

Frank Shadforth
Seven Emu Station
PO Box 412
Borroloola NT 0854

The Honourable John Mansfield AM QC
Aboriginal Land Commissioner
Office of the Aboriginal Land Commissioner
GPO Box 9932
Darwin NT 0801

Dear Sir

Garrwa (Wearyan and Robinson Rivers Beds and Banks) Land Claim Number 178
Manangoora Region Land Claim Number 185
Seven Emu Region Land Claim Number 186
Wollogorang Area II Land Claim Number 187

In response to your invitation to provide comment on the detriment issues identified in the reports for the above Land Claims I wish to say as follows.

In report 64 to Land Claim 178 the report states:

60. It is clear from the comments which follow that each of the Mawson and Shadforth families could suffer detriment in the event of a grant of title to the claimed land unless, satisfactory and binding arrangements are put in place to guarantee their continued access to the sections of the rivers under claim for the purpose of obtaining water for domestic purposes and for stock and for

fishing and other legitimate purposes in accordance with their current practices.

Then in the Summary of Findings, Recommendations and Comments the report says:

66. In the event that the present claim should result in the granting of title to the claimed sections of the Robinson River, with the result that without the consent of the traditional owners (or the NLC) access to the river from the Seven Emu side would be prohibited, it is likely that the proprietors of Seven Emu would suffer detriment in that they would be prevented from exercising their present legal right of access to the river for the purposes specified in the Water Act. Their capacity to derive further income from charging tourists for the right to camp on the pastoral lease for the purpose of fishing in the river would also be affected. It is not possible to quantify in dollar terms the extent of the detriment that would be sustained, but given that the claimed section of the Robinson River is a relatively small part of Seven Emu's extensive river boundary the degree of detriment could be regarded as minor.

In Report 66 to Land Claims number 185,186 & 187 the report states:

104. If suitable arrangements cannot be made with the traditional owners for the continuation of current access rights to the claim area, it is reasonable to conclude that any loss or restriction of access that may result from a grant of title to the areas under claim would have the potential to impact negatively on the commercial viability of the adjoining pastoral properties. Experience in previous claims suggests that suitable arrangements are likely to be agreed between the traditional owners and the pastoralists.

Then in the Summary of Findings, Recommendations and Comments the report states:

125 (g) Any loss or restriction of access to the claimed land that may result from a grant of title would have the potential to impact negatively upon the operations of Seven Emu, Wollgorang, Greenbank and Pungalina Stations and on recreation and commercial fishing in the area unless suitable arrangements are made with the traditional owners for the continued use of the land according to current practices.

I agree with the comments and findings set out above and I ask that they be taken into account when reviewing the detriment issues.

All water for domestic purposes on the station is still pumped from the Robinson River to the Seven Emu Station homestead. The only bore at the homestead failed many years ago.

At present my business activities on Seven Emu Station consist of:

Cattle

Tourism

Bush Tucker harvesting (for sale)

Ti Tree Paper Bark harvesting (for sale)

All of these business activities are operated by Shadforth family members only.

The coastal boundary of the station, the south eastern bank of the Robinson River (my north western boundary) are both used for all of these activities.

In particular, the south eastern bank of the Robinson River is the principal source of water for my cattle. There is only one bore on the station. Without access to the river I would need at least another two bores on the station to provide water for my herd. I anticipate that the cost of sinking two bores would be at least \$150,000, an amount so high that I would never be able to afford to sink them and therefore critically rely on access to the Robinson River for the viability of my station cattle graze.

Cattle graze and naturally water along the south eastern bank of the Robinson River and to the coast- my north eastern boundary.

Harvesting Bush Tucker principally includes collecting and selling bush plums and ink berries. Ink berries mainly occur along waterways including the Robinson River and the Calvert River. In the dryer time of the year the rivers are the only waterways.

Paper Bark is cut from Ti Trees along the waterways on Seven Emu, mainly the Robinson River, and sold into southern markets for uses including "indigenous" table mats in restaurants.

Tourism is principally focused on the south eastern bank of the Robinson River from the Seven Emu Station homestead to the coast. It consists of permitting tourists to camp and fish for a fee in these areas. We also conduct tours along the Robinson River and the coastal area.

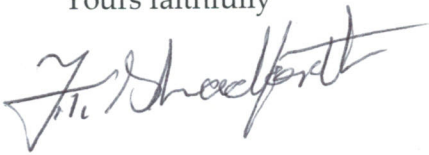
I have a good relationship with the claimants and local aboriginal communities. Many of them are family members, others are friends and neighbours.

I propose to extend all of my business activities to the north-western bank of the Calvert River (my south eastern boundary) in the future- but subject to agreement with my current sublessee, the Australian Wildlife Conservancy.

It is requested that your report contain recommendations that the traditional owners and/or the NLC grant a licence to me and my successors in title at no cost in order to carry on these and any other lawful activities on the station .

It is my understanding that the NLC is presently considering this process and I propose to request that they agree to grant me a licence in the event that title is granted to the traditional owners.

Yours faithfully

A handwritten signature in black ink, appearing to read "J. Sheel". The signature is written in a cursive style with a large initial "J" and a long horizontal stroke extending to the right.