SOCIAL IMPACT ASSESSMENT:

UNITED STATES MARINE CORPS ROTATIONAL PRESENCE PHASE 1 (ROTATIONS OF 200 - 250 US MARINES INTO THE NORTHERN TERRITORY)

Report for the Department of Defence Force Posture Review Implementation Team

Noetic Solutions Pty Limited
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August 2012
Distribution

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Revision Log

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EXECUTIVE SUMMARY

1. The social impact of phase one of the United States Marine Corps (USMC) rotational presence (rotations of 200-250 US Marines into the Northern Territory [NT]) on the NT population is assessed as being minimal or even negligible. The size of the contingents and the nature of their activities while in the NT indicate that there will be relatively little interaction between the USMC personnel and the NT population or community services. Nonetheless, perceived impacts, whether realised or not, have the ability to impact community support for the initial rotational presence.

2. The impact of the USMC rotational presence was assessed against 10 social impact indices. These indices were developed by the NT Government and were adopted as being representative of issues of importance for the NT community. For each of the indices, indicators were identified and developed during the stakeholder engagement process. The indices and subordinate indicators are:

<table>
<thead>
<tr>
<th>Social Impact Index</th>
<th>Indicator(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Population impacts</td>
<td>+ Population size</td>
</tr>
<tr>
<td>Demographic profile</td>
<td>+ Influx of young males</td>
</tr>
<tr>
<td>Indigenous Australians</td>
<td>+ Use of Indigenous land during training exercises</td>
</tr>
<tr>
<td></td>
<td>+ Role modelling to Indigenous youth</td>
</tr>
<tr>
<td></td>
<td>+ Economic benefit to indigenous communities adjacent to major training areas</td>
</tr>
<tr>
<td>Income and affordability</td>
<td>+ Local employment</td>
</tr>
<tr>
<td></td>
<td>+ Funding</td>
</tr>
<tr>
<td>Employment training and business</td>
<td>+ Benefit to local business</td>
</tr>
<tr>
<td></td>
<td>+ Joint exercises with ADF</td>
</tr>
<tr>
<td></td>
<td>+ Tourism</td>
</tr>
<tr>
<td>Primary, secondary and tertiary education</td>
<td>+ Use of NT Education services</td>
</tr>
<tr>
<td>Housing and accommodation</td>
<td>+ Housing</td>
</tr>
<tr>
<td></td>
<td>+ Temporary accommodation</td>
</tr>
<tr>
<td>Community health and safety</td>
<td>+ Anti-social behaviour related to alcohol consumption</td>
</tr>
<tr>
<td></td>
<td>+ Sexual assault</td>
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<tr>
<td></td>
<td>+ Traffic</td>
</tr>
<tr>
<td>Community facilities and services</td>
<td>+ Social and medical services</td>
</tr>
<tr>
<td></td>
<td>+ Infrastructure</td>
</tr>
<tr>
<td></td>
<td>+ Construction</td>
</tr>
<tr>
<td></td>
<td>+ Nuclear materials</td>
</tr>
<tr>
<td></td>
<td>+ Quality of ADF ranges</td>
</tr>
<tr>
<td></td>
<td>+ Humanitarian assistance and disaster relief</td>
</tr>
<tr>
<td></td>
<td>+ Environmental degradation</td>
</tr>
</tbody>
</table>
3. A total of 29 individual impacts were identified against the social impact indices. Of these, the majority were evaluated to have a positive impact (7), or no discernible impact (12). 10 risks were identified.

4. It is a key finding of this assessment that the need for consultation and public engagement on all aspects of the joint posture initiatives, current and future, was a recurring theme throughout all stakeholder interviews. Moreover, this assessment found greater levels of interest relating to a 2500 personnel rotation than with the current 250 personnel contingent. This is because the full range of potential social impacts are only likely to manifest if the rotation was expanded. It will therefore be especially important to continue to engage broadly should the Australian and United States Governments agree to larger rotations of US Marines in the NT in the future.

5. The specific findings from this assessment of the initial rotational presence are as follows:

a) Finding 1: The overall analysis of the social impact of the USMC rotational presence on the NT population is that any impact is highly likely to be minimal or even negligible

b) Finding 2: The impact on the population size of the NT is negligible

c) Finding 3: The impact on the demographics of the NT are negligible

d) Finding 4: No risks are presented to Indigenous Australians

e) Finding 5: There is an opportunity for positive role modelling by USMC personnel to indigenous youth

f) Finding 6: There is an opportunity for minor economic benefit to indigenous communities adjacent to ADF training areas

g) Finding 7: There is no social impact on income or affordability

h) Finding 8: There will be very limited opportunity for benefit to local business

i) Finding 9: An opportunity has been identified for a positive impact on the tourism sector of the NT

j) Finding 10: The initial rotational presence provides a positive opportunity for increased combined exercises between the Australian Defence Force (ADF) and USMC

k) Finding 11: There is a risk that unrealistic expectations exist regarding the economic impact of this initial rotational presence which, when not realised, may diminish support for the initiative. This risk has been identified and rated as MODERATE, however with additional controls the risk can be mitigated to LOW

l) Finding 12: There will be no impact on primary, secondary or tertiary education in the NT
Finding 13: There is no impact on the existing permanent housing, or on temporary or tourism accommodation

Finding 14: There is a LOW risk of incidents of anti-social behaviour related to alcohol consumption by USMC presence

Finding 15: There is a MODERATE risk of incidents of sexual assault due to the USMC presence

Finding 16: There is a LOW risk of increased road traffic due to USMC presence causing additional traffic accidents

Finding 17: There is no impact on social services, infrastructure, construction industry, or status of nuclear materials in the NT

Finding 18: There is a LOW risk of additional burden on social and medical services caused by USMC presence

Finding 19: There is a LOW risk of damage to, and/or lack of availability of ADF ranges due to additional usage by USMC presence

Finding 20: There is a LOW risk of environmental degradation resulting from addition activity related to USMC presence

Finding 21: Defence consider undertaking a Strategic Environmental Assessment to inform future planning of any increased presence in the NT

Finding 22: There is a LOW risk that public transport in the Darwin area may be strained by the need to cope with additional usage associated with USMC presence

Finding 23: An opportunity has been identified for the potential use of USMC in humanitarian assistance and disaster relief, should it be required

Finding 24: There is a LOW risk of incidents caused by poor cultural fit between USMC personnel and NT residents

Finding 25: There is a LOW risk of media representations of the Marines having a negative impact on public support for the initial rotational presence, and public attitudes toward the Marines

Finding 26: The impact on aircraft noise will be negligible

Finding 27: An opportunity exists for positive engagement between the USMC and the NT communities through sporting and cultural events

Finding 28: All stakeholders are more concerned with exploring issues associated with a 2500 personnel contingent rotation than they are with the current 250 personnel contingent, because the full range of potential social impacts are unlikely to manifest until the larger personnel rotations commence

Finding 29: The need for consultation and public engagement on all aspects of the joint posture initiatives, current and future, was a recurring theme throughout all stakeholder interviews.
INTRODUCTION

Background

1. In November 2011 the Prime Minister of Australia and the President of the United States of America (US or USA) announced "two new force posture initiatives that will significantly enhance defence cooperation between Australia and the United States."\(^1\)

2. The initial force posture initiative is "...the deployment of US Marines to Darwin and Northern Australia, for around six months at a time, where they will conduct exercises and training on a rotational basis with the Australian Defence Force."\(^2\) The deployments will be up to 250 USMC personnel and occur in 2012 and 2013. The intent of the coming years is to establish a rotational presence of up to a 2,500 person Marine Air Ground Task Force (MAGTF).

3. The leaders also agreed to "...closer cooperation between the Royal Australian Air Force (RAAF) and the US Air Force (USAF) that will result in increased rotations of US aircraft through northern Australia."\(^3\)

4. The first rotational presence of around 200 USMC personnel arrived in Darwin on 3 April 2012.\(^4\)

5. The Australian Department of Defence (Defence) has constituted an Implementation Team to progress action on the initial rotational presence.

6. Noetic Solutions Pty Limited (Noetic) was commissioned by the Defence Implementation Team to undertake an independent impartial assessment of the potential social and economic impacts of the presence of US Defense personnel in the NT.

Aim

7. The aim of this report is to provide a social impact assessment of the rotational USMC presence on the NT.

Scope

8. The scope of this assessment is limited by the:
   a. Terms of Reference set by the Implementation Team (Annex A)
   b. agreed level of commitment between the Australian and US Governments
   c. timeframes and data sources available to the review.

9. This assessment focuses solely on the known and likely impacts of the 200-250 USMC personnel rotating through the NT in 2012 and 2013. The assessment does however acknowledge the potential for expansion of the rotational presence to a force equivalent to a full MAGTF of up to 2500 personnel and equipment, in line with public announcements on intended future arrangements. An overview of the

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\(^1\) Prime Minister of Australia (Prime Minister), President of the USA (President) 2011 "Australia-United Stated Force Posture Initiatives", Joint Press Release issued 16 November 2011.

\(^2\) Ibid

\(^3\) Ibid

\(^4\) Prime Minister, Minister for Defence, Chief Minister of the Northern Territory 2012, "United States Marine Corps personnel begin first rotational deployment to Northern Australia", Joint Press Release issued 3 April 2012.
current initial rotational presence and potential future expansion to a MAGTF sized force is located at Annex B.

10. The enhanced cooperation between the RAAF and USAF is outside the scope of the social impact assessment.

Context

11. There are effectively two dimensions to the initial rotational presence. The first is the agreed two-year company-sized rotation phase in 2012 and 2013. The second potential phase is a MAGTF-sized rotational presence which may be fully implemented around 2016 - 17. For 2012 and 2013, one USMC company of up to 250 Marines will be rotated through Robertson Barracks in the Litchfield Shire of the NT. When not on training or other mission related activity the Marines will live only at Robertson Barracks, in existing accommodation facilities. The Marines will not be accompanied by family members.

12. Over the six-month period in Australia, Marines are expected to undertake bilateral training with the ADF, participate in exercises, undertake unilateral training and engage with countries in the region. Training is likely to be conducted at platoon level comprising manoeuvre and live fire training.

13. Legally, US service personnel in Australia are covered by the terms of the Agreement between the Government of the Commonwealth of Australia and the United States Government concerning the Status of United States Forces in Australia, and Protocol, which entered into force on 9 May 1963 (Status of Forces Agreement, or SOFA). The SOFA is applied in Australian domestic law by the Defence (Visiting Forces) Act 1963 (DVFA). The SOFA grants Australia and the US concurrent jurisdiction over US military personnel, subject to some conditions and has provided the legal arrangements for the deployment of US visiting forces since enactment. The SOFA will apply to the USMC personnel in northern Australia.

14. For more information about the initial rotational presence, see Annex B.

Methodology

15. Social impact assessments are usually conducted prior to a major decision, construction, or other initiative being undertaken. Social impacts are the consequences of public actions on human populations that alter the ways in which people live, work, play, relate to one another, organise to meet their needs and generally cope as members of society. The term also includes cultural impacts involving changes to the norms, values, and beliefs that guide and rationalize their cognition of themselves and their society.5

16. The methodology for this social impact assessment was tailored specifically from two existing Australian government methodologies. The first, the Socio-economic Impact Assessment Toolkit from the Department of Agriculture, Fisheries, and Forestry, was used to structure the assessment into a profiling phase and a direct impacts phase, and guided the process for identifying stakeholders. The second, the Social Impact Assessment Fact Sheet from the Queensland Department of Infrastructure and Planning supported the development of the stakeholder engagement plan, and the evaluation criteria.

17. This methodology also utilises a range of social impact indices as categories against which information gathering and analysis was conducted. Importantly, the methodology assumes that the perceived social impacts are as important as the actual impacts. The methodology consists of three phases; the first two

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focussing on gathering information and perceptions of stakeholders; and the third focusing on analysis of the actual expected impact. This methodology is illustrated at Figure 1 and described in greater detail in the sections that follow.

Figure 1. Social Impact Assessment Methodology

Phases

18. Phase 1 involved a literature review and the production of an Issues Paper outlining the concerns and expectations for the current rotational presence. The documents reviewed are detailed at Annex C. This Issues Paper was circulated to stakeholders and used as an initiator for subsequent discussions with them.

19. Phase 2 involved consultation with agreed government and community stakeholders in Canberra and Darwin. The list of stakeholders consulted is at Annex D. An Interim Findings Report was produced which outlined the information gathered from stakeholder consultation compared against the findings from the literature review in Phase 1.

20. Phase 3 involved the analysis of stakeholder information and the production of the social impact assessment itself, presented in this report. In comparison to the focus of the first two phases, which sought to capture perceptions of social impacts, the focus of this phase is the manner and degree of the actual expected impacts. In undertaking this assessment, opportunities and risks have been identified against each index. Risks are analysed in detail at Annex E.

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6 The stakeholder group was agreed with the Implementation Team at the commencement of the project.
Social Impact Indices

21. The social impact indices used in this assessment were developed by the NT Government for use in social impact assessments conducted in the NT, and therefore represent identified areas of specific relevance to the NT. The indicators that have been developed under these indices have been identified through the stakeholder engagement process as being of particular significance to the affected individuals and communities. For that reason these indices have been adopted for this assessment. It is worth noting, however, that these indicators are not exhaustive but rather chosen for their specific and explicit relevance to stakeholders.

22. It should be noted however, that not all the indices are directly relevant to the current USMC rotational presence. Regardless, all indices have been included in this assessment due to their potential future applicability should the current rotational presence be expanded—i.e. they provide a set of standard baseline indices for future social impact assessments.

23. The social impact indices are:
   a. population impacts
   b. demographic profile
   c. Indigenous Australians
   d. income and affordability
   e. employment training and business
   f. primary, secondary and tertiary education
   g. housing and accommodation
   h. community health and safety
   i. community facilities and services
   j. community values and lifestyle.

24. For each of the above indices, indicators were identified and developed during the stakeholder engagement process. Indicators were chosen based on their specific importance to those stakeholders most likely to be affected by the current rotational presence and are further described in Table 1. Should the initiative expand in the future it would be expected the indicators would also expand to encompass a wider range of issues.
### Table 1. Social Impact Indices, Indicators and Descriptions

<table>
<thead>
<tr>
<th>Social Impact Index</th>
<th>Indicator(s)</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Population impacts</td>
<td>+ Population size</td>
<td>Average number of people living in the NT at any one time, disaggregated by urban areas and regions, and including any seasonal variations.</td>
</tr>
<tr>
<td>Demographic profile</td>
<td>+ Influx of young, single males</td>
<td>Population broken down by age, gender, marital status, income bracket and employment type.</td>
</tr>
<tr>
<td>Indigenous Australians</td>
<td>+ Use of Indigenous land during training exercises</td>
<td>Indigenous Australian individuals and communities residing or working in the NT, particularly on ADF land.</td>
</tr>
<tr>
<td></td>
<td>+ Role modelling to Indigenous youth</td>
<td></td>
</tr>
<tr>
<td></td>
<td>+ Economic benefit to indigenous communities adjacent to</td>
<td></td>
</tr>
<tr>
<td></td>
<td>major training areas</td>
<td></td>
</tr>
<tr>
<td>Income and affordability</td>
<td>+ Local employment</td>
<td>Economic or employment inputs that affect supply and demand of goods and services within the NT.</td>
</tr>
<tr>
<td></td>
<td>+ Funding</td>
<td></td>
</tr>
<tr>
<td>Employment training and business</td>
<td>+ Benefit to local business</td>
<td>Inputs into the industries, businesses, and workforce development programs and opportunities within the NT and the ADF.</td>
</tr>
<tr>
<td></td>
<td>+ Joint exercises with ADF</td>
<td></td>
</tr>
<tr>
<td></td>
<td>+ Tourism</td>
<td></td>
</tr>
<tr>
<td>Primary, secondary and tertiary education</td>
<td>+ Use of NT Education services</td>
<td>Public education services, institutions, resources, and staff provided by the NT government.</td>
</tr>
<tr>
<td>Housing and accommodation</td>
<td>+ Housing</td>
<td>Current and near-term future availability of housing, particularly low income housing, and tourist accommodation.</td>
</tr>
<tr>
<td></td>
<td>+ Temporary accommodation</td>
<td></td>
</tr>
<tr>
<td>Community health and safety</td>
<td>+ Anti-social behaviour related to alcohol consumption</td>
<td>Risks to the individual and community safety, security, and wellbeing.</td>
</tr>
<tr>
<td></td>
<td>+ Sexual assault</td>
<td></td>
</tr>
<tr>
<td></td>
<td>+ Traffic</td>
<td></td>
</tr>
<tr>
<td>Social Impact Index</td>
<td>Indicator(s)</td>
<td>Description</td>
</tr>
<tr>
<td>----------------------------------------</td>
<td>-----------------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Community facilities and services</td>
<td>+ Social and medical services</td>
<td>All publicly and privately provided community services, including health, police, fire protection, and sanitation facilities, as well as housing and infrastructure construction, and environmental maintenance.</td>
</tr>
<tr>
<td></td>
<td>+ Infrastructure</td>
<td></td>
</tr>
<tr>
<td></td>
<td>+ Construction</td>
<td></td>
</tr>
<tr>
<td></td>
<td>+ Nuclear materials</td>
<td></td>
</tr>
<tr>
<td></td>
<td>+ Quality of ADF ranges</td>
<td></td>
</tr>
<tr>
<td></td>
<td>+ Humanitarian assistance and disaster relief</td>
<td></td>
</tr>
<tr>
<td></td>
<td>+ Environmental degradation</td>
<td></td>
</tr>
<tr>
<td></td>
<td>+ Public transport</td>
<td></td>
</tr>
<tr>
<td>Community values and lifestyle</td>
<td>+ Cultural fit</td>
<td>Factors or perceptions impeding or enhancing quality of life, enjoyment, or justice. These may be unquantifiable.</td>
</tr>
<tr>
<td></td>
<td>+ Media representations</td>
<td></td>
</tr>
<tr>
<td></td>
<td>+ Aircraft noise</td>
<td></td>
</tr>
<tr>
<td></td>
<td>+ Legal redress</td>
<td></td>
</tr>
<tr>
<td></td>
<td>+ Community, cultural and sporting events</td>
<td></td>
</tr>
</tbody>
</table>
ASSESSMENT

25. This section outlines the results of the social impact assessment and is divided into three sub-sections. The first provides an overall assessment of the social impact of the USMC company rotation in the NT taking into consideration all the social impact indices described in the methodology. The second sub-section provides the detailed analysis against each of the social impact indices. This analysis is broken down into an assessment of the social impact for that index, an identification of the opportunities and risks arising for that index, and specific details relating to the assessment for that index. The last sub-section identifies a range of other issues that are pertinent to the current rotational presence and are informative should the potential expansion of the initiative occur.

Overall Assessment

26. The overall assessment of the social impact of the USMC rotational presence on the NT population is that it is highly likely to be minimal or even negligible. The size of the contingent and the nature of their activities while in the NT, indicate that there will be relatively little interaction between USMC personnel and the NT population and/or community services. This impact becomes proportionally smaller still, when considered in conjunction with the other social and population dynamics currently at play in the NT, most significantly the influx of workers for the INPEX natural gas operations. Nonetheless, perceived impacts, whether realised or not, remain important because they will influence the level of acceptance and support for the initial rotational presence within the community.

27. A total of 29 individual impacts were identified against the social impact indices. Of these, the majority were evaluated to have a positive impact (7), or no discernible impact (12). Those indices with negligible or no impact are listed in Table 2.

<table>
<thead>
<tr>
<th>Index</th>
<th>Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Population Impacts</td>
<td>+ Negligible impact on the NT population</td>
</tr>
<tr>
<td>Demographic Profile</td>
<td>+ Negligible impact on the demographic profile of the NT</td>
</tr>
<tr>
<td>Income and Affordability</td>
<td>+ No impact on income and affordability in the NT</td>
</tr>
<tr>
<td>Primary, Secondary and Tertiary</td>
<td>+ No impact on primary, secondary and tertiary education in the NT</td>
</tr>
<tr>
<td>Housing and Accommodation</td>
<td>+ No impact on permanent housing in the NT</td>
</tr>
<tr>
<td></td>
<td>+ No impact on tourism accommodation in the NT</td>
</tr>
<tr>
<td>Community Health and Safety</td>
<td>+ Negligible impact on traffic in the NT</td>
</tr>
<tr>
<td></td>
<td>+ No impact on the status of nuclear materials in the NT</td>
</tr>
<tr>
<td>Community Facilities and Services</td>
<td>+ No impact on existing infrastructure in the NT</td>
</tr>
<tr>
<td></td>
<td>+ No impact on construction industry</td>
</tr>
<tr>
<td></td>
<td>+ Negligible impact on public transport</td>
</tr>
<tr>
<td>Community Values and Lifestyle</td>
<td>+ No impact on aircraft noise levels</td>
</tr>
</tbody>
</table>
28. There were a number of opportunities identified for potential benefits arising from the USMC rotational presence in the NT. These are listed against the appropriate social impact index in Table 3.

**Table 3. Indices with Opportunity for Potential Benefit**

<table>
<thead>
<tr>
<th>Index</th>
<th>Opportunities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Indigenous Australians</td>
<td>+ Opportunity for positive role modelling by USMC personnel to indigenous youth</td>
</tr>
<tr>
<td></td>
<td>+ Opportunity for minor economic benefit to indigenous communities adjacent to ADF training areas</td>
</tr>
<tr>
<td>Employment, Training and Business</td>
<td>+ Opportunity for a positive impact on the tourism sector of the NT</td>
</tr>
<tr>
<td></td>
<td>+ Opportunity for limited benefit to local business</td>
</tr>
<tr>
<td></td>
<td>+ Opportunity for increased combined exercises between the ADF and USMC</td>
</tr>
<tr>
<td>Community Facilities and Services</td>
<td>+ Opportunity for the potential use of USMC personnel in humanitarian assistance and disaster relief</td>
</tr>
<tr>
<td>Community Values and Lifestyle</td>
<td>+ Opportunity for positive engagement between USMC personnel and aspects of the NT community.</td>
</tr>
</tbody>
</table>

29. Some risks were also identified resulting from the presence of USMC personnel in the NT. A detailed risk table is located at Annex D, but a summary of these risks is provided in Table 4.

**Table 4. Risks against each Index**

<table>
<thead>
<tr>
<th>Index</th>
<th>Risks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employment, Training and Business</td>
<td>+ MODERATE risk that unrealistic expectations regarding the economic impact of the initial rotational presence which, when not realised, may diminish support for the initial rotational presence. With additional controls the risk can be mitigated to LOW</td>
</tr>
<tr>
<td>Community Health and Safety</td>
<td>+ LOW risk of incidents of anti-social behaviour related to alcohol consumption by USMC presence</td>
</tr>
<tr>
<td></td>
<td>+ MODERATE risk of incidents of sexual assault due to USMC presence</td>
</tr>
<tr>
<td></td>
<td>+ LOW risk of increased road traffic due to USMC presence causing additional traffic accidents</td>
</tr>
<tr>
<td>Community Facilities and Services</td>
<td>+ LOW risk of additional burden on social and medical services caused by USMC presence</td>
</tr>
<tr>
<td></td>
<td>+ LOW risk of damage, and/or lack of availability of ADF ranges due to additional usage by USMC presence</td>
</tr>
<tr>
<td></td>
<td>+ LOW risk of environmental degradation resulting from additional activity related to USMC presence</td>
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<td>+ LOW risk that public transport in Darwin area may be strained by need to deal with additional usage associated with USMC presence</td>
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30. Two strongly expressed but not widely held views were noted. The first is in regard to the strategic intent and impact of the initial rotational presence. Stakeholders in both the NT and Canberra were eager to discuss the political basis for the initial rotational presence, and its implications for Australia’s relationship with the US and also with regional partners. There was also frequent speculation among the NT stakeholders about the possible effect of the initial rotational presence antagonising major players in South-East Asia, and whether the US intent to increase its military presence in the region is in response to China’s growing power.

31. The second relates to the conduct of the decision making process to undertake the initial rotational presence. In particular, Stakeholders in the NT raised the lack of public consultation prior to the announcement of the initial rotational presence. The issue here is not so much with the decision itself, but rather the secretive manner in which it came about. It is therefore recommended that, to the extent possible, any decisions regarding future expansions of the initiative be undertaken in a more transparent and consultative way.

32. It is noted that both of these issues relate to political decision making and are out of scope of the project and do not sit within the decision authority of Defence. Nonetheless, these issues are important because if left unaddressed, they may affect public opinion towards acceptance of the initial rotational presence.

33. The limited scope of the assessment also drew comment from every stakeholder in both Canberra and the NT. Stakeholders wanted to discuss the issue of potential expansion of the initial USMC rotation of 250 personnel to a full MAGTF of up to 2500 personnel. Stakeholders consistently expressed the opinion that this was of greater interest and/or concern than the rotation of 250 Marines. Although it is outside the scope of this social impact assessment to consider the effects of MAGTF sized rotations through the NT, it is nonetheless important to include stakeholder views on these issues as they are an extension of opinions about the current USMC presence.

Finding 1: The overall analysis of the social impact of the USMC rotational presence on the NT population is that any impact is highly likely to be minimal or even negligible

Assessment against Social Impact Indices

Population Impacts

OUR ASSESSMENT

34. The presence of USMC personnel under the current initial rotational presence will have negligible impact on the NT population.
OPPORTUNITIES
35. No opportunities were identified against this index.

RISKS
36. No risks were identified against this index.

DISCUSSION
37. The population of the NT was 211,945 in 2011, and it has been growing by an average of 3600 persons every year.\(^7\) The 200 - 250 Marines therefore represent around 6% of the annual population increase, and only 0.1% of the total permanent population of the NT. Most importantly, they will not be permanent residents and therefore are not users of social services, which is generally the greatest area of strain impacted by population growth.

38. Moreover, the USMC contingent will spend the majority of their time in the NT on exercise outside of urban areas and will therefore not be a highly visible presence in Darwin.

\(\text{Finding 2: The impact on the population size of the NT is negligible}\)

Demographic Profile

OUR ASSESSMENT
39. The impact on the demographic profile of the NT will be negligible.

OPPORTUNITIES
40. No opportunities were identified against this index.

RISKS
41. No risks were identified against this index.

DISCUSSION
42. The USMC personnel fit into the largest demographic group of the general NT population, namely, people between the ages of 20 - 34. Approximately a quarter of the NT population is in this age bracket.\(^8\) The demographics of the NT also indicate that over 35,000 NT residents were born outside of Australia,\(^9\) indicating that the presence of Americans will unlikely be a demographic oddity for the NT. Moreover, the military aspect of the USMC personnel will not seem unusual in the demographic context of the NT as there is already a large military presence in the NT. In 2011, there were 6823 Defence personnel working in the NT.\(^10\) Of the 200 - 250 USMC personnel in the NT, most will be male and under the age of 25.\(^11\)

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\(^7\) ABS 2012b, Population Projections: Australia 2006 to 2011, Cat No. 3222.0.
\(^8\) ABS 2012b, Population Projections: Australia 2006 to 2011, Cat No. 3222.0.
\(^9\) ABS 2012b, Population Projections: Australia 2006 to 2011, Cat No. 3222.0.
\(^10\) Australian Department of Defence, 2012, Defence Annual Report 2010-2011, Volume 1, Canberra
\(^11\) Marine Corps Community Services (MCCS) 2011, various pages
the context of these demographic factors, the quantum presented by the USMC rotations will have negligible impact on the demographics of the NT.

Finding 3: The impact on the demographics of the NT are negligible

Indigenous Australians

OUR ASSESSMENT

43. This index is assessed as being positively impacted by the initial rotational presence.

OPPORTUNITIES

44. The potential for two positive opportunities are created by the initial rotational presence in relation to Indigenous Australians. They are:
   a. positive role modelling by USMC personnel to Indigenous youth
   b. minor economic benefit to Indigenous communities adjacent to ADF training areas.

RISKS

45. No risks are identified against this index.

DISCUSSION

46. USMC personnel will utilise existing ADF training areas and ranges to undertake training exercises and live firing activities. These ADF training areas and ranges are shared with adjacent Indigenous communities and operate under existing agreements which are closely monitored by Defence. USMC personnel will be required to meet all existing governance arrangements with respect to safety, environmental and Indigenous requirements. These requirements are monitored and enforced by Defence. There are no anticipated risks relating to Indigenous Australians from the use of these training areas and ranges.

47. The Northern Territory Land Council identified the potential for USMC personnel to provide a positive influence on Indigenous youth through role modelling appropriate behaviour. It was suggested by the Northern Territory Land Council that this could be achieved through direct engagement by USMC personnel in Indigenous organised initiatives. The intent of such engagement is to allow Indigenous youth to interact with US Marines in an effort to counter the influence of the increasingly popular gang culture gleaned from social media and television.

48. The Northern Territory Land Council also identified possible opportunities that could provide benefit to Indigenous communities. Specifically, the economic potential created by arranging the opportunity for USMC personnel to purchase souvenir items produced in local Indigenous communities. It is noted the positive impact of this will be minimal for the 250 person deployment, but if initiated could become of consequence if the initial rotational presence expands.
Income and Affordability

OUR ASSESSMENT
49. This index is assessed as not being impacted by the initial rotational presence in terms of social impact. Economic impacts are discussed in detail in the Economic Assessment.

OPPORTUNITIES
50. No opportunities are identified against this index.

RISKS
51. No risks are identified against this index.

DISCUSSION
52. No social impacts were raised by stakeholders in relation to this index and none were identified during the assessment. The economic impact issues of income and affordability are assessed and discussed in the Economic Assessment.

Employment, Training and Business

OUR ASSESSMENT
53. This index is assessed as being positively impacted by the initial rotational presence with three opportunities created. One risk is identified.

OPPORTUNITIES
54. The potential for three positive opportunities are created by the initial rotational presence in relation to employment, training and business. They are:
   a. opportunity for a positive impact on the tourism sector of the NT
   b. opportunity for some benefit to local business (albeit small)
   c. opportunity for increased combined exercises between the ADF and USMC.

RISKS
55. One perception based risk has been identified being that of unrealistic expectations of the level of economic impact. This risk is rated as MODERATE and with additional controls can be reduced to LOW.
DISCUSSION

56. The direct and indirect economic effects are assessed and discussed in detail in the Economic Assessment. There is minimal additional activity expected for local business from the initial rotational presence.

57. An opportunity has been identified by Tourism NT for a positive impact on the tourism sector. It is anticipated there will be an uptake by USMC personnel of leisure packages during periods of ‘liberty’, and Tourism NT could directly market leisure packages with USMC personnel.

58. The initial rotational presence provides a positive opportunity for increased combined exercises between the ADF and USMC. Many of the USMC exercises will be conducted in conjunction with the ADF and provide valuable experience for the ADF in combined operations. This is potentially the most significant positive impact of the initial rotational presence. The ADF has a long-standing relationship with US forces, and in an increasingly collaborative global military environment, this sort of tactical level experience is invaluable.

59. The very limited opportunity for social benefit to local businesses against this index presents the potential for a perception risk within parts of the community. Namely, unrealistic expectations arising regarding the level of economic impact of this initial rotational presence which when not realised may diminish support for the initial rotational presence. The Economic Assessment identifies that a small economic bonus will occur as a result of the initial rotational presence, which presents a risk of unfulfilled expectations where those expectations are for a major boost.

Finding 11: There will be very limited opportunity for benefit to local business

Finding 11: An opportunity has been identified for a positive impact on the tourism sector of the NT

Finding 11: The initial rotational presence provides a positive opportunity for increased combined exercises between the ADF and USMC

Finding 11: There is a risk that unrealistic expectations exist regarding the economic impact of this initial rotational presence which, when not realised, may diminish support for the initiative. This risk has been identified and rated as MODERATE, however with additional controls the risk can be mitigated to LOW.

Primary, Secondary and Tertiary Education

OUR ASSESSMENT

60. This index is assessed as not being impacted by the initial rotational presence.

OPPORTUNITIES

61. No opportunities are identified against this index.

RISKS

62. No risks are identified against this index.
DISCUSSION

63. USMC personnel will not be accompanied by family and will not require the use of Australian schools or universities. Therefore, there will be no impact on primary, secondary or tertiary education in the NT, nor are any risks or opportunities created.

Finding 12: There will be no impact on primary, secondary or tertiary education in the NT

Housing and Accommodation

OUR ASSESSMENT

64. There will be no impact on the existing permanent housing, or on tourism accommodation.

OPPORTUNITIES

65. No opportunities were identified against this index.

RISKS

66. No risks were identified against this index.

DISCUSSION

67. The issue of housing is a sensitive one for the NT because of a housing deficit. According to the Housing Industry Association, there is an accumulated housing shortage in the NT of between around 8000 to 15,000 dwellings, based on projected need to 2020.12

68. The USMC rotational presence will not require the use of civilian housing in the NT. All USMC personnel will be housed at Robertson Barracks where there is sufficient capacity to accommodate the 250 Marines without impacting availability of accommodation for ADF members.

69. Concern has been voiced about USMC personnel taking up hotel rooms from ‘legitimate’ tourists, especially during the peak tourism season. There is however, no opportunity for USMC personnel to use tourist accommodation as they are subject to curfew during ‘liberty’ (time off work) and are therefore not allowed to stay away overnight from Robertson Barracks.

70. Because of the sensitivity of housing, if in the future there is an intent to construct additional housing for USMC personnel, or to accommodate them in existing housing stock, there will need to be adequate consultation and mitigation strategies to diminish the negative perception that such construction is impinging on the availability of construction for the civilian population.

Finding 13: There is no impact on the existing permanent housing, or on temporary or tourism accommodation

12 Australian Housing Industry Association, 2011, The Outlook for the Housing Industry in the Northern Territory
Community Health and Safety

OUR ASSESSMENT

71. This index is assessed as being potentially negatively impacted by the initial rotational presence with three risks identified.

OPPORTUNITIES

72. No opportunities were identified against this index.

RISKS

73. There are three risks associated with this index. They are:
   a. Risk of incidents of anti-social behaviour related to alcohol consumption has been identified and rated as LOW
   b. Risk of an incident of sexual assault has been identified and rated as MODERATE
   c. Risk of increased road traffic identified and is rated LOW.

DISCUSSION

74. The first risk identified is that of violence related to alcohol consumption. This has been assessed as a moderate likelihood, with minor consequence, bringing the overall risk rating to LOW. This risk is already mitigated through a series of controls implemented by the USMC leadership including thorough pre-briefings for the initial rotational presence, ongoing monitoring and enforcement by USMC staff of liberty rules, and prompt remedial action by the USMC rotation commander in response to any identified anti-social behaviour. In addition, while on liberty, USMC personnel have a number of restrictions placed on them, including a minimum legal drinking age of 20, a midnight curfew, and a buddy system. However, there is still a perception in the community that this alcohol related violence may be a problem, and it should therefore be addressed. We recommend ongoing monitoring and enforcement by USMC staff of liberty rules, and prompt remedial action by the USMC rotation commander in response to any identified anti-social behaviour.

75. Concern has been expressed by the stakeholders and identified in the literature review regarding the sexual conduct of the USMC personnel. This is an emotive issue in the NT, and one frequently in the public consciousness, because of a slightly higher rate of sexual assault there than in the overall Australian population. According to existing statistical data, the NT has a rate of sexual assault higher than the Australian average. In 2010, for example, the NT Department of Justice recorded a rate of 136 incidents of sexual assault per 100,000 population. In comparison, in the same year there were 81.5 ‘victims of sexual assault’ per 100,000 in Australia. There is a strong desire among stakeholders that this situation not be made worse by the presence of USMC personnel, and therefore the issue must be treated with sensitivity.

13 Each state and territory defines their statistics on sexual assault differently, and for this reason it is difficult to make exact comparisons. Nonetheless, the point remains that on average there is a slightly higher rate of conviction for sexually aggressive behaviour in the NT than in the average for all Australian states and territories.
76. The actual occurrence of an incident of sexual assault due to USMC presence has been assessed as having a likelihood of unlikely, with a major consequence. The overall rating for this risk is MODERATE. A number of controls already exist to mitigate this. USMC personnel undergo pre-deployment training on appropriate behaviour, and strict rules exist to deal with transgressions. Standing orders for the USMC rotations cover such conduct, and further regulations can be found in the Uniform Code of Military Justice. Under the Status of Forces Agreement (1963) and the Defence (Visiting Forces) Act 1963, US personnel in Australia are subject to Australian criminal laws in the same way as all other persons in Australia. In the event that US personnel are alleged to have committed an offence, Australian authorities will be responsible for the investigation and prosecution of the person unless the alleged conduct is committed in the course of official duties, or is solely against US military personnel or property, or the security of the US. In these exceptional cases, the US will have the right to exercise jurisdiction over the person. If the US waives its right to exercise jurisdiction, Australia may exercise jurisdiction over the alleged offence. Some stakeholders expressed a concern that these regulations and training should be culturally appropriate to the Australian context, and be at least to Australian standards on such matters.

77. There is a concern that the USMC presence brings potential for increased road traffic causing additional traffic accidents. This is particularly a concern for the Litchfield City Council area around Robertson Barracks; a number of car accidents have been caused in this neighbourhood by Robertson Barracks residents. While the initial rotational presence will not include USMC vehicles, some use of leased vehicles is expected to occur.

### Community Facilities and Services

#### OUR ASSESSMENT

78. This index is assessed as not being impacted in the areas of social services, infrastructure, and construction industry. One opportunity is created and four risks are identified.

#### OPPORTUNITIES

79. The potential for one positive opportunity is created by the initial rotational presence, as well as any potential future expansion of the initiative, in relation to the potential use of USMC personnel in humanitarian assistance and disaster relief.

#### RISKS

80. Four risks have been identified against this index. They are:

   a. A LOW risk of additional burden on social and medical services

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1. **Finding 16:** There is a LOW risk of incidents of anti-social behaviour related to alcohol consumption by USMC presence

2. **Finding 16:** There is a MODERATE risk of incidents of sexual assault due to USMC presence

3. **Finding 16:** There is a LOW risk of increased road traffic due to USMC presence causing additional traffic accidents
b. A LOW risk of damage to, and/or lack of availability of ADF ranges due to additional usage by USMC presence

c. A LOW risk of environmental degradation resulting from additional activity related to USMC presence

d. A LOW risk that public transport in the Darwin area may be strained by the need to deal with additional usage.

DISCUSSION

81. There is a possible impact on existing civilian medical and social services in the NT, albeit unlikely. All medical and social services will be provided through Robertson Barracks. Should USMC personnel require emergency treatment at a medical facility with capabilities beyond that provided at Robertson Barracks, they will be treated at Royal Darwin Hospital. Financial and legal arrangements are now in place between the USMC and Royal Darwin Hospital for treatment of emergency cases.

82. There will be no impact on existing infrastructure used by Darwin residents, nor are there plans for dedicated infrastructure development specifically for the initial rotational presence. The issue of USMC heavy vehicles impacting on road infrastructure was raised on several occasions by a small number of stakeholders however the current initial rotational presence does not include any heavy equipment or vehicles that may cause such damage.

83. Several stakeholders considered there may be a risk that construction of housing or other facilities for USMC personnel will redirect much needed construction labour away from the NT population. This concern was alleviated for the existing rotation with confirmation from Defence that there will be no construction of new housing or other facilities.

84. There will be no impact on the status of nuclear materials in the NT. The USMC will not be bringing any nuclear materials or weapons into Australia. However, this information is not as well known among stakeholders as it should be considering the emotive nature of the issue. This could be remedied as part of broader engagement in public discourse on the uses of nuclear materials.

85. There is a low risk of both of damage to, and/or lack of availability of ADF ranges and risk of environmental degradation resulting from additional activity related to USMC presence. The impact of the current USMC rotation’s usage on ADF ranges will be mitigated by strict compliance with ADF policy governing usage and environmental policy. Other than the NT Environment Centre and NT Government officials, there was a very limited understanding of the existing controls in place for use of ADF training areas and ranges. Usage, scheduling and availability of ADF training areas and ranges is managed by the ADF locally within Darwin. The Department of Defence advises that additional use of training areas and ranges by the current USMC rotation will not generate any scheduling or usage problems.

86. The NT Environment Centre strongly recommended Defence initiate a Strategic Environmental Assessment to inform future planning of any increased use of training areas and ranges. The Environment Centre further suggested a Strategic Environmental Assessment was the most appropriate approach to inform future planning and decision making given there is not a detailed plan at this point in time which would allow specific Environmental Impact Assessments to be undertaken on specific sites.

87. There will be a low impact on public transport services in Darwin and the NT. As with other services such as tourism accommodation, the public transport system in Darwin is under considerable strain, and several stakeholders expressed concern that USMC personnel will place a further burden on the system. It is assessed that the relative size of the USMC rotational presence compared to the overall population,
combined with limitations on time USMC personnel spend in Darwin will make this impact negligible. To
further mitigate any marginal impact, the USMC rotation could consider hiring vehicles to transport
personnel between Robertson Barracks and Darwin during periods of liberty.

88. The potential for another positive impact lies in the use of USMC personnel in humanitarian assistance
and disaster relief. It is not possible to increase the likelihood of this opportunity, but should it be needed
the USMC rotation could be potentially used to assist to mitigate the effects of natural disasters in the NT
and potentially more broadly in South-East Asia.

| Finding 23: There is no impact on social services, infrastructure, construction industry, or status of nuclear materials in the NT |
| Finding 23: There is a LOW risk of additional burden on social and medical services caused by USMC presence |
| Finding 23: There is a LOW risk of damage to, and/or lack of availability of ADF ranges due to additional usage by USMC presence |
| Finding 23: There is a LOW risk of environmental degradation resulting from addition activity related to USMC presence |
| Finding 23: Defence consider undertaking a Strategic Environmental Assessment to inform future planning of any increased presence in the NT |
| Finding 23: There is a LOW risk that public transport in the Darwin area may be strained by the need to cope with additional usage associated with USMC presence |
| Finding 23: An opportunity has been identified for the potential use of USMC in humanitarian assistance and disaster relief, should it be required |

Community Values and Lifestyle

OUR ASSESSMENT

89. This index is assessed as having the potential for two negative impacts, and an opportunity for a positive
impact through active community interaction.

OPPORTUNITIES

90. One opportunity has been identified against this index being the positive engagement between USMC
personnel and elements of the NT community.

RISKS

91. There are two risks associated with this index. They are:

a. Risk of incidents caused by poor cultural fit between USMC personnel and NT residents, and is rated as LOW
b. Risk of media representations of the Marines having a negative impact on public support for the initial rotational presence, and is rated as LOW.

DISCUSSION

92. The impact of the USMC personnel in Darwin has been compared to that of cruise ship visits or naval vessel port visits; however, this is not an accurate comparison. There are 48 civilian cruise ship visits scheduled to dock in Darwin in 2012, with the number of passengers ranging from 100 to over 2,000. On average they stay no more than 24 hours. Similarly, 62 defence vessels docked in Darwin in the 2010 - 2011 financial year. In short, ship visits generally involve a greater number of people, and have a more concentrated impact over a shorter period of time than is expected as a result of the initial rotational presence. The purpose of the visit is also different, with the visitors being in Darwin for recreational purposes, as opposed to the USMC personnel who are in the NT under the auspices of work with their recreation time meted out in small portions over the course of six months.

93. There has been a risk identified of incidents caused by poor cultural fit between USMC personnel and NT residents. This is a moderate likelihood with minor consequences, resulting in an overall LOW risk. There are some mitigating factors to this risk. The USMC personnel speak the same language as the overall NT population, and Darwin is accustomed to the military presence. As discussed above, the USMC personnel will be very similar in demographics to the rest of Darwin (i.e. young males). This risk could be further mitigated by continued engagement between USMC personnel and local populations through sporting and cultural events.

94. Some local and national media representations of the USMC rotational presence have the potential to be inaccurate and could undermine public support for the initial rotational presence, and public attitudes toward the initial rotational presence. The risk is assessed as moderate likelihood and of insignificant consequence, making this a LOW risk overall. It is also important to remember that it is perceptions that guide attitudes, and if the perception of the initial rotational presence is negative, then the perceived impact of the USMC presence may also be negatively influenced. Therefore, it is important to maintain good relations with the media. Continuing positive engagement between the USMC contingent and the community, as well as continuing to develop relationships with the local media would go a long way to mitigating this risk.

95. There will be negligible impact on existing aircraft noise. While the initial rotational presence is unlikely to include USMC aircraft, civilian aircraft may be chartered to facilitate a limited number of movements in and out of Darwin.

96. There have been fears expressed that should crimes or misdemeanours be committed by USMC personnel against Australian civilians, there will be no legal redress to prosecute the accused USMC member. However, all USMC personnel are subject to the SOFA and the Visiting Forces Agreement.

97. An opportunity has been identified for positive engagement between USMC personnel and aspects of the NT community. USMC personnel have already been involved in some community sporting and cultural events as a way of building rapport, and this can do a lot to dispel some of the misconceptions that some elements of the NT population have about the current initial rotational presence. We recommend that USMC personnel continue to integrate in existing community activities, such as fetes and festivals, sporting events, charity fundraisers.
98. The rotational presence of 250 Marines in the NT is perceived by some stakeholders as the ‘thin end of the wedge’ of an increasing and potentially permanent basing of US troops on Australian soil. Certain stakeholders considered this potential future outcome to be highly undesirable, while others merely highlighted that it would create a set of social, environmental, and economic issues at a strategic, long-term level that would need to be addressed sooner rather than later. The strong expression of this view however, is not consistent with polling undertaken by the Lowy Institute in 2011 and 2012 specifically on this issue. The 2011 survey found that 55% of Australians were in favour of allowing the US to base its military forces in Australia and that 82% of Australians stated that the alliance relationship with the US is very or fairly important for Australia’s security16. More significantly, the 2012 survey found that 74% of Australians were in favour of up to 2500 US soldiers being based in Darwin17. It is noted the sample demographic was not specific to Darwin and sample polling of the Darwin community would add further clarity about community opinion.

99. The issue of an increased and enduring rotational US military presence in northern Australia was highlighted by some Darwin-based stakeholders in the context of what else is likely to be happening in the region in 20 to 30 years’ time. It is likely that the resources sector will continue to boom and mature, thereby increasing traffic along sea trade routes in the Timor Sea and beyond. This in turn may increase the need for security support for such enterprises and it is therefore likely that the continued growth and development of the NT, and Darwin especially, will create a complex set of social impacts. The complexity of these impacts lies in their interdependence; each impact may in itself be minimal, but when viewed holistically adds to an overall larger social impact. This is of concern for some stakeholders in the NT who desire that social impacts be assessed in the context of a wide range of current and planned initiatives rather than in isolation of the one initiative in question.

100. It was noted by most stakeholders in both Canberra and the NT, that the full range of potential social impacts would not manifest until the larger 2500 personnel rotations began, and more importantly, that

16 Hanson, F., 2011, *Australia and New Zealand in the World: Public opinion and foreign policy*, The Lowy Institute Poll 2011, the Lowy Institute for International Policy

17 Hanson, F., 2012, *Australia and New Zealand in the World: Public opinion and foreign policy*, The Lowy Institute Poll 2012, the Lowy Institute for International Policy
the limited scope of this social impact assessment (i.e. focusing only on the impact of 250 personnel) was unlikely to identify those issues. There was strong opinion across most stakeholder groups that a social impact study of the 2500 personnel rotations should commence in the near future, to inform any decision or implementation planning.

Decision Making Process

101. For some NT based stakeholders, the most critical issue about the USMC rotational presence lies not so much in its social impacts, but rather in the process by which the decision to commence the rotations have been made. Some felt that the lack of consultation prior to the decision regarding the current arrangements indicates that the decision regarding the increased MAGTF sized rotations will also be made in isolation, or in fact has already been made regardless of the impact it might have. Others felt the lack of consultation would hamper opportunities for local planning. The need for wide consultation and public engagement on all aspects of the joint posture initiatives, current and future, was a recurring theme throughout all stakeholder interviews in the NT. This desire was expressed by both stakeholders who supported and opposed an expanded USMC presence in Darwin, in order to address any social impacts, maximise the potential associated economic benefit, and allow planning for any additional social services, such as medical services, that may be required to support the initial rotational presence.

102. Similarly, the majority of all stakeholders questioned the usefulness and value of conducting a social impact assessment on a decision that has already been made and implemented. In the eyes of a few, this further compounded the impression that the social impact assessment is an exercise in ‘box ticking’.

Observations for Future Social Impact Assessments

103. Social impact assessments are most effective when done in advance of any decisions or implementation planning. This is important for three reasons. First, it creates sense of community engagement, helping to foster support, acceptance or understanding. Second, the social impacts identified can help guide decisions and identification of mitigation strategies prior to implementation planning, with stakeholders being encouraged to identify possible mitigation strategies. Third, it provides for the collection of quantitative data which in turn allows assessments to be made regarding the weighting of opinions and suggestions provided.

104. It is therefore recommended that the consultation process itself be broadened for future studies to allow a larger pool of stakeholder groups to be engaged. Stakeholders should be identified by both ‘push’ and ‘pull’ means. Stakeholder identification for directed engagement is an important component of identifying social impacts, however, this should be supported by a well-publicised stakeholder self-identification mechanism to gain a wider view on the initial rotational presence’s impact.

105. The following methods of stakeholder engagement are recommended for future studies:
a. individual interviews with key stakeholders
b. group interviews with interest groups
c. public forums
d. written submissions
k. gathering of quantitative data through sample surveying e.g. telephone surveys.

CONCLUSION

106. The overall assessment of the social impact of the USMC rotational presence on the NT population is assessed as being highly likely to be minimal or even negligible. The size of the contingent and the nature of their activities while in the NT, indicate that there will be relatively little interaction between USMC personnel and the NT population and/or community services. Nonetheless, perceived impacts, whether realised or not, remain important because they will influence the level of acceptance and support for the initial rotational presence within the community.

107. It is a finding of this assessment that an inadequate consultation process in the decision-making and implementation phases of the joint posture initiative has affected overall attitudes toward the presence of USMC personnel in the NT. Moreover, this assessment found greater levels of concern relating to a 2500 personnel contingent rotation than with the current 250 personnel contingent. This is because the full range of potential social impacts, both positive and negative, are unlikely to manifest until the larger rotations commence. It will therefore be especially important to engage broadly with a wide range of potential stakeholders should an expanded joint posture initiative be considered.

Findings

108. The findings of this assessment are as follows:

a) Finding 1: The overall analysis of the social impact of the USMC rotational presence on the NT population is that any impact is highly likely to be minimal or even negligible
b) Finding 2: The impact on the population size of the NT is negligible
c) Finding 3: The impact on the demographics of the NT are negligible
d) Finding 4: No risks are presented to Indigenous Australians
e) Finding 5: There is an opportunity for positive role modelling by USMC personnel to Indigenous youth
f) Finding 6: There is an opportunity for minor economic benefit to Indigenous communities adjacent to ADF training areas
g) Finding 7: There is no social impact on income or affordability
h) Finding 8: There will be very limited opportunity for benefit to local business
i) Finding 9: An opportunity has been identified for a positive impact on the tourism sector of the NT
j) Finding 10: The initial rotational presence provides a positive opportunity for increased combined exercises between the ADF and USMC
Finding 11: There is a risk that unrealistic expectations exist regarding the economic impact of this initial rotational presence which, when not realised, may diminish support for the initiative. This risk has been identified and rated as MODERATE, however with additional controls the risk can be mitigated to LOW.

Finding 12: There will be no impact on primary, secondary or tertiary education in the NT.

Finding 13: There is no impact on the existing permanent housing, or on temporary or tourism accommodation.

Finding 14: There is a LOW risk of incidents of anti-social behaviour related to alcohol consumption by USMC presence.

Finding 15: There is a MODERATE risk of incidents of sexual assault due to the USMC presence.

Finding 16: There is a LOW risk of increased road traffic due to USMC presence causing additional traffic accidents.

Finding 17: There is no impact on social services, infrastructure, construction industry, or status of nuclear materials in the NT.

Finding 18: There is a LOW risk of additional burden on social and medical services caused by USMC presence.

Finding 19: There is a LOW risk of damage to, and/or lack of availability of ADF ranges due to additional usage by USMC presence.

Finding 20: There is a LOW risk of environmental degradation resulting from addition activity related to USMC presence.

Finding 21: Defence consider undertaking a Strategic Environmental Assessment to inform future planning of any increased presence in the NT.

Finding 22: There is a LOW risk that public transport in the Darwin area may be strained by the need to cope with additional usage associated with USMC presence.

Finding 23: An opportunity has been identified for the potential use of USMC in humanitarian assistance and disaster relief, should it be required.

Finding 24: There is a LOW risk of incidents caused by poor cultural fit between USMC personnel and NT residents.

Finding 25: There is a LOW risk of media representations of the Marines having a negative impact on public support for the initial rotational presence, and public attitudes toward the Marines.

Finding 26: The impact on aircraft noise will be negligible.

Finding 27: An opportunity exists for positive engagement between the USMC and the NT communities through sporting and cultural events.

Finding 28: All stakeholders are more concerned with exploring issues associated with a 2500 personnel contingent rotation than they are with the current 250 personnel contingent, because the full range of potential social impacts are unlikely to manifest until the larger personnel rotations commence.
Finding 29: The need for consultation and public engagement on all aspects of the joint posture initiatives, current and future, was a recurring theme throughout all stakeholder interviews.
ANNEX A – TERMS OF REFERENCE

1. The Social Impact Assessment will explore the social implications of the activities, identify the ramifications for Government programs (including the demand and delivery impacts) and identify options for incorporating social impacts into future planning.

2. The following terms of reference should help guide the successful panel member in undertaking the Social Impact Assessment.
   a. the implications for existing and relevant (eg. Housing or related infrastructure and community services) National Agreements and National Partnership Agreements involving the Commonwealth and Northern Territory governments
   b. assessment of the impacts the activities may have on the local labour market in terms of employment and skill opportunities in the medium to longer term
   c. impacts on health, wellbeing and education – including the capacity of local services to accommodate the proposals and capacity for the local workforce to support additional workloads and to continue to deliver on other Government commitments
   d. impacts on culture, including in sensitive areas such as indigenous lands;
   e. impacts on community, cohesion, stability, services and facilities
   f. impacts on community perceptions including in relation to safety and security
   g. legal impacts, including the impacts on existing legal arrangements and protections, implications for the capacity of the local justice system
   h. environmental impacts, including noise, encroachment and land use.
ANNEX B – THE INITIAL ROTATIONAL PRESENCE

1. The rotational presence has effectively two dimensions based on the public announcements. The first is the agreed two year company sized rotations in 2012 and 2013. The second is a potential MAGTF sized rotational presence which may be fully implemented around 2016-17. We note that there may be different scales or elements to the rotational presence in the interceding years, and that no details on those years are currently available and are subject to agreement between the Australian and US government.

The initial two years

2. For each of the years 2012 and 2013 one company of Marines will be rotated through the Robertson Barracks in the Litchfield Shire of the NT. A company in the USMC consists of up to 250 personnel. When not on training or other mission related activity the Marines will live only at Robertson Barracks, in existing accommodation facilities. The Marines will not be accompanied by their family.

3. The type of company to be deployed in the rotation initially will be a Rifle Company. A Rifle Company consists largely of infantry personnel.

4. The rotations will be for a period of six months, typically aligned to the NT dry season.

5. The first company-sized rotation of approximately 200 USMC personnel arrived in Darwin on 3 April 2012. This initial rotation is currently expected to depart Australia to return to Hawaii in late September 2012. It is expected that the next company sized rotation, of approximately 250 personnel, will arrive in Australia around March - April 2013. This 2013 rotation would be similar in nature to the 2012 rotation.

6. There will be no supporting heavy equipment, vehicles or aircraft deployed with the initial rotational presence.

7. Over the six month period, the Marines are expected to undertake bilateral training in Australia with the Australian Defence Force, participate in exercises, undertake unilateral training in Australia and engage with countries in the region. The type of training activity is likely to be platoon level manoeuvre and live fire training.

8. Noetic understand that the Marines will spend the bulk of their time on active duty in NT training areas and ranges, in particular the Mount Bundy and Kangaroo Flats Training areas.

9. We understand that while on rotation the US Marines will:
   a. Be on active duty for a substantial proportion of time in each working day
   b. Be on ‘Liberty’, effectively free-time, during the non-active duty time. Note that while on rotation Marines will have a controlled program of Liberty
   c. Bring all necessary military equipment and consumables, mostly firearms and ammunition. This does not extend to personal consumable items.

10. Similarly, we understand that while on rotation most US Marines will not:
   a. Be off-barracks without a ‘Liberty Buddy’
   b. Be permitted to stay off-Barracks
   c. Initially require specific mechanised equipment.

12. The SOFA grants Australia exclusive jurisdiction for alleged offences against Australian law but not US law; and exclusive jurisdiction to US military authorities for alleged offences against US law but not Australian law. Where the alleged offence is a crime against both Australian and US law then there is concurrent jurisdiction. The SOFA will apply to the USMC personnel in northern Australia.

**Longer term intent**

13. The press release announcing the rotational presence outlines an intent "...in coming years is to establish a rotational presence of up to a 2500 person Marine Air Ground Task Force."\(^{18}\) The way in which this may or may not progress is subject to ongoing negotiation and is beyond the scope of this assessment.

14. One of the key pieces of feedback received during stakeholder consultations was that the timing, scale and scope of the potential MAGTF deployment would be critical information to form an appropriate view of the longer term impact of the rotational presence. To that end, this report provides some additional detail and observations that should assist in framing the dialogue and future analysis.

15. In summary, if the intent of the two Governments’ is met, it is useful to understand that a MAGTF is a basic building block of the USMC and has a specific structure, which includes a Command Element; A Ground Combat Element, an Aviation Combat Element and a Logistics Combat Element.

16. Noetic understand that in addition to personnel a MAGTF would include support equipment. This would include for example “wheeled vehicles, artillery pieces, light armoured vehicles and aircraft”\(^{19}\).

17. In the event a rotational MAGTF is agreed, the implementation is likely to be phased in over a longer time frame. Noetic understand that MAGTF rotations would not occur before 2016 - 17.

18. No further details are relevant to our assessment in relation to the potential MAGTF rotational presence until the precise nature of cooperation is announced by Government.

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\(^{18}\) Prime Minister and President, 16 November 2011.

\(^{19}\) Smith, The Hon. S, 2012 “United States Marine Corps personnel begin first rotational deployment to Northern Australia”, Joint Press Release from Prime Minister, Minister for Defence and Chief Minister of the Northern Territory, 3 April 2012.
ANNEX C – REFERENCES

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+ Australian Housing Industry Association, 2011, The Outlook for the Housing Industry in the Northern Territory
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Hanson, F., 2012, *Australia and New Zealand in the World: Public opinion and foreign policy*, The Lowy Institute Poll 2012, the Lowy Institute for International Policy


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Queensland Department of Infrastructure and Planning, 2010, *Social Impact Assessment Fact Sheet*

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## ANNEX D – PERSONS CONSULTED

<table>
<thead>
<tr>
<th>Person</th>
<th>Organisation</th>
<th>Method</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Colonel James Dillon</td>
<td>US Marine Corps</td>
<td>Face to Face, Canberra</td>
<td>10 May</td>
</tr>
<tr>
<td>Robyn Maurer</td>
<td>Defence Support Group, Environment Centre</td>
<td>Face to Face, Darwin</td>
<td>21 May</td>
</tr>
<tr>
<td>Lieutenant Colonel Matthew Puglisi</td>
<td>US Marine Corps</td>
<td>Face to Face, Darwin</td>
<td>21 May</td>
</tr>
<tr>
<td>Major Patrick Hay</td>
<td>1 Brigade</td>
<td>Face to Face, Darwin</td>
<td>21 May</td>
</tr>
<tr>
<td>Sarah-Jane McBride</td>
<td>Defence Support Group</td>
<td>Face to Face, Darwin</td>
<td>21 May</td>
</tr>
<tr>
<td>Major Lauren Sanders</td>
<td>1 Brigade</td>
<td>Face to Face, Darwin</td>
<td>21 May</td>
</tr>
<tr>
<td>Lieutenant Colonel Richard Wiltshire</td>
<td>1 Brigade</td>
<td>Face to Face, Darwin</td>
<td>21 May</td>
</tr>
<tr>
<td>Major Scott McKenzie</td>
<td>1 Brigade</td>
<td>Face to Face, Darwin</td>
<td>21 May</td>
</tr>
<tr>
<td>Adrian Curry</td>
<td>NT Department of the Chief Minister (DCM)</td>
<td>Face to Face, Darwin</td>
<td>22 May</td>
</tr>
<tr>
<td>Jodie Cassidy</td>
<td>Australian Industry and Defence Network</td>
<td>Face to Face, Darwin</td>
<td>21 May</td>
</tr>
<tr>
<td>Peter Sims</td>
<td>NT Department of Business and Employment</td>
<td>Face to Face, Darwin</td>
<td>22 May</td>
</tr>
<tr>
<td>David Malone</td>
<td>NT Department of Lands and Planning</td>
<td>Face to Face, Darwin</td>
<td>22 May</td>
</tr>
<tr>
<td>Jodie Kirkman</td>
<td>NT Treasury</td>
<td>Face to Face, Darwin</td>
<td>22 May</td>
</tr>
<tr>
<td>Marianne Conaty</td>
<td>NT Department of Justice</td>
<td>Face to Face, Darwin</td>
<td>22 May</td>
</tr>
<tr>
<td>Gareth James</td>
<td>NT Department of Business and Employment</td>
<td>Face to Face, Darwin</td>
<td>22 May</td>
</tr>
<tr>
<td>Jan Currie</td>
<td>NT Department of Health</td>
<td>Face to Face, Darwin</td>
<td>22 May</td>
</tr>
<tr>
<td>Jodie Stewart</td>
<td>NT Department of Business and Employment</td>
<td>Face to Face, Darwin</td>
<td>22 May</td>
</tr>
<tr>
<td>Valerie Smith</td>
<td>Tourism NT</td>
<td>Face to Face, Darwin</td>
<td>22 May</td>
</tr>
<tr>
<td>Terry O’Connor</td>
<td>Darwin Port Corporation</td>
<td>Face to Face, Darwin</td>
<td>22 May</td>
</tr>
<tr>
<td>Jason Schoolmester</td>
<td>NT Department of Chief Minister</td>
<td>Face to Face, Darwin</td>
<td>22 May</td>
</tr>
<tr>
<td>Air Commodore Kenneth Watson</td>
<td>Northern Command</td>
<td>Face to Face, Darwin</td>
<td>22 May</td>
</tr>
<tr>
<td>Kim Hill</td>
<td>Northern Land Council</td>
<td>Face to Face, Darwin</td>
<td>23 May</td>
</tr>
<tr>
<td>Dr Stuart Blanch</td>
<td>Environment Centre NT</td>
<td>Face to Face, Darwin</td>
<td>23 May</td>
</tr>
<tr>
<td>Name</td>
<td>Organization</td>
<td>Method</td>
<td>Date</td>
</tr>
<tr>
<td>-----------------------</td>
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<td>-------------------</td>
<td>----------</td>
</tr>
<tr>
<td>Lieutenant Colonel Paul Rosenberger</td>
<td>Joint Logistics Unit (North)</td>
<td>Telephone</td>
<td>23 May</td>
</tr>
<tr>
<td>John Banks</td>
<td>Darwin City Council</td>
<td>Telephone</td>
<td>23 May</td>
</tr>
<tr>
<td>Anthony Young</td>
<td>Basewatch</td>
<td>Face to Face, Darwin</td>
<td>24 May</td>
</tr>
<tr>
<td>Justin Tutty</td>
<td>Basewatch</td>
<td>Face to Face, Darwin</td>
<td>24 May</td>
</tr>
<tr>
<td>Diana Rickard</td>
<td>Basewatch</td>
<td>Face to Face, Darwin</td>
<td>24 May</td>
</tr>
<tr>
<td>Helen Board</td>
<td>Department of Families, Housing, Community Services, and Indigenous Affairs</td>
<td>Face to Face, Darwin</td>
<td>24 May</td>
</tr>
<tr>
<td>Allan McKay</td>
<td>Litchfield City Council</td>
<td>Face to Face, Darwin</td>
<td>25 May</td>
</tr>
<tr>
<td>Matthew Salter</td>
<td>Litchfield City Council</td>
<td>Face to Face, Darwin</td>
<td>25 May</td>
</tr>
<tr>
<td>Wendy Morton</td>
<td>Northern Territory Council of Social Services</td>
<td>Telephone</td>
<td>29 May</td>
</tr>
</tbody>
</table>
ANNEX E – RISK MATRIX

1. The risk matrix below presents the likelihood and consequences of risks associated with the social impacts discussed in the main body of this assessment. It is important to note that against some of the social impact indices no risks have been identified. This annex focuses only on the indices against which risks have been identified. However, it is worth noting that for some of the indices there may be outright benefit, or a potential opportunity for benefit, to stakeholders as identified in the main body of this assessment.

2. The definitions of likelihood, consequence, and risk level presented here have been tailored from the ISO31000 standard risk management principles and guidelines. They are as follows:

<table>
<thead>
<tr>
<th>Potential Consequences</th>
<th>Insignificant</th>
<th>Minor</th>
<th>Moderate</th>
<th>Major</th>
<th>Severe</th>
</tr>
</thead>
<tbody>
<tr>
<td>Almost Certain</td>
<td>Moderate</td>
<td>High</td>
<td>Extreme</td>
<td>Extreme</td>
<td>Extreme</td>
</tr>
<tr>
<td>Likely</td>
<td>Low</td>
<td>Moderate</td>
<td>High</td>
<td>Extreme</td>
<td>Extreme</td>
</tr>
<tr>
<td>Moderate</td>
<td>Low</td>
<td>Low</td>
<td>Moderate</td>
<td>High</td>
<td>Extreme</td>
</tr>
<tr>
<td>Unlikely</td>
<td>Low</td>
<td>Low</td>
<td>Low</td>
<td>Moderate</td>
<td>High</td>
</tr>
<tr>
<td>Rare</td>
<td>Low</td>
<td>Low</td>
<td>Low</td>
<td>Low</td>
<td>Moderate</td>
</tr>
</tbody>
</table>

Table E1. Overall risk based on consequence and likelihood
### Table E2. Consequence Definitions

<table>
<thead>
<tr>
<th>Consequence</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Insignificant</td>
<td>No, or virtually no, impact on indices</td>
</tr>
<tr>
<td>Minor</td>
<td>Some impact on one of the indices</td>
</tr>
<tr>
<td>Moderate</td>
<td>Impact on more than one index requiring remediation strategies, such as the application of additional resources</td>
</tr>
<tr>
<td>Major</td>
<td>Extensive impact requiring remediation to reduce the effect on the social environment</td>
</tr>
<tr>
<td>Severe</td>
<td>One or more of the indices is overwhelmingly and persistently influenced by the initial rotational presence producing a marked change in the social environment</td>
</tr>
</tbody>
</table>

### Table E3. Likelihood Definitions

<table>
<thead>
<tr>
<th>Likelihood</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Almost Certain</td>
<td>Can expect more than one event annually; Occurs frequently</td>
</tr>
<tr>
<td>Likely</td>
<td>Can expect event to occur annually</td>
</tr>
<tr>
<td>Moderate</td>
<td>Can expect event to occur once every 3 years</td>
</tr>
<tr>
<td>Unlikely</td>
<td>Can expect event to occur once every 10 years</td>
</tr>
<tr>
<td>Rare</td>
<td>Can expect event to occur only in exceptional circumstances</td>
</tr>
</tbody>
</table>
### Table E4. Risk Assessment

<table>
<thead>
<tr>
<th>Risk Description</th>
<th>Existing Controls/Factors</th>
<th>Affected Stakeholder/s</th>
<th>Likelihood</th>
<th>Consequence</th>
<th>Risk</th>
<th>Recommended Additional Controls</th>
<th>Residual Risk</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Population Impacts</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>There are no risks identified against this index</td>
<td></td>
<td></td>
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<td></td>
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</tr>
<tr>
<td><strong>Demographic Profile</strong></td>
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<tr>
<td>There are no risks identified against this index</td>
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<tr>
<td><strong>Indigenous Australians</strong></td>
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<tr>
<td>There are no risks identified against this index</td>
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<tr>
<td><strong>Income and Affordability</strong></td>
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<tr>
<td>There are no risks identified against this index</td>
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<tr>
<td>Risk Description</td>
<td>Existing Controls/Factors</td>
<td>Affected Stakeholder/s</td>
<td>Likelihood</td>
<td>Consequence</td>
<td>Risk</td>
<td>Recommended Additional Controls</td>
<td>Residual Risk</td>
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<td>---------------</td>
</tr>
<tr>
<td>Employment Training and Business</td>
<td></td>
<td>Local businesses in proximity to Robertson Barracks</td>
<td>Moderate</td>
<td>Minor</td>
<td>Moderate</td>
<td>Creating better public awareness based on the Economic Assessment</td>
<td>Low</td>
</tr>
<tr>
<td>Unrealistic expectations regarding the economic impact of the initial rotational presence, which when not realised may diminish support for the initiative</td>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Primary, Secondary and Tertiary Education</td>
<td></td>
<td>Population of Darwin, tourists in Darwin, local businesses, police and ambulance</td>
<td>Moderate</td>
<td>Minor</td>
<td>Low</td>
<td></td>
<td>Low</td>
</tr>
<tr>
<td>Housing and Accommodation</td>
<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Community Health and Safety</td>
<td></td>
<td></td>
<td></td>
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<td></td>
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<td></td>
</tr>
<tr>
<td>Risk of incidents of anti-social behaviour related to alcohol consumption by USMC presence</td>
<td>While on 'liberty', the USMC have a number of restrictions placed on them, including a minimum legal drinking age of 20, a midnight curfew, and a buddy system. Marines are also subject to</td>
<td>Population of Darwin, tourists in Darwin, local businesses, police and ambulance</td>
<td>Moderate</td>
<td>Minor</td>
<td>Low</td>
<td></td>
<td>Low</td>
</tr>
<tr>
<td>Risk Description</td>
<td>Existing Controls/Factors</td>
<td>Affected Stakeholder/s</td>
<td>Likelihood</td>
<td>Consequence</td>
<td>Risk</td>
<td>Recommended Additional Controls</td>
<td>Residual Risk</td>
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</tr>
<tr>
<td>Risk of incidents of sexual assault due to USMC presence</td>
<td>The USMC undergo pre-deployment training on appropriate behaviour. Marines will also be subject to prosecution under NT criminal legislation (and also under UCMJ, in some circumstances) in the event of transgressions</td>
<td>Female population of Darwin, and female tourists</td>
<td>Unlikely</td>
<td>Major</td>
<td>Moderate</td>
<td>Confirm pre-deployment training for USMC to a standard at least equal to that provided to ADF members</td>
<td>Moderate</td>
</tr>
<tr>
<td></td>
<td></td>
<td>services</td>
<td></td>
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<td></td>
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</tr>
<tr>
<td></td>
<td></td>
<td>Disciplinary action under the US Uniformed Code of Military Justice (UCMJ)</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td></td>
<td></td>
<td>Ongoing monitoring and enforcement by USMC staff of liberty rules</td>
<td></td>
<td></td>
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</tr>
<tr>
<td></td>
<td></td>
<td>Prompt remedial action by the USMC in response to any identified anti-social behaviour</td>
<td></td>
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</tr>
</tbody>
</table>

Unlikely: The likelihood of the event occurring is low. Major: The consequence of the event occurring is significant.
<table>
<thead>
<tr>
<th>Risk Description</th>
<th>Existing Controls/Factors</th>
<th>Affected Stakeholder/s</th>
<th>Likelihood</th>
<th>Consequence</th>
<th>Risk</th>
<th>Recommended Additional Controls</th>
<th>Residual Risk</th>
</tr>
</thead>
<tbody>
<tr>
<td>Risk of increased road traffic due to USMC presence causing additional traffic accidents</td>
<td>USMC company will not bring any vehicles into Australia, but may hire a small number of vehicles for local transportation. Personnel will not have private motor vehicles. Familiarisation training on NT road rules for any USMC personnel required to drive motor vehicles on public roads.</td>
<td>Road users in the NT, particularly Litchfield City Council and Darwin.</td>
<td>Moderate</td>
<td>Insignificant</td>
<td>Low</td>
<td>Nil</td>
<td>Low</td>
</tr>
<tr>
<td>Community Facilities and Services</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Risk of additional burden on social and medical services caused by USMC presence</td>
<td>All medical and social services will be provided through Robertson barracks. Financial and legal arrangements exist between the USMC and Darwin Hospital for treatment of emergency cases.</td>
<td>Patients at Darwin Hospital</td>
<td>Unlikely</td>
<td>Minor</td>
<td>Low</td>
<td>Nil</td>
<td>Low</td>
</tr>
<tr>
<td>Risk Description</td>
<td>Existing Controls/Factors</td>
<td>Affected Stakeholder/s</td>
<td>Likelihood</td>
<td>Consequence</td>
<td>Risk</td>
<td>Recommended Additional Controls</td>
<td>Residual Risk</td>
</tr>
<tr>
<td>---------------------------------------------------------------------------------</td>
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<td>-----------------------------------------------------------------------</td>
<td>----------------</td>
</tr>
<tr>
<td>Risk of damage to, and/or lack of availability of ADF ranges due to additional usage by USMC presence</td>
<td>The USMC are under the same restrictions and regulations as the ADF which govern the type and frequency of use and adherence to Defence environmental planning</td>
<td>Defence, Custodians of NT land</td>
<td>Unlikely</td>
<td>Moderate</td>
<td>Low</td>
<td></td>
<td>Low</td>
</tr>
<tr>
<td>Risk of environmental degradation resulting from additional activity related to USMC presence</td>
<td>The USMC are under the same restrictions and regulations as the ADF which govern the type and frequency of use and adherence to Defence environmental planning</td>
<td>Defence, Custodians of NT land</td>
<td>Unlikely</td>
<td>Moderate</td>
<td>Low</td>
<td>Undertake a Strategic Environmental Assessment to inform future planning of any increased presence</td>
<td>Low</td>
</tr>
<tr>
<td>Risk that public transport in Darwin area may be strained by need to deal with additional usage associated with USMC presence</td>
<td>Public transport in the Darwin area is already strained, however the size of the USMC rotational presence, and its limitations on time spent in Darwin will keep this impact to a minimum</td>
<td>Population of Darwin, tourists in Darwin</td>
<td>Moderate</td>
<td>Insignificant</td>
<td>Low</td>
<td>USMC could consider hiring vehicles to transport personnel between Robertson Barracks and Darwin during periods of ‘liberty’</td>
<td>Low</td>
</tr>
<tr>
<td>Risk Description</td>
<td>Existing Controls/Factors</td>
<td>Affected Stakeholder/s</td>
<td>Likelihood</td>
<td>Consequence</td>
<td>Risk</td>
<td>Recommended Additional Controls</td>
<td>Residual Risk</td>
</tr>
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<tr>
<td><strong>Community Values and Lifestyle</strong></td>
<td></td>
<td>Population of NT</td>
<td>Moderate</td>
<td>Minor</td>
<td>Low</td>
<td>Continued engagement between USMC and local populations through sporting and cultural events and positive media coverage.</td>
<td>Low</td>
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<tr>
<td>Risk of incidents, such as verbal or physical altercations between, caused by poor cultural fit between USMC personnel and NT residents</td>
<td>USMC personnel speak the same language, Darwin is used to the military presence, and they will be very similar in demographics to the rest of Darwin (i.e., young males)</td>
<td>Population of NT</td>
<td>Moderate</td>
<td>Minor</td>
<td>Low</td>
<td>Continued engagement between USMC and the community, as well as developing good relationship with the local media.</td>
<td>Low</td>
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<tr>
<td>Risk that inaccurate media representations of USMC personnel will negatively influence public support for the initial rotational presence, and public attitudes toward the USMC.</td>
<td>N/A</td>
<td>Population of NT</td>
<td>Moderate</td>
<td>Insignificant</td>
<td>Low</td>
<td>Continued engagement between USMC and the community, as well as developing good relationship with the local media.</td>
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SOCIAL IMPACT OF THE JOINT FORCE POSTURE INITIATIVE ON THE NORTHERN TERRITORY

An issues paper for public consultation
Noetic Solutions Pty Limited
ABN 87 098 132 024
May 2012
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EXECUTIVE SUMMARY

3. This Issues Paper has gathered, assessed and reported on publicly available stakeholder perceptions of an enduring rotational United States Marine Corps (USMC) presence in the Northern Territory (NT), and outlined the relevant issues that are intended as a starting-point for discussions with stakeholders.

4. The conclusion that can be drawn from the discussions of the issues and perceptions presented in this Issues Paper is that they arise mostly from the incomplete communication of facts and perceptions expressed prior to Defence engagement with stakeholders. The most common thoughts are based on speculation or misunderstandings based on perceptions.

5. Identified perceptions have been characterised as follows:

- whether Darwin has the capacity to support a rotational USMC presence
- whether the legal arrangements supporting the rotational USMC presence are appropriate
- what opportunities these initiatives will present for Australian industry
- whether USMC personnel and activities will be subject to Australian legislative, policy and procedural requirements
- whether the Australia-United States Alliance remains appropriate for Australia's current circumstances
- what impact these initiatives will have on Australia's regional relationships, and broader regional perceptions
- whether the US will establish a permanent military base in Australia, and broader concerns about Australia's sovereignty being diminished.

6. These perceptions represent a wide scope of attitudes, and not all are based on a misunderstanding of available information. However, they do all underscore areas of concern for stakeholders and therefore highlight issues that require further engagement from the Department of Defence.

7. The issues outlined in this paper encompass questions relating to Australian strategic and defence policy, environment concerns, the provision of social services, and law and order. Each issue requires some degree of consideration.

8. It is outside the scope of this Issues Paper to provide recommendations. Findings will be presented in the final Social Impact Assessment delivered to the Department of Defence in June 2012 following an extensive stakeholder engagement process.
INTRODUCTION

9. The Australian Department of Defence has commissioned an economic assessment and a social assessment into the perceived and likely impacts of the enduring rotational presence of United States Marine Corps (USMC) in the Northern Territory (NT). This Issues Paper is the introductory component of the social impacts assessment and seeks to identify issues of importance to a broad group of interested stakeholders as identified through open source research.

10. The decision regarding the presence of USMC in Australia was announced in November 2011. This bilateral agreement between Australia and the United States includes the initial deployment of a small liaison element and a company of approximately 200 USMC personnel to Darwin and northern Australia. They will be based in Australia on a rotational basis, for six months at a time. In coming years, there is a mutual intent to establish a rotational presence of a Marine Air Ground Task Force (MAGTF). The MAGTF would consist of up to 2,500 personnel.

Aim of the Issues Paper

11. The purpose of this Issues Paper is to set out issues relating to the presence of approximately 250 USMC personnel in the NT for six months in 2012 and again in 2013. The list of issues outlined here is neither exhaustive nor conclusive, and a more complete understanding of these issues is likely to evolve during the stakeholder engagement process. It is understood that there may be additional issues, concerns, or perceptions, and that the nuance of each as described below may change.

12. The stakeholder perceptions established in this Issues Paper are intended as a starting point for discussion with key stakeholders.

Aim of the Social Impacts Assessment

13. The aim of the social impacts assessment is twofold: first, it will gather, assess and report on stakeholder perceptions of an enduring rotational USMC presence in the NT. Second, it will inform and engage with stakeholders on the facts and possible implications of the planned USMC presence in the NT.

14. For the purposes of the social impact assessment, key stakeholders are defined as any individual or group likely to be affected, either positively or negatively, directly or indirectly, by the presence of USMC in the NT. Key stakeholders also include those individuals who may not be affected but are nonetheless interested in the outcomes. The effects from USMC presence could include social wellbeing, environmental integrity, financial prosperity, organisational capacity, or politics. Examples of key stakeholders include, but are not limited to, Australian Defence Force (ADF) personnel stationed in the NT, government departments responsible for the provision of social services, local businesses, local councils, interest groups and members of the public.

15. The stakeholder engagement process will be conducted in late May 2012 and will refine and build on the issues and perceptions outlined in this Issues Paper. The focus of the consultations will be to clarify the specific concerns of individual stakeholders and ascertain the likely social impacts on them. For the stakeholders who will likely not be affected directly, but who are interested in the outcomes of the joint US-Australian force posture review, the purpose of the consultation will be to inform and clarify. The findings will be analysed through a social impact framework and presented in an assessment that also presents an evaluation of the overall stakeholder attitudes toward the enduring rotational presence of 250
USMC in the Northern Territory. The final social impacts assessment will also provide findings for the Department of Defence with respect to stakeholder perceptions.

**Structural Overview**

16. This Issues Paper is presented in two parts. The first part provides the background on the political decision on the joint force posture, an outline of the current arrangements, and clarification of future intent.

17. The second part of the Issues Paper outlines the perceptions and issues relating to Australian strategic and defence policy, environmental concerns, the provision of social services, and law and order.

18. The Issues Paper concludes with a summary of its findings. An evaluation of these findings will be made at the conclusion of the stakeholder engagement period, and presented in the final social impact assessment.

**Methodology**

19. This Issues Paper is the product of extensive desktop research and literature review. This involved the analysis of publicly available documentation on the decision to rotate USMC through the NT, including official statements, public statements by commentators, and transcripts of press conferences. The process also involved an aspect of media monitoring. All sources referenced in this Issues Paper are listed in the References section below.

20. The perceptions and issues presented herein were relatively straightforward to discern as those stakeholders with concerns about the USMC enduring rotational presence are more likely to make public comment about it. Those who do not object, or perceive a benefit in it, have little incentive to vocalise their support. For this reason, this Issues Paper is unlikely to be representative of the overall balance of opinion toward the USMC. Rather, it reflects and highlights the body of concerns that need to be brought to the attention of the Department of Defence for consideration and further engagement. A more complete picture of overall opinions will be presented in the final social impacts assessment following a period of stakeholder consultation.

21. Although the scope of the social impacts assessment is limited to potential effects of the current agreement between Australia and the US, this Issues Paper also reflects concerns of stakeholders regarding any potential future enhancement of USMC presence in Australia. The reason for the inclusion of these concerns here, even though they fall outside the scope of the social impacts assessment, is that they affect the attitude of some stakeholders toward the current arrangements. That is to say, some stakeholders appear to oppose the current rotational presence of 250 USMC not because of its intrinsic effects but rather because it is perceived as a harbinger of future undesirable consequences. Therefore, it is valid to discuss here how issues of speculation about possible future expansion of USMC presence in Australia relate to the current rotational force.

22. The approach to presenting and discussing the perceptions and concerns found during the course of the research period is ideologically neutral. In fulfilling its responsibilities to undertake a social impact assessment, Noetic remains independent and impartial on all issues. Noetic seeks to accurately present facts and issues of importance regardless of whether they are supportive or unsupportive of the enduring rotational presence of USMC in the NT.
Scope

23. The scope of this Issues Paper is limited to:
   a. the agreed level of commitment between the Australian and United States Governments, and
   b. the time frames and data sources available to the review.

24. This assessment will focus on the social impacts of those rotational deployments of 200-250 USMC personnel in 2012 and 2013, rather than the possibility of larger deployments in future years. However, research for the discussion paper has been informed by the potential for expansion of the initiative and where relevant the assessment will note issues raised during the stakeholder engagement.

25. Our time frame for the review is defined by our agreement with the Implementation Team.

26. This report therefore presents the issues Noetic believe are relevant in developing a targeted impact assessment of the initial rotations.

BACKGROUND

27. In November 2011 the Prime Minister of Australia and the President of the United States of America announced enhanced Australia-United States (US) defence cooperation. One element of this enhanced defence cooperation will see a small rotational US Marine Corps presence in Northern Australia, particularly the Northern Territory (NT). In April 2012 the first company of around 200 US Marine Corps personnel arrived in Darwin.

28. Prime Minister Julia Gillard and US President Barack Obama also announced closer cooperation between the Royal Australian Air Force and the US Air Force that will result in increased rotations of US aircraft through northern Australia. This will enhance bilateral collaboration and offer greater opportunities for combined training and exercises. A range of different US aircraft already visit Australia for exercising and training and the increased aircraft cooperation will build on these activities. The enhanced cooperation between the RAAF and USAF is outside the scope of the social and economic impact assessments.

29. The Australian Department of Defence (Defence) has constituted an Implementation Team to progress action on the initiative.

30. Noetic Solutions Pty Ltd (Noetic) have been commissioned by the Defence Implementation Team to undertake an independent, impartial assessment of the potential social and economic impacts of the agreed force posture initiatives. Out of scope of these social and economic impacts assessment is the intent to establish a rotational presence of up to a 2,500 person Marine Air Ground Task Force (MAGTF).20

Understanding the Initiative

31. For the years 2012 and 2013 the size of the US Marines rotational deployments to northern Australia will be around 250 and the will rotate through the Robertson Barracks in the Litchfield Shire of the NT. The Marines will live entirely at Robertson Barracks during the rotation, in existing accommodation facilities. The Marines will not be accompanied.

32. The first company-sized rotation of approximately 200 US Marines Corps personnel arrived in Darwin on 3 April 2012. This initial rotation is currently expected to depart Australia to return to Hawaii in mid-late September 2012. It is expected that the next company sized rotation, of approximately 200-250 personnel, would arrive in Australia around March-April 2013. This 2013 rotation would be similar in nature to the 2012 rotation.

33. Over a six month period, these Marines are expected to undertake bilateral training in Australia with the Australian Defence Force, unilateral training in Australia and engage with countries in the region.

34. US personnel in Australia are in Australian territory pursuant to the terms of the Agreement between the Government of the Commonwealth of Australia and the Government of the United States of America concerning the Status of United States Forces in Australia, and Protocol, which entered into force on 9 May 1963 (Status of Forces Agreement, or SOFA). The SOFA is applied in Australian domestic law by the Defence (Visiting Forces) Act 1963 (DVFA).

35. The SOFA grants Australia and the US concurrent jurisdiction over US military personnel, subject to some conditions. The SOFA has adequately provided the legal arrangements for the deployment of US visiting forces since that time, and applies to US Marine Corps personnel in northern Australia.

36. The Government will monitor these arrangements to ensure they remain adequate.

**Understanding the Future Intent**

37. The intent in the coming years is to establish a rotational presence of up to a 2,500 personnel Marine Air Ground Task Force (MAGTF), rotating into Northern Australia in the northern dry season. Rotations of a full MAGTF will not occur before 2016-17.

38. Major equipment to support the elements of the MAGTF includes wheeled vehicles, artillery pieces, light armoured vehicles and aircraft, in addition to personnel.

39. In the event the intent of the two Government’s is met, it is useful to understand that a MAGTF has a specific structure, which includes four components:
   a. A Command Element;
   b. A Ground Combat Element (like a Rifle Company);
   c. An Aviation Combat Element; and
   d. A Logistics Combat Element (comprised of engineers, maintenance, medical and specialised personnel).

40. No further details are relevant in relation to the potential MAGTF rotational posture until the precise nature of cooperation is announced by Government. Major equipment to support the elements of the MAGTF includes wheeled vehicles, artillery pieces, light armoured vehicles and aircraft, in addition to personnel.

41. In effect the characteristics of the initiative are a short term addition of a small number of persons to an existing Barracks who will perform a particular task operating under a system of rules and procedures.

**POTENTIAL IMPACTS**

42. A review of the publicly available information and sentiment on this issue reveals several clear trends. First and foremost it is apparent that not enough factual information exists in public domain. Or rather, the
facts of matter are available but not disseminated as widely and thoroughly as to sufficiently counter the speculation and sensationalism that characterises some of the commentary on the topic. For example, there is confusion and misunderstanding as to the overall figure of USMC who will be based in the NT.

43. Second, there are several threads of public concern which are justified in fact, but which may not have yet been adequately addressed or engaged with. Illustrative of this is a perception that USMC presence in the NT may antagonise Australia’s regional partners. This cannot be definitely proved or disproved, but indicates that a broader desire for public debate is sought by some.

44. There are arguably seven commonly recurring themes in the public sentiment. These are not all negative, and not all are based on a misunderstanding of available information. However, they do all underscore areas of interest for stakeholders and therefore highlight issues that require further engagement from the Department of Defence. These perceptions relate to:

- whether Darwin has the capacity to support a rotational USMC presence
- whether the legal arrangements supporting the rotational USMC presence are appropriate
- what opportunities these initiatives will present for Australian industry
- whether USMC personnel and activities will be subject to Australian legislative, policy and procedural requirements
- whether the Australia-United States Alliance remains appropriate for Australia’s current circumstances
- what impact these initiatives will have on Australia’s regional relationships, and broader regional perceptions
- whether the US will establish a permanent military base in Australia, and broader concerns about Australia’s sovereignty being diminished.

45. In addition to the major public concerns and perceptions outlined above, there are a number of other issues that need to be taken into account when managing expectations and planning future arrangements of a USMC presence in Australia. Not all of the issues are necessarily negative or insurmountable, but they all do require some degree of consideration.

46. The issues fall across the spectrum of detail, from the broadest, big picture issues, to the most tactical and specific. At the strategic level, there are differing views regarding Australia’s geopolitical partnerships and potential consequences of certain force postures. Subject to speculation are also issues of potential future broadening of the USMC presence in Australia, and of operational level details of current arrangements. A further set of issues for consideration is the legal provisions for the rights, obligations and potential prosecution of United States Forces in Australia. Likewise, the issue of nuclear materials being potentially brought into Australian territorial waters requires attention. Lastly, all of the above issues must be considered in the context of the Northern Territory as a vibrant, burgeoning region, with a largely rotational population and a high level of familiarity with a military presence.

Australian Strategic and Defence Policy

Australia’s Relationship with the US

47. Australia’s long-standing relationship with the United States is at times not well understood. Moreover, its strategic basis is being questioned by some commentators in the context of America’s shifting power on
the world stage. Neither this issues paper nor the final assessment seeks to make findings in relation to this. However, the sentiments expressed during the stakeholder engagement process will be reported.

48. Although it is long-standing and close, the relationship between the US and Australia continues to be one of speculation and concern for some\(^{21}\) while others consider it a significant strategic strength.

49. As it relates to the USMC presence in the NT, any negative perceptions appear to be based on the assumption that the bilateral agreement somehow locks Australia into a relationship that is either somehow undesirable or one that precludes the possibility of strategic military alliances with other partners.

Geopolitics of Asia-Pacific

50. Similarly, it has been suggested the changing geopolitics of the Asia-Pacific region are bringing into question the logic of rotating US forces, no matter in how small a number, through Australia, and the regional consequences of this need to be considered. There are some commentators that have suggested that increased engagement with the US may be detrimental to Australia's relationships with Asia-Pacific nations and, particularly, China.\(^{22}\)

51. There is a broad, ongoing debate about what Australia's geopolitical role in the Asia-Pacific region should be. Some of the stakeholders with an interest in this question hold the view that the USMC presence in Australia may antagonise other regional players. The country that is most often cited as one likely to be provoked by the American military presence is China\(^{23}\).

52. This perception is a speculative one relating to the strategic (rather than operational or tactical) aspects of the decision to allow the USMC into the NT.

Pacifism

53. Every publicised military decision or operation brings into question the more philosophical underpinnings of national security and defence. Pacifism is a recognised and legitimate ideological view, and the addition of foreign military personnel on Australian soil, even for training purposes, taps into a stream of anti-military sentiment.

Political Decisions

54. There is speculation about the political decisions that have not yet been made in regards to any future expansion of the USMC presence in Australia. Such speculation can lead to fear and misinformation. To some degree, the speculation about political decisions stems from a lack of concrete information in the public domain about what is being discussed politically. But this lack of concrete information may also be due to the fact that no formal bilateral agreements and arrangements have yet been made about the future scope of USMC presence in Australia.

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55. There is an expressed intention to rotate a MAGTF of approximately 2,500 personnel through the NT, however this has not been officially decided. The decision is subject to further discussions between Governments, but the rotations will not commence before 2016-2017.

56. Because the Australian and US Governments have not yet agreed to phases of activity beyond company-sized Marine Corps rotational deployments, The Department of Defence is unable to provide details about the timeframes and operational planning associated with the MAGTF or enhanced cooperation between the RAAF and USAF. However, the inability to comment at this time may fuel misunderstanding regarding future intentions. Further there is the possibility it creates the impression that detail about future intentions is deliberately being withheld from the public.

**Scope and Purpose of USMC Presence in the NT**

57. By far the most commonly held perception is that the number of Marines who are to be present in the NT will be so great as to strain or overwhelm the social services and infrastructure of the Territory, and Darwin in particular. It arises out of the issue above and a lack of information about political and ideological stand points relating to this matter.

58. This perception indicates that information about the scope of the bilateral agreement between Australia and the United States is not reaching important stakeholders. Specifically, that there is a lack of clarity as to what the Marines will be doing in the NT and that they will be based in Darwin itself rather than at existing Australian Defence Force barracks in the NT. The Marines will likely only be seen in Darwin when they are off duty.

59. Implicit in this perception is the assumption that the USMC is somehow culturally undesirable in the fabric of NT society, and/or that its presence will alter the social dynamics in an objectionable way. It is a perception that may be based on lack of or incorrect information and a conflation of what has been agreed upon with what might possibly be in the future. This perception requires further reflection and contextualisation within the transient and booming nature of the NT and Darwin, and in light of there currently being some 5,500 Australian troops based there.

60. There is also a perception that the USMC is establishing a permanent base in the NT. Partly this is a misunderstanding of fact – the Marines will actually be using existing barracks and infrastructure of the Australia Defence Forces. However, in a way this point is moot because irrespective of any permanent infrastructure that may or may not be created for the USMC, the Marines will be regularly visible in the NT for the foreseeable future. This creates the perception of permanence for some.

**Benefit to ADF**

61. The issue of the benefit that the ADF will derive from joint exercises is important but underplayed. Joint exercises will further develop Australia's interoperability with US forces. However, this is not well understood or appreciated by the general public.


26 For example, this was an underlying assumption of the Basewatch community forum held in Darwin on 28 April 2012
Media Representations

62. Media representation of the issue has significant potential to either diffuse or fuel and magnify speculation. On the whole media representations reviewed have been factual in the details, but reflect headlines that may add to further speculation. More often than not, commentaries are dominated by those with strong adverse positions rather than by those who have positive and supportive things to say. This serves to perpetuate unsupportive and speculative perceptions.

63. Critical to this is how the media is engaged to properly inform the public regarding the facts and perceptions of this initiative.

Environmental Concerns

Nuclear Materials

64. Contrary to some perceptions, The USMC does not possess any nuclear weapons nor will the MAGTF train with them\(^2\). The joint US-Australia force posture initiative is consistent with Australia’s policy and existing practice regarding cluster munitions, depleted uranium, and nuclear weapons. This does not allow foreign forces to use cluster munitions, depleted uranium, and nuclear weapons on Australian territory.

65. Again, the issue here is not so much the facts of the arrangements but broader perceptions relating to the US use of such weapons. Discomfort with nuclear materials remains a well reported concern among the Australian population, and this discomfort needs to be considered in relation to the attitudes regarding the UMSC presence in the NT. This is a perception that taps into a more general fear about nuclear power and the questioning of what Australia’s position should be on its use.

66. A secondary perception is that the Department of Defence or the USMC itself has not adequately addressed this issue. There is a concern that the likelihood of nuclear materials being brought into Australia has not been categorically denied\(^2\).

67. Another fear related to this perception is that the presence of any such nuclear material may be seen as provocative by some of Australia’s neighbours.

Aircraft Noise

68. There is a possibility of increased aeroplane noise in the NT due to the USMC presence. It is too early to speculate on these issues, but it will need to be considered when communicating with the public regarding any future decisions regarding the expansion of the USMC presence in the NT. A range of different US aircraft already visit Australia for exercising and training and the increased aircraft cooperation will build on these activities.

69. The Department of Defence takes its environmental responsibilities seriously and makes every effort to minimise community exposure to aircraft noise, whilst maintaining operational requirements. The Department of Defence is working collaboratively with the Northern Territory government to ensure the implications of aircraft noise for planning and development are fully understood.

\(^2\) Interview with Australia Department of Defence, US Force Posture Review Implementation Team, 10 May 2012

Degradation of ADF Ranges

70. There is some concern, particularly from Defence stakeholders, that the additional usage of ADF training ranges by the USMC will contribute to the environmental degradation of those ranges. However, the USMC will be subject to the same rules and restrictions regarding environmental impacts as the ADF.

The Provision of Social Services

Housing Arrangements

71. Because the initial USMC rotations will be accommodated at the ADF’s Robertson Barracks facility, and USMC personnel will not be accompanied by family members, there will not be any impact on the availability or affordability of housing in the NT as a result of these initial rotations.

Funding Arrangements

72. The deployment of US forces to Australia will be funded by the US and other costs will be paid for under existing legal, financial and logistical arrangements.

Equipment

73. The USMC will bring any required training equipment, including ammunition. It will not be a burden on ADF equipment stocks. USMC in this initial rotation will carry equipment associated with a small unit, such as an infantry company. This initial rotation will not include heavy vehicles, equipment or aircraft.

Social Cohesion

74. It is understood that the visibility of the 250 Marines currently in the NT will be minimal, and limited mostly to weekends. This may change should that number increase in the future.

75. There is a persistent perception that the Marines will act in sexually inappropriate ways with the local population. This perception would seem to be based mostly on stereotypes generated from stories emanating in the media relating to US military bases in other countries, and a broader impression of military males generally being aggressive.

76. To some extent this perception may assume that the USMC enduring rotational presence will look something like shore leave for a large military vessel. In this sense it is a perception that to some degree does not relate to the agreed-upon scope USMC presence in the NT, nor the nature of the presence. Such a scenario will need to be explored in the context of the size of the deployment, 250 Marines for six months of the year, the nature of the training and deployments undertaken within those six months, in the context of the already high military population in the NT, and the demographics of a broader non-military transient male population.

77. Related issues include violent behaviour arising out of alcohol consumption. However, Darwin’s vibrant and social atmosphere can also be seen as a means of welcoming the Marines in to the NT.

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Effect on Local Businesses

78. Another common perception is positive, but may not be entirely accurate. It is the perception that the USMC presence will greatly benefit local businesses\(^\text{32}\). The agreed USMC contingent is relatively small, based in the NT for only half the year, and mostly limited to places outside Darwin. It is still unclear exactly how much economic benefit there will be locally due directly to the USMC presence. The economic impacts assessment will ascertain this. In the meantime, it is important to manage this expectation so that disappointment does not lead to diminished acceptance of the USMC.

79. The Government is committed to ensuring Australian industry remains robust and competitive. Industry impacts and potential opportunities will continue to be assessed during this initial rotation and as planning develops.

Use of Indigenous Land

80. The use of Indigenous land by USMC is regulated by current ADF arrangements, and therefore there is unlikely to be any additional effects or changes arising directly out of the USMC enduring rotational presence in the NT. Nonetheless, this may be an issue of concern to certain stakeholders and therefore needs to be handled with due respect and diligence.

Disaster Relief and Emergency Response

81. There is a possibility of the USMC being available for disaster relief and emergency response in Australia and the region\(^\text{33}\). Being able to utilise the USMC in this way will enhance Australian and regional humanitarian assistance and disaster relief capability.

Law and Order

Provisions Under the Status of Forces Agreement

82. The Status of Forces Agreement (SOFA) between Australia and the US has been in place for nearly half a century, yet there is a general lack of public awareness that it exists, and what it consists of.

83. The SOFA is a comprehensive legal document establishing the terms under which US forces, their dependants, and civilian support personnel are allowed to reside and work in Australia. The SOFA details the applicable taxation, residency status, permissible scope for heavy equipment and personal effects that are brought into Australia, and the terms of reparations that either party may be liable for. It also sets out the applicable jurisdictions in cases of criminal or civic offences committed within Australia by US military staff, their dependants, and civilian support personnel\(^\text{34}\).

84. The issue of legal provisions for the USMC enduring rotational presence in the NT is established in the comprehensive and long-established SOFA. However, of note is the perception arising out of this issue that Australia in some way does not retain jurisdiction over American citizens who break Australian law.


Overlapping jurisdictions

85. There is a lack of public clarity about the applicable jurisdictions for USMC forces while in Australia. In particular, there is a concern that Marines who allegedly commit a crime in Australia will not be able prosecuted under Australian laws. This is not the case. The SOFA is unequivocal about the application of jurisdiction.

86. While in Australia, the US military personnel will be subject to Australian law, including Australian criminal law. US military personnel also remain subject to the US Uniform Code of Military Justice, the code of military law applicable to US personnel at all times.

87. The SOFA grants Australia exclusive jurisdiction for alleged offences against Australian laws but not US law; and exclusive jurisdiction to US military authorities for alleged offences against US law but not Australian law. Where the alleged offence is a crime against both Australian and US law then there is concurrent jurisdiction.

88. Where an offence is punishable by the laws of both Australia and the US, the SOFA provides for determining which country has a primary right to exercise jurisdiction.

89. Where US military personnel allegedly commit an offence that is an offence under both Australian and US law, Australia will have primacy of jurisdiction unless the offence is committed solely against US military personnel or property, or the security of the US, or is committed in the course of official duties. The Commonwealth Attorney-General determines whether US military personnel were acting in the course of official duties at the time of an alleged offence.

CONCLUSION

90. All issues relating to the USMC enduring rotational presence in the NT need to be contextualised. The addition of 250, or even potentially 2,500, Marines is not happening in isolation, but rather in the context of an already vibrant, growing, and largely transient population. This will to a certain extent temper the social impacts of the USMC presence.

91. The Northern Territory already has a high number of military personnel, and Australian bases are long-established there. The additional Marines will be doing exactly the same sort of things as the Australian troops in the NT. Moreover, the NT is accustomed to a rotational population, partly due to the nature of industries in the NT that attract temporary labour, and partly because the NT is also a major – and growing – tourism destination. Not only is there an annual influx of tourists during the dry season (the same period as the USMC rotations), but tourism infrastructure is also growing.

92. This issues paper identifies a number of issues raised publicly in relation to the USMC presence in Darwin. These issues have been drawn from publicly available documents and reporting. Each requires further exploration through direct stakeholder engagement during the course of this social impacts assessment. Noetic welcomes the opportunity to undertake this stakeholder engagement to enable the various perceptions and views to be properly aired and considered.

35 Australian Department of Defence, 2012, Defence Annual Report 2010-2011, Volume 1, Canberra
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