

ROCKY GROUND IN LAND WASTE FIGHT.

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By Jason Walls

a Darwin Aboriginal organisation has taken a local property developer to the Supreme Court in a bid to get the company to remove stockpiled waste left on its land along Dick Ward Dr.

The Gwalwa Daraniki Association is seeking the order against Dragon Lady Pty Ltd as trustee for the E.S.W. Chin superannuation fund, along with damages, interest and costs.

A statement of claim filed by the GDA alleges it granted Dragon Lady a license to occupy 2.5ha of the land in 2009 before giving its consent for the company to stockpile “rock, gravel and landfill” on it.

The writ says an agreement was reached in 2017 to terminate on the basis that Dragon Lady pay outstanding fees and remove the stockpiled waste. The GDA alleges its solicitor wrote to the company's lawyers confirming that the surrender of the lot was conditional upon it removing the stockpiles but received no response.

The organisation says it then withdrew its consent for the material to remain on the land in October.

“The defendant has failed and continues to fail to remove the stockpile for Lot 2,” the document reads.

The association alleges the stockpiles are now barring its members from their rightful enjoyment of the land and preventing it from seeking any further expressions of interest to sublease the lot.

The 301ha Kulaluk lease was handed back to the GDA as representatives of Darwin's Larrakia people as a perpetual Crown lease under the Land Rights Act in 1979.

The case returns to Court on July 6.