

15 February, 1974

TO: Director,  
Northern Territory Division,  
Department of Aboriginal Affairs,  
Darwin.

**ABORIGINAL GRAVES – TOTEM ROAD**

I refer to your memorandum 70/2081 of 9 January, 1974 concerning the reservation of an area at Totem Road for a cemetery of historic purposes to be entrusted to a group at Bagot Reserve.

2. The attached plan shows the position of the fenced area roughly and the process of reservation will include - (i) survey; (ii) road closures; (iii) change of zoning; (iv) reservation action; (v) checking implications of Cemeteries Ordinance; (vi) appointment of Trustees.

3. As you are aware, the Gwalwa Daraniki land rights claim is being considered by Justice Woodward and Mr Gareth Evan[s] suggests the extent of this claim in his report which includes this area. This Department is at present in the process of negotiations with Sabina Holdings to secure the deferment of the use of some of their land and it is felt that any public exhibition of the cemetery proposal as is necessary for the road closure and zoning change actions mentioned above may well cause friction with the Larrakia group in respect of their land claim yet to be resolved.

4. It is felt that you wish the fenced area only to be surveyed and protected. The reservation of itself would provide little more protection physically than the fencing provides and if processed at this stage may tend to exacerbate a situation which is already delicate enough at this stage of negotiations of some of the issues.

5. For this reason, I am loathe to proceed with these series of actions at this stage, but would be willing to further examine this process when the Gwalwa Daraniki land claim and the Kulaluk issue are resolved.

6. In the interim, if you will confirm what you wish the fenced area only surveyed, I will examine what preliminary survey work can be carried out.

T. A. O'Brien  
SECRETARY

Note:

Mr Evans (A01)

I am inclined to agree that any action of a permanent nature will have to wait the outcome of the Woodward Report. If the survey is to be done prior to the release of the Woodward recommendations, I think we would be bound to at least advise the Gwalwa Daraniki of our intention lest we be accused of interfering with their land claim. I believe that all action should be held until such time as the land claim issue has been dealt with by Justice Woodward.

Note:

Director

The burial area is a fact and without doubt, whoever ends up with the land, they will not be able to nor care to alter the fact – digging up the remains of 200 or so human beings would cause the greediest developer to hesitate. Therefore I see no reason why survey (which takes such a long time) should not proceed – with the concurrence of the Gwalwa Daraniki – bearing in mind that everyone will eventually want to know where the perimeter is. AB A04 1/5/74