimy</td>
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<td>0.2</td>
<td>40</td>
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<td>Mackerel - narrow barred/ spanish</td>
<td>2,000</td>
<td>0.2</td>
<td>400</td>
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<td>20.0</td>
</tr>
<tr>
<td>Mackerel - unspecified</td>
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<td>40</td>
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<td>20.0</td>
</tr>
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<td>Mullet - sea</td>
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<td>0.2</td>
<td>100</td>
<td>621</td>
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<td>Mullet - unspecified</td>
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<td>60</td>
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</tr>
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<td>Queenfish</td>
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</tr>
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<td>Rays/skates - unspecified</td>
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<td>Salmon - australian east/ west/ kahawai</td>
<td>900</td>
<td>0.2</td>
<td>180</td>
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<td>Salmon - northern threadfin/ bluenose</td>
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<td>1,000</td>
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<td>14,000</td>
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<td>Snapper - golden/ fingermark</td>
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<td>800</td>
<td>621</td>
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</tr>
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<td>Snapper - mangrove jack</td>
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<td>1,000</td>
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<td>20.0</td>
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<td>Snapper - red</td>
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<td>Snapper - red/ redfish/ scarlet perch/ saddle</td>
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<td>Snapper - russels/ moses perch/ fingermark</td>
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<td>Quantity</td>
<td>Length</td>
<td>Width</td>
<td>Depth</td>
<td>Fat Content</td>
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<td>--------</td>
<td>-------</td>
<td>-------</td>
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<tr>
<td>Snapper</td>
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<td>Surgeon fish</td>
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<td>Sweetlips</td>
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</tr>
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<td>Trevally - golden</td>
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<td>1,600</td>
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<tr>
<td>Trevally - silver/ skipjack</td>
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<td>Trevally - unspecified</td>
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<td>0.2</td>
<td>80</td>
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<td>Trumpeter - gruneters/ javelin</td>
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<td>0.2</td>
<td>440</td>
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<td>Tuna - bonitos/ horse mackerel</td>
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<td>200</td>
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<td>Tuna - mackerel</td>
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<td>600</td>
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<td>621</td>
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<td>Tuskfish/ parrotfish - unspecified</td>
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<td>0.2</td>
<td>160</td>
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<td>Whiting - king george/ spotted</td>
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<td>0.2</td>
<td>60</td>
<td>621</td>
<td>20.0</td>
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<tr>
<td>Whiting - other</td>
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<td>621</td>
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<td>Whiting - unspecified</td>
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<td>0.2</td>
<td>60</td>
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<td>Cockles - unspecified</td>
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<td>7</td>
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<tr>
<td>Crab - blue swimmer/ sand</td>
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<td>0.35</td>
<td>70</td>
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<td>Crab - mud</td>
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<td>125</td>
<td>372</td>
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<td>Longburns</td>
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<td>15</td>
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<td>Mussels - unspecified</td>
<td>25</td>
<td>0.2</td>
<td>5</td>
<td>346</td>
<td>11.6</td>
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<td>Octopus</td>
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<td>0.2</td>
<td>200</td>
<td>410</td>
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<tr>
<td>Oysters</td>
<td>N/A</td>
<td>N/A</td>
<td>14</td>
<td>409</td>
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<td>Shells - other</td>
<td>73</td>
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<td>15</td>
<td>800</td>
<td>0.1</td>
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<td>N/A</td>
<td>50,000</td>
<td>473</td>
<td>25.1</td>
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</table>

B: Live weight from [http://www.westernangler.com.au/]
D: Live weight, edible weight and nutritional data from Meehan (1982)
E: Live weight and edible weight from [http://www.sydneyfishmarket.com.au/]
F: Nutritional data based on squid from FSANZ at [http://www.foodstandards.gov.au/]
G. Edible weight from AFMA (2006)
### APPENDIX B

Table B1. Catch recorded by Rouja over a total of 131 days, One Arm Point, 1995 & 1996

<table>
<thead>
<tr>
<th>Species</th>
<th>Common Name</th>
<th>Bardi Name</th>
<th>No. Caught</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acanthropagrus latus</td>
<td>Yellowfin bream</td>
<td>Gulurr</td>
<td>4</td>
</tr>
<tr>
<td>Acanthurus grammoptilus</td>
<td>Ring-tailed surgeon fish</td>
<td>Gambal</td>
<td>80</td>
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<tr>
<td>Amniataba caudovittatus</td>
<td>Yellowtail trumpeter</td>
<td>Radid</td>
<td>3</td>
</tr>
<tr>
<td>Carangoides fulvoguttatius</td>
<td>Gold spotted trevally</td>
<td>Jawily/Molon</td>
<td>15</td>
</tr>
<tr>
<td>Choerodon albigena</td>
<td>Blue tusksfish</td>
<td>Gnumu</td>
<td>48</td>
</tr>
<tr>
<td>Choerodon schoenleinii</td>
<td>Blackspot tusksfish</td>
<td>Barambal</td>
<td>2</td>
</tr>
<tr>
<td>Cromilipes altivelis</td>
<td>Barramundi cod</td>
<td>Ingalan</td>
<td>3</td>
</tr>
<tr>
<td>Dasyatis sp.</td>
<td>Black stingray</td>
<td>Iawing</td>
<td>14</td>
</tr>
<tr>
<td>Diagramma pictum</td>
<td>Painted sweetlip</td>
<td>Mardal</td>
<td>3</td>
</tr>
<tr>
<td>Diodon holacanthus</td>
<td>Freckled porcupinefish</td>
<td>Jilanbu</td>
<td>2</td>
</tr>
<tr>
<td>Epinephelus fuscoguttatus</td>
<td>Flowery cod</td>
<td>Bulgariani</td>
<td>2</td>
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<tr>
<td>Epinephelus malabaricus</td>
<td>Blackspot cod</td>
<td>Bidip</td>
<td>10</td>
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<tr>
<td>Epinephelus ongus</td>
<td>Speckle fined cod</td>
<td>Bulgariani</td>
<td>2</td>
</tr>
<tr>
<td>Epinephelus udulostriatius</td>
<td>Maori cod</td>
<td>Uloor</td>
<td>1</td>
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<tr>
<td>Gnathodon speciosus</td>
<td>Golden trevally</td>
<td>Giral</td>
<td>9</td>
</tr>
<tr>
<td>Lethrinus latcaudiso</td>
<td>Gray sweetlip</td>
<td>Iriring</td>
<td>2</td>
</tr>
<tr>
<td>Liza argentea</td>
<td>Tiger or flat-tail mullet</td>
<td>Julidul</td>
<td>4</td>
</tr>
<tr>
<td>Liza vaigiensis</td>
<td>Diamond scaled mullet</td>
<td>Jandul</td>
<td>2</td>
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<tr>
<td>Lutjanus argentimaculatus</td>
<td>Mangrove jack</td>
<td>Maran</td>
<td>20</td>
</tr>
<tr>
<td>Lutjanus carponotatus</td>
<td>Stripy sea perch</td>
<td>Julu</td>
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<tr>
<td>Lutjanus russelli</td>
<td>Moses perch</td>
<td>Inilir</td>
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<td>Mugil cephalus</td>
<td>Sea mullet</td>
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<td>Mugil georgii</td>
<td>Fantail mullet</td>
<td>Minimbor</td>
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<td>Brown sweetlip</td>
<td>Mardal</td>
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<td>Plectropomus leopardus</td>
<td>Coral trout</td>
<td>Bindarral</td>
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<tr>
<td>Sargocentron rubrum</td>
<td>Red squirrelfish</td>
<td>Miarin</td>
<td>1</td>
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<tr>
<td>Scomberoides</td>
<td>Queenfish (undefined)</td>
<td>Biringnan</td>
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<td>Scomberoides lyran</td>
<td>Skinny or double-spotted queenfish</td>
<td>Biringnan</td>
<td>2</td>
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<tr>
<td>Siganus lineatus</td>
<td>Golden lined spinefoot</td>
<td>Barbal</td>
<td>120</td>
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<tr>
<td><strong>TOTAL FISH</strong></td>
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<td></td>
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</tr>
<tr>
<td>Octopus sp.</td>
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<td>Milgian</td>
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<tr>
<td>Scylla serrata</td>
<td>Mud crab</td>
<td>Narangu(a)</td>
<td>31</td>
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<tr>
<td>Trochus niloticus</td>
<td>Trochus shell</td>
<td>Ardy</td>
<td>32</td>
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<td><strong>TOTAL OTHER</strong></td>
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<tr>
<td>Chelonia mydas</td>
<td>Green turtle</td>
<td>Angurbin</td>
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<tr>
<td>Chelonia mydas (married)</td>
<td>Green turtle (married)</td>
<td>Undoor</td>
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<tr>
<td>Eretmochelys imbricata</td>
<td>Hawksbill turtle</td>
<td>Gulil</td>
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<td><strong>TOTAL TURTLE</strong></td>
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<tr>
<td>Chelonia mydas eggs</td>
<td>Green turtle eggs</td>
<td>Nurmu</td>
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<tr>
<td>Dugong dugon</td>
<td>Dugong</td>
<td>Inandinarr</td>
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</table>

A. Trochus harvest was either by the bag or bucket. No total numbers are provided. It is not made explicit, but this harvest was most likely commercial in nature.
REFERENCES

Akerman, K. (n.d.) *People of the ocean: tide riders of the Dampierland Peninsula*, part of a series of booklets designed for upper primary and lower secondary school students describing the lifestyles of different groups of people of Australia’s maritime environment, produced at the West Australian Social Science Education Consortium of the Western Australian Institute of Technology, W.A.


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