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Maylands

WA 6931

30 August 2018

The Chief Executive Officer
Dr Benedict Scambary
Aboriginal Areas Protection Authority
GPO Box 1890
Darwin NT 0801
aapa@nt.gov.au

Dear Ben,

Re: Damage to an Aboriginal Recorded Site on the Kulaluk Lease Area

In 1982 the director of the Aboriginal Sacred Sites Authority (ASSA), David Ritchie, wrote to the lease holders of the Kulaluk Crown Lease, the Gwalwa Daraniki Association, notifying the association of significant Aboriginal sites on the Kulaluk special purpose lease (copy of letter attached). In his letter, Ritchie expressed the concerns of an Arnhem Land leader and politician, since deceased, who said that an area behind the Bagot Community lease between Harney Street and Dick Ward Drive is a significant site. A map showing the area of the site was used in a report by Krimhilde Henderson for the Aboriginal Sacred Sites Protection Authority in 1983, titled "Land Use Field Study of the Kulaluk Area" (extract of map attached). It is believed that the Henderson map is the same map referred to by David Ritchie in his letter.

In 2010, Planit Consulting, on behalf of developers and the Kulaluk leaseholders, applied to rezone several areas on the lease, including the area referred to by David Ritchie and others as a sacred site. As a result, on 22 July, 2010, a hearing was held in the Brolga Room of the Novatel Hotel before the Development Consent Authority (DCA). At the hearing, Mr James Gaykamangu, a resident and past president of the Bagot Community, related how an important ceremony came to be held on the site in bushland on what was then part of the old Bagot Reserve. Mr Gaykamangu's evidence gave further detail to the untold Aboriginal history of Darwin and revealed the shortcomings of the developer's research.

Greg Constantine, the CEO of the Larrakia Development Corporation, who presented a late submission in favour of the rezoning, suggested that Mr Gaykamangu's evidence was irrelevant because he is a Yolngu man, and not Larrakia or a member of the Gwalwa Daraniki Association. However, Mr

Gaykamangu has considerable cultural authority in his role as an author, an advocate for Aboriginal customary law and as a Senior Elder of the Gupapuyngu people. In addition, his remarkable eyewitness account included lists of Yolngu participants in a ceremony held on the site in the 1950s and other details (see Gaykamangu [2010] “Gunabibi - the story I have been told, the boomerang story echoing around Darwin”).

It is fortunate that witnesses like James Gaykamangu are still alive, as most of those who took part in the historical events associated with the site have passed away. Mr Gaykamangu has a sense of urgency to record the cooperation between Larrakia people and other language groups who were concerned by the loss of lands in Darwin. Indeed, the epic events described by Mr Gaykamangu may shed light on a paragraph of the famous Arnhem Land bark petition for land rights that expresses a fear that Yirrakala language groups will suffer “the same fate as the Larrakeah”.

No doubt David Ritchie and ASSPA believed that once the 301 hectares of Kulaluk land was returned to Aboriginal people in 1979, all significant cultural and historical sites would be protected.

Unfortunately, this has not been the case. However, it seems that some sites have been registered with the Aboriginal Areas Protection Authority, because maps issued by AAPA between 2009 and 2014 show several sites, indicated by a green dot, including site Number 50737 in the area in question (see attached map issued by AAPA in 2014). However, the location of recorded site 50737 behind Bagot as shown on the 2014 map does not coincide with the location of “Gunabibi Ground” on Henderson's 1983 map or a 1985 map by Hollingsworth Consultants in association with Planet Location International in their “Kulaluk Lease Area Land Development Study” (maps attached).

Surely it is unlawful to disturb a recorded Aboriginal site? If so, why has the area in question, including the area shown on all three maps attached and referred to in David Ritchie's letter in 1982, been disturbed by heavy earth moving equipment and left in a deplorable state, as illustrated by the attached recent photographs taken by a concerned Ludmilla resident, Mr David Percival? Is the Aboriginal Areas Protection Authority going to prosecute whoever is responsible for this desecration of a recorded site? If the work was conducted by the Fire Brigade, why wasn't it supervised by an Aboriginal person with the cultural knowledge to ensure no damage was done? As proven by maps attached to this letter, the land between Harney Street and Dick Ward Drive has great historical and cultural significance, dating from the time when it was part of the greater Bagot Aboriginal Reserve.

In conclusion, what steps do the Aboriginal Areas Protection Authority intend to take to prosecute those responsible for the damage done to a sacred site recorded on AAPA maps as the Gunabibi Ground? Will a rehabilitation order be enforced on those responsible for the path of destruction left by the land clearing? And what steps can be taken to ensure sites on the Kulaluk lease are not damaged in the future? Your reply is eagerly anticipated.

Yours sincerely

Dr William B Day

Consulting Anthropologist

Telephone 08 93715010 or Mobile 0472 768 654

Attachments:

Letter from David Ritchie to Gwalwa Daraniki Association Inc, 1982.

Map of Gunabibi ground from K Henderson's 1983 "Land Use Field Study of the Kulaluk Area", on behalf of the Aboriginal Sacred Sites Protection Authority, Darwin.

Map of Kulaluk sites from Hollingsworth Consultants (1985) "Kulaluk Lease Area Land Development Study".

Map of Kulaluk recorded sites (green dot) issued by AAPA in 2014.

A series of photographs of the damage to the site, taken by a Ludmilla Resident in August, 2018.