



COMMONWEALTH OF AUSTRALIA

Official Committee Hansard

**HOUSE OF  
REPRESENTATIVES**

STANDING COMMITTEE ON ABORIGINAL AND  
TORRES STRAIT ISLANDER AFFAIRS

**Reference: Reeves report on the Aboriginal Land Rights (Northern  
Territory) Act**

WEDNESDAY, 5 MAY 1999

NGUKURR

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**HOUSE OF REPRESENTATIVES**  
**STANDING COMMITTEE ON ABORIGINAL AND TORRES STRAIT ISLANDER**  
**AFFAIRS**

**Wednesday, 5 May 1999**

**Members:** Mr Lieberman (*Chair*), Mrs Draper, Mr Haase, Ms Hoare, Mr Katter, Mr Lloyd, Mr Melham, Mr Quick, Mr Snowdon and Mr Wakelin

**Members in attendance:** Ms Hoare, Mr Lieberman, Mr Melham, Mr Quick, Mr Snowdon

**Terms of reference for the inquiry:**

The Committee shall inquire into and report on the views of people who have an interest in the possible implementation of recommendations made in the Reeves Report. In particular the Committee will seek views on:

- (1) the proposed system of Regional Land Councils, including
  - (a) the extent to which they would provide a greater level of self-management for Aboriginal people, and
  - (b) the role of traditional owners in decision making in relation to Aboriginal land under that system;
- (2) the proposed structure and functions of the Northern Territory Aboriginal Council;
- (3) the proposed changes to the operations of the Aboriginals Benefit Reserve including the distribution of monies from the Reserve;
- (4) the proposed modifications to the mining provisions of the Act including the continuing role of government in the administration of these provisions;
- (5) proposals concerning access to Aboriginal land including the removal of the permit system and access to such land by the Northern Territory government; and
- (6) the proposed application of Northern Territory laws to Aboriginal land.

The Committee shall make recommendations on any desirable changes to the proposals made in the Reeves report in the light of the views obtained.

[1.25 p.m.]

## PARTICIPANTS

**BUSH, Phillip**

**DANIELS, David**

**DOUGLAS, Thelma**

**FRIDAY, Roddy**

**HALL, Marjorie**

**LANSEN, Jacob**

**NUNGGUMAJBARR, Bobby**

**ROBERTS, Paula**

**ROGERS, Kevin**

**ROGERS, Thelma**

**ROGERS, Walter**

**CHAIR**—Thank you very much for allowing us to visit your land. We appreciate that very much. I will tell you who we are and we can have a good talk together. We will keep it simple and straight to the point. We are a committee from the Australian Commonwealth parliament and we are from all political parties. My name is Louis Lieberman and I come from Victoria on the mighty Murray River. I am the chairman of the committee.

**Mr SNOWDON**—I am a member for the Northern Territory.

**Ms HOARE**—I am a Labor member from New South Wales near Lake Macquarie, just south of Newcastle.

**Mr MELHAM**—I am from Bankstown in Sydney. I am the shadow minister.

**Mr QUICK**—I am about as far away from home as you can get. I am from Tasmania. Thank you for letting us come to your country.

**CHAIR**—The gentleman here on my right is Bobby, and he is going to be our interpreter. We are here today to hear your ideas and to get your advice on the Reeves report. We have been asked by the minister for Aboriginal affairs, John Herron, to come up to the Northern Territory and find out what people think about the Reeves report. The reason he wants us to do that is that he has to make a decision on what he says to the Prime Minister and the parliament about the Reeves report. After talking to Daryl Melham prior to

the election, he wisely decided that the Reeves report covered such a big area of very important issues that he did not want to do anything until he got word from this committee on what you tell us.

This is a good chance for you to tell us what you want, and we promise to take back to John Herron and the parliament what you think about the Reeves report. I think it is a good chance for that. We want to listen to you and we want to make sure that you keep your land. We want you to know that all of the committee believe very strongly that you have fought hard for your land and we want you to keep it. So all the things we will be saying to the government and to parliament will have that focus: 'Whatever you think you might do about the future, you must not do anything to take the people's land from them.' I hope you understand that is our fair dinkum view. I think I can say that is accurate for all the members here, of whatever political party: we are going to do our best. On the other hand, if there is any way of making things work better for the Aboriginal people of the Northern Territory, let us hear your ideas as well.

With those few words, I would like to hand over to you. Everything being said is recorded by Hansard for Australia's history. It is very important that what you tell us is recorded. It will be on the public record. It is very important for other Australians. It will be published across the whole of Australia—it will be on the Internet and in *Hansard*—and people will be able to read your advice. When you speak, please tell us your name and where you come from and, if you are speaking for an organisation, tell us your position. Over to you now: let us hear what you think.

**PHILLIP BUSH**—These people want to find out what you people are really wanting and are on about. Has anybody got any views on what they think of the Reeves report? Do you all agree with the Reeves report or do you go against it? What part of it do you go against—all of it, or some of it?

**PAULA ROBERTS**—I represent the Wandarang-Marrari tribe of Elsey Station. My mum belongs to the Wandarang people of the Robe River region. I do not agree with the Reeves report. I think it is all rubbish. I am strongly concerned about the NLC and also the CLC, because they are the voices for our people throughout Australia. It concerns not only the Northern Territory Aboriginal people but also all Aboriginal people of Australia. We do not put the NLC on one side because they are the ones who talk on behalf of every person of all ages among the Aboriginal race. So we do not agree with the Reeves report. The Reeves report is rubbish.

**CHAIR**—Are you happy to let the Northern Land Council do its work with no change? Is that what you are saying?

**PAULA ROBERTS**—The Reeves report says that the Australian government has already sent him out to do the research throughout the Northern Territory among Aboriginal people to try to make it better for the Northern Territory Aboriginal people. The way we look at it is that there have been changes, so we do not want to be trapped into all those big talks because some of them will not be helpful for Aboriginal people. Our traditional owners are important, because they are the ones who own the land. The traditional owners have their

fellow outsiders beside them—there are three groups to talk against the Australian government—and the Aboriginal people are strongly concerned about their policy as well.

We do not live for the Australian government; we live for our land. Our elders here are the ones who respect the laws that we have among ourselves, which must not be destroyed by any report. We will not be saying yes when it is against the Aboriginal law. So I disagree with NTAC on that as well as on any other thing they can come up with. We are satisfied with what the Northern Land Council and the CLC have done for us now, and we do not want that to change. Twenty-five years is good enough, as far as I am concerned.

**CHAIR**—One of the recommendations in the Reeves report talks about whether the permit system should be abolished and the normal trespass law of the Northern Territory introduced instead. We have had a lot of comment across the Northern Territory. As you know, we have been on the road for virtually three months. Most Aboriginal people say they want to keep the permit system. Can you tell us whether you think the permit system should stay? Is there any way you think it might be improved to make it more user friendly?

**PAULA ROBERTS**—As a traditional owner, I have a country back home that belongs to me—my tribal land. I would not want anybody to go in that area and destroy what is there already. It is too beautiful to be destroyed. That goes for any other Aboriginal person besides me, plus our sacred ground is valuable and important and it must be kept sacred.

**CHAIR**—So you think the permit system should stay?

**PAULA ROBERTS**—Yes, it should stay as it is. I would not let anybody get permission from any other Aboriginal person besides me. It has to be negotiated among the tribal leaders.

**CHAIR**—That is the view that we have been getting very strongly from other Aboriginal communities. Yesterday we had a whitefella at our meeting at Katherine say that he thought it was fair to keep the permit system when people wanted to go over Aboriginal land, but he felt that maybe it should not be necessary if people were travelling on a road that is often used by the public. He thought that was making people feel angry that should not get offside. Do you have any advice on that? Do you think that maybe there could be agreement that permits may not be needed on certain roads? What are your thoughts on that?

**KEVIN ROGERS**—I am a Nummerloori man. I am a clan leader as well. I speak for my area. We feel that the permit system should stay as it is because that gives us total control of our land. Within our area there are sacred sites, and we feel they should be kept associated with the land rights, the Northern Territory land rights act. We feel you are taking something away that we want to have control over.

**CHAIR**—What about the roads?

**KEVIN ROGERS**—If it is a public road, we can work out a system which will enable people to go through, providing they do not make a turn-off. But that is not guaranteed, because we cannot talk to anybody else other than people in our area. That is up to other Aboriginal people. I think it has got to be as it is.

**CHAIR**—Is that what most people here in the room think? That was a pretty clear and strong indication. You are willing to sit down and talk about sensible arrangements over roads, but you are talking about if people are going to be stupid and drive off a road and then onto Aboriginal land. That is fair enough. You are telling us that you do not want to go overboard. That is good; that is sensible. What about this idea of having land councils closer to you rather than big land councils? What about having more officers from land councils closer to your community? What do you think about that?

**PHILLIP BUSH**—The way it is set up now, there are four major land councils—that is, Tiwi, Groote, Central and Anindilyakwa. We have regional land councils now that have been set up properly. It is going to take a bit more time. Hopefully a lot of decisions in these areas can be made by these regional councils instead of the Darwin or Central land councils, but they will still have the power over them. We would still use their facilities like the lawyers, the anthropologists, whatever. We can still tap into their resources. Setting up our own land council out here is a no-no. It leaves too many problems I feel.

**CHAIR**—Are you saying that you have now got your own regional offices which need time to grow and develop and you think that a lot of land council decisions should be made at your local regional office eventually?

**PHILLIP BUSH**—Yes, eventually. In the local area we have, say, mining or some sort of enterprise going on. The decision should be made locally. If we need legal advice or assistance, we can get it from the major land councils.

**CHAIR**—One question a lot of people ask me is where do the royalties sit with the future for your communities? Would you like more of the royalties to be spent locally?

**PHILLIP BUSH**—I believe in most cases it is. There was a lot of propaganda that the two land councils were milking the funds from the mining royalties that were coming in. To date, the land councils have not been taken to court, sued or prosecuted in any way. I believe that, yes, the royalty moneys are being spent locally.

**Ms HOARE**—When we drove in here earlier we saw a lot of evidence of the community working for itself. An example is the local swimming pool. We heard how that was built mainly with funds raised from the local community with the people who live here digging the holes and eventually you got the great swimming pool complex that you have there. If there was a regional office of the Northern Land Council here, would that further help more development like that in the area?

**PHILLIP BUSH**—Yes, they do help pave the way. As you also know, we have a CDEP program here which is benefiting the community. A lot of the projects are not aimed at just Ngukurr itself. They are aimed at all the out-stations where people have the other areas. We have a terrapin farm which is a pilot program at the moment, but we hope to establish it in certain areas. Some people are looking at tourism and recreational fishing in areas. Others are looking at cattle work and there is mining exploration going on as well.

**Mr SNOWDON**—Kelly Hoare asked whether things would get better if you had a land council office here. You already have a land council office. Could you explain how the land council office works here?

**BOBBY NUNGGUMAJBARR**—The land council did work here in the regional office. We have a regional council here elected by those in our local community from each of the clans. When we have any mining companies or anything like that, they ring our office and make some arrangements to have a consultation with the traditional owner and the affected people in our region. I arrange that and do it with the community elders. We have a meeting with the mining company. That is how we work. We communicate with each other and with the bigger office. We make sure that we do not lose our contact with the other offices, like the big office in Darwin. It is working really well through the regional council. The regional council today has the delegation to do that. They can have their own discussions and make their own decisions on the ground, instead of going up to that full land council meeting. That is how they work in the regional office today.

**Mr SNOWDON**—In your job, would you say that the land council talks to the right people about the country when there are things happening? If someone wants to come and talk about a mining venture or a tourism venture or a cattle venture, is it your job to find the proper people to talk to?

**BOBBY NUNGGUMAJBARR**—Yes; that is what I always do. I find the right people, the right traditional owners, and get them to be in that meeting. I make sure that everyone I know is doing that in that area. That is what I always do. We get help from some staff from Darwin who fly in, and I sit and talk with them. That is how we do it through the regional office.

**Mr SNOWDON**—Do people believe that the land council talks to the right people when they are talking about country here? So no-one believes that the land council is not talking to the right people? I ask because we have heard that some people are saying that the land council does not talk to the right people.

**JACOB LANSEN**—I live here, and I was born here on the other side of this river. There have been some incidents through this Northern Land Council when some traditional owners have not been consulted. I am not talking about other people outside this community, but for this community there has been some misleading evidence. People, like the real traditional owners, have not been spoken to. I am talking about this community here, not outside this community. In this community, the real traditional owners have not been consulted properly.

This office, like Bobby says, has been run from the Northern Land Council, not from this office. He has not got any power to run this office. All of the power comes through the Northern Land Council. That is why some of us think that it is better to have a land council here. While we now do the job properly, we can do much better than we are doing now if the land council is based here in this place, Ngukurr. We can do much better.

As you can see, the things we have done around here have been a battle. It has been a battle between the Northern Land Council and the leader of this community—the council



especially. There have been disagreements about the swimming pool, as you have seen, but that swimming pool was put there along with other things that we have done around here. It was not easy to get those things—even this building. We use this building for other things and the courts too.

All the things that we have in this place have been a battle. I can tell you that and a few other people can tell you that. It has not come easy for us; it has been a battle. That is why I and other people here would like to see the Northern Land Council or the land council under that same act set up here. It has even been a battle to traditional owners of this place. There have been disagreements between the traditional owners of this place and there have been decisions made and argued about between traditional owners. Not all traditional owners of this place agree on things that have happened here.

**CHAIR**—Do you think the idea of having your own land council here would be a good thing for this community or do you think, ‘No, our Northern Land Council with its regional office is the way to stay’? Would someone like to comment on that? You have heard Jacob say that he thinks it has been a long battle to get what you have here and you would do better if you had your own land council. I think that is the gist of what he said. What do you think? Do you think you would do better if you had your own land council here, or do you think you are okay to go to the future with the Northern Land Council and the regional office of the Northern Land Council?

**WALTER ROGERS**—I was born and raised here. I am a Nunggubuyu tribal man. I have lived here all my life. What I want to say is that I helped prepare our regional council to be set up properly and to have more power here from Darwin. They said Ngalakan support our regional office. Like you mob, like what we are doing now, we should put our aim on the Reeves report instead of the regular land council at the moment. We should be directing all our issues on this Reeves report, and then later on we will deal with our own land council. We are having a meeting to talk about this Reeves report, so we should concentrate on that first and then maybe later on we will bring that up—a new council has got to be set up. What I am saying now is that our regional council should have more power for permit issues or royalties. They should be sent here. Bobby and the other members in the Northern Land Council will issue the royalties and deal with the permit system here. They should have more power here regarding the permit system and the royalties.

**CHAIR**—Thank you. Does anyone else want to make a comment on that issue?

**PHILLIP BUSH**—I will go back to that other issue. Jacob was talking about the fact that it has been a hard slog getting to where we have got to today. Since 1996 we have had to revamp the council and the constitution and get everything going. There has been no blockage by the traditional owners in this area at all in getting these programs and projects going. We are the only local community government—and this is nothing to do with the land council—that has always got its annual reports in on time. We have not been broke for the last four years. The money is spent wisely.

With the swimming pools and that, even though it is on Aboriginal land, it was a community project. The TOs agreed with it because they could see the dangers of people

getting taken by crocs and drowning in the river. We had an area that we could control where we could watch the children.

**Mr MELHAM**—I just wanted you to further explain why there was the revamp in 1996 and what it meant. How did you revamp the area here? What brought the changes on, and what has it meant in terms of local participation for the community?

**PHILLIP BUSH**—This community was going through a lot of bad problems financially. We were scraping the barrel to find money to get houses. I was not on the council at the time. Money was spent unwisely. We had administrators in here or people acting as bookkeepers or whatever who ripped the community off. It is the community that has suffered all the time. It had nothing to do with the land council not doing anything; it had to do with the local community government structure. So there are two separate issues there.

**Mr MELHAM**—You got a new structure, did you?

**PHILLIP BUSH**—Yes. We had to structure it, otherwise the NT government would have put an administrator in here. They gave it a fancy name—a coordinator. We said, ‘We don’t want an administrator. We can still run this place ourselves.’ So we broke the council up. There are 20 members. They are broken into family groups. Each member who represents a clan group is on the council, and each one is a president. There is no issue about leadership. The whole community is running it 100 per cent better than it was being run four or five years ago.

**Mr MELHAM**—Are some people excluded from that council or what? Is that by choice?

**PHILLIP BUSH**—No. No-one is excluded. They run to a fair decision. Each clan group nominates their own person who they want to represent them in the council. The other clan groups cannot interfere with the picking or the choosing of that representative of the other clan group. They do not dictate.

**JACOB LANSEN**—I have been here from day one when this council was revamped. I was one of the men along with my cousin Henry Joshua. He is dead now. I was here with them when this council was dissolved. This council was dissolved because of bad management. I am talking about the Ngukurr council. I was here on that day when the local government came down and said, ‘This council should dissolve,’ and we stood up and said, ‘No, you can’t dissolve this council. You still have to have an Aboriginal person or a president with an administrator to start this up.’ I was one of them. I started this with another member of this community from nothing and made it what it is now. We have brought this community back from being over \$100,000 in debt to where it is now. It has not got any debt—nothing. Once we dissolved the council, those two Aboriginal people were appointed with an administrator to get this council back on. We did that. Then we had to set up this council again and build this into a community government council. I am still on the council.

Like I said, we had to put up with not only the land council but also other departments. They were ready to pull everything out of this place. That is why I and other people in this

place do not want to go that way. We want to do what we did with our council: set it up so that it works for us and for our kids and for our grandkids in this community. That is why I and a few other people with me are pushing to have this land council here so that we can run it the way it suits this community and not the way it suits other communities. I am pushing for a land council on behalf of the other people with me. It is not only for me. I am afraid my kids, my grandkids, my sister's kids and my brother's kids will have nothing if we keep on the way we are going. We want everything to be set up here for them so that they do not have to go out of this community and so that they do not have to go out of this region to get something.

**CHAIR**—Jacob, you have had a good go. I would like to appeal to everybody to please have a say. It is good that a couple are talking. That is wonderful. Do not be shy because you can have your go too.

**KEVIN ROGERS**—Regarding this Reeves review, I say no to the changing of the land rights act because it gives us the power to control our own destiny. These things had not been done before. You have given us a law; you have passed a law through the parliament saying that you have recognised our ownership of the land. That has an impact on us because we deal with our land, and it is through our land that we have a culture which has been going on since the beginning of time. The ownership of this country belongs to the people in the community. We feel that changing these rules, which have been designed by the committee, disempowers us and takes us back 30 or 40 years or even prior to when the first white man came and took our land. Then we did not have any rights. But we were given some, bit by bit, through considerate people of the parliament. We want to cling on to what we have now. We do not want to change it so much.

**CHAIR**—Thank you. One of the women wants to say something, and that is good.

**RODDY FRIDAY**—I am a Yanuwa woman from the Gulf of Carpentaria—the Sir Edward Pellew Group of islands. Going back to these two, one of our main concerns about breaking away—and we brought this up before when Reeves sent one of his advisers up here—is that our people said strongly that we wanted the old one because traditional owners have more power in this one than in the proposed one. Our rights will be taken away from us. Here we have no say, which we do not want. This is our main concern and we were worried about the NTA electing people to control our land. No-one has the right to control anyone's place unless they ask permission, and that is right in Aboriginal and non-Aboriginal law. So we strongly disagreed with this other model.

**CHAIR**—Thank you. That is a very clear message.

**THELMA DOUGLAS**—I come from Borroloola. We agree on this whole land rights one here because that is the one that has been helping Aboriginal people all along when we have been struggling for our land. Why we are looking back is because they are the ones that are looking after the ceremony; they are the ones that are looking after the sacred sites. We from Borroloola speak strongly about the land rights, and we are happy to be with them too. They are the ones that look after the sacred site when someone comes and just goes right through and does not ask permission of Aboriginal people. So we are happy because we would like this mob to stay on that. We are really happy about showing our young

children the ceremony site and sacred sites. If we jump into this one here, and later on we go to the next one, what are they going to do with us? They are going to wipe out our belonging. That is why we do not agree with changing to this one here because we would like to stay on that place there.

This land rights mob has been looking after us from the beginning. We also had two parties, like the sacred site people, which did not help us much about that. But all the time the land rights mob has been in the community talking to the people about the sacred sites and about the ceremony—they have been looking after all that. So we are really happy, us mob from Borroloola, but you people can have your say about how you want it to stay in your community. We think we will still want that land council mob because they are the ones who have been looking after us from the beginning when we have been struggling for our land. And we want to look back for all our ceremony because our ceremony has not been passed into our parliament. We never showed it to the government people. Our ceremony, our law, has been there from the beginning until the Aboriginal people are going to die. That is all I can say.

**RODDY FRIDAY**—I will say one more thing. I am from Borroloola. I will go back to the islands, the Sir Edward Pellew Group, and I am mainly talking about the centre island. In this case, the Aboriginal Land Rights (Northern Territory) Act has not worked to the satisfaction of traditional owners. Leases were granted by the NT government inconsistent with the ALR act, the Aboriginal land rights act, yet the minister for Aboriginal affairs failed to uphold the recommendation of the land commissioner who heard the case. The minister declared that the parties should negotiate, through the Aboriginal land rights act, with the traditional owner of that country.

We are concerned about the NT government saying that they should negotiate. We do not want it like that. We want it through the traditional owners. The Northern Territory land rights act is a strong act, and it should be followed.

**CHAIR**—Thank you. Walter Rogers, would you like to speak?

**WALTER ROGERS**—I am from Ngukurr. The Reeves report recommends that we do not own land. That is not right. We have our land through our culture. Through our song, we actually identify which land we own and, from there, whichever neighbouring mob will take over. We know that. I know my land and what I am entitled to. It is my land. The Reeves report does not say that we own the land but we know that, in our Dreamtime, we owned this land before any Europeans came here. We still run the same thing based on our culture, our song and our dances.

John Avery made some recommendations. In actual fact, we asked John Avery to come to our ceremony. Sitting next to me are two members from Borroloola. John Avery also came to Ngukurr. He stayed for our ceremony, and then he went and said something that was not right. He supported the Reeves recommendation. For him to be asked to come to see our ceremony was a great honour, and then he went and talked the other way around. That is a big headache.

All our ceremony mob are here from Numbalwar, Ngukurr and Borroloola. John Avery has caused great offence. He says that he is an anthropologist but, in the report, he made a mistake. We Aboriginal people, from our regional area from Hodgson Downs to Mataranka area, are not happy. We ran our secret ceremonies and we allowed him to go. Then he went the other way. Like the poor lady from Borroloola said, I am in support of the land council. The land rights act should remain.

**PAULA ROBERTS**—I would like to talk to my people in Creole first. They know me well. I am addressing it to the Ngukurr community. I am saying to my people that we are here to discuss this issue on this document with regard for our land and with respect for our people and for the lost loved ones that have been dug from the burial ground. We must not let any white men run over our land. Top and bottom are sacred. It is special. As a Ngukurr girl of the Elsey region, I am strongly concerned about my loved ones too. I did not see them. Our culture is strong; our people are strong. We, as Aboriginal people, respect ourselves as individuals. I am classified into a different tribe because of my culture. My culture must be strong, and it is strong. I respect myself and I respect other Aboriginal people here. I respect our elders and our middle-aged people, the young married couples and even the young ones—they are special. The Australian government and the Northern Territory government must think very carefully before trying to do something to destroy Aboriginal culture. That is the way we are. Thank you.

**THELMA DOUGLAS**—I would like to address what my brother-in-law said about John Avery. John Avery says he has been working for a sacred site, but Aboriginal people have been really blind—he has been working for his government. John Avery is not working there anymore. He went back to Canberra and told the story about Aboriginal people. That is that man who went to a big place, a big ceremony. We people here, like my brother-in-law and my uncle, are running the same business. We have to be careful, listen and read the white people's minds. You are not going to say yes straightaway. That is why we are going to try to keep in the same land rights mob—the first land rights mob that has been working and helping us on that all along.

We are going to think about our children. We are going to give to our children. We have ceremony. We have land that our ancestors went through. Our mother country, our father country, our grandfather country—they are the sorts of things that we are going to think about. We have to be really careful and listen to what they are saying. They do not really understand about the sacred site. Those who are looking after the sacred site for Aboriginal people call themselves sacred site people, but they are making money for themselves.

We have to stick to this old land rights mob, the one that always had meetings with Aboriginal people. We do not want to jump into the next department. Do you know what that would mean? They are just putting us up and up, and after that they are going to wipe it out for Aboriginal people. Where are Aboriginal people going to stand? I just address that one. The Roper mob have seen ceremonies in Borroloola. In all this area up to Hodgson Downs and Nutwood Downs back to Borroloola, we have the same thing. We want to really talk strongly for our land where there is a sacred site.

**RODDY FRIDAY**—I just want to bring up one of the recommendations of the Reeves report—the abolition of the permit system for entry to Aboriginal land. Our concerns were

that, without permits, people can enter our land, which we do not want. I told this to one of Reeves's advisers the first time he came. My concerns were that we have groups of islands and fishermen were just going through them without permission or permits. Abolishing the permits would mean we would have no rights or say in who came to our country, which we do not want. We are very concerned because people are just coming into our country without asking. Reeves is recommending that he wants to rub out this permit. I was at the meeting yesterday with that other gentleman with his concern, but there is our side of the story too. We are concerned. We want to have a say. We want to protect our land. That is why we have the Northern Territory land rights act. We do not want the permit system demolished.

**CHAIR**—How are we going? Are there any more questions?

**DAVID DANIELS**—I was born here and this is my country. This is where I come from. My tribe is Nungubuyu. My ceremony is Gunabibi. What I want to try to explain to my people is the Wookoora. What are we all about? I have been trying to explain to John Roberts and Bobby. The other day at the thing there, a lot of people walked away from the meeting.

We are not all about destroying the land rights act. I never said in my submission that I would get rid of the land rights act. That is the only tool this mob has to fight the government. How can a blackfella like me go and disagree with the land rights act? That is not right. The land council did a few things to get onto this ground level, and then we started off a breakaway land council. Do not use that breakaway land council. We do not want a breakaway land council. We want to set up our own land council here in Ngukurr, even if you have to give this Bobby more power.

I said yesterday to this mob in Katherine, 'Not enough power!' They asked for the regional council. They set up seven regional councils. I was still a land council member then. They never gave any power to this Bobby and the other land council members.

There are things that the land council has not done. Let us admit that to ourselves. There are a lot of things that they have done for Aboriginal people. I never say anything bad about the land council. I want only one thing: I want to set up a council that would make decisions here with all our people, our traditional owners and everyone.

I would like to say one thing now. I want to talk about councils and the Reeves report. I never agreed with the Reeves report. I will tell him right now. I told Bobby; I told Nungubuyu and everybody. For me to understand this book, it will take me more than it would for Warren Snowdon and these parliamentarians to understand it. I cannot read it. I am not supporting the Reeves report at all. I am just telling you that we want councils that can make decisions on the ground level here.

You might have started that thing, but you might not finish it off. You might make excuses and not give it the full rights. Give us the full rights. Give us that office here so that we can make our own decisions. It is not for me that I have come here to talk today. I might die tomorrow. It is for my children and my children's children. I have sons and grandchildren. We have to talk about setting up a future for our people. The land rights act

cannot keep going on the way it is. The government said, 'We have to do a report on the land rights act.'

**Mr SNOWDON**—No. Can I explain what the government said to Mr Reeves. They said, 'You go away and do a review of the land rights act, then make recommendations and give it to the government.' The minister for the government was Senator Herron. Then Senator Herron said to the parliament, to everyone here, 'We want the committee'—the House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs—'to go and look at the recommendations from the Reeves report and see what people think about them.'

**DAVID DANIELS**—I can tell you now that nobody agrees with the Reeves report.

**Mr SNOWDON**—Thank you. We are going to tell them that. We are going to say that the people from Ngukurr do not believe in the recommendations of the Reeves report.

**DAVID DANIELS**—I said in my submission that there needs to be more time for Aboriginal people, especially the traditional owners, to talk about that. It is going to take a long time for us to understand what is going on here.

**PHILLIP BUSH**—There are traditional owners living here in Ngukurr.

**Mr SNOWDON**—Could we have one at a time.

**DAVID DANIELS**—You can say what you like, boy, down over there at the local bar.

**PHILLIP BUSH**—How about the ones that are living here?

**DAVID DANIELS**—I will tell you that they are sitting down there, that is all I said. They have to come here if they are traditional owners.

**PHILLIP BUSH**—I am here; my sons are out there.

**DAVID DANIELS**—What gives you the right to be traditional owners?

**PHILLIP BUSH**—Blood lines.

**Mr SNOWDON**—Mr Chair, can I say that what Mr Daniels has been saying to us is what other people have been saying. They have been saying that they do not want the Reeves report. That is all right. We are square.

**DAVID DANIELS**—We are talking about—

**Mr SNOWDON**—I know what you are talking about; you are talking about more power coming here. That is all right.

**DAVID DANIELS**—Yes, and we make all the decisions and are in charge of the thing here. That is all.

**Mr SNOWDON**—We spoke about that yesterday, you will remember. We talked about one section of the act—which is section 28, from memory—which talks about what powers the land councils can give to regional councils. It is very narrow. The land council itself and the CLC have both said, ‘We want that changed so we can give more power to regional councils.’

**DAVID DANIELS**—They will take a long time.

**Mr SNOWDON**—It is not them, mate. It is the government and the parliament.

**DAVID DANIELS**—It is you mob.

**Mr SNOWDON**—That is it.

**David Daniels**—You want to hurry up and go back and do it.

**Mr SNOWDON**—And fix it up. All right.

**DAVID DANIELS**—That is all I have to say. I want a small council for the future of our children, not for me. I will die tomorrow.

**Mr SNOWDON**—So peace reigns.

**RODDY FRIDAY**—I would like to say what David was just saying. It is just like we are saying it all over again, but to a different group of people. We mentioned that we disagreed when Reeves sent one of his advisers to Borroloola. We spoke strongly about disagreeing with changing the land rights act and even with some of the changes that he wanted. Then, he went back to parliament and put it all in that big book there, without coming—

**Mr SNOWDON**—He did not come back to parliament; he is not a member of parliament. Mr Reeves is a consultant.

**RODDY FRIDAY**—Wherever he went, anyway. That was when he or his advisers went down there. What I am getting at is that we are saying it all over again, but to different people.

The other thing I was going to say was that taking away the assets of the royalty associations and giving them back to the government appointed NT Aboriginal council was one of the recommendations he made, as was the government having the power to appoint an NT Aboriginal council. At the moment, with our model, traditional owners have the say on who is on that council. I disagree with this recommendation he is making because we are always having arguments with the NT government, as you all know. That is all I would like to say.

**CHAIR**—So you would say that the people in that organisation must be elected by the traditional owners.



**RODDY FRIDAY**—Yes, the Northern Land Council should be elected by the people and the traditional owners within their community, instead of by government appointment.

**CHAIR**—Okay.

**PAULA ROBERTS**—Everybody is hoping that I will not talk for long. The Ngukurr community has a number of people representing various different language groups. I myself belong to the Elsey region, but I am still linked to this boundary through my father. I have my Aboriginal identity. Inside me, I have my culture, like this other mob. We have discussed this matter for a long time now and we have to get to the end and make a decision. That act and that agreement have already been recognised by the Australian government and the Northern Territory government. I want to say how strongly we feel about the NLC.

**CHAIR**—Thank you.

**RODDY FRIDAY**—One of the other recommendations that he made was changing the act so that money earned by Aboriginal people for use or development of their land goes to the central fund rather than to the owners, which we also disagree with. We still want it to come to the owners and not to the central fund.

**CHAIR**—Do you mean through the land council?

**RODDY FRIDAY**—As it is now with the model.

**CHAIR**—Okay. I have got that.

Resolved (on motion by **Mr Quick**, seconded by **Mr Melham**):

That this public hearing authorises that the pamphlet produced by the Northern Land Council entitled, 'Protect your land rights', should become part of the official record and be accepted into the evidence as an exhibit.

Warren, have you got a question to ask?

**Mr SNOWDON**—Could I quickly ask a couple of questions, so I can, in my own mind, understand what the process has been here. Am I right when I say that no-one has come back to you to talk about these recommendations before we came back or before the land council came back?

**PHILLIP BUSH**—No-one spoke to the community as a whole about the recommendations. They came, had a little meeting and disappeared again. A lot of us were surprised that it did come out.

**CHAIR**—So you are happy that we are here to listen to you about it?

**PHILLIP BUSH**—Yes.

**CHAIR**—Mr Herron has done a good thing in sending us here to listen to you.

**Mr SNOWDON**—One of many.

**CHAIR**—We will give credit where credit is due.

**Mr SNOWDON**—I just did.

**RODDY FRIDAY**—Replying to Warren, we have not had anyone come back to us in the Borroloola area. The Northern Land Council has gone through the Reeves recommendation, but we have not had anyone come out here again to explain.

**Mr SNOWDON**—I do not want to have a debate about the Northern Land Council, but are people happy with the role that the bigger land councils are playing?

**Members of the audience**—Yes.

**Mr SNOWDON**—You do not want the permit system changed?

**Members of the audience**—No.

**Mr SNOWDON**—You do not want that money, which is from Aboriginal land and which goes to the land trust, being in the control of this new body, the Northern Territory Aboriginal Corporation?

**Members of the audience**—No.

**CHAIR**—On that point, there was a statement made just in the last few minutes that if people were elected by the traditional owners, who had made the decision about where the royalties go, then you would be prepared to sit down and talk about that. I think you gave me that impression. Is that right?

**Mr SNOWDON**—That is how it currently works. If I can interpret from what I understood to be said, the current system where people are elected from the land council to make decisions about how the money is spent is what people want.

**Members of the audience**—Yes.

**Mr SNOWDON**—Do you agree with the idea of having this Northern Territory Aboriginal corporation, which will sit on top and which is appointed by the Minister for Aboriginal and Torres Strait Islander Affairs and the Chief Minister of the Northern Territory?

**Members of the audience**—No.

**MARJORIE HALL**—I was born here at Ngukurr. I know the fight that the old people had long ago. It was established at Bagot, and there were a lot of families there. I was only young. They formed a group there that was run by the Bagot council. Mr Wilson was the superintendent at that time. That is how this Northern Land Council was formed—by

feedback from the community to those leaders at Bagot. The Yarralin had walked off. We do not want that again.

We had this big fight at that time. At the time when Gough Whitlam gave it to the deceased owner of that country, Mr Lingiari, we wanted to go on that same road. We do not want go into this Reeves report. It is really bad. This is the first time we have been consulted by the Northern Land Council on what this Reeves report is. I can remember the fights from that time because my father was one of the people fighting for the Northern Land Council. Dexter had to travel. Giving hell from outside of this country. This country is what we are talking about. We do not want to go backwards; we want to live for tomorrow.

We do not want this change of the Reeves report. Whatever the Northern Land Council has now, we can make it stronger later on. Today we are talking about the Reeves report. We know we have to consult with the NLC. When this mob goes back to parliament, they have got to talk about this Reeves report and say that we do not agree with it. We are not going to fight all over again about our land. We want that permit system all the time. We need that permit system because, if you get that other kind of law in the Reeves report, there will be trespassers. We are going back. We will see white people up there in our country and cannot tell them to get out. That is what Reeves is saying. We are going back to when Captain Cook landed at Sydney. What are we going to do? Are we going to tell that white man, 'You are not allowed in our country'? And they will say, 'I didn't know this was Aboriginal land.' They will say that.

So we have to get back to that issue where that Reeves report is really bad and say that is how we feel. The committee came up from down south. I really want you to talk about this Reeves report with us because we do not agree with it.

I was one of the children living in Bagot where my mother and father were fighting for land rights acts. Today the Northern Land Council is really strong. We have our identity. Most of the old people have passed away now. They used to travel at their own expense, I think, from Bagot to Canberra. We are not here to go backwards; we are here to go forwards. We do not want to kill one whitefella out there because he is trespassing on our property, our land, because they will charge us.

We did not charge anybody for our land when it was colonised from Sydney. They were calling the Aboriginal people really bad people. They had to shoot them. We did not have anything. They had no spears. All of Australia had not even been established or colonised. They had not come through. Some of the urban Aboriginal people down south still have not got that right. They are still fighting.

In the Northern Territory, we have the Northern Land Council and the CLC. They help us. We are not feeling just for ourselves because we are full blood Aboriginal; we feel for the other ones too—urban Aborigines. We are talking on behalf of them today too. We do not want the Reeves report. If we want to maybe talk about the Northern Land Council with Bobby and John Roberts or the NLC, we can discuss that business behind the scenes to make it stronger. We are not here for that. Are we going to separate straightaway? No. To all you committee members, we do not have words on paper. We keep them here all the

time in our heads. We can never change our laws; our law never changes. Would you all agree with that?

**Members of the audience**—Yes.

**MAJORIE HALL**—I want to point out to my people here that we have to remember that the old people who are living here today do not fight the Northern Land Council like this. They do not fight. Today we are passing through that. It is like we are living a good life now because the NLC is there. We do not want somebody to come up our way and give us a document saying this, this and this. The white people do not know how we live here. We get casual with our clothes, yes, but we have culture and identity inside. That is all I want to say to the committee, through the chair.

**CHAIR**—Thank you, Majorie. That was well said. Bobby, were you going to say something on behalf of the people outside?

**BOBBY NUNGGUMAJBARR**—I was born and raised at Numbalwar not far from here. It is about 156 kilometres from here by road. I am here speaking on behalf of the Numbalwar people. I went there yesterday and they said to me that they could not come across because we have got only one charter to come across. They said to me yesterday that they do not support the Reeves report. They would like the land rights act to stay as it is. They would like nothing to be changed. That is what they said to me yesterday, and that is the information they are giving to the committee now.

**CHAIR**—Thank you. I think we have to be fair. Some people have spoken several times.

**Mr SNOWDON**—I think it is important that the committee understands that, when people are talking for Ngukurr, they are talking about Elsey way. People are talking about Numbalwar and people are talking about Borroloola. We are talking about a large piece of country—the whole of south-east Arnhem Land. That is what we are talking about here. Is that right?

**Members of the audience**—Yes, that is correct.

**Mr SNOWDON**—It is not just this place. The committee needs to understand that.

**CHAIR**—The committee does understand that, Warren.

**Mr SNOWDON**—I hope they do. I do not know that they have ever been there.

**CHAIR**—The committee understands that. We appreciate very much what you have done today to speak for your people and to bring the various groups together. We appreciate that and I say thank you. We will go back now to do our job in Canberra. We have more hearings tomorrow. In June we will be back again, then we have to write our report for the parliament. We hope to finish it by late August. We will arrange for all that has been said today to be sent to you here, so you will have your copy of it. We will take very careful note of it.

May I conclude by saying that the committee has been asked by the minister, Senator Herron, to find out what you think about the Reeves recommendations. That is what Senator Herron wants. He will not make any decision himself to advise the Prime Minister on anything until he gets our report. We will make our report one that will strongly urge that the land that you have fought so very hard to get is kept safe and is not under any threat of being taken away from your power and control. We will do that for you—that is the clear message.

We will also make sure that our report passes on your wish—and a very natural thing too, I might say—to make decisions yourselves about your own land and people and not have those decisions made so often from Canberra or from Darwin in the Northern Territory. People in the local community should be making more decisions about the future for themselves, their children and their land. I feel confident that they are the sorts of things our report will pass on to the minister, the Prime Minister and the parliament. Thank you. We wish you well.

Resolved:

That this committee authorises publication of the evidence given before it at the public meeting this day.

**Committee adjourned at 2.53 p.m.**

