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Mr Rean Lourens
Senior Planner
Strategic Lands Planning
Department of Lands & Planning
GPO Box 1680
Darwin NT 0801

Dear Mr Lourens

Re: PA2007/0121 – proposal to rezone part Lot 5182, Town of Darwin

As well as my previous objections to the rezoning of parts of the Kulaluk lease, I wish to emphasise that the constitution of the Gwalwa Daraniki Association Inc (GDA as ‘the lease holders’) includes no requirement to consult with other Aboriginal people with an interest in the Kulaluk land. Neither are there any safeguards like those written into the *Land Rights Act, 1976*. On the contrary, the GDA constitution has been amended to limit membership of the GDA to residents of the Kulaluk village who are members of the Danggalaba clan **and their spouses**, who have lived at Kulaluk for ‘a continuous period of 12 months’. The spouses do not even have to be Aboriginal (provided a majority of the membership is Aboriginal), as in the case of the New Zealander Albert Treeves and the late white Australian, Darren Nelson, the spouses of the late Kathy Secretary and her daughter Helen Secretary respectively. The GDA constitution registered by Michael Chin in September 2006 also states that membership of the GDA should be **no less than 5**.

Although Nelson was fatally shot by Helen Secretary at Kulaluk in November 1994, court transcripts show that during his ten years as Helen’s de facto spouse he had undue influence on the administration of the Kulaluk lease, as Albert Treeves had before him (as I know from first hand experience). For example, Helen stated in her defence that when she was President of the Kulaluk Community from August 1991 to August 1995, Nelson would ‘**come to the [Kulaluk] office and advise me about things,**’ and if she disagreed with him ‘when I went home I used to get a flogging’. He was injecting himself with drugs at Kulaluk and Helen stated, ‘**We were his property**’. If anyone interfered when Nelson beat her, he said he ‘would kill them’. What is of concern is that people like Nelson and Treeves, by being a spouse are eligible to be members of the GDA and decide the future of the Kulaluk lease when other’s with an interest in the land are excluded. I would not be the only person offended that Nelson was buried in the old Bagot burial ground on the lease.

The leaseholders have repeatedly failed to consider the needs of other Aboriginal people who use the lease. In the latest rezoning application, the GDA has ignored Aboriginal cultural values and overridden known sites on the lease, as pointed out in the letter from David Ritchie in 1982 (previously submitted). I am concerned that under the present constitution and the NT Government *Laissez Faire* policies the Kulaluk lease could fall into criminal hands in the future, if it has not already. We already know that secret deals have been made with at least two Darwin building firms and hundreds of thousands of dollars of government grants have been squandered in fanciful aquaculture projects, causing great harm to the Kulaluk environment and the roosting grounds of migratory birds. Under the terms of the planning permit, the aquaculture damage must be rectified.

The question then must be raised as to whether the GDA is bankrupt, illegitimate, and in breach of its lease even though my understanding as a founder of the association is that the GDA is a non-profit association. As I have written previously, the land between Totem Road and Ludmilla Creek was a major part of Bagot Reserve until 1964 and was returned in compensation for the revocation of that reserve. Today over 1,600 people identify as Larrakia. Aboriginal people from all over the Northern Territory use the Kulaluk lease for recreation and even ceremonies. None of these groups have been consulted over the rezoning, nor have they been made aware of it. I urge you to dismiss the rezoning application.

William B Day



Above: Bagot boys examine an echidna that was hit by a car on Dick Ward Drive.