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Draft Manuscript - *The politics of uranium mining in Australia*

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Introduction

The politics and economics of reducing carbon emissions is driving what is often referred to as a ‘nuclear power renaissance’, as the lives of aging reactors are extended and new reactors planned, especially in India and China.¹ With double the world’s current uranium reserves, all of which are high grade and extractable at less than $US80/kg U, Australia should, within a decade or so, become the world’s leading supplier [it is currently the third ranked supplier behind Kazakhstan and Canada]. Reducing carbon emissions, combined with declining oil production, prompts occasional bursts of enthusiasm from political leaders keen to compare the energy production potential of these resources with the oil fields of Saudi Arabia.² When one considers the energy producing potential bundled in a barrel of uranium oxide, such analogies are not as foolhardy as one might suspect.³ Moreover, nuclear power presents a strong case as the key low emission source for electricity generation, at through to mid century. Of course, renewable energy sources are often touted as likely to replace the fossil fuels.⁴ However, projected electricity demand, in particular in the industrialising nations, suggests that


³ To illustrate the point a House of Representatives Report, pointed out that, ‘Uranium is an immensely concentrated source of energy—one tonne of uranium oxide generates the same amount of energy as 20 000 tonnes of black coal. The uranium produced from just one of Australia’s mines each year—Ranger, in the Northern Territory—contains sufficient energy to provide for 80 per cent of Australia’s total annual electricity requirements, or all of Taiwan’s electricity needs for a year. Olympic Dam in South Australia contains uranium equivalent in energy content to 4.5 times the energy contained in the entire North-West Shelf gas field—25 billion tonnes of steaming coal’. ‘Australia’s Uranium – Greenhouse friendly fuel for an energy hungry World’, House of Representatives Report, Nov 2006. [accessed 3 January 2011]

renewable energy will fall well short of filling the gap, let alone replacing coal as the main source for electricity generation. Industrialising nations will drive the inexorable demand for electricity, predicted by the International Energy Agency to be in the order of 2.5% per annum to 2030. This demand for increased capacity challenges the advocates for various renewable energy technologies to present a credible case, something energy analysts mindful of political reality doubt is possible. In this regard a realistic assessment is presented by Robert Bryce when he argues that the first half of the twenty-first century will see a transition away from dependency on oil and coal. But rather the renewable energy filling the void it will be various types of gas, of which supply is abundant, and significantly for the uranium industry, nuclear energy. Australia is well placed to supply ample liquefied natural gas. But given a political culture of skepticism toward nuclear power, and ambivalence toward uranium mining, it is not clear that Australia will develop fully its uranium resources while the opportunity best presents itself.

Against the backdrop of increasing energy demand, diminishing oil reserves and pressure to limit carbon emissions, especially from coal burning, this chapter focuses on some, but certainly not all, aspects of the politics of uranium mining in Australia. Other chapters in this collection look at the economic dimensions and international obligations under the NPT. The purpose here is to examine some recent, and more distant, debates within three State parliaments where jurisdiction over mine licencing is located. South Australia, Queensland and Western Australia each have significant uranium reserves and all have grappled with the politics uranium mining generates. In terms of party politics, as distinct from anti-uranium activists, the Australian Labor Party’s left-wing faction has


Chair of Climate Change at Adelaide University, Professor Brook presents a series of articles look at each renewable energy option and their limitations on his website http://bravenewclimate.com/renewable.limits and with colleagues compared nuclear power with other energy generating fuels and found that nuclear power was a competitive as a low cost, low carbon emitting option; M. Nicholson, T. Biegle and B. Brook, ‘How carbon pricing changes the relative competitiveness of low-carbon baseload generating technologies’, *Energy*, Volume 36, Issue 1, January 2011.

historically opposed uranium mining. Their arguments are best represented by senior Minister in the Rudd and Gillard Governments, Anthony Albanese, who supports the phasing out of uranium mines. More recently, the percolation of anti-uranium politics into the public view is found with the election of Australian Greens’ candidates to local, state and national parliaments. The Greens are unwavering in their opposition to uranium mining and nuclear power. We examine Western Australian Greens Senator, Scott Ludlam’s, efforts to embarrass the management of the Ranger Mine in the Northern Territory and, by dint, cast aspersion on environmental malfeasance among uranium mining in general. His position is one of a ‘rallying call’ for anti-uranium activists, while on the other hand, his articulations represent a direct challenge to the recently formed *Australian Uranium Association*, to rebut populist anti-uranium rhetoric. The history of uranium mining suffers from poor public perception due to a mix of accusations concerning matters such as failure to restore former mine sites [notably the Rum Jungle site], inadequate monitoring of tailings dam adjacent mine sites and questioning whether uranium oxide can be transported safely from mine to port. All the time the objective is to play upon public fear of radiation leaks and to claim tardiness on the part of government regarding monitoring the environmental impacts at mine sites.

Moreover, mining companies’ public relations efforts have, until recently, lacked acumen, and in general the sector has, as Professor Doyle maintains, shrouded itself in undue secrecy. Thus, it is hardly surprising to find recent efforts to discredit the sector, most notably the Ranger mine, perpetuates the litany of anti-uranium mining accusations. However, we argue that in recent years mining executives have come to

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recognise that environmental guardianship needs to be improved through more open public accountability and, most significantly, relations with indigenous communities requires improvement. Yet legacies of the past are not easily overcome and, confronted by an array of opponents, the sector is at the beginning of the journey in making the case that its resource is key to reducing global greenhouse gas emissions. The capacity of opponents to sway public opinion based upon exaggerated claims of inherent risks associated with managing uranium mines leads us to caution against the exuberant views that Australia is about to become the world’s leading uranium supplier. In this regard, we need only note the recent decision by the Northern Territory government to refuse Paladin and Cameco’s proposed uranium mine near Alice Springs to see how ‘sovereign risk’ continues to undermine the sector’s potential.  

A recent multi-party House of Representatives Committee investigation of uranium mining found that, too often, the facts contradict the assertions of those opposed to the industry. The inquiry found that while those expressing ‘moral outrage’ toward uranium mining were sincere, they were too often ‘not informed by an accurate assessment of the benefits and risks associated with the industry.’ These biases foster, in the Committee’s view, ‘negative public perceptions of the uranium industry’ that have ‘clearly impeded the uranium industry’s growth and Australia’s involvement in the nuclear fuel cycle over several decades.’

Our hypothesis, while difficult to prove conclusively, is that in the absence of strong bipartisan political support for uranium mines, the public will remain confused and this opens the way for the anti-uranium campaigners to play upon the ‘culture of fear’

Resistance Books, 1999. Notably, one aspect of the reasons to oppose and, not so apparent today, is concern over foreign capital controlling Australian mines.


that surrounds nuclear issues. To explore this hypothesis we analyse public opinion polls and assess how various parliaments have debated the question of whether or not to licence uranium mines. These parliamentary debates help to highlight how elite political opinion shapes public perceptions and, we would argue, assist the anti-uranium activists’ prosecution of their case. Apart from the SA, Queensland and WA parliaments, many inquiries conducted by both Houses of the Commonwealth Parliament have considered issues regarding occupational safety, tailings management, uranium transport, nuclear proliferation obligations and, more recently, nuclear power. The state parliamentary debates and the Commonwealth inquiries offer insight into the politics of uranium in Australia and this research presents a sobering reminder of how a political culture of fear continues to frustrate the uranium industry. One arena that is most contested concerns mining on indigenous land. In the past, uranium miners have struggled to show that they understand indigenous community rights and interests, but this is changing in light of new ideas regarding what ought to constitute indigenous community development in the twenty-first century. We find that the idea popularised by Friends of the Earth campaign leader, Jim Green, that the miners suffer from ‘radioactive racism’ lacks validity when one considers the programs that the miners now practice.\textsuperscript{15} Thus, a contrary case may be emerging and, if so, it could well do more than any other aspect of this debate to advance both miners’ interest and those of indigenous communities.

\textbf{The Australian Public’s Ambivalence Toward Uranium Mining}

Public opinion in Australia has never been strongly supportive of uranium mining. One might expect with climate change featuring so prominently and nuclear power being associated with low carbon emissions that some shift in favour may have occurred in recent years. However, this has not occurred, and it is reasonable to assume that public attitudes are simply rather vulnerable to the rhetoric of anti-uranium campaigners. Moreover, the populism of state political leaders who, in various ways, have touted fears about radiation harming community health add to mix of reasons underpinning public

ambivalence. This is evident with regard to state Labor leaders who have been vocal in their opposition to mines. This is well illustrated by the views of the South Australian Premier, Mike Rann, who, while supporting uranium mining [a position he did not always hold] was happy to conjure grave fears about the radiation risks associated with the transportation of low to medium level nuclear waste when the Commonwealth proposed a national waste disposal facility to be located in South Australia.  

When Premiers and Opposition Leaders oppose uranium mining by playing upon fear of radiation they give certain legitimacy to the anti-uranium activists’ case. Thus, it is, not so surprising to find that, after some forty years of Australia’s involvement in the ‘front end’ of the nuclear fuel cycle, public opinion remains quite divided. As the graph below indicates about one third of the population has consistently opposed uranium mining. A poll conducted in 2006 by respected pollster Roy Morgan found that ten per cent fewer respondents support uranium mining when compared with the late 1970s. The high point of support is found in the early 1980s, when uranium mining debates featured in the news as the Australian Labor Party endured its tortured debate over whether or not to support new uranium mine proposals including the Olympic Dam development.

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16 This occurred when Premier Rann opposed a Commonwealth plan to construct a low level nuclear waste disposal facility in South Australia; see H. Manning, ‘Mike Rann: labor leadership in Australia's states and territories. In Yes Premier: Labor Leadership in Australia's States and Territories. Sydney, NSW: UNSW Press, 2005, p. 199.

A poll conducted by ANOP on behalf of the Australian Uranium Association, in the same year as the Morgan poll, found 50 per cent of the population were supportive compared with 39 per cent against and 11 per cent undecided. Among women, especially those with young children, only a third supported mining compared with two thirds of men with children. Similarly, Newspoll reports that 44 per cent agree with the statement, ‘That no new mines are opened’, and when one adds to this figure the 22 per cent who say there should be ‘no mines at all’, it clear that in the public mind uranium mining is far from a worthy industry. These figures sit against the backdrop of no serious accidents transporting uranium, no adverse health outcomes for miners and effective tailings management regimes.

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18 'Uranium Mining in Australia: National Quantitative Survey, Commissioned by Australian Uranium Association, conducted by ANOP, April 2007 [Unpublished]
19 Notably, support is strongest in the state with most experience dealing with uranium, namely, South Australia.
20 Respondents were asked [30 May 2006], ‘Now thinking about uranium mining in Australia, the current Labor Party policy is that no new uranium mines can be opened. Which one of the following options are you personally not in favour of in Australia? 1] No new mines are opened; 2] That there are no restrictions on the number of uranium mines and 3] That there is no uranium mining at all Newspolls archived at http://www.newspoll.com.au/ [accessed 5 January 2011]
Parliaments Debate Uranium Mining

South Australia

During the late 1970s, the Dunstan Labor government’s equivocation on the question of whether to licence the Olympic Dam copper, gold and uranium deposit divided the community. The Liberal Party Opposition leader, David Tonkin, with the strong support of local media championed the mine whenever the opportunity arose.21 Earlier, Premier Don Dunstan argued that, ‘it has not yet been demonstrated to its satisfaction that it is safe to provide uranium to a customer country and, unless and until it is so demonstrated, no mining or treatment of uranium should occur in South Australia.’22 While Dunstan recognised that there were, ‘compelling economic reasons’ to supply an energy hungry world, he hesitated at doing so because he believed that more research was required into the alleged risks associated with the nuclear fuel cycle. Labor’s opposition was derived mainly from concern over questions of nuclear power plant operational safety, fear over public health in relation to the transport of uranium oxide from mine to port and, most importantly, the absence of a resolution for the disposal of high-grade nuclear waste.23

Throughout 1978, the issue of uranium featured in parliamentary debates and in the media. The case for mining had grown stronger in the previous two years after the Commonwealth Parliament’s Ranger Uranium Environmental Inquiry into uranium mining, chaired by Justice Russell Fox, recommended uranium exports.24 Prime Minister Malcolm Fraser argued in the House of Representatives in August 1977 that Australia had an ‘obligation to supply energy to an energy deficient world’ and, if it were not for

22 South Australia Parliamentary Debates, 30 March, 1977, p 3037.
23 South Australia, Parliamentary Debates, 30 March 1977, p 3,037.
this obligation, it would not approve mining. He appointed Justice Fox as an ongoing advisor on the legal and technical matters associated with developing reliable safeguards and, with this, the national debate shifted toward favouring exports. While in many respects ambivalent about the sector’s future and cognisant of past poor environmental practices the Fox Report offered cautious support for expansion. This helped Tonkin’s case in South Australia when he argued that no substantial case could be made for refusing to support Olympic Dam’s development. He also honed in on the question as to what constituted for Dunstan being ‘satisfied’ with regard to the appropriate development of safeguards. Tonkin endeavoured to embarrass Dunstan, but this was never an easy task given Dunstan’s stress upon the morality of supplying a material that produced such a serious unresolved waste disposal problem.

Dunstan’s assessment was not shared by all in his cabinet. Minister for Mines, Hugh Hudson, argued that waste disposal had not been identified during his study tour of France as the main concern for the French. Rather, terrorism and the ‘possibility that someone would get hold of plutonium oxide…and manufacture some kind of nuclear device and hold communities to ransom’ was the main concern. He also observed that should Australia refuse uranium exports the Europeans would simply develop fast breeder reactors that reprocessed spent nuclear fuel rods. This would simply produce more plutonium that could be used for nuclear weapons production. Dunstan and the majority of his colleagues focused on the question of waste disposal as reason enough to refuse to mine. His European study tour revealed that while some progress had been made, ‘it was still impossible to assure South Australians that it was safe to provide uranium to customer countries.’ Accordingly, he articulated robustly the case against uranium mining and his authority shaped public opinion. However, difficult economic times were unfolding and this, in time, assisted Tonkin’s argument about on employment

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26 South Australia, Parliamentary Debates, 27 September 1978, p. 1204-05.


28 South Australia, Parliamentary Debates 30 March 1977, p 3,041.

29 South Australia, Parliamentary Debates, 30 March 1977, p 3,041.

opportunities. Dunstan clearly felt the import of Tonkin’s economic pragmatism. Indeed he stated at the time:

The Leader of the Opposition supports those people in the community who say that, for commercial reasons, for the gaining of pelf, are prepared to dig up and sell uranium in circumstances where the danger to mankind is enormous, and where we can not only condemn mankind to global pollution that will bring cancer or leukemia to vast numbers of people throughout the world but also provide part of the process which may lead to the complete and ultimate destruction of mankind through the indiscriminate use of plutonium without proper controls…and no member of this Government apologises for the fact that we do not believe that we should be part of that process and that we cannot be in the uranium industry until we can say that it is safe.

Dunstan’s play on community fears about possible radiation poisoning [‘cancer or leukemia’] and the refrain that corporate greed drives the miners’ case are hallmarks of anti-uranium arguments and campaigns. Like many early supporters of uranium mining, Tonkin struggled to rebut the emotive tenor of this critique. Apart from his stress on job opportunities, he pointed out that the ‘plain and brutal truth of the matter is that the South Australian Government’s ban has made no difference at all to the total world uranium situation’. With regard to weapons proliferation he argued that, as a supplier, Australia would be better able to influence safeguards over a source of energy that would inevitably be developed.

Tonkin’s political realism would, in time, prevail and be championed by both sides of politics in South Australia. Dunstan resigned the premiership due to ill health in early February 1979 and, shortly after, a special ALP State Convention reaffirmed the moratorium against mining uranium. Tonkin went on to win the September 1979 state election and subsequently defined his government by approving the mine and the establishment of the town of Roxby Downs. Electoral pragmatism eventually sobered Labor and in the lead up to the 1982 election its opposition to the Olympic Dam mine ceased.

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31 South Australia, Parliamentary Debates 6 February 1979, p. 2,360.
33 South Australia, Parliamentary Debates 6 February 1979, p. 2,360.
in office] licencing new uranium mines presented no problem. Yet Labor parliamentarians fully backed their Premier’s strident rhetoric when he opposed the Commonwealth Government’s plans to locate low to medium level nuclear waste near the Olympic Dam site. By resorting to populist rhetoric over the facility Rann sought to conjure community fear of a possible harmful radiation accident during the transportation of waste, from the Lucas Heights experimental reactor in Sydney, into South Australia. He said in Parliament that the waste contains ‘strontium 90, caesium 137 and tritium, which is potentially hazardous for hundreds of years.’ Rann, like his fellow Labor Premiers in Queensland and Western Australia, will resort to exaggeration when it suits and this, in turn, filters into community consternation about much associated with the nuclear fuel cycle.

Queensland Parliament

Queensland has a number of significant uranium deposits, which the Queensland Minerals Council estimates are worth approximately US$12 billion. Used in nuclear power reactors the electricity generated would remove 120 million tonnes of greenhouse gas emissions per annum. Should these deposits be mined, the employment opportunities and royalties to the State government are projected to be significant. However, recent Labor governments led by Peter Beattie and, subsequently Anna Bligh, remain steadfast in their refusal to grant mining licences. Queensland Labor remains wedded to traditional litany of objections, but uniquely added to the picture the view that uranium mining will threaten coal exports. During a parliamentary debate Premier Beattie referred to a trip to Italy where he spoke to coal importers and concluded that:

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36 South Australian Parliamentary Debates, House of Assembly, 3 June 2003, p. 3318
37 Queensland Resources Council, Queensland uranium: Opportunity Awaits, July 2008, p.8
If anybody thinks we are going to simply continue to see the expansion of coal exports if there is uranium in competition in markets like Italy, they are wrong. The only argument the Resources Council puts forward is that because of the size of the Chinese and Indian markets there will be continued expansion. The issue is for how long.  

However, to his credit, he also announced that he had directed his department to ‘investigate whether the export of uranium from Queensland would impact on our coal exports.’ He said the report’s outcome would inform the position he would adopt at the 2007 ALP National Conference, where the question of Labor’s restrictions on uranium mining would be reviewed.

The Beattie government backed clean coal technologies over nuclear power especially after Prime Minister Howard sought to open debate on Australia adopting nuclear power. Believing that Howard had ‘secret plans’ to introduce nuclear power, Beattie appealed to a populist rhetoric, implying that citizens would find nuclear power plants foisted upon their communities and argued that ‘It is crazy to suggest we need nuclear plants in a state that has some of the most plentiful coal supplies in the world’. In early 2007, only a few months before Beattie’s shift toward accepting the national Labor position to remove restrictions on uranium mine licencing, he lampooned the Howard government’s interest in nuclear power and warned ‘Australians to not be hoodwinked by this nonsense…and into thinking that a dirty industry such as nuclear reactors is suddenly going to provide some lower greenhouse gas emission outcome that will clean up the planet.’ Beattie said, ‘if we want to clean up the planet clean coal technology is the way to do it’. To this end, he touted proudly his government’s $300 million commitment to clean coal technologies, and stressed that nuclear power could never compete with coal on price per kilowatt hour and was equivalent to renewable energy. This viewpoint was backed Labor MPs who spoke in support of their Premier’s ‘Nuclear Facilities Prohibition Bill’.

The then Queensland Opposition Leader, Lawrence Springborg, claimed that Beattie’s ideas were ‘bizarre’ and not supported by either the coal industry lobby or the Queensland Resources Council.\(^{43}\) During the earlier debate in April 2007, he drew attention to the Beattie government’s contradictory policies that strongly supported mining but opposed to taking advantage of the State’s ‘significant known uranium reserves’.\(^{44}\) On the question of safeguards relating to uranium mining, Springborg mounted a defence of the industry that aligned with the conclusion of the House of Representatives Standing Committee on Industry and Resources, namely that Australian safeguards are reputable and robust.\(^{45}\)

In the lead up to the May 2007 ALP National Conference, Beattie’s previously stated opposition to National Labor ending its restriction of uranium mines was revised, as the broader political reality of assisting national Labor Opposition leader, Kevin Rudd, unseat the Howard government took primacy. Beattie joined the growing number of Labor MPs who found the decade’s old restriction on new mines - the so-called, ‘three mines policy’ - a growing political embarrassment.\(^{46}\) No doubt helping his decision were the findings of the report he had commissioned from the University of Queensland's Sustainable Minerals Institute, which found that increasing the nation’s uranium production would not damage Queensland coal interests.\(^{47}\) Finding that Queensland was not in an ‘either-or’ position, the Institute concluded, ‘Only under the extreme scenario of a radical move away from greenhouse gas generation, failure of cost-effective CCS, the full pricing of carbon emissions and other factors would there be a chance of a decline in coal demand.’\(^{48}\) This assessment, and the politics of assisting Kevin Rudd’s campaign,


\(^{46}\) Jamie Walker, ‘Nuclear frisson’ \textit{The Courier-Mail} 17 March 2007.


prompted Beattie to support Rudd’s position at the Conference to allow State
governments to licence as many uranium mines as these jurisdictions saw fit.49 However,
the eventual decision by Labor’s National Conference to end restrictions did not direct
State Labor Parties to support uranium mining. Thus, the opportunity remained for State
Labor Party branches to continue to block new mine proposals.50 Beattie’s successor,
Anna Bligh has continued Labor’s opposition to licencing new uranium mines.51

While pressure continues to grow for a policy reversal, especially now that
Queensland is the only state with significant uranium reserves refusing to grant licences,
there is little sign of a change of direction.52 Nevertheless, Labor’s right faction and the
Queensland Minerals Council point to the employment and royalty revenue opportunities
foregone.53 With Western Australia moving to licence new mines the pressure will
continue to grow for a shift in policy but the legacy of Labor’s opposition will not be
easy to explain to the public so used to hearing a myriad of reasons why uranium mining
is a bad idea.

Western Australia

With reasoning analogous to the position of South Australian Labor a generation
earlier, Labor in WA remains steadfast in its opposition to uranium mining. This is
despite the state hosting large reserves, which, once mining licences are granted are
predicted to have an export value of $3.2 billion and are estimated to offer $500 million
in royalty revenue by 2020.54 Labor’s defeat at the 2009 state poll saw the incoming
Liberal Government quickly move to support the industry and this places current Labor
leader, Eric Ripper, under pressure to reverse his Party’s opposition. The difficulty is

50 ‘Premiers to rule on uranium ban’, Nigel Wilson, The Australian, 18 April 2007; ‘ALP at odds on uranium’, Katharine Murphy, The
that he inherits a legacy of past Labor Premiers’ (Geoff Gallop and Alan Carpenter) strong opposition to uranium mining. Due to the rhetoric of recent Labor leaders, the new Liberal Premier, Colin Bartlett’s, confronts community anxiety and a vocal anti-uranium campaign that may have been much more muted had Labor not opposed uranium mining.  

In November 2005, Labor’s State Party Conference debated a motion to establish a working party to look at future energy needs, including examining the party’s opposition to uranium mining in WA. Then Premier Geoff Gallop’s argument reflected the standard litany of objections, namely, concerns over nuclear proliferation, nuclear terrorism, problems with waste disposal and reactor accidents. In the Parliament, Gallop articulated the basis of his opposition:

First, there are the environmental impacts involved in the mining process itself. Secondly, once the uranium is exported, there are concerns about whether it is stored, processed and handled appropriately and ethically. Thirdly, the creation of nuclear power results in environmental risks that are significant in and of themselves. Fourthly, there is the issue of the creation of nuclear waste and its disposal. Finally, as I said in my introduction, there is the possibility that nuclear products could be used by nation-states or terrorist groups to create weaponry, with catastrophic consequences.

He argued that there are ‘dangers to uranium mine workers’ and pointed out that South Australia’s Olympic Dam and Beverley uranium mines had reported many ‘incidents’ of spills which, he implied, had endangered workers. He moved to paint a picture of the fearsome nature of radioactive isotopes released during mining and how these required stringent regulatory frameworks:

They are so dangerous that the framework that is created to regulate their mining and production is unbelievable. If members opposite want to know what the consequences of uranium mining are, instead of asking me they should consider the regimes that are used to try to stop its consequences having a devastating effect on human health and our environment.

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The then Minister for the Environment, Judy Edwards, argued that ‘Uranium mining, processing and transportation all involve risks of low-level radiation exposure, and no-one can tell us the likely consequences of those risks.’ Further, she stated that ‘it is quite hard to determine a safe level of radiation exposure with any degree of certainty.’ These factors, combined with problems of managing tailings that Gallop believed would threaten ground water supplies, led him to conclude that Western Australia would not support uranium mining.

The question of radioactive risk associated with uranium mining is subject to intense scientific and government regulatory scrutiny. Uranium mining is a well established practice and as Oxford University Professor of Physics, Wade Allison, argues in his recent book, *Radiation and Reason* exaggeration of radiation risks are related to a culture of fear over matters associated with radiation. In essence his argument (alongside those of safety officers working for mining companies consulted for this research), suggests that uranium mining is at least as safe as other types of mining and much safer than is often the case with coal mining. Thus, opinion points to the exaggeration of risk by opponents, as there appear to be no risk when basic safety procedures are followed. However, the politics of exaggerating risks, especially when articulated by the authoritative voice of a Government leader, as opposed to an anti-nuclear campaigner, invariably plays upon community anxiety over radiation poisoning.

The former Opposition Leader and now Premier, Colin Barnett, presented a cogent critique of the Gallop government’s position by pointing to the role Western
Australia could play in assisting countries reduce their carbon emissions.\textsuperscript{62} His position recognised the concerns of his opponents, but rested on an assessment of risk, namely, that nuclear power was the only ‘known technology, the only alternative for large-scale, low-cost power generation at a global level.’\textsuperscript{63} In the parliament, he pointed to the growth in demand for electricity worldwide and argued that nuclear power was likely to increase fourfold over the next four decades suggesting that, ‘A ban on uranium mining, in this state, is nonsensical’ and is one that ‘belongs back in the 1960s and 1970s.’\textsuperscript{64} The force of his argument lies with its appeal to both reason and realism, but also with regard to Barnett’s respect for his opponents’ viewpoint, something he was at pains to make clear. Rather than promote fear in the community regarding uranium oxide being transported on West Australian roads, he stressed that ‘The public needs to be reassured, not scared by the Premier as happened last week. He sought to scare the population about yellowcake. It was unscientific, unfounded and irresponsible.’\textsuperscript{65}

As noted above, it transpired that Barnett won the 2009 State election and moved to end the ban and, in so doing, Labor’s unity on the question began to fracture. The current Labor leader, Eric Ripper, refuses to consider changing Labor policy despite mounting pressure on him to do so. In the absence of bipartisan consensus, miners are at the whim of the electoral cycle which, ironically, creates a level of ‘sovereign risk’ that sits in crude juxtaposition to the broader arguments supporting expansion of mining. Clearly, a future Labor government would be faced with large compensation claims should it renege on licences granted by the Barnett government.\textsuperscript{66}

\textbf{The Australian Greens in the National Parliament}


\textsuperscript{63} Legislative Assembly, West Australian Parliament, Hansard, 31 August 2005 p. 4877.

\textsuperscript{64} Legislative Assembly, West Australian Parliament, Hansard, 31 August 2005 p. 4878.

\textsuperscript{65} Legislative Assembly, West Australian Parliament, Hansard, 31 August 2005 p. 4878.

\textsuperscript{66} ‘Party row looms in WA Labor over uranium’, Andrew Burrell, \textit{The Australian}, 16 Sept 2010

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The most significant development in uranium politics in recent years has been the
calendar success of the Australian Greens at national elections. Western Australian Greens
Senator, Scott Ludlam is now the spearhead for anti-uranium arguments and
campaigning. He targets two issues, both of which tend to play to community fears. The
new mines proposed in Western Australia will see uranium oxide transported
considerable distances by road and rail. For Ludlam, this poses a grave danger. He argues
that uranium oxide concentrate (UOC), colloquially know as ‘Yellowcake’, ‘is the
consistency of talcum powder’ and, should a ‘serious road or rail collision occur, people
using the same transport routes or living nearby would be at risk of breathing in the
dust.’ The analogy to talcum powder is seriously misleading for it is very light given it
is calcium based. In the metal form uranium is 1.7 times denser than lead and 12 times
denser than calcium. UOC (U3O8) weighs over nine times more than the same volume
of talcum powder and is therefore far more resistant to dispersal. UOC grain size is also
generally far larger in size than talcum powder which also dramatically reduces the
potential for dispersal. UOC is non-flammable, non-explosive, relatively insoluble and
transported in such a manner as to limit both the chance of entering the environment and
potential impact if released. The packaging of UOC in Australia goes beyond the
regulatory requirements of the International Atomic Energy Agency and is far more
secure than shipments of materials with higher hazard ratings. The critical issue
opponents fail to acknowledge is that given the inherent chemical and physical properties
of uranium combined with stringent nature of regulations and monitoring, over two
decades have passed transporting uranium oxide from Olympic Dam to Port Adelaide
without any release to the environment or significant exposure to workers or the public.

67 ‘Why dig up the most toxic substance on Earth?’ Media Release, Senator Scott Ludlam, 22 May 2009. http://scott-
ludlam.greensmps.org.au/content/media-release/why-dig-most-toxic-substance- and the Anti-Nuclear Alliance of Western Australia,
68 Environmental Chemistry 2007; Periodic Table Sorted by Density, http://environmentalchemistry.com/yogi/periodic/density.html
69 International Bio-Analytical Industries 2002; Physical properties of Uranium Oxide MSDS, www.ibilabs.com
Powder and Bulk Engineering Resources - Bulk Density Chart,
http://www.powderandbulk.com/resources/bulk_density/material_bulk_density_chart_t.htm
70 IAEA 2009; Regulations for the Safe Transport of Radioactive Material, IAEA, Vienna, Austria. http://www-
Nevertheless, Ludlam continues the long tradition of mythologising the supposed dangers and these filter into public consciousness especially when activists attract media reportage to their cause.

Apart from campaigning against new mines in his home state of Western Australia, Ludlam focuses in on an area that historically posed problems for uranium miners in terms of public perception, namely the management of tailings waste. On this matter, the 1997 Senate Inquiry into Uranium Mining and Milling noted that uranium mining companies face serious challenges in their management of tailings. Anti-nuclear activists and Greens politicians are understand this vulnerable dimension of mine company public relations and seek to capitalise on any mine site ‘accident’ by claiming that such occurrences represent evidence of an industry prone to environmental harm and negligence on the part of company and government officials. They know that the chances are high that local and national media will publicise mishaps. With sufficient exaggeration of the ‘danger’ and associated assumed mine mismanagement the industry is painted in a negative light in the public arena. One example typical of this pattern occurred in 1994 when the former owner of the Olympic Dam mine, Western Mining Corporatoin, reported a leak into groundwater. Greenpeace Australia claimed it ‘clearly contains radioactive material’ but it transpired that the company’s analysis found that the ground water was free from radioactive contamination, an assessment later supported by a South Australian parliamentary inquiry.

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73 ‘Kelly wants report on uranium mine leak’, Hugo Kelly, The Age, 14 February, 1994. The South Australian Parliament’s Environment, Resources and Development Committee reported ‘that while there were several deficiencies in the design of the initial tailing dams systems at Olympic Dam, it was "highly unlikely" seepage from the dam would lead to any harmful effects for employees or the environment in the future.’ Cited in ‘Dam leak report finds no harm’, Simon Jemison, Australian Financial Review, 11 April 1996.
The question of tailings leakage at the Ranger mine has been the focus of sustained critique by Senator Ludlam, as he aimed to demonstrate that the mine is environmentally derelict, especially in managing tailings waste. In a speech to the Senate in September 2009, Senator Ludlam described uranium mining as posing ‘unacceptable environmental and health risks.’ He argued that the Commonwealth Government’s support for uranium mining government reflected a government ‘captured by the uranium mining industry’ and ‘becoming the nuclear industry’s tooth fairy.’ Here, Ludlam reflects a core assumption underpinning much of the anti-uranium case, namely that government is not sufficiently independent in its assessment of mining operations. This view is echoed by political scientist, Tim Doyle, who maintains that government is too close to ‘big business’ and, in this process, the independence of ‘science’ is compromised seriously when evaluating the impact of mines on the environment. To be sure, much environmental harm occurred during the formative years of uranium mining, particular in the Rum Jungle region. Moreover, the Ranger and Olympic Dam mines have suffered numerous minor tailings accidents, something not uncommon to all mining practices requiring tailings management. But damaging to the industry’s public profile has been the fact that, until recently, it has historically shrouded itself in a level of secrecy. This allows opponents to continue to paint the image of big and uncaring business showing disregard to communities, particularly indigenous communities. However, the evidence points to significant changes in company preparedness to be transparent. Such shifts in practice are not likely to convince critics such as Doyle who he argues that company efforts to act more openly are largely a sham and merely reflect an ideology of ‘wise use’.

As a member of the Senate’s Standing Committee on Environment, Communications and the Arts, Senator Ludlum aims to embarrass Energy Resources of Australia’s management of tailings waste at its Ranger mine adjacent the iconic Kakadu

74 Senator Ludlam, Senate Hansard, 8 September 2009, p. 5899-90.
76 Doyle, ‘Outside the State: Australian Green Politics and the Public Inquiry into Uranium’, ‘The example of WMC’s Olympic Dam Community Consultative Forum process is straight out of a US wise use manual…[where] the odds are stacked even more against environmentalists than the old government-led round tables’. P. 243
National Park.\textsuperscript{77} The mine’s proximity to a national park of great beauty makes it far more vulnerable to national attention in the event of an accident than Olympic Dam mine which is located in a desert. The Ranger mine has had a long history of protests and tends to readily draw media attention when any safety issue arises.\textsuperscript{78} To this end, during 2009 and 2010, Ludlam took every opportunity to cross examine the Commonwealth’s Supervising Scientist, Alan Hughes, during Senate Committee hearings. Hughes had reported that approximately 100,000 litres per day leaks from one tailings dam at the Ranger Mine. The size of the leak is understandably alarming should it be moving laterally. Hughes pointed out on numerous occasions that the leak is directly below the tailings dam and posed no hazard to nearby creeks. He explained, at length, in testimony, that monitoring is sufficient and, moreover, this matter was addressed comprehensively in his Office’s Annual Report, which said that:

Monitoring programs by ERA, the NT Department of Resources and SSD continue to indicate that there is no evidence of seepage from the base of the Ranger tailings storage facility (TSF) impacting on Kakadu National Park. ERA has installed additional monitoring bores around the TSF at the request of stakeholders, including SSD.\textsuperscript{79}

There are a series of company-sponsored bores located laterally around the dam. Also, in conjunction with Division of the Supervising Scientist, automated monitoring stations are located in creeks adjacent the tailings dam and it is clear that, to date, no risk to the environment’s adjacent eco-systems, or human health, has occurred. Yet adverse media reportage often follows when opponents hyperbole suggests a grave threat to the environment is being perpetrated. One example is the case when \textit{The Age} newspaper


\textsuperscript{78} For example, ‘Kakadu being poisoned by Rio Tinto mine, group warns’, Lindsay Murdoch, \textit{Sydney Morning Herald}, 24 May 2010.

reporting anti-nuclear campaigner, Dave Sweeney’s view that ‘Federal authorities should require ERA to end their expansion plans, phase out current mining, get serious about cleaning up the mountain of mess it has already caused and get out of Kakadu’. 80

The tenor of Ludlam’s critique is to question the viability of the Ranger mine and they have certain currency due to the past history of miners have not always been open about their activities. This is evident in Doyle’s critique of the sector when he draws attention to the special Act of Parliament Western Mining extracted from the South Australian government when the Olympic Dam mine was established in the early 1980s. Doyle pointed out that not only did it give the miner free water from the Great Artesian Basin, it overrode pre-existing Aboriginal heritage and environmental legislation and, most remarkably, ‘gave WMC and the SA Government the right to withhold all information pertaining to the operation of the mine from the public unless both parties agree to release it’. This he points out contributed to a ‘culture of secrecy in the uranium industry in Australia and has endured up to the present day’. 81

It is not unreasonable to conclude that anti-uranium activists will rarely accept scientific explanations that are contrary to their deeply held skepticism toward government oversight of uranium mining. Arguably, for Ludlam no explanation is acceptable for in early 2011 he again publicised the inference that the mine was environmentally negligent, ‘leaking 100,000 litres of contaminated water into the ground beneath the park on a daily basis.’ 82 The uranium miners’ opponents work with a set of political assumptions which essentially view the office of the Chief Scientist, and indeed the Commonwealth Government, as compromised because, as Ludlam put it, they are the industry’s ‘tooth fairy’. 83 This assessment represents an exceptionally crude assessment

81 Doyle, ‘Outside the State…, p. 241.
83 This point is illustrated when in response to an answer from the Supervising Scientist, Senator Ludlam observed, ‘That is a statement of such confidence given the enormous range of ambiguities that we have just talked about this morning. I would expect that coming from the company but not from the regulator. That is what I would see in an ERA press release.’ Standing Committee on Environment, Communications and the Arts, Estimates, Official Committee Hansard, 9 February 2010, p. 21.
of power relations in a modern advanced democracy where key sections of the media are generally keen to report environmental hazards raised by NGOs and Greens’ members of parliament.

In relation to the establishment of uranium mining in Western Australia Senator Ludlam aims to paint a picture certain adverse health and safety consequences for all communities associated with the mines. Ludlam argues that on windy days people will be ‘breathing in dust or radon gas blown off the tailings’. As noted above, Professor of Physics, Wade Allison, seeks to dispels myths associated with radiation and relevant here are his findings that higher doses of radiation than previously considered are not harmful to health. His argument is controversial; however, on balance, it appears thoroughly researched. Moreover, his findings are supported by recent revisions of standards for radon gas conversion by the International Commission on Radiological Protection. This is not to down-play the risks, but rather to show that they are manageable if one accepts the capacity for regulations to be put into effect, and for those charged with the task of monitoring, to conduct themselves with integrity. The problem for the industry is that anti-uranium activists appear unwilling to accept that governance of the sector is judicious. After all, for three decades, uranium oxide has been road freighted from Olympic Dam to Port Adelaide without an accident and labour unions are satisfied that radiation standards are well monitored at the mine.

Indigenous Views of Uranium Mining

The relationship between the uranium industry and indigenous Australians has had a chequered past. This history has seen indigenous communities campaign strenuously against proposed mine sites, the granting of exploration licences and the provision of development approvals over several decades. To be sure, indigenous views of the

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uranium industry have been tarnished by perceptions of corporate and government heavy-handedness, deception, coercion, a climate of misinformation and feelings of disempowerment as a consequence of beliefs about the inevitability of project developments. In this final section, we argue that these views, as well as industry practices, are beginning to change and that this augurs well for the future of the uranium industry in Australia.

The uranium industry has had a poor track record of consultation with, and respect for the rights of, indigenous communities. Two of the most illustrative examples of this record are ERA, which operates the Ranger mine in the Northern Territory, and WMC, which until 2005 operated the Olympic Dam mine in South Australia (at which time it was taken over by BHP Billiton). Both ERA and WMC stand accused of engaging in secrecy and opacity in their negotiations with the local indigenous communities, of not respecting their rights and of forcing developments on the Traditional Owners by circumventing Native Title legislation and other legal requirements. As Doyle explains with regard to the *Roxby Downs Indenture Ratification Act 1982*, which gave legal status to the agreement between the Government of South Australia and WMC, the agreement “created a formal policy, as well as a culture, of secrecy in the uranium industry in Australia.”

The *Indenture Act* “gave legislative approval to a complex and detailed agreement over royalties, environmental safeguards, the construction of roads and town facilities, power and power supplies and radiological protection, between the government and the joint [venture] companies—Western Mining and BP Australia.” However, Doyle argues that scant attention was paid to the local indigenous community, which, he says, was largely excluded from negotiations. While WMC instituted a Community Consultative Forum, Doyle maintains that this was at the “virtual exclusion of Aboriginal peoples” and that the only indigenous member of the CCF was appointed without consultation.

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89 Doyle, ‘Outside the State’, p. 243.
In the Northern Territory, the Mirarr people, the recognised Traditional Owners of the land within the boundaries of Kakadu National Park, have actively campaigned against uranium exploration, mining and milling on their land, due to fears about environmental degradation, mine safety, radiation, protection of sites of spiritual significance, loss of community cohesion, the influx of non-indigenous peoples and the potential for the decline of traditional culture, and concerns about the consultation process. Mirarr opposition to Ranger (and its proposed sister mine at Jabiluka) goes back several decades. Mirarr Traditional Owner, Yvonne Margarula, explains, “For 25 years we Mirarr people… were pushed to the outside by non-Aboriginal people in government [and by] mining companies.” According to Margarula, “Uranium mining has completely upturned our lives – bringing a town, many non-Aboriginal people, greater access to alcohol and many arguments between Aboriginal people, mostly about money. Uranium mining has also taken our country away from us and destroyed it – billabongs and creeks are gone forever, there are hills of poisonous rock and great holes in the ground with poisonous mud where there used to be nothing but bush.”

In the Northern Territory, the *Aboriginal Land Rights Act 1976* provides for the fundamental right of Traditional Owners “to be consulted over the use of their land” and to control access to these lands. The *Act* also contains provisions about consent, which is required before any development can proceed, but this is at the exploration stage only. Once consent has been provided by the Traditional Owners for exploration, it is not required by the mining company at the mining stage. As Stoll *et al* explain, they “are locked into a statutory process such that an agreement for mining must be made to allow the mining of any discovery to proceed.”

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The Mirarr people claim that they signed the Ranger agreement “under duress” and without sufficient knowledge of the development proposal.\(^{93}\) This claim is supported by the conclusions of Justice Russell Walter Fox, the chair of the Ranger Uranium Environmental Inquiry (Fox Inquiry), who found that:

The evidence before us shows that the traditional owners of the Ranger site and the Northern Land Council (as now constituted) are opposed to the mining of uranium on that site. Some Aboriginals had at an earlier stage approved, or at least not disapproved, the proposed development, but it seems likely that they were not then as fully informed about it as they later became.\(^{94}\)

Despite this finding, Fox wrote, “There can be no compromise with the Aboriginal position; either it is treated as conclusive, or it is set aside. In the end, we form the conclusion that their opposition should not be allowed to prevail.”\(^{95}\) The history of the Mirarr people’s engagement with ERA is replete with mistakes committed by the company: their rights were ignored and the community was misinformed by ERA’s representatives and government officials. This past cannot be overlooked and it is therefore understandable that indigenous communities elsewhere in the country also have been unwilling to enter into negotiations with uranium miners.

Indigenous communities in and surrounding South Australia’s northern Flinders Ranges, Western Australia’s Goldfields region and Alice Springs have expressed their opposition to, and concerns about, existing and proposed uranium developments. Their concerns extend to the provision of services, with indigenous leaders expressing fears that communities were likely to become dependent on resource companies for the


\(^{95}\) Fox also noted in the Report that, “Traditional consultations had not then taken place, and there was a general conviction that opposition was futile. The Aboriginals do not have confidence that their own view will prevail; they feel that uranium mining development is almost certain to take place at Jabiru, if not elsewhere in the Region as well. They feel that having gone so far, the white man is not likely to stop. They have a justifiable complaint that plans for mining have been allowed to develop as far as they have without the Aboriginal people having an adequate opportunity to be heard ... it is not in the circumstances possible for us to say that the development would be beneficial to them.” Fox, Ranger Uranium p. 9.
provision of infrastructure and for the delivery of services, functions expected of governments by the mainstream Australian community. A further concern among these groups is the potential for the creation of fragmented communities—between those who oppose mining, argue its disadvantages and fear social and cultural disintegration and those who accept its benefits and who are willing to grant access to their lands. The Traditional Owner, Enice Marsh, of the Adnyamathanha people in the Flinders Ranges, remains resolutely opposed to uranium developments on her land, including the expansion of the Beverley mine. She says, “We regard any disturbance of these sites as a threat to our health, our environment, our culture and our heritage. It’s totally at odds with our beliefs and values. This dangerous substance should be left in the ground.” Moreover, Marsh contends, “By and large, the whole community [was] excluded from the consultation process…. We felt very isolated. We knew how the mining companies at Roxby Downs had cultivated a lot of conflict within Aboriginal communities. We were very wary about having a mining company in our area, diving our community and having some people put in an elite position.”

In Western Australia, Traditional Owners have criticised the Barnett government’s decision to overturn Labor’s ban on uranium exploration and mining. In the Goldfields region 600km east of Perth, the Wongatha community leader, Geoffrey Stokes, has stated his opposition to BHP Billiton’s plans to develop the Yeelirrie uranium deposit. He says, “We don’t need uranium mining in this country. We have sun, we’ve got wind, we’ve got people. Why should we pollute our country for money?” In Alice Springs, indigenous groups, together with environmental activists, have launched a high-profile campaign against the Angela Pamela development 25km south of the city. Native Title holder

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96 J. Vaisutis, ‘Indigenous communities getting dumped in it. Again.’, *Habitat*, vol. 38, no. 2, April 2010, available at <http://www.aefonline.org.au/articles/news.asp?news_id=2947>, consulted 4 January 2011. This is an important question for governments, regulators and industry representatives going forward, as indigenous communities are entitled to expect the same provision of services as non-majority indigenous communities and should not have to become dependent on the passive income earned from the exploitation of resources on lands that hold spiritual significance.


Tahnia Edwards told a public meeting in May 2008 that the estate communities were opposed to uranium mining.\textsuperscript{100} Opposition to the development focused primarily on the potential contamination of the city’s water supply and the impact on the tourist industry.\textsuperscript{101}

Despite the vehemence with which those opposed to uranium mining articulate their claims, many of their arguments today lack force, as they are not borne out by scientific fact and are not cognisant of changes to industry practices. For example, the Gundjeihmi Aboriginal Corporation’s submission to the House of Representatives Standing Committee on Industry and Resources Inquiry into Developing Australia’s Non-Fossil Fuel Energy Industry, which contained a number of complaints and recommendations, was comprehensively rebuffed by the Australian Government Department of Environment and Heritage in its Supplementary Submission to the Inquiry.\textsuperscript{102} However, more significant for our purpose here are recent changes to the uranium industry’s practices in recent years, which will do much to transform the industry in the minds of Traditional Owners if further progress on these issues is made. Australian Uranium Association director and Chief Executive Officer of NTSCorp, Warren Mundine does not gloss over the past record of uranium miners, but he believes that the industry has made substantial progress during the last seven to eight years in the way in which it negotiates with indigenous communities. According to Mundine, while uranium miners were dragged “kicking and screaming” to the table to negotiate with indigenous people, they have now realised that there is a “good business case” for them to work more closely with indigenous Australians.\textsuperscript{103} Mundine contends that the uranium miners, because of the nature of the industry, have been “under a siege” from the anti-nuclear movement and have had to “look for friends a lot harder than what the overall

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\textsuperscript{103} Personal communication with the author, Wednesday 19 January 2011.
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mining industry has had to do as a whole.” Moreover, while he acknowledges that the cultural shift that is occurring in the industry is not due to altruism—he puts it down primarily to “hard-nosed business” decisions—he says:

> especially in the last few years there has now become a culture within the industry about how you properly deal with indigenous groups and when you look at some of the agreements and some of the negotiations that are happening in this area, you’ll find the uranium industry, because of that cultural change, because they need to find friends, is usually a lot better than what you get to see in the wider mining industry.\(^\text{104}\)

Mundine believes that there is a ‘new paradigm’ emerging in the way in which the uranium industry engages with indigenous Australians. To some degree, he puts this down to the “internationalisation of indigenous affairs”, which has meant that Australian miners overseas now face barriers to operations in Canada, South Africa and the United States if their track record on indigenous issues is not good at home.\(^\text{105}\) While this change has occurred only recently, companies now speak openly in the language of rights, and a number of prominent firms and the industry’s peak body, the AUA, have developed significant corporate social responsibility profiles and agendas. The ‘new paradigm’ of which Mundine speaks upholds the rights of, and understands the need to engage in constructive consultation with, indigenous people. The AUA, for example, announced in 2009 the formation of a Dialogue Group comprised of representatives of the uranium industry and influential indigenous leaders, including Mundine, and academic Marcia Langton. The aim of the Dialogue Group is to “inform and shape the industry’s contribution to indigenous economic development.”\(^\text{106}\) At the time, AUA Executive Director Michael Angwin said of the initiative, “This is about indigenous communities and the uranium mining and exploration industry talking about ways the industry can best contribute to indigenous economic development.”\(^\text{107}\) Mundine also spoke positively of the Group, stating:

\(^{104}\) Personal communication with the author, Wednesday 19 January 2011.

\(^{105}\) Personal communication with the author, Wednesday 19 January 2011.


\(^{107}\) Australian Uranium Association, ‘17 February 2009 – Indigenous leaders, uranium industry establish dialogue’.

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There is a common interest in working with the industry on ways we can achieve economic progress for Aborigines, while managing projects in ways that protect the environment. There is a lot of work to do and this relationship with the uranium industry is a good way to do it.\(^{108}\)

The AUA has also developed a scholarship program to support indigenous students in tertiary education who are undertaking studies in “areas relevant to uranium exploration and mining”, specifically, science, engineering and business management.\(^{109}\) The program’s aim is to help build indigenous students’ skills and capabilities so that they might subsequently be suitable for employment in the industry. While the program is only small—it provides funding of $10,000 per year to one student for the duration of their studies—Mundine points to the relative size of the uranium industry in Australia when compared against other industries in the resource sector. When questioned about the scale of the uranium industry’s social responsibility program, Mundine says:

It’s a start. You go back 12 months ago, there was nothing there. You’ve got to start somewhere. And I think this is a major step for the industry to actually come, can I say it politely, come out of the dark, and get out into Aboriginal communities and actually having people put their hands up for these scholarships is a massive step. So, we’re at a very embryonic stage, and it’s about the industry being a contributor beyond just the mine site…. [This is about] how the industry can contribute to the economic advancement, educational advancement, and opportunities of indigenous people. So this is the first stage. I would like to see that then expanded. That will expand as the industry gets bigger in this country, because at the moment we are quite a small industry compared to other sectors — we are a very small industry compared to iron ore, coal….

It’s about us now developing further this idea of the scholarship program.\(^{110}\)

Initiatives such as the Dialogue Group and the scholarship program, we contend, are not simply cynical exercises in managing opposition to the uranium industry through ‘green washing’ or corporate social responsibility ‘spin’, but rather represent a significant step forward by the industry in the recognition of its roles and responsibilities in promoting mutually beneficial developments and capacity building in indigenous communities. To continue on the path that some members of the industry had trodden, namely, neglect of the rights of Traditional Owners and poor environmental management practices, which led in certain cases to conflicts with indigenous communities, is not in
the interests of the uranium industry in Australia or the communities in which it operates, and this has now been recognised. Indeed, Mundine is sanguine about the future of the industry’s engagement with indigenous Australia. He says, “I’m feeling very optimistic about the future and about how we move forward. I have a lot of confidence in the political process and about indigenous people and the industry, that we will come to agreements and we’ll be able to move forward.”

One uranium company has already been commended for the constructive manner in which it has approached the local indigenous community on whose land it operates. Marathon Resources, which operates the Mt Gee tenement in the Flinders Ranges, has been singled out for praise by Adnyamathanha Traditional Lands Association chairperson, Vince Coulthard, in a letter to the South Australian Department of Environment and Heritage. While we saw above that Adnyamathanha Traditional Owner Enice Marsh remains opposed to uranium mining, Coulthard writes:

> It saddens me to say that we get far more respect from mining companies in [consultation] than we do from the State Government. The mining companies understand they have to negotiate with us, the Traditional Owners, to get access to the land and to complete work area clearances…. The reality is the only stakeholder who have (sic) shown us respect in this whole situation is Marathon Resources, they have shown us the respect that is rightfully ours.

In Western Australia’s Western Desert region, the Martu people have also developed a constructive relationship with several mining companies, including Rio Tinto and Cameco, which now holds the deeds to the Kintyre deposit. The chief executive of the Western Desert Land Council, Clinton Wolf, who represents the Martu people, objected to the former State Labor government’s ban on uranium exploration and mining. Wolf states, “We strongly believe that uranium mining could be an opportunity for our people to generate equity and commercial benefit and importantly play an important part in the development of significant resources projects for this state.” In addition, he believes, “By proposing to ban uranium mining, the Premier and State ALP

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111 Personal communication with the author, Wednesday 19 January 2011.
Government is effectively robbing one of the most poor and disenfranchised people in this country of the right to earn a living and potentially achieve an equity stake in a major mining project.”

Warren Mundine, as well as other indigenous leaders, argues that uranium mining presents an opportunity for social and economic development in indigenous communities. However, he acknowledges the industry’s past failures in this regard and the difficulty that it now faces in repairing its image. Mundine believes that a greater emphasis on communication, education and increased transparency holds the key to achieving better outcomes for miners and Traditional Owners. He says that the industry has been its own worst enemy, because it largely avoided engaging in the debate over the nuclear fuel cycle in Australia, thus leaving a vacant space for the anti-uranium/nuclear lobby to fill. While he accepts that there will likely still be setbacks in the relationship between resource companies and indigenous communities in the future, he suggests that the Dialogue Group, scholarship program and a heightened public presence are the first steps in allaying the concerns of indigenous people who are presently wary of the uranium industry.

Conclusion

The reality is that the uranium mining industry is under constant close scrutiny from government. During the late 1990s the report of the Senate’s Committee on Uranium Mining and Milling noted that ‘No other form of mining is so subject to regulation or scrutiny, governmental as well as public, as is the mining of uranium.’ The Committee maintained that ‘this level of scrutiny is warranted’ because it ‘responds to the sensitivity associated with uranium mining’. It found that regulations governing the management of tailings were ‘adequate’ but should be improved. The Committee’s call for a ‘new

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national machinery for overseeing uranium mining and milling’ was based not only on
evidence that management of tailings could be improved, but also on the basis that the
public needed to be reassured that projected growth in the sector would not simply see
more reports of accidents. The Committee maintained that the industry’s expansion
necessitated mechanisms that would help it avoid future negative publicity. To this end, it
recommended that ‘locally-based scrutiny of mining’ develop alongside a more national
approach. Rather than State based regulators taking most of the responsibility the
Committee argued that more thorough national ‘coordination of environmental and health
and safety matters’ would enhance public accountability. This would require annual
reporting to Parliament and, no doubt members would be able to cross examine its
authors. Unfortunately it transpired that this idea was scuttled by Howard Government
Senators and it appears that the idea of an ‘umpire’, sitting at ‘arm’s length’ from
government, has not been considered by subsequent Labor administrations. This is
unfortunate for we believe that such an authority, sitting between Government, industry
and anti-uranium protagonists would assist with bringing greater clarity to many matters
surrounding the conduct of uranium mining. It is worth noting that the the 2006 House of
Representatives inquiry into Australia’s participation in the nuclear fuel cycle concluded
that anti uranium mining arguments, as they relate to tailings management, were not
unreasonable when focused on past practices but in the current regulatory and
supervisory environment, entirely unfounded. This conclusion did little to change the
views of the Western Australian and Queensland Labor Party branches. Clearly, a
credibility gap continues to exist between those who monitor regulations and their critics.

116 ‘The Committee therefore recommends establishment of a Commonwealth Uranium Authority by statute without delay. Its
responsibilities should include any approvals to mine; direction of environmental impact studies; supervision of plans and programs to
to ensure that the impact of mining on the environment is minimised; triennial audits of environmental performance at mines (or at such
shorter intervals as may be necessary); and review, audit and evaluation of health and safety measures at the mines and other locations
where nuclear materials are stored. Uranium Mining and Milling in Australia: Report. Web page – ‘Major Findings, Conclusions and

117 House of Representatives Standing Committee on Industry and Resources, Australia’s Uranium – Greenhouse friendly fuel for an
ergy hungry World: A case study into the strategic importance of Australia’s uranium resources for the Inquiry into developing
Australia’s non-fossil fuel energy industry, November 2006, p. 10.
We argue that an authority constituted by a board of experts drawn from industry and the science community, and empowered to monitor the regulatory environment, may overcome the history confusion the public endures. At the very least, the national media would know it must seek the assessment of the experts rather than merely counterpose the activists with that of the company spokespersons.

There is no doubt that uranium mining remains an issue of contention within indigenous communities. Nevertheless, it is clear that the industry is increasingly playing a positive role in community development and capacity building. This represents something of a ‘revolution’ in the sector’s practices as it increasingly appreciates that it must respect the rights of indigenous people. In so doing miners recognise that they are more likely to receive approval for developments, and for Traditional Owners, the promise of assuming greater responsibility for their communities’ future development now emerges as a genuine prospect. This change in the way the industry operates, we argued, is acknowledged by a number of indigenous leaders and if it can be shown in coming years to be objective fact then, it follows, that a key rallying point for anti-uranium opinion will be diminished. Indeed, the shifts in indigenous political thinking led by the likes of Noel Pearson and Warren Mundine may see a ‘paradigm shift’ in the conduct of this politically embattled sector of the Australian economy.