

## Part 4: Threats to Aboriginal Land

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This is part 4 of a series of four articles titled **Aboriginal Australia** by Jens Korff, owner and author of **Creative Spirits**. The series is relevant to many sections of the K–10 Geography Syllabus

**Part 1: Aboriginal Land Care**

**Part 2: Aboriginal Fire Management**

**Part 3: Indigenous Protected Areas**

**Part 4: Threats to Aboriginal Land**

### SYLLABUS LINKS

#### Cross Curriculum Priority Area

Aboriginal and Torres Strait Islander histories and cultures.

#### Stage 3: Factors that shape places

Students investigate the ways people change the natural environment in Australia.

#### Stage 4: Landforms and Landscapes

Students investigate the aesthetic, cultural, spiritual and economic value of landscapes and landforms for people, including Aboriginal and Torres Strait Islander Peoples.

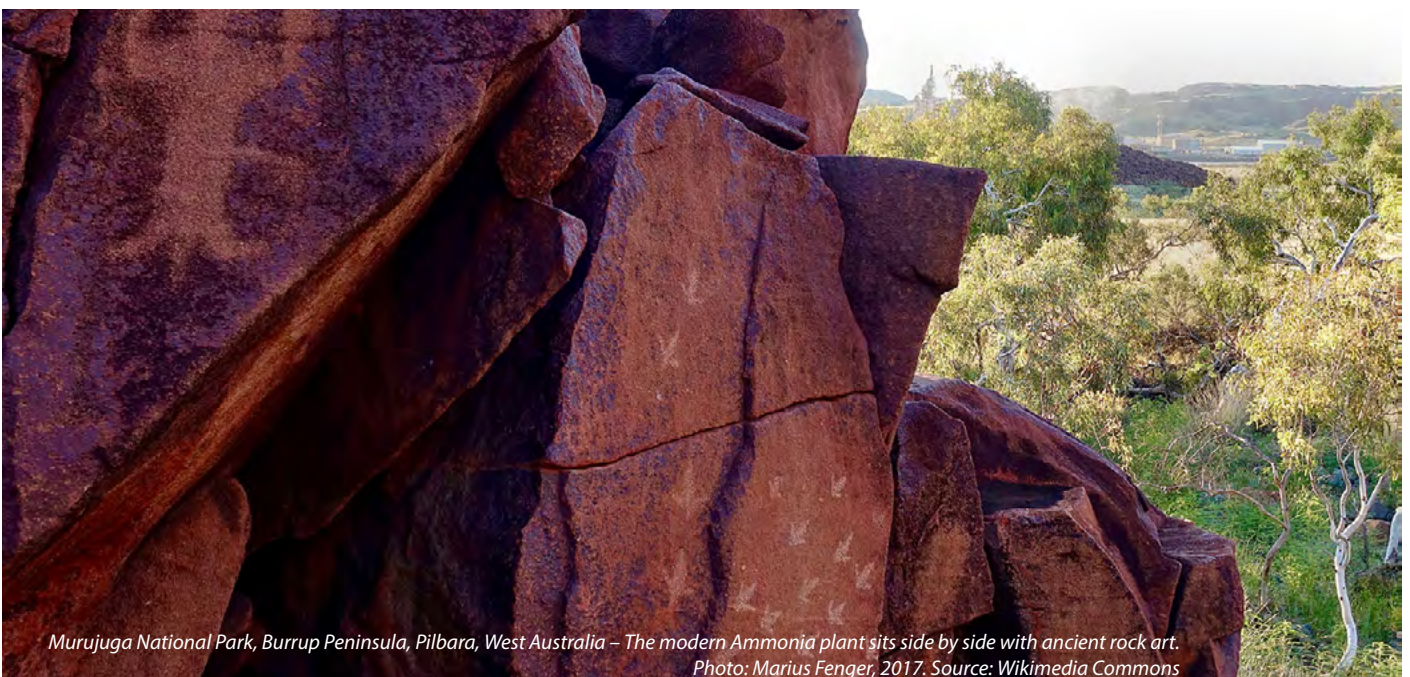
Students investigate ways people, including Aboriginal and Torres Strait Islander Peoples, manage and protect landscapes

#### Stage 5: Sustainable Biomes / Environmental change and management

Students investigate environmental management, including different worldviews and the management approaches of Aboriginal and Torres Strait Islander Peoples.

#### Stage 5: Human Wellbeing

Students investigate reasons for and consequences of variations in human wellbeing in Australia.



*Murujuga National Park, Burrup Peninsula, Pilbara, West Australia – The modern Ammonia plant sits side by side with ancient rock art.  
Photo: Marius Fenger, 2017. Source: Wikimedia Commons*

## Eight major threats to Aboriginal land

**Many threats endanger Aboriginal land and Aboriginal peoples' heritage, history and sacred sites—are you one of them?**

Source: <https://www.creativespirits.info/aboriginalculture/land/threats-to-aboriginal-land#ixzz5PXfvcGYA>

- **Climate change**
- **Tourism**
- **Development**
- **Resources industry**
- **Political arbitrariness**
- **Cremated remains**
- **Litter**
- **Weeds**

*"You'll be surprised how many threats endanger Aboriginal land. Indigenous people have to fight on many fronts to keep alive their heritage, history and sacred sites".*

Bev Manton, Chairperson New South Wales Aboriginal Land Council in 2010 [8]

### Threat: Climate change

Climate change affects Aboriginal land already. Torres Strait Islanders are noticing visible changes to their land, including erosion, rough seas and higher storm frequency, according to former Aboriginal and Torres Strait Islander Social Justice Commissioner Tom Calma [1]. Other risks include king tides, and ocean acidification and its effects on coral reefs and fish.

Extreme weather conditions have the potential to reduce water availability and erode infrastructure like sewerage systems and housing on the islands.

Many villages are only about 2 metres above sea level. At least six islands urgently require the construction of sea walls and coastal erosion control measures [30]: Poruma (Coconut) Island, Warraber (Sue) Island, Iama (Yam) Island, Masig (Yorke) Island, Boigu and Saibai. Most of these islands have their own airstrips.



The 2008 Garnaut Report identified the Torres Strait as especially vulnerable. Over the next century the sea-level is expected to rise by up to 59 centimetres [36].

"There is a real possibility that some communities will need to move to higher ground or relocate altogether to the mainland," Calma said. Shaun Edwards from far North Queensland agrees, predicting that "Torres Strait Islanders will end up coming to the mainland" [11], an option not considered by others such as Climate Change Minister Penny Wong [15].

Fred Gela, Mayor of the Torres Strait Island Regional Council, says that "the land and sea in the Torres Strait is a critical part of our spiritual and physical identity." [30] Inaction would put at risk the survival of their way of life which is unique in Australia.

But Aboriginal people are well-placed "to help mitigate the impacts of climate change because of where they live and their unique knowledge of the land," says Joe Ross, Chair of the Northern Australia Land and Water Taskforce [2].

### Threat: Tourism

Tourism can often peacefully coexist with Aboriginal land, but sometimes is a threat to Indigenous interests. Uluru (formerly known as Ayers Rock) is one such example.

For Aboriginal people Uluru is a sacred site and should be off-limits for non-Indigenous visitors. Demands to close the only climb in respect to the rock's significance have been made many times.

Kunmanara Uluru, one of the traditional owners, says: "That's a really important sacred thing that you are climbing... You shouldn't climb. It's not the real thing about this place. The real thing is listening to everything. And maybe that makes you a bit sad. But anyway that's what we have to say. We are obliged by Tjukurrpa [Dreaming, Dreamtime] to say. And all the tourists will brighten up and say, 'Oh I see. This is the right way. This is the thing that's right. This is the proper way: no climbing.'" [49]

But Uluru is an icon of international value for Australia's tourism industry. When yet another call for its closure was made in early 2010 the Prime Minister Kevin Rudd, NT Chief Minister Paul Henderson and Environment



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Minister Peter Garrett were compelled to call for Uluru to be kept open because “the future for this internationally significant icon lies in visitor experiences that reflect its World Heritage values” [3].

Unfortunately some of Uluru’s annual 100,000 visitors don’t care much about its sacredness or the signs that discourage a climb and pee and defecate on it [3][53]. Many more party or urinate up there. Visitors from all over the world take home parts of the rock, and many feel haunted for months after, subsequently sending back their stones to Australia.

*‘What most people are unaware of is the fact that the heart centre of Australia – Uluru – has a calling of healing energy to the spirit to come, and experience ‘The Rock.’ This draws many, if not millions, from all over the world to touch, connect to and experience these vibrations of one of the most sacred heart centres of the earth.’*

Pascoe Braun, son of one of the custodians of Uluru [9]

## Four wheel drives

Recreational and off-road vehicles used by tourists and locals can damage Aboriginal sites in conservation areas and national parks.

For example, the Arthur-Pieman Conservation Area in Tasmania, described as “one of the world’s greatest archaeological regions” [33] for its Aboriginal heritage, has been subjected to damage for many years.

Most if not all tracks in the area go over Aboriginal heritage sites. Attempts to close tracks to prevent damage failed because “people have pulled [barriers] out and gone around them” [33]. A strong vehicle lobby vetoes attempts to implement barriers.

## Visitors climbing Uluru



*At the base of the climb signs discourage people from climbing and explain that this is a site which is sacred to the local Anangu Aboriginal people.  
Photo: Björn Ritter*

*38% Percentage of visitors who climbed Uluru in 2010 [4]; in 2012: just over 20% [54]; in 1993: almost 75% [57].*

*35 People who have died climbing the rock [3].*

## Disrespectful tourists on top of Uluru.



*British tourists (left), a French tourist (middle) and another man pose on the sacred “heart centre of Australia”. “I do not mean in any way to offend the Aboriginal culture,” claimed the French tourist, but she outraged Indigenous and non-Indigenous people around the world with her stupid action. Other tourists were photographed on Uluru playing golf.*

## Threat: Development

Developers’ projects such as infrastructure, businesses and dwellings often threaten to damage or destroy sacred sites, rock art or places of great important to the local Aboriginal people. Sometimes Aboriginal artefacts make their way into fill used to fill excavated areas [59], hundreds of kilometres away from the artefacts’ home country.

*\$1m – Maximum legislated fine in Tasmania for destroying historic European heritage [40].*

*\$1,000 – Maximum legislated fine in Tasmania for destroying Aboriginal heritage [40]. The same fine before the introduction of the Aboriginal Heritage Act in 1988: \$200 [50]*

*\$4,690 – Fine a court ordered electrical company Ausgrid pay in 2013 for destroying a significant rock engraving on Sydney’s north shore in late 2010. Maximum fine for a corporation available to the court: \$220,000 [58].*

*1 – Number of turtle nests found by an environmental impact study commissioned by the Department of State Development in WA [45].*

*14 – Number of turtle nests found by a peer-reviewed independent study for the same region [45]. Turtles are an endangered species.*

## Case studies

For example, in late 2009 the ‘**Guardian Tree**’ at Bulahdelah in New South Wales, “the most sacred site of the Worimi nation”, was cut by workers with chainsaws, backed by police who kept the protesters away [5]. The tree made way for a highway bypass.

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At the same time Aboriginal people in Tasmania were fighting the **Brighton Bypass** which was bulldozed through land rich of significant sites with an estimated 3 million artefacts and “one of the most important archaeological sites in Tasmania” according to head archaeologist Rob Paton [10]. It was confirmed to date back 40,000 years, making it the oldest site in the southern hemisphere with evidence of human habitation [12]. The government decided to build a bridge over the area despite two years of meetings, lobbying, court challenges to heritage legislation, an emergency national heritage listing, dozens of arrests and protests which even gained support of many of the workers employed to build the bridge [25].

Two days before Christmas 2011 the site, also referred to as Kutalayna (Jordan River Levee), was placed on Australia’s National Heritage List [38], which puts it on the same level as Uluru and the Great Barrier Reef.

## A Matter of Consequence

*From time to time I sit and stare,  
observe this land that is now bare.*

*Most proceed without thought or care  
for this spiritual sanctuary we’re meant to share.*

*More land is cleared new buildings raised,  
toxic waste dump proposals ensure an early grave.*

*Silently the ghosts of millennia past  
refuse to submit to modernity’s farce.*

*They rise through the soil then into the air,  
seeking revenge for two centuries of despair.*

*To politicians and others who’ve never been fair,  
I strongly suggest, beware, beware...*

*The wrath of those spirits who live in the earth,  
those ancient guardians who lived here first [27].*

In June 2010 Gomilaroi Elder Lyall Munro was fighting the sale in Moree, NSW, of a site known to have been an Aboriginal burial ground. The NSW government had approved the sale to retailing giant Woolworths. Munro believes the remains of 39 people could still be in the site [16].

When disputes between Aboriginal stakeholders involved in negotiations for a proposed multi-million-dollar gas hub near Broome, in Western Australia, took too long the Western Australian premier simply announced to compulsorily acquire the land. But instead of the 3,500 hectares under negotiation the government wanted to acquire 20,000 hectares for “some flexibility to identify final locations” [22].

Bev Manton, Chairperson of the NSW Aboriginal Land Council, observes that “some 900 sites have

been destroyed in recent years... with recent figures showing **up to five permits [to destroy cultural heritage] being issued a week**” [8]. New South Wales remains the only state without independent culture and heritage legislation.

The situation in Tasmania is similar. “We have found that since [Tasmanian] Minister [for Environment, Parks, Heritage and the Arts] Michelle O’Byrne took over responsibility for Aboriginal heritage, more than 30 destruction permits were issued under her name without any involvement of Aboriginal people,” says Michael Mansell, Director of the Tasmanian Aboriginal Legal Centre [10].

*The need to preserve ancient buildings has never been more embedded in Tasmanian culture than it is today, yet there is the strange contradiction in attitudes towards preserving Aboriginal heritage.*

Michael Mansell, Aboriginal campaigner [6]

*I find it astounding the [Tasmanian] government would push to build a four-lane freeway through the world’s oldest known site of human inhabitation in the southern hemisphere, all in the name of saving a whopping eight minutes driving time.*

Bev Manton, Chairwoman, New South Wales Aboriginal Land Council [2]

## What can you do?

Excavation or destruction of registered sites is prohibited by law and fines apply. If you believe that there may be an area under threat that has cultural significance you can contact your local traditional owners (through an [Aboriginal Land Council](#)) or the a government department (for example in NSW the [Aboriginal Heritage Office](#)) and have the area investigated.

**Fact:** New South Wales is the only state or territory that hasn’t enacted separate legislation for the protection of our precious culture and heritage. [60]

## Rock art threatened by development.



*This photo was taken in February 2005 when a road still covered parts of the Aboriginal rock art. The main piece is within the white fence. Five years later the road had been closed and partly removed to conserve the site.*



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## Ranger uranium mine in Kakadu National Park



Source: Wikimedia Commons

## Threat: Resources industry

### Mining interests collide with Aboriginal land interests

ever since Australia's rich resources were discovered. Many political decisions were not driven by the best interests for Aboriginal people but by revenue generated by Australia's resource industry.

Development pressure by the resources industry for many remaining wilderness areas is "extensive and imminent" [48] and it appears that the industry often uses "stand-over and divisive tactics" to pressure Aboriginal groups into entering deals [67] rather than consulting with them properly.

**Fact:** A 1977 act of Parliament allowed mining to go ahead on lands of the Mirarr people (north-western Northern Territory) without their express consent – despite the same act giving a right of veto to most of the nation's other Aboriginal groups. [65]

### Mining delivers – environmental disasters

Jillian Marsh is a member of the Australian Nuclear Free Alliance (ANFA) Committee and a custodian of the Adnyamathanha people of the Flinders Ranges in South Australia.

She says that "extensive case study research and the concerns raised by Aboriginal people at the grass-roots level shows that **mining agreements have not improved life for Aboriginal people**, and uranium mines mean more problems."

"It is cynical for the uranium industry to act as if it can deliver for Aboriginal people. The main lasting effect of uranium mining for Aboriginal people is radioactive waste on their country, and no resources to clean up the mess left by miners" [7].

Toro Energy's Wiluna project, which was given the go-ahead in April 2013, projected to store 9.1 million cubic metres of radioactive mine waste in a lake bed [56].

In December 2013, a leach tank burst at the Ranger uranium mine, located in the Kakadu National Park in the Northern Territory, spilling 1 million litres of highly acidic uranium slurry that engulfed the mine and breached containment lines [61], a spill considered "one of the worst uranium disasters in Australian history" [62].

Ranger has experienced more than 200 spills, leaks and breaches since opening in 1979 [61].

Communities surrounding nuclear mines and bombs sites have noticed cancer clusters, increased health problems such as diabetes, kidney failure and ill health [32].

High levels of the lethal crocidolite asbestos from asbestos dust exposure in the mine in Wittenoon, 1,100 kilometres north-north-east of Perth, WA, affects Aboriginal people in both their homes and on sacred sites, causing mesothelioma. [66]

*'My sisters told me our father died of a heartbreak of the land, because of the mines.'*

Kathy Balngayngu Marika, Aboriginal elder and dancer [35]

*'There has never been a successful uranium mine in Australia. Each one has had its accidents, its spills, its leaks and its failed rehabilitation.'*

Mia Pepper, anti-nuclear campaign coordinator, Conservation Council of WA [56]

*'You cannot expect corporations to be what they are not. They are legally mandated to maximise profit. Ultimately they are amoral entities.'*

David Ritter, lawyer-turned activist [43]

## Wittenoon



The abandoned asbestos mining township of Wittenoon in Western Australia. Source: Wikimedia Commons

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## The fight against mining companies

Watch the plea of traditional owner Auntie Beve against New Zealand-based sand mining company Rocla's plan to build a mine on a sacred Aboriginal Women's Fertility Rites songline and teaching place, in Calga on the Central Coast NSW.

[https://www.youtube.com/watch?v=\\_O8cS8EVWEg](https://www.youtube.com/watch?v=_O8cS8EVWEg)

Watch how the Wangan and Jagalingou people vow to fight for their Dreaming, against mining giant Adani and the Queensland parliament which endorses the mining project.

<https://youtu.be/cdts26tQEIM>

### Wind change

*The wind blew in a different direction,  
The Keeper of Culture's Connection to country  
blown away by a legal overlay.  
Whose song is singing, whose law is reigning?  
Walmadan, the Maban man must be wailing  
in his grave, his waterhole will turn pindan  
Blood red, when 'Mother Earth' is slain  
by the industrial machines' smashing, crushing  
clutches, and the sand dunes, the dark rocks jutting  
by the shore, the blue waves that roll in the sea,  
the frolicking and birthing marine dwellers  
- humpback whales, turtles and dugongs  
will sing no more... the locals will fish here  
no more, and their incredibly beautiful  
ancient culture will be traded  
for a moment's illusory dream of progress.'*

Poem by Deborah Wall [29].



Advertisement by the Queensland government in 1963 praising the state's vast natural resources and inviting businesses to share it. Unfortunately it forgot to mention who owned these resources in the first place [55]

## No more threats after 2100?

Maybe, around the year 2100, the threat to Aboriginal land by the resources industry has become obsolete.

Mineral resources are not endless. Australia's gold and zinc deposits are estimated to be exhausted around 2044, followed by LNG (gas) in 2072, iron and steel in 2082 and black coal, aluminium and copper around 2100 [44]. Only nickel and uranium last another 27 years beyond that.

Will Aboriginal people get back their lands? If so, in what state?

**Further reading:** Read how [mining activities threaten the oldest gallery of Aboriginal rock engravings](#) on the Burrup Peninsula in Western Australia.

## Threat: Political arbitrariness

If politicians have to decide between money and culture, in most cases, money wins.

In the 1970s, with an impending visit of a Japanese Prime Minister hungry for resources, Gough Whitlam's Labor government rushed to secure a site which would become the Ranger Mine.

Despite opposition of the traditional owners to the mining of uranium on that site, in a landmark environmental inquiry into Ranger in 1976, Justice Russell Fox noted that "we form the conclusion that their opposition should not be allowed to prevail", acknowledging at the same time that "the arrival of large numbers of white people... will potentially be very damaging to the welfare and interests of the Aboriginal people there" [63].

Based on his recommendations an Aboriginal veto on mining at the site was expressly disallowed.

In another case, when it took too long for an agreement to be reached between Western Australia, developer Woodside and the Kimberley Land Council, Western Australia's premier simply announced that his **government would compulsorily acquire the land** where a \$30 billion liquefied natural gas site had been proposed [18].

This decision is significant because acquisition powers are usually reserved for acquiring interests in land for a public purpose.

Traditional owners were "furious, absolutely mad angry" about the decision which for them confirmed "that every time you move forward and put your hand on someone's shoulder for a bit of support, they turn around and bite it" [19].



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In 2009, after a successful court challenge by traditional owners to environmental approvals given under the Coalition government of John Howard, Xstrata CEO Mick Davis threatened to close the mine and sack its 300 workers on Australia Day if the present Liberal government under Kevin Rudd did not intervene to validate the project.

Then Greens environment minister Peter Garrett swiftly complied... [42].

In 2014, Crown Lands Minister Kevin Humphries, without any consultation with Aboriginal Land Councils, introduced the Crown Lands Amendment (Public Ownership of Beaches and Coastal Lands) Bill 2014. Its aim: extinguish Aboriginal land claims over the state's beaches and coastline [64].

After a rally and protests by land councils Humphries withdrew the bill two weeks later.

The government's justification for the bill: "The Government remains firmly committed to the notion that the State's beaches belongs to every resident of NSW and should not be privatised." [64]

They clearly haven't talked to Aboriginal people who would not unilaterally shut down beaches. The government's line of argumentation reminds of patronising comments to the [Blue Mud Bay High Court decision](#) of 2008.

*'They are planning to drill a tunnel right through [spiritual creator] Virdnimuru's head.'*

Dr Jillian Marsh, about a proposed expansion of the Beverley uranium mine in South Australia [24]

*'I strongly encourage the South Australian Government to act quickly... to introduce appropriate procedural rigour for the benefit of investors.'*

Patrick Elliott, chairman, Argonaut Resources, in response to a court win for Aboriginal people [39]

*'We are not anti-development, just anti-unethical development.'*

Anne Poelina, traditional owner, Nyikina Mangala people [48]

Environmental impact rules may still allow for the destruction of sites of cultural significance to Aboriginal people, concludes Dr Jillian Marsh in a research study into negotiations between a mining company and representatives of an Aboriginal community [24].

According to Dr Marsh, some negotiations between miners and Aboriginal communities are "tokenistic" and carried out in an atmosphere of fear, suspicion, bullying and compulsion. Sometimes community members are forcibly removed from public meetings.

"My research suggests that Aboriginal communities are not opposed to mining or development – but they are opposed to the destruction of their culture, their land, their sites, and to the bullying that goes on around mineral exploration and mining," Dr Marsh said [24].

The Ranger uranium mine in the Kakadu National Park, Northern Territory, leaked about 100,000 litres of contaminated water a day for 30 years from its tailings dam—but an 18-month review completed in 2010 failed to find where the water had gone [26]. Heavy rains during the wet season can be dangerous when dams are at capacity. The Ranger mine has had more than 150 leaks, spills and mishaps since it opened despite opposition from Kakadu's traditional owners in 1981 [26]. Mining companies are unlikely to abandon their leases with some estimated to contain uranium worth more than \$18 billion [26].

Aboriginal people feel disempowered by the complex processes, legal talk and are often forced to accept. Along with the economic loss of access to their land and traditional food sources goes the spiritual loss of their connection to country.

The following video was recorded during a supposed 'native title' meeting between representatives of mining company Fortescue Metals Group (FMG) and members of the Yindjibarndi Aboriginal people about the company's Solomon Hub project.

The video is an example of the above mentioned bullying of traditional owners into a land use 'agreement'. Pay attention to the audience and how much they might understand of what is being said.

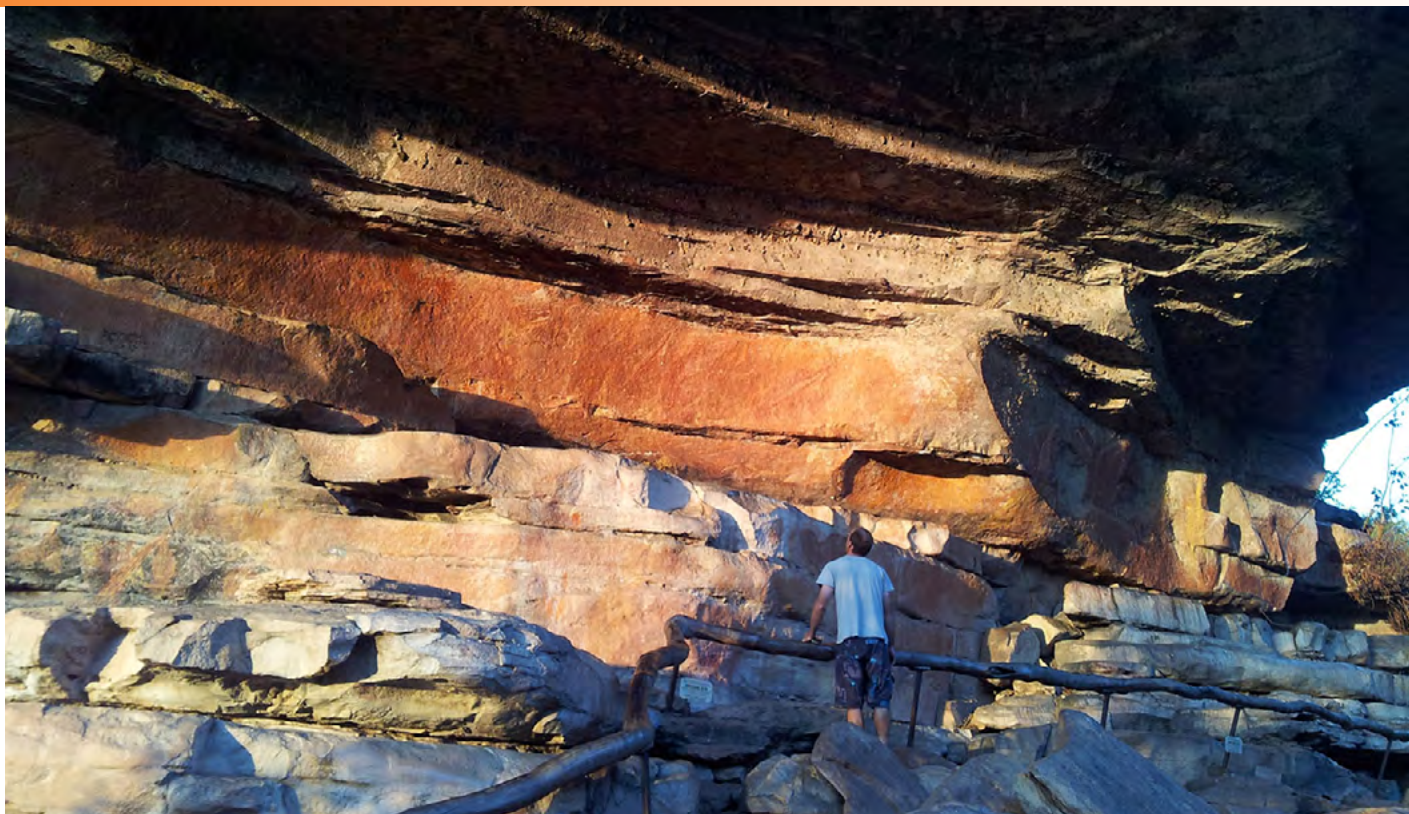
[https://youtu.be/6w\\_fB7e0WCY](https://youtu.be/6w_fB7e0WCY)

*'Cultural sites are protected in Queensland, there's a \$750,000 fine for destroying them knowingly. I know of cases where companies were happy to pay the fine and continue with their mining efforts.'*

Michael Strong, archaeology consultant [23]



Kakadu National Park – uranium mining Controlled Area



Ubirr rock art site, Kakadu, Australia. Source: Wikimedia Commons

## Threat: Cremated remains

Believe it or not, but cremated remains are threatening to confuse carbon dating of archaeological sites and rock art.

People have started to deposit the cremated remains of their loved ones at popular sites, such as Uluru in Australia's Northern Territory. But these confuse archaeologists trying to carbon-date Aboriginal rock art.

"Only this year we've seen three different spots [at Uluru] in the last three months," says Mick Starkey, an Anangu man and ranger for Uluru National Park [46]. "It's going to whack all the dating out."

## Threat: Litter

Litter is becoming an increasing problem not only for Aboriginal land. An average of 75 items of litter can now be found on any square 1,000 metres in New South Wales [20].

Cigarettes make up the majority (46 per cent), followed by paper (16%) and plastic items (6%). Car parks are among the worst places for litter.

## Threat: Weeds

Introduced weeds that spread over Australia are another threat to Aboriginal land. Once weeds take over the native flora is pushed back and eventually vanishes. This impacts the traditional ways Aboriginal people live and damages their culture.

The Noxious Weeds List listed 478 weeds in June 2010 [14]. About 65% of the weed problems in Australia come from gardens or parks [52].

*'If these weeds come to our country we are afraid we will lose our way of life, culture and health of our people.'*

Yirrkalá rangers, Northern Territory [13]

## Footnotes

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