

Media Release, 18 June 2009

Ngarrindjeri pain and loss: Construction of Regulators at Clayton, Finniss and Currency will damage, disturb and interfere with our lands, waters and sky

Through their representative bodies, the Ngarrindjeri Tendi Inc, Ngarrindjeri Heritage Committee Inc, and Ngarrindjeri Native Title Management Committee, the Ngarrindjeri people state that the construction of the regulators at Clayton Bay and across the Finniss River and Currency Creek will result in the damage, disturbance and interference with their lands, waters and sky.

“We will suffer pain and loss as a result of the actions of the State in proceeding with construction of these regulators,” said Tom Trevorrow, Chair of the Ngarrindjeri Heritage Committee Inc. “In January 2009, we said that we did not support a weir at Clayton and that we supported an holistic approach to the problems occurring in the River, Lower Lakes and Coorong due to over allocation of water. That is still our position, but now there are three regulators that will cut up our country and waters.”

In January the Ngarrindjeri stated: “Our opposition is not driven by the Hindmarsh Island Bridge issue. Although that issue continues to cause pain in the Ngarrindjeri community, the approach by Ngarrindjeri for the last decade has been to consult and negotiate with governments, councils and developers in relation to their proposals, not to seek to litigate matters.”

In a Kungun Ngarrindjeri Yunnan Agreement (Listen to Ngarrindjeri Speaking) entered into by the Ngarrindjeri and the State, the State has acknowledged the Ngarrindjeri will suffer pain and loss but considers that, on the basis of consistent expert advice it has received, the regulators must be built to prevent an environmental disaster in the Goolwa Channel and Tributaries.

In the agreement the State asserts that the purpose of the regulators is to manage the risk of acidification in the Goolwa Channel and Tributaries by establishing a re-wetting regime for exposed acid sulfate soils/sediments and that the justification for the actions is based upon a full and competent scientific assessment of the problem of acid sulfate soils/sediments existing in the relevant area and that the construction of the regulators is an appropriate and proportionate response to the identified problems.

The State is committed to remove the regulators as soon as is reasonably possible after the need for them passes and warrants that the regulators are a temporary measure. Under no circumstances does the State consider that the regulators are permanent. The State is prepared to create an independent panel of experts for the purpose of determining at what point in time the regulators being constructed will be removed.

Ngarrindjeri assert that the State has not adequately justified the basis for construction of a regulator at Clayton and regulators upon the Finniss River and Currency Creek.

The State has agreed it will minimise damage disturbance and interference of the relevant area by constructing regulators with an earthen core and that it shall use its reasonable endeavors to access freshwater from the River Murray to stabilise and enhance the environment in the Lower Lakes system.

“As traditional owners, we have an inherited sacred responsibility to care for the country,” said Tom Trevorrow. “Our teaching is that all things are connected. The objective in undertaking activities upon Ngarrindjeri country should be to not cause violence to Ngarrindjeri culture.”

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