

William B Day

From: [REDACTED]@larrakia.com>
To: "William Day" <bartlettday@hotmail.com>
Sent: Thursday, 2 April 2009 11:34 AM
Subject: RE: RE Kulaluk plans

ARA FURA
HARBOUR
CORRESPONDENCE

Dear Bill,

This marina plan is absurd for many obvious reasons. What concerns me is that the developers will agree to peg it back and when they do, they will be seen to have compromised, yet it will still be a completely unacceptable development.

I am keen to be involved in a sustained campaign to ensure this thing does not get up. I will start by writing to a few people at local, territory and fed govt. As an aside - I rather liked the concept you put forward!

I trust you are well and look forward to having a cuppa with you soon.

Warm regards,
Cath

Dr Catherine Holmes
Principal Researcher
Research Division
Larrakia Nation Aboriginal Corporation,
76 Dick Ward Drive,
Coconut Grove, NT, 0810.

Tel: 61-8-8948 3733
Mob: 0419 441 021
Fax: 61-8-8948 3488
Web: www.larrakia.com

>
> Sayer did not even have the courtesy to reply when I sent him my 55 page
> report outlining an alternative plan for Kulaluk last year. I was very
> disillusioned by his interview on ABC on April 1st. He went so far to
> claim that the marina would save us all from a tidal surge! He said there
> was no point saving the monsoon forest and mangroves as they would be
> destroyed by a tidal surge anyway! Has he seen the pictures of the
> destruction caused by floating debris in the Asian tsunami? Besides, who
> allowed the housing estates in coconut grove down to the high tide mark?
> Do we now have to pay for a sea wall to protect them?

>
> Bill

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6/04/2009

> Subject: RE Kulaluk plans

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> Ben

> Not sure if you ever followed up the marina story. I returned to Perth on

> Monday but will continue my 30-year campaign against the mob who

> administer Kulaluk. There is no way the development can be seen as being

> for 'Aboriginal community use' as required in the lease unless it is for

> the profit of a few who have shown that they are not interested in the

> land, except as a money spinner. Please take time to read the attached

> article by Hillary Thompson, "Is it a waste land?" and the 'additional

> paragraph' from my 2008 report outlining in detail how the 300ha Kulaluk

> lease could be used as was intended by us in the 1970s (I think I sent my

> report to the NT News on a disk last year).

> Bill Day

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> From: bartlettday@hotmail.com

> To: bill.day@bigpond.com; bartlettday@hotmail.com

> Subject: Minmarama village photos and text

> Date: Sun, 29 Mar 2009 17:44:06 +0800

>

> Minmarama Village has been situated on the Kulaluk Special Purpose lease

> since its construction in the late 1980s. The houses must be the most

> expensive in Darwin. This is because of the cost of preparing the land

> before building. The houses are built on the old Darwin landfill dump

> where most of Darwin was bulldozed after Cyclone Tracy. The dump would

> normally only be suitable for sports fields and this is what was

> originally intended in the Kulaluk master plan. After burning underground

> uncontrolled for years, the Ludmilla dump was compressed after tonnes of

> soil were brought in from elsewhere to raise the land to a safe height and

> pack down the dump beneath. Even so the area is beneath the cyclone surge

> line. There are also many toxic chemicals in the old dump under the

> houses. Ever since the houses were built the residents have been paying

> rent to the Gwalwa Daraniki Association Inc, who hold the Kulaluk lease.

> The NT Intervention sign at the gate indicates that the area is now a

> 'Prescribed Area' where residents cannot drink alcohol, despite the

> residents owning boats, cars etc and regular jobs - in fact there is no

> reason why most of the residents could not live in the general community.

> Needless to say, no one takes any notice of the signs.

> The residents complain that repairs are not done, rubbish is not

> collected, grass is not mown and roads are unsealed and potholed. Most of

> all the residents complain about the earth stockpile creating dust and

> bring heavy trucks past the houses for the last few years. The stockpile

> appears to be a favour from the GDA to some Greek-Australian building

> company who must be paying something to the GDA for the 'temporary' use of

> the land. It is not fill, but an earth stockpile for the convenience of

> the building company. It is difficult to interpret this as being for

> 'aboriginal community use' as the lease originally required.

6/04/2009

- > Also at the back of Minmarama, there is a private dump (pictured) used by
- > another Greek-Australian building company, dumping unsupervised into the
- > mangroves. This dump has since been cleaned up.
- > Attached
- > Photo 62 Gate to earth stockpile at Minmarama Village 29.03.09
- > PHOTO 64 Overgrown children's playground area (public space) 29.03.09
- > PHOTO 68 Mosquito breeding drain alongside housing 29.03.09
- > PHOTO 72 Private dump (after being cleaned up). 29.03.09

William B Day

From: "Thereses Ritchie" <she.bites@bigpond.com>
To: <bill.day@bigpond.com>
Sent: Monday, 11 May 2009 7:33 AM
Subject: kulaluk lease

Hi Bill, my name is Therese Ritchie and I have just read your document "*Recommendations for a Kulaluk Wilderness, Heritage and Education Park —A last opportunity to be true to the vision of its founders?*"

I am involved in the friends of east point committee which is opposing the arafura harbour development and am interested in a couple of things:

- I am doing portraits of people—which will then be printed as postcards—who are intimately and positively involved with that area, ranging from cultural to scientific to recreational. You of course have been recommended, although you are not in the NT.

Are you coming over this way, would you be interested? No big deal if not, but just wanted to ask.

- I agree with your point re getting government to appoint an independent Trust. Do you have any suggestions how to best go about this focus? Most people want to blame the developer and are reluctant to get involved in larrakia politics, but it is where the solution lies. I am interested in an outcome that is best for everyone. Anyway if you have any strategies and have time I would appreciate your insight.

my mobile is 0419 802 879

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6/04/2009

From: "Prior, John (Sen P. Crossin)" <John.Prior@aph.gov.au>
To: "Bill Day" <bill.day@bigpond.com>
Sent: Thursday, 1 October 2009 6:50 AM
Subject: RE: Your reply to my letter to Senator Crossin of 11th July about Kulaluk

Thanks for this additional info.

We have followed events albeit not very closely and were on top of the marina proposal and crab farm. I attended one of the Intervention community consultation meetings at Kulaluk not long ago and they made it clear they were not happy with lack of support from Govt at both NT and Federal level and it was said then that because they have that lease government feel they should get their own income and not get any from govt. You explain the lease clearer so that adds to our understanding of the situation. You recognise that it is more an NT matter but under the Intervention Federal Govt should be involved so I will discuss all of this with Trish – however please note she is away on a Parliamentary delegation to Europe for nearly 3 weeks then comes back to a week of sittings so any further follow up will not happen overnight! Thanks again and will keep in touch.

Regards

John Prior

Electorate Officer
Office of Senator Trish Crossin
PO Box 946
Palmerston 0831
Ph: (08) 89310830
Fax: (08) 89310513
Mob 0409 671 892

From: Bill Day [mailto:bill.day@bigpond.com]
Sent: Wednesday, 30 September 2009 3:30 PM
To: Prior, John (Sen P. Crossin)
Cc: Bill Day; Coordinator; Rikki Shields; adrienne mcconvell; Margaret Clinch
Subject: Re: Your reply to my letter to Senator Crossin of 11th July about Kulaluk

30 September 2009
Electoral office
Senator Trish Crossin
PO Box 946
Palmerston 0831
Dear Friends

Thank you and Senator Crossin for your response to my letter and enclosed copy of the reprinted booklet, "History of the Kulaluk Lease". These days I am quite surprised to get a response from politicians, so thank you again.

Your reference to Kulaluk "problems" probably refers to the Arafura Harbour Marina which was proposed for the Kulaluk lease. Or you may be referring to the failed 5 ha prawn/crab farm aquaculture project built under a federal government shared responsibility agreement. I was strongly opposed to both of these projects. As you may know, the marina has stalled thanks to a NT Government decision and the crab farm has been a financial disaster.

Concerning follow up, I would like to make it clear that the constitution of the Gwalwa Daraniki Association has been amended to restrict membership to the few people who actually live in the Kulaluk 'community' including their non-Aboriginal spouses. That may be OK in administering their 'town camp', situated behind Woolworths in Nightcliff, but it is an unsatisfactory relationship in

5/10/2009

community.

In addition, the financial burden of the Kulaluk lease has proven to be too much for the small unrepresentative group holding the lease under the above ammended constitution. As a result they have tried to make deals with unsrupulous real estate agents, builders and developers to provide an income to maintain the town camp, rather than consider the needs of the wider community and the environmental, social and heritage value of the land. The federal governement has not helped by refusing to further assist the Kulaluk town camp and their gwalwa Daraniki Association on the grounds that they hold 301 hectares of land in Darwin. This puts pressure on the Gwalwa Daraniki Association to make deals that provide some income, like the lease to McDonalds (\$30,000 a year), a deal with Halikos for an earth dump and more recently a deal for an industrial estate on Dickward Drive, and various other fanciful schemes (the groundwork for the industrial esate is well advanced, following a rezoning of part of the lease to light industrial).

My previous letter to politicains and enclosed booklet was to prove the original intention of the Kulaluk lease (see 1970s Federal Cabinet minute attached). I have also printed at my own cost a development proposal for the lease (attached text only version).

The controversy over development proposals at Kulaluk will continue as long as the lease is held by the presently constituted Gwalwas Daraniki Association instead of the Trust that Krimhilde Henderson's history shows was originally intended. I realise that this is a NT Government matter.

In summary, questions should be asked as to why the Gwalwa Daraniki Association contitution has been made so restrictive, who are the members etc? The original intention of the lease should be honoured. The federal governemnt should stop applying pressure on the Kulaluk people that forces them into the arms of whoever offers short term gain. A conservation program for the lease is not antidevelopment. Under this proposal the whole commuity gains. I trust that this reply has been helpful.

Yours sincerely

William B Day
Consulting Anthropologist
PO Box 425
Maylands
WA 6931

From: Prior, John (Sen P. Crossin)

To: bill.day@bigpond.com

Sent: Wednesday, September 30, 2009 9:52 AM

Subject: Re your letter to Senator Crossin of 11th July about Kulaluk

Sorry for the delay but Trish has just asked me to follow up re this. Was your letter and attachments for our information or was there any follow up you wanted us to try? We are aware of the lease, the "problems" with it, attempts to get development projects on it etc.

But was there anything you wanted us to follow up on?

John Prior

Electorate Officer

Office of Senator Trish Crossin

5/10/2009

William Bartlett Day PhD
Consulting Anthropologist
PO Box 425, Maylands WA 6931
Telephone: 08 9371 5010
Mobile: 0408 946 942

2 April 2009

The Editor
NT News

Dear Sir

We should not be surprised that so many Federal and NT politicians support the Arafura Harbour proposal to excavate Ludmilla Creek and 80% of the Kulaluk lease for a marina and associated canal housing. I imagine that many serving and past politicians will be relieved that the marina will effectively obliterate the potential scandal of the disastrous \$1.5 million 'crab farm' joint venture between the NT Government and the Gwalwa Daraniki Association (NT News April 5, 2006) when the 5 ha of aquaculture ponds on the Kulaluk lease will be converted into the marina 'rowing course'.

In 2006 the crab farm was lauded by Dr Chris Burns, the Minister for Planning and Lands, and supported by Charles Darwin University. The crab farm was also assisted by \$450,000 from the Federal Government under a so called 'shared responsibility agreement'. According to Dr Burns, fifteen tons of mud crabs a year would generate around \$235,000 in the first three years 'in a progressive step towards establishing a potentially long term sustainable enterprise' (pers. comm.)

In their prior life, the crab ponds were excavated in 1997 for a 'prawn farm', costing at least \$150,000 to set up and equally praised by the CLP NT Government. By 2001 the prawn ponds lay idle, although the conditions of the Development Permit state, 'Upon cessation of the use, the area used for ponds shall be rehabilitated to the requirements and satisfaction of the Secretary, Department of Lands, Planning and Environment'.

Before the recent marina announcement both projects had sunk into a financial bottomless pit without explanation or a trace of 'shared responsibility' and accountability. Immune to media scrutiny, under the guise of 'traditional owners' the Gwalwa Daraniki Association with the help of a cabal of estate agents and politicians has continued to dig a deeper and deeper hole for itself. Or were the aquaculture ponds always intended to be a preparation for a canal housing project of the type that was proposed for Ludmilla Creek in 1981? I believe when the facts are revealed, 'Crabgate' has the potential to bring down the government and turn Darwin around from its mad rush towards self-destruction.

Yours sincerely

Dr Bill Day

emailed to
electorate. nightcliff@nt.gov.au

COPY

William Bartlett Day PhD
Consulting Anthropologist
PO Box 425, Maylands WA 6931
Telephone: 08 9371 5010
Mobile: 0408 946 942

9 April 2009

Hon Jane L Aagaard MLA
Shop 5
Pavonia Way
Nightcliff NT 0810

Dear Ms Aagaard

RE: KULALUK

Congratulations for organising a public meeting on April 16th to allow concerned voters to comment on the proposed 'Arafura Harbour' development. Unfortunately I will be unable to attend. However, last month I visited your Nightcliff office with a copy of my book, *Bunji: a story of the Gwalwa Daraniki Movement* (1994) and an A4 copy of a report I prepared, based on 40 years experience, outlining a plan for the Kulaluk lease of 301 hectares that extends from Nightcliff to Ludmilla Creek.

I am concerned that the original intention of the Kulaluk lease seems to have been forgotten since the land was handed over to the Gwalwa Daraniki Association by Paul Everingham in 1979. I believe that this is largely due to the nature of the amended Gwalwa Daraniki Association constitution which was drawn up by Mr Michael Chin, Barrister and Solicitor in 2006 (attached). The new constitution has limited the membership of the Gwalwa Daraniki Association to 'a minimum of 5 members', all of whom must have resided in the Kulaluk community behind Woolworths for at least 12 months. The constitution also states the members must be 'descendants of the Danggalaba Clan of the Larrakia People' or the non-Aboriginal spouses of the above, provided at least half of the members should be 'Aboriginal persons'. The Kulaluk lease, as distinct from the Kulaluk Community, is described in the constitution as Crown Lease in Perpetuity 671. Note that the Minmarama residents are not eligible for membership.

The above definitions ensure that one extended family living at the old Kulaluk camp will control the future of the lease - an arrangement that has proven beneficial to various manipulative business people and government departments.

Previous plans by the management have included earth removal, earth stockpile (still in operation), transient camps, canal housing, golf course and motel, theme park, illegal dumps, prawn farm, crab farm and the marina. The McDonalds Restaurant on Bagot Road is also on Kulaluk land. Fortunately some of these proposals were stopped by public protest, others were refused due to the airport flight path and the more recent aquaculture prawn and crab farms were a financial failure. It is difficult to view these developments being compatible with the original intentions of the lease unless 'Aboriginal Community use' can be interpreted as being for the financial gain of a few residents. I am also concerned that there has been no accountability for the millions of tax payers dollars poured into the 5 ha 'prawn farm' which became the 'crab farm' under a 'shared responsibility agreement'. The public is now told that the 'prawn/crab farm' will become a 'rowing course'. What do the NT Government and Federal Government have to say about their assets being misused in this way?

In summary, I want assure you that the lease holders are not the 'traditional owners' as stated in the media, nor do they represent 98% of Aboriginal people with an interest in the area. For example, it is well-documented that a large part of the lease was granted in compensation for land revoked from the old Bagot Reserve in 1964 (from Ludmilla Creek north to Totem Road and east to Bagot Road). Every weekend you can find other Aboriginal families fishing or gathering shellfish in the area. I attach a copy of a letter written to me after a similar proposal in 1981 threatened graves west of Totem Road. As one of the originators of the Kulaluk claim, I feel a responsibility to uphold the ideals of the founders and their supporters whose sacrifice and vision has thus far preserved the area for future generations.

Yours sincerely

A handwritten signature in cursive script that reads "Bill Day". The signature is written in dark ink and is positioned below the typed name.

Bill Day

William Bartlett Day PhD
Consulting Anthropologist
PO Box 425, Maylands WA 6931
Bill.day@bigpond.com
Telephone: 08 9371 5010
Mobile: 0408 946 942

11 July 2009

Dear

RE: KULALUK CROWN LEASE IN PERPETUITY, DARWIN, NT

The photograph of Gough Whitlam pouring sand into Vincent Lingiari's hand has become symbolic of reconciliation and justice. In 1974 the return of Kulaluk was similarly described as symbolic by Mr Justice Woodward, the Aboriginal Land Rights Commissioner appointed by Mr Whitlam. Today, the Kulaluk lease survives as a proud legacy of Gough Whitlam's inspirational prime ministership. May it remain so.


The history of the lease and its purpose for being is well documented.¹ However, since the hand-over of the title by Paul Everingham in 1979 the lease has been the centre of controversy caused by ill conceived plans for development proposed by the leaseholders in conjunction with opportunistic Darwin developers.

Thankfully, in 2009 the NT government stepped in to prevent a one billion dollar marina development (Arafura Harbour) that would have devastated the lease at no benefit to the Aboriginal people who still use the area. However, similar issues are bound to resurface while the present lease-holding arrangements continue.

The Kulaluk lease of 301 hectares, bisected by Dickward Drive, contains a unique urban environment of intertidal zones, mangroves, monsoon forest, wetlands and eucalypt savannah. As someone with a long involvement in this area, including seven years living on the lease, I have prepared a workable sustainable plan for a wilderness, education and heritage Park for the Kulaluk lease held by a **Representative Trust**, as was originally intended.

Since 1979, two attempts at canal housing developments have been stopped by public opposition and other proposals have been prevented by the location of the bushland under the flight path of the airport. Remembering Gough Whitlam's election slogan, '**It's time**'- it is time that governments show some leadership and act to preserve Kulaluk for future generations. I enclose further comment for your consideration.

Yours sincerely,



¹ *We have bugger all: the Kulaluk story* by Cheryl Buchanan, 1974
History of the Kulaluk Lease by Krimhilde Henderson, 1984
Bunji: a story of the Gwalwa Daraniki Movement, by Bill Day, 1994.
Town camp or homeland by Samantha Wells, 1995

William B Day

From: "William Day" <bartlettday@hotmail.com>
To: "northern territory news" <ntnmail@ntn.newsltd.com.au>
Cc: "bill day" <bill.day@bigpond.com>
Sent: Friday, 19 June 2009 4:02 PM
Subject: NT News Editorial of June 13th

9/4 Fawcett Court
Malak
NT 0810
(until July 6th)

19 June 2009

The Editor
NT News
PO Box 1300
Darwin NT 0801

Dear Sir

Is it true that the NT News has been asked to organize the next election in Iran? The Ayatollahs must have been impressed by the 'people's poll' conducted by the NT News which found in favour of the \$1 billion Arafura Harbour proposal, despite the unprecedented grassroots campaign that persuaded the NT government not to approve the project. As in Iran, opposition groups disseminated information and organized protests by communicating through electronic media. Perhaps this sidelining of the printed media is the cause of the editorial, 'Shooting the messenger' (NT News, June 13, 2009), written as a bleating defense of a rigged poll in your increasingly irrelevant excuse of a newspaper. Although I have filled one large scrapbook with cuttings for and against the marina and have started on a second, there are crucial gaps in the NT News reporting which suggest at least some bias in reporting on the marina. For example, readers might expect to see comment from someone with many years first hand experience of the Kulaluk area and a founder of the Gwalwa Daraniki Association which made the deal with Gwelo Pty Ltd. Plus, having written a book detailing the origins of the Kulaluk Crown Lease in Perpetuity. Instead, your readers remain unaware that I have written three unpublished letters to the editor on the subject. What concerns me most is that my apparent silence might be interpreted by your readers as my indifference, approval, or, worse still being paid off! I suggest that the NT News's refusal to publish my letters adds weight to environmentalists' conspiracy theories. Is it any wonder that people turn to the internet for their information when they do not get the full story from their daily newspaper?

Yours sincerely

Bill Day

Mobile 0408 946 942

I challenge you to publish this letter! Please feel free to add your usual excuses!

William B Day

From: "William Day" <bartlettday@hotmail.com>
To: <doyleb@ntn.newsltd.com.au>; "bill day" <bill.day@bigpond.com>
Sent: Friday, 19 June 2009 2:20 PM
Subject: Your column re Gwalwa Daraniki

Dear Barry

Thanks for drawing attention to the earth dump on the Kulaluk lease next to Minmarama. When I last visited Minmarama in March this year the residents all complained about the earth stockpile, the dust and the heavy vehicles driving past the houses where children play trucks damaging the unsealed access track to the houses. Several mentioned receiving damage to their vehicles last wet season when there were deep potholes caused by the trucks. The residents complained that they pay rent to Gwalwa Daraniki and receive little in return. They all knew the name of the Greek building company who made the deal with GDA to use the land as a stockpile. They doubt if there is any government supervision as to what goes onto the dump. In addition the residents pointed out another dump for building waste and rubble at the back of the community directly into the mangroves. Their complaint was that this area was a private dump for the residents until another building company (Venturin?) made an under the table deal with GDA to dump their buildingsite refuse and then fenced off the householders' dump. When I inspected the area, the dump had been tidied up but an earth moving machine was parked there. I think it is visible on Google Earth. Of course both the residents' dump and the builder's subsequent use of the dump are illegal as far as I know. It is hard to imagine that the GDA has permission to use the mangrove area as an unsupervised dump. How convenient to get rid of toxic waste like asbestos!

The above are just a few of the activities of an organisation which holds the land in trust for Aboriginal people under a rigged constitution.

I look forward to the follow up you implied when you commented, 'more of that later'.

By the way it was me who first wrote the words 'Gwalwa Daraniki' and 'Kulaluk' in my interpretation of Bobby Secretary's pronunciation. I have since seen Kulaluk spelt as Galalak in an earlier report. When I tried changing the spelling to Kalalak which is more correct as each vowel makes the same sound, Aboriginal people complained 'You can't change the spelling of our place.' So my spelling, along the lines of walkabout and billabong, became fixed in stone. I fought against housing being built on the old Darwin dump where half of Darwin was buried after Cyclone Tracy. I know of drums of dieldrene (termite poison) being dumped as well as all who knows what else chemicals from fridges, houses etc. The amount of earthworks that were necessary to prepare the land make these blocks the most expensive in Darwin - for what? The houses were meant for transients anyway and as you can see are now mostly occupied by people who could easily live elsewhere. We wanted the area to be sports fields. Bill Day in Darwin until July 6th/

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William B Day

From: "Bill Day" <bartlettday@hotmail.com>
To: "bill day" <bill.day@bigpond.com>; "Emma Masters" <Masters.Emma@abc.net.au>;
 "Margaret Clinch" <margaret.clinch@bigpond.com.au>; "adrienne mcconvell"
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 Wesley-Smith" <rwesley@ozemail.com.au>; "Penny Campton"
 <rapidcreekpenny@yahoo.com.au>; "PLAN" <plan@envirohub.org>; <pariahnt@yahoo.com>
Sent: Wednesday, 13 May 2009 7:56 AM
Subject: Fw: The lament Of Kululuk

Rikki Shields was one of the original Aboriginal Kululuk fighters. He has lived in UK since 1980s. See below
 ---- Original Message ----

From: [Rikki Shields](#)
To: [Day William](#)
Sent: Tuesday, May 12, 2009 9:05 PM
Subject: The lament Of Kululuk

Hi bill

when have time will read thru the archives file
 on the struggle and victory from Kululuk.
 The days of Kooloomoorinjee (Bobby) and the Secretary
 fred ,Violet and all and of course bunji Billday ..It seems like yesterday but they are the heroes
 and heroines of that great epic battle, bulldozers, chains,handcuffs, police brutality, rednecks
 conseratives, racsist newspaperapers ..kululuk lived on now its just Legendary
 tales from Kululuk .that can told around the campfires
 on the beach of Larrakea...without the above warriors
 there would be no teller of tales.

bill, during my oddyssey in europe have written a simple account of kululuk life
 which i used as an ode in my photographic international exhibition i will send you copy not sure
 youve seen it
 I hope all is well Rikki

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