Establishment of Kakadu National Park

The earliest proposal for the establishment of a major national park in the Alligator Rivers Region of the Northern Territory was made by the Northern Territory Reserves Board in 1965. Over the next 10 years a succession of modified proposals were put forward by interested persons and agencies. These culminated with a formal proposal by the Commonwealth Government to declare under the National Parks and Wildlife Conservation Acts 1975 (NPWC Act) a major national park in the region. Stage One of Kakadu National Park was declared in 1979, Stage Two was added in 1984, and Stage Three proclaimed in 1987, with supplementary proclamations in 1989 and 1991. Kakadu National Park was born in controversy and the history of the development of the Park has been one of attempts to reconcile the concurrent and competing interests of conservation, mining and Aboriginal land rights. These issues continue today.

Aboriginal land rights

In the early 1970s Mr justice Woodward, commissioned to report on appropriate ways and means to establish Aboriginal land rights in the Northern Territory, addressed the issues of Aboriginal land rights and public reserves and crown land. He suggested that a scheme of Aboriginal title, combined with National Park status and joint management, might prove acceptable to all interest. In his second report, Woodward further developed the concept of Aboriginal land, national parks and joint management in the context of reconciling Aboriginal interest with conservation. In the process he identified a number of principles which needed to be followed if Aboriginal interest were not to be subordinated unreasonably to those of conservation. These principles were: Aboriginal people should be consulted before any schemes for developments or management were adopted; Aboriginal people should be well represented on any board or committee responsible for the area in question; other people appointed to a board or committee should have sympathy with, and an understanding of, the relationship of Aboriginal people to their land; Aboriginal interests should not be overruled without reference to some form of arbitration; and development plans should make allowances for any Aboriginal people who may wish to live in the area, particularly those with traditional claims to the land.

Mining

In the early 1970s significant uranium deposits were discovered in the Alligator Rivers region at Ranger, Jabiluka and Koongarra. In 1975, following receipt of a formal proposal to develop the ranger deposit, the Commonwealth Government directed that an inquiry under the provisions of the Environment Protection (Impact of proposals) Act 1974, the Ranger Uranium Environmental Inquiry, be conducted. The recommendations of this inquiry had enormous influence on the nature and development of Kakadu National Park.

In 1976, after the Ranger Uranium Environmental Inquiry had commenced its work, the Aboriginal Land Rights (Northern Territory) Act 1976 was passed by Federal Parliament. This act granted title to certain areas in the Northern Territory to the traditional Aboriginal owners and established the processes whereby Aboriginal people could claim title to other areas of unalienated crown land on the basis of
traditional ownership of that land, or entitlement by tradition to its use or occupation. The first land claim in the Alligator Rivers region was subsequently dealt with as part of the Ranger Inquiry.

Justice Fox, the Commissioner appointed to head the Inquiry, concluded that the major land use interests in the region should be: the use and occupation of land by Aboriginal people; the establishment of a national park; uranium mining; tourism; and pastoral activities. The Commission’s principal recommendations were: grant of title to the area claimed to the Aboriginals claimants; allowance of uranium mining at Ranger and consideration of future uranium mining at Jabiluka and Koongarra; the establishment of a large regional national park to include the proposed Aboriginal land; the resumption of two pastoral leases to enable Aboriginal land claims to be made over the area and the future incorporation of these additional areas into the national park; inclusion in the park of a regional centre, to be established to service the uranium mining operations; prohibited (initially) of tourist developments in the regional centre; and preparation of a plan of management for the park, which should ensure that Aboriginal views were strongly represented.

In submitting the land claims to the Commission the traditional Aboriginal owners had instructed the Northern Land Council, which represented them, to propose that if the claim was successful they would lease the land to the Director of National Parks and Wildlife for the purpose of a national park.

The Commonwealth Government response to the recommendations of the Ranger Uranium Environmental Inquiry was announced in August 1977. Virtually all the recommendations were accepted including those relating to the granting of Aboriginal title and the establishment of a major national park. The Government decided to establish the national park in stages with the first stage to coincide generally with the area proposed as Aboriginal land.

Reference:

“Reconciling competing interests”. Tony Press and David Lawrence