



**Office of the Hon Jenny Macklin MP
Minister for Families, Housing, Community Services
and Indigenous Affairs**

*Parliament House
CANBERRA ACT 2600*

*Telephone: (02) 6277 7560
Facsimile: (02) 6273 4122*

11 SEP 2009

MC09-017773

Dr William Day
PO Box 425
MAYLANDS WA 6931

Dear Dr Day

Thank you for your letter of 11 July 2009 to the Minister for Families, Housing, Community Services and Indigenous Affairs, the Hon Jenny Macklin MP, about the Kulaluk Lease. The Minister has asked me to reply to you on her behalf. I apologise for the delay in responding.

The Minister appreciates your commitment to protecting the land interests of Larrakia people at Kulaluk and notes the significant contribution you have made to securing this land for Indigenous people. The title, however, comprises a Crown Lease in Perpetuity under Northern Territory law. Accordingly, the Northern Territory Government has overall responsibility for the future of the lease and in that regard, I suggest that you forward your proposed plan for Kulaluk to the Northern Territory Minister for the Environment for further consideration.

In the meantime, the Commonwealth Government including the Department of Families, Housing, Community Services and Indigenous Affairs in Darwin has a strong relationship with the Kulaluk community and it has provided significant support to the community around securing more jobs and better transport. The Minister wants that relationship to continue and to also make sure that any future developments on the Kulaluk lease occur after proper consultation with residents and on the basis that they benefit.

Thank you again for writing.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'M C Dillon'.

M C Dillon
Senior Adviser



MINISTER FOR LANDS AND PLANNING

Parliament House
State Square
Darwin NT 0800
minister.gmccarthy@nt.gov.au

GPO Box 3146
Darwin NT 0801
Telephone: 08 8901 4102
Facsimile: 08 8901 4110

Dr William Day
PO Box 425
MAYLANDS WA 6931

Dear Dr Day

Thank you for your correspondence regarding the rezoning of part Lot 5182 Dick Ward Drive, Ludmilla, from Zone RD (Restricted Development) to Zone SD37 (Specific Use Zone Darwin No. 37).

As you know, Lot 5182 is owned under a Crown Lease in Perpetuity by the Gwalwa Daraniki Association. The Gwalwa Daraniki Association has made a decision to apply to rezone its land.

In considering this application, the Northern Territory Government must follow the same approach and apply the same criteria as it would for any other landowner in the same circumstances.

You will also be aware that in the Territory, it is an offence to carry out works on sacred sites without the agreement of the Aboriginal custodians. Aboriginal custodians of sacred sites are supported by the Aboriginal Areas Protection Authority, and the rezoning of part of Lot 5182 does not obviate the requirement to abide by the sacred sites laws and any conditions imposed by this Authority.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Gerry McCarthy'.

GERRY MCCARTHY

22 NOV 2011

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Fw: Proposed rezoning of Lot 4938 Town of Darwin (49 Namarluk Drive) from Zone CP to Zone MD [Back to messages](#) |

Friends of Namarluk Ludmilla
To Friends of Namarluk Ludmilla

7/07/2011
[Reply](#) ▾

 1 attachment (23.0 KB)

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Hello Friends of Namarluk Ludmilla.

Well done all of us!

It is 2 years now since we all got together to voice our opposition to the rezoning of Lot 4938 (49 Namarluk Drive) from CP Community Purposes to MD Multiple Dwelling. You will remember the letter and submission writing; the meetings with over 100 people we held on site at Namarluk Drive; the stalls at the markets; the petition and the fantastic turn out at the hearing. Yesterday we were been told that our efforts have made their mark. The Minister for Planning and Lands has refused the proposal to rezone, basically because residential and other development should be avoided in storm surge zones. The full decision is attached.

On more recent matters, although we do not have a decision yet, this should also mean that the proposal (from May 2010) to rezone other sections of Namarluk Drive, Dick Ward Drive and Fitzer Drive to MD, MR (up to 4 storey) and LI (Light Industrial) should come under the same scrutiny and result in a similar decision from the Minister for Planning and Lands.

Once again, a great neighbourhood and community effort! cheers

Chris, for Friends of Namarluk Ludmilla.

PS x 3

1. at 4.00 pm this Sunday, Ludmilla Creek Land Care are doing some work to protect the newly established plants along Namarluk Drive from potential fires - come along & help clear grasses & weeds away from the plants; and

2 at 4.00pm next Sunday, 17 July, come and help with Ludmilla Creek Land Care cleaning up the ANZ Block - just at the back of Ludmilla School Oval, between Namarluk & Ludmilla Schools

3. on Sunday 24 July at Namarluk Drive, 4pm - perhaps gather with a chair and a cool drink and celebrate - more details soon.

See you there!

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PO Box 425
Maylands
WA 6931

09 February, 2011

The Archivist
Northern Territory Archives Service
GPO Box 874
Darwin
NT 0801



Dear Madam,

RE: NT ARCHIVES W B Day COLLECTION

Thank you for sending me three disks of photographs from the W B Day collection. These photographs certainly brought back memories. It is good to know that they are safe in the archives and hopefully of use to researchers. In a final clean up I have found a few more original items to add to the collection. Enclosed are the following:

- 1) 'The little Black book' - Quotations from Bunji (original printing). Please note the book has a notation from my wife, Polly Day, to my parents in Perth, WA, printed on the cover. Polly's note would have been written in 1972 when the book was printed.
- 2) A flyer for a proposed Aboriginal Club. Please note the flyer has a typewritten letter from my father, printed on the back of the flyer. Perhaps it was never sent.
- 3) A postcard from myself to my parents, written in August 1981.
- 4) ^{Four}~~Six~~ (4) original photographs of my camp on the Kulaluk lease and two (2) scenes of the environment nearby.

I trust that you can add these items to your W B Day collection.

Yours sincerely,

William B Day



Northern
Territory
Government

DEPARTMENT OF
LANDS AND PLANNING

www.nt.gov.au

Your ref
Our ref DCLP671

Land Administration
2nd Floor, Cavenagh House
38 Cavenagh Street
Darwin NT 0800
Postal GPO Box 1680
Darwin NT 0801
Tel (08) 8999 6499
Fax (08) 8999 5404
Email kirrily.chambers@nt.gov.au

Dr William Day PhD
Consulting Anthropologist
PO Box 425
MAYLANDS WA 6931

Dear Dr Day

Your correspondence to the Minister for Lands and Planning dated 19 August 2010 and 26 October 2010 has been referred to me.

As you are aware a rezoning application is currently being processed over parts of the Kulaluk lease and as such the issues you have raised have been included in the reports on that process that will be considered by the Minister for Lands and Planning.

The current Crown Lease in Perpetuity does not preclude use of the land as a wilderness park that preserves the heritage values of the land and provides a place for educational and cultural activities. However, this type of use would be at the lessee's discretion.

Upon determination of the rezoning application by the Minister for Lands and Planning, you will be advised of the outcome by Strategic Lands Planning. Should you have any further queries in regards to the rezoning application please contact Ms Linda Henning on 8999 7684.

Yours sincerely

KIRRILY CHAMBERS
Director Land Administration

24 November 2010



MINISTER FOR PARKS AND WILDLIFE

PARLIAMENT HOUSE
STATE SQUARE
DARWIN NT 0800
minister.hampton@nt.gov.au

GPO BOX 3146
DARWIN NT 0801
TELEPHONE: (08) 8901 4053
FACSIMILE: (08) 8901 4060

Mr Bill Day
PO Box 425
MAYLANDS WA 6931

24 NOV 2010

Dear Dr Day

Thank you for your letter of 26 October 2010, in which you recommend the development of the Kulaluk lease for public education and recreation.

As you point out, there is tremendous community benefit in having natural open space within city areas and fostering community use. Casuarina Coastal Reserve and Charles Darwin National Park are two current examples of this in Darwin.

My Department at this point does not seek to develop Kulaluk as you are aware the area is privately held Aboriginal land. If the landholders were to approach the government with a similar proposal, the feasibility of such ideas may be considered through normal government processes.

Yours sincerely

KARL HAMPTON



Rezoning application raises conservation fears

By Emma Masters

Updated 4 hours 36 minutes ago

A Darwin resident has raised concerns about the rezoning of Aboriginal land in her neighbourhood from conservation to light industrial.

• [Map: Darwin 0800](#)

The Gwalwa Dariniki Association has made an application to rezone a 2.5-hectare plot adjacent to the intersection of Dick Ward Drive and Totem Road in Coconut Grove.

The resident, Brigid Oulson, says the application does not give enough detail about the conservation value of the land.

She says it does not even mention the fauna in the area.

"Particularly in relation to the conservation values, they've been dismissed in barely a paragraph where there are about 30-40 pages devoted to a traffic study," she said.

"I think that's particularly disappointing and I think without a proper environmental assessment no further consideration should be given to it."

Ms Oulson says the Gwalwa Dariniki Association needs to clarify what kind of light industrial business will use the land.

"I don't think it's a particularly inspired or inspiring proposal especially given that there's no detail for any future development," she said.

The company Planit Consulting is managing the application for the Gwalwa Dariniki Association.

The company's spokesman Adam Smith says businesses are interested in using the land but nothing has been locked in.

"It's a little bit premature, I believe, to nominate specific uses given that we've sought a rezoning for light industrial purposes," Mr Smith said.

"The light industrial zoning actually allows for a variety of uses and certainly what we would envisage ... are those uses that are consistent with that zoning."

Tags: [urban-development-and-planning](#), [conservation](#), [australia](#), [nt](#), [darwin-0800](#)

First posted 4 hours 58 minutes ago

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Re: Larrakia must register Kulaluk sites

donna jackson

4/08/2010

To William Day

Thanks Bill for your tirelessness and strong support re sharing info and getting to the facts. I have forwarded your emails and Bill Danks got back to me saying 'very interesting' but not offering to do anything about it! I also forwarded it to Cos to forward to Uncle Eddie Williams & others.

We are still fighting a major nasty battle with Bill Risk and the LDC cronies/stooges that they have managed to get on our Board....I am currently allegedly 'relieved' of my duties, as Admin. Assistant to the Board, and they are trying to remove Aunty Kathy Williams as chair. It is really exhausting me and even ORIC seem to be on their side....when we pointed out Bill's clear conflict of interest, they said nothing and seemed quite supportive of Bill.

It turns out that Anthony Bevan the current ORIC boss - is a friend of Greg Constantines and used to be the ASIC NT Commissioner, I think he was also involved with TIO which is possibly where he met Greg? I have also discovered the following LDC Directors are Freemasons; John Anictomatis, Greg Constantine and Richard Barnes.....I would not be surprised if Bill and Kelvin have also joined the 'white brotherhood' of misogynist's too! I am pretty exhausted, it has been a big shit fight, and it still continues! Realising we are also up against the Masons, who obviously have a strong hold over the LDC, means they have all the money, power, support (in the so called 'justice' system also), so it is hard to see now where to turn for help, re their fraud and stealing of our land, assets and \$.

I am so very angry at the moment, so that's not really constructive or healthy. But I will try to regather myself and take on these fricks. Hopefully when that is over we can get back to the real business and issues, such as the sites at Kulaluk and all our sites, etc. DJ

On Sat, Jul 24, 2010 at 6:41 PM, William Day <bartlettday@hotmail.com> wrote:

I attach an article about the hearings before the reporting body of the Development Consent Authority held on Thursday 22nd July. The way forward is suggested in the article. Note that the LDC is getting involved in Kulaluk. Larrakia Nation TOs must get proactive or Mr Barnes will be registering sites though I doubt it because the sites are in areas marked for development. Come on guys, take up your responsibilities as Law Ground Custodians!

Under the Planning Act, the Reporting Body (DCA) reports on findings to the Minister. The Minister may request the Reporting Body to make a recommendation. The Development Consent Authority is established under section 82 of the Planning Act. Divisions of the Development Consent Authority determine development applications within their division area. Outside of these areas the consent authority is the Minister.

Currently there are 7 division areas, generally associated with the larger population centres, Alice Springs, Batchelor, Darwin, Katherine, Litchfield, Palmerston and Tennant Creek.

The Development Consent Authority also has a role in conducting hearings in relation to planning scheme amendments and providing reports to the Minister.

As at 1 July 2010 members were:

Chairman: Peter McQueen

Members:

Grant Tambling

David Hibbert (Community Representative appointed by NTG)

Bob Elix (Darwin City Council)

Heather Sjoberg (Darwin City Council)

The Councillor's sit on the DCA but cannot make comment on behalf of Council (a

27/5/10

SENIOR PLANNER
STRATEGIC LANDS PLANNING
DEPARTMENT OF PLANNING AND INFRASTRUCTURE
P.O. BOX 1680
DARWIN NT 0801

DEAR SIR/MADAM
RE PROPOSAL TO REZONE LOT 5182
ON THE KULALUK LEASE

PREVIOUSLY I SUBMITTED AN OBJECTION TO THE REZONING OF LOT 5182 AND PART OF LOT 86310 I WOULD LIKE THE SENIOR PLANNER TO USE THESE PREVIOUS SUBMISSIONS OF OBJECTIONS AS THE SAME REASON FOR MY OBJECTION NOW TO THE REZONING APPLICATION OF LOT 5182 BY PLANIT CONSULTING AND REINFORCE MY OBJECTION BY INCLUDING A LETTER TO THE NT NEWS 15/5/10. AND AS I HAVE SAID IN THAT LETTER AS WELL AS MY PREVIOUS OBJECTION THAT I DO NOT BELIEVE THE GWALWA DARANKI ASSOCIATION SHOULD BE ALLOWED TO BE HOLDERS OF THE LEASE OVER KULALUK ANY LONGER AS THEY HAVE FOR THE LAST 30 YEARS ABUSED THE LEASE CONDITIONS. I BELIEVE THE PLANNING DEPT HAS AMPLE EVIDENCE OF THIS FROM DR. BILL DAY AND THE MINISTER INSTEAD OF CONSIDERING THE REZONING OF LOT 5182 BY THE GWALWA DARANKI THE MINISTER SHOULD BE CONSIDERING NOT IF BUT WHEN THE GWALWA DARANKI'S LEASE IS TO BE CANCELED AND HAVE AN INQUIRY INTO WHY

P.T.O

2 -

THE Gwalwa Daraniki (G.W.D.) HAVE ALLOWED A CAVEAT TO BE PUT OVER A LARGE AREA OF KULALUK AND WHY THEY HAVE FAILED TO PROTECT THE SACRED SITES BURIAL GROUNDS AND THE GUNABIBI MENS CEREMONY GROUND WHICH IS ALSO UNDER THREAT OF DESTRUCTION BY THIS RE ZONEING APPLICATION. THE DEVELOPERS APPEAR TO HAVE TAKEN OVER THE G.W.D. AND ARE RUNNING THIS ABORIGINAL ORGANIZATION TO SUIT THEMSELVES I WOULD LIKE TO ADD THAT THE G.W.D. ARE NOT THE OWNERS OF KULALUK BUT CUSTODIANS FOR THE 1600 LARRIKIA PEOPLE THE BAGOT COMMUNITY AND OTHER ASSOCIATED ABORIGINAL PEOPLE AS THE LEASE WAS INTENDED FOR THEM TOO BUT THEY HAVE ALL BEEN LOCKED OUT BY THE G.W.D. CHANGING THEIR CONSTITUTION SO THAT ALL THESE PEOPLE CANNOT BE MEMBERS OR HAVE A SAY ABOUT THEIR LAND THIS RIGGING OF THE G.W.D. CONSTITUTION SHOULD BE ANOTHER REASON WHY THE LEASE SHOULD BE REVOKED IMMEDIATELY AND NO CONSIDERATION TO THESE RE-ZONEING APPLICATIONS BE ACCEPTED. THANK YOU.

YOURS SINCERLY
Jack Phillips
CO FOUNDER Gwalwa Daraniki
FORMER MEMBER

PO BOX 70 BATCHELOR NT 0845
PH 89760086

P.T.O.

P.S.

3

I WOULD ALSO LIKE TO INCLUDE BARRY DOYLES ARTICLE IN TODAY'S 27/5/10 N.T. NEWS SUPPORTING WHAT I HAVE SAID. I WOULD LIKE TO CALL ON THE PLANNING MINISTER TO TAKE IMMEDIATE ACTION AND CANCEL THE G.W.D. LEASE AND PUT AN END TO THIS FARCIAL SITUATION OF ALLOWING LEASE HOLDERS TO BLANTLY ABUSE THEIR LEASE AGREEMENTS AND GET AWAY WITH IT. I HAVE ALSO INCLUDED SUNDAY'S 24/5/10 MEETING OF RESIDENTS OF LUDMILLA AS PART OF MY SUBMISSION OPPOSING THE RE-ZONING

Yours Sincerely
Jack Phillips
JACK PHILLIPS



Our Ref: PA2008/0267

Development Assessment Services

Eighth Floor, Cavenagh House
38 Cavenagh Street, Darwin

Postal GPO Box 1680
DARWIN NT 0801

Tel (08) 8999 6046

Fax (08) 8999 6055

Email das.dpi@nt.gov.au

Dr William B Day
PO Box 425
WAYLANDS WA 6931

Dear Dr Day

**PART LOT 5182 (213) DICK WARD DRIVE, TOWN OF DARWIN
& PART LOT 8630 (95) DICKWARD DRIVE, TOWN OF NIGHTCLIFF**

A proposal to amend the planning scheme PA2008/0267 in relation to the above lot was exhibited from 19/2/10 to 19/3/10.

The proposed amendment seeks to rezone part Lot 5182 and part Lot 8630 from (CN) Conservation to (LI) Light Industry on the subject land.

The Darwin Division of the Development Consent Authority will be conducting a Reporting Body hearing on behalf of the Minister for Lands and Planning in relation to the proposed amendment. The hearing is to be held in Brogla Conference Room, Novotel Darwin Atrium, 100 The Esplanade, Darwin on the **9th of April 2010 at 2.00 PM.**

Your written submission will be included in the written report to the Minister for Lands and Planning. However, should you wish to speak to your submission at the Reporting Body hearing, you are welcome to do so. It would be appreciated if you would call the Secretary of the Development Consent Authority on 8999 6044 at least 24 hours prior to the meeting to advise whether or not you will be attending.

Yours faithfully

*on behalf of the Minister
who is the consent
authority*

Anguree Jansen van Rensburg

ANGUREE JANSEN VAN RENSBURG
Development Assessment Services
Urban Planning

26 MARCH 2010

*Sent
8/4
to 08 8900 559 78
624 069 08*