

heritagecouncil@nt.gov.au

Re: Nomination of Kulaluk Lease Area by Larrakia Nation Aboriginal Corporation

For the last 28 days many people have worked tirelessly to inform the public of the need to make submissions to the Heritage Council following the call for submissions by interested people in a public notice placed by the Heritage Council in the NT News as required under Section 26(1)(b) of the NT Heritage Act.

However, many people who have an interest in the future of the land in question are still unaware of the nomination or the process involved for registration. Please note that under S.26(1)(a)(i) and S.26(1)(a)(ii) it is the responsibility of the Heritage Council to give a written notice to each interested person. In particular I remind the council that the residents of Bagot Community have a vital interest in the future of the 301ha lease, most of which was once part of Bagot Reserve and contains graves of past Bagot residents.

I know for a fact that the Aboriginal people of Bagot Community have not been consulted.

Also I know of Larrakia people who have not received a written notice as required under the Act. Surely the residents of Ludmilla are also interested people under the Act – to my knowledge they have not received a written notice.

When the Nomination of the lease was advertised, I assumed that everyone who has made a submission to the Development Consent Authority on rezoning applications on the lease area since at least 2010 would have received a written notice as required under the Act.

Considering that the nomination of the Kulaluk lease area is highly significant to Aboriginal people nationally, as Dr Ritchie has written in his report, and I suggest, internationally, I believe that more effort should have been made to consult Aboriginal people and to inform them of the nomination and the opportunity to make submissions.

The only way I can think of to rectify this omission by the Heritage Council is to grant more time to consult, as required by the Heritage Act. I attach the relevant sections of the Heritage Act (below):

NT HERITAGE ACT

s.26 Public consultation on heritage significance of place or object

(1) As soon as practicable after preparing the statement of heritage value for the place or object, the Council must invite submissions on the heritage significance of the place or object by:

(a) giving a written notice to:

(i) each interested person for the place or object; and

- (ii) anyone else the Council considers is likely to be directly affected if the place or object is declared to be a heritage place or object; and
- (b) publishing a notice in a newspaper circulating generally throughout the Territory.

Yours sincerely

Dr William B Day

29-03-2016