



# KIMBERLEY LAND COUNCIL

getting country back caring for country securing the future

# NEWSLETTER

NO 1, 2013

PO BOX 2145 BROOME WA 6725 Ph: (08) 9194 0100 Fax: (08) 9193 6279 [www.klc.org.au](http://www.klc.org.au)



## Bunuba people get native title rights

The Federal Court recognised the native title rights and interests of the Bunuba people on December 12 at a special on-country sitting at Geikie Gorge (Danggu).

The Bunuba people have been waiting more than 13 years for native title across their country which includes the home of Jandamarra - a fierce Aboriginal warrior who led the resistance against the European takeover.

Justice Gilmour handed down the consent determination, granting the Bunuba people land rights across more than 6,000 square Kilometres of country in the Fitzroy Valley.

# Looking Back @ the KLC



## Five years ago: 2008

In 2008, the Kimberley Ranger Program started to flourish with eight groups coming on board to look after country.

The groups included the Bardi Jawi, Paruku IPA, Karajarri, Walmajarri, Nyikina Mangala, Uunguu and Minyirr rangers.

The Federal Government also started to fund some of the groups through its Caring for Country program which provides rangers with formal qualifications in Conservation and Land Management as well as hands-on experience.

The land area of the Kimberley is 420, 798 square kilometres and is home to some of

Australia's biodiversity hot spots.

The work Kimberley Rangers do is very important in maintaining and enhancing country. The program is underpinned by the cultural values of the Kimberley and each ranger group is supported by a cultural advisory committee of senior community leaders.

Today, the KLC facilitates 14 ranger groups across the Kimberley, employing about 80 Indigenous men and women. The Kimberley Ranger Program also annually employs more than 200 elders and casual rangers to assist in part-time caring for country ranger work.



## Ten years ago: 2003

At the start of 2003, the KLC was fighting five native title claims through the litigation process. These claims included Rubibi, Bardi Jawi, Wanjina Wunggurr Wilinggin, Miriuwung Gajerrong and Karajarri.

KLC CEO Wayne Bergmann criticised the State Government's approach to native title saying it was seriously hindering the process through proposing unrealistic and inadequate offers for settlement.

"This is of great concern. Claims are

unnecessarily pursued to the end in court, at a great and unnecessary expense in time and resources," he said.

"It's time for shift in policy and approach from the State Government."

Today, the KLC is still facing the same issues and is currently preparing the Nyikina Mangala claim for trial after negotiations with the State Government for a consent determination have reached a stalemate.

The Federal Court will hold an on-country hearing in July this year, to hear Traditional Owner evidence in relation to the Nyikina Mangala native title claim.



## *message from the* **Chairman**

This year is shaping up to be a very busy year at the KLC.

We are hopeful of securing positive native title determinations for the Gooniyandi and Balanggarra claims in the near future. These groups, like most in the Kimberley have been waiting a long time for their native title rights and interests.

We also recently had the Bunuba native title determination at a special on-country hearing at Geikie Gorge and we also secured successful determinations for the Uunguu B and Ngurrara B claims late last year.

The KLC has and continues to work hard to secure native title for all Kimberley mob.

The KLC was formed out of the land rights battle at Noonkanbah and it was started because it had strong people behind it. Today, we have all of you behind our organisation representing your own mob but working for the benefit of all Kimberley Aboriginal people.

Because of the strong people behind our organisation we have been able to secure good, strong native title outcomes. We have had to fight many battles and have gone to court many times to prove what we have always known – that we are the Traditional Owners of our country.

In July this year, we will be heading to court again for the Nyikina Mangala claim. We are constantly battling the State Government and third parties for our native title rights, but despite the hard struggle to get native title, we have always done well.

Many native title claims should have been determined years ago, but we have plugged away and secured positive determinations. The KLC has been very successful at getting native title for our people.

This year is also going to be a very big year for our Kimberley Ranger Program as we work to create an International Ranger Network in partnership with the Federal Government. The KLC has been working on this initiative for some time and last year we were involved in several trips overseas to share our knowledge and network with other land management groups.

We hope to continue to expand this network through fostering new partnerships with other Indigenous groups across the globe.

At the annual KLC AGM held in September 2012, our members elected a new Board to lead the direction of the KLC for the next two years.

We have many new and returning directors, with a great cross section of skills and knowledge. Our first board meeting was held in Fitzroy Crossing in December last year and included governance training and an induction program.

Our future is in good hands.

**FRANK DAVEY**



# Board of Directors



Co-Chair Tom Birch  
Balangarra



Co-Chair Frank Davey  
Bardi Jawi



KLC CEO Nolan Hunter  
Bardi Jawi



Albert Cox  
Nimanburru



Anthony Watson  
Nyikina Mangala



Bonnie Edwards  
Jaru



Francis Djiagween  
Yawuru



Frankie McCarthy  
Ngurrara



Special Adviser  
Irene Davey  
Bardi Jawi



Janella Isaac  
Mayala



Special Adviser  
Joe Brown  
Ngurrara



Special Adviser  
Joe Davey  
Bardi Jawi



Special Adviser  
John Watson  
Nyikina Mangala



Josey Farrer  
Ngarrawanji



Lee Bevan  
Nyul Nyul



Lennie Hopiga  
Karajarri



Marty Stevens  
Yurriyngem Taam



Mary Tarran  
Goolarabooloo  
Jabirr Jabirr



Merle Carter  
Miriwung Gajerrong



Mervyn Street  
Gooniyandi



Patsy Bedford  
Bunuba



Pearl Gordon  
Purnululu



Percy Bulgardie  
Noonkanbah



Robin Dann  
Wilimgin



Serena Samuel  
Tjurabalan



Shirley Purdie  
Marlarrowgem



Tom Lawford  
Kurungal



Wayne Bergmann  
Nyikina Mangala



Yvonne Birrell  
Koonjie-Elvire

# Board update



## **Congratulations to all our new and returning board members**

KLC Chairman Frank Davey, KLC Deputy Chairman Tom Birch, Shirley Purdie, Marty Stevens, Serena Samuel, Frankie McCarthy, Tom Lawford, Patsy Bedford, Percy Bulgardie, Francis Djiagween, Janella Issac & Robin Dann

## **Working**together

### **Some words from the December board meeting**

The KLC Board for 2012-2014 held its first meeting in December. The meeting started with a board induction and governance training to inform directors about their responsibilities as well as about the KLC, its vision, mission and values.

The Directors spoke about how they were proud to represent the KLC, as it was a strong organisation with a lot of history. They said many other groups across Australia did not have an organisation, like the KLC to support them and as a result they were just living, not creating better futures.

KLC Special adviser Johnny Watson said the KLC was an important organisation for Kimberley mob but he was concerned when people talked bad about the KLC.

"KLC started very poor with no money. Looking for money everywhere, it battled on. People used to come in trucks on dusty roads to meetings out in the bush," he said.

"I like everyone to be on board and it worries me, people saying they want to cut our legs off. Some people are just coming out of the wood work wanting to undermine the KLC and KRED.

"Some of us have been in this battle a long, long time. It's important for people to work together. I'm the oldest here – the longest man in the KLC now too. We all got to work together for the benefit of our young people coming up. We got to support one another no matter what language."

KLC Chairman Frank Davey said it was an important role of Directors to inform their communities about what the KLC does, as criticism often came from people that were not aware of the work we do.

"It hurts when people talk bad about the KLC because we are the KLC, the Directors and our members," he said

"The old people wanted a voice; a Kimberley voice – that is why we are here. We've been hearing out there how good we have been working – and we want that message to be fed back to the people and we can do that by keeping our communities informed."



# Bunuba people get native title rights



The Federal Court today recognised the native title rights and interests of the Bunuba people across the Fitzroy River Valley in the Kimberley after a 13-year battle.

Justice Gilmour handed down the consent determination at a special on-country sitting at Geikie Gorge (Danggu), granting the Bunuba people land rights across 6,258 square kilometres of country.

The Bunuba people have been waiting more than 13 years to be recognised as the rightful owners of their traditional country which includes the Leopold Downs pastoral lease, the Fairfield pastoral lease, portions of other pastoral leases and small areas of reserve land and unallocated crown land.

The Kimberley Land Council negotiated native title on behalf of the Bunuba people. The majority of the determination area is exclusive possession, with some smaller non-exclusive areas across pastoral leases and reserves.

The Bunuba people are hopeful that a second native title claim, Part B, – which may include the

renowned Windjana Gorge National Park and Tunnel Creek, the home of Aboriginal warrior Jandamarra, will be determined in the near future.

Bunuba Traditional Owner June Oscar said she had mixed emotions of happiness and sorrow about today's native title determination.

"Today is about honouring the fight of our elders past and present who initiated this native title claim on behalf of all Bunuba people. We have been waiting 13 years for our rights and it is with sadness that some of our early leaders cannot be here with us today to see the fruition of their hard work," she said.

"Native title is extremely symbolic for our people because we are one of the few groups that fought a war for our country through Jandamarra and the Bunuba resistance to the takeover of our country. We now have our country back.

"This consent determination confirms in Australian Law what we have always known: that Bunuba country has been and always will be our country."





Ms Oscar said native title was about more than recognition; it was about creating opportunities for future generations.

“This is about creating real opportunities and a future based on the strength that comes with ownership of country. When you are an owner, you have rights and when you have rights – you are seen in a different light.

“With the recognition of our rights and interests we will be able to negotiate opportunities to assist us in our endeavours to create strong communities and economic business enterprises that utilise our country and resources.”

Kimberley Land Council CEO Nolan Hunter congratulated the Bunuba people on their native title determination.

“This should be a very proud and special day for you all. Getting native title rights is a long and arduous process but your determination and perseverance has paid off,” he said.

“You are recognised as the rightful owners of your traditional lands, highlighting the strong and on-going connection you have to your country, culture, language, law, story and dance.”

The Uunguu B, Ngurrara B and Yawinya native title claims were also determined in 2012, while the KLC remains hopeful of positive determinations for the Balanggarra and Goonyandi claims in the near future.

The KLC wishes to solve all native title claims in the Kimberley by consent, however the Nyikina Mangala claim is being prepared for trial after negotiations with the State Government for a consent determination have reached a stalemate.

The Nyikina Mangala people have been waiting more than 12 years for their native title rights. A Federal Court on-country trial will begin in July this year to hear Traditional Owner evidence.



# Ranger activities

## Suicide Awareness

The Kimberley has one of the highest suicide rates in Australia and it is becoming an epidemic in our communities. Suicide has a ripple effect. It does not just impact on one person, but affects families and entire Aboriginal communities.

As a result, all Kimberley Rangers participated in the Alive and Kicking Goals Suicide Prevention Program, an initiative of the Broome All Saints Football Club.

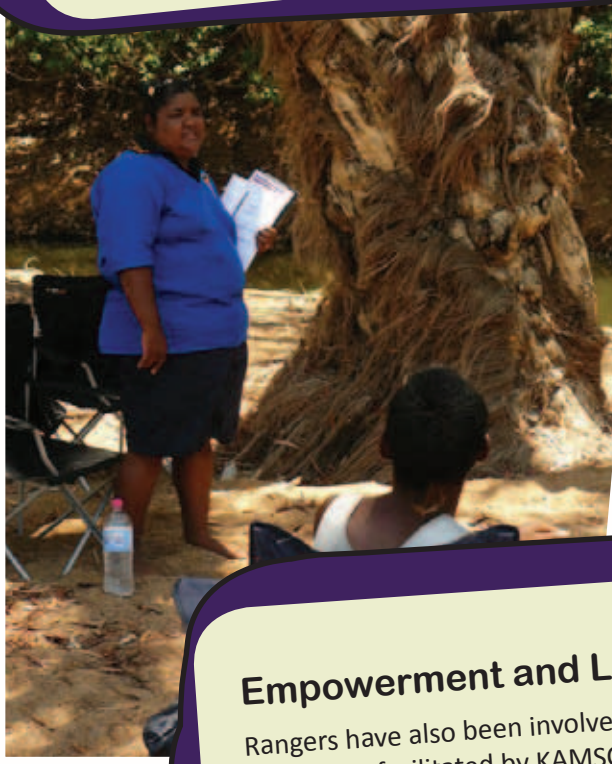
During the program rangers watched an educational DVD that discussed suicide prevention while promoting positive lifestyle choices and inspiring young people about their future.

Wunggurr Head Ranger Robin Dann said many of the rangers in his team had lost family members to suicide and as a result they were being proactive in preventing it in their community.

"We've all encountered suicide in our community. I have young family members that have to be closely monitored and we have lost many young people to suicide," he said.

"It has taught us to learn how to speak out about it, to look for signs of depression and ways to assist people that may be suffering from depression.

"Because of my experiences, I want to help by taking young people out bush to help them reconnect with their country and culture and to give them some time out."



## Empowerment and Leadership

Rangers have also been involved in the Kimberley Empowerment, Healing and Leadership Program, which was facilitated by KAMSC and delivered by Divina D'Anna and Cheryl Dunkley.

The program discussed stress management, setting boundaries, positive thinking and setting and achieving goals.

One of the key feedback messages from rangers was that in order to look after others, such as family members and their community, they needed to look after themselves first, to ensure they were able to help others over the long term.

As a result of the program each Kimberley ranger group will develop their own code of conduct.



## Ranger Graduation

The annual Kimberley Ranger Program Graduation was held at the KLC AGM at Gambanan in September 2012. We would like to congratulate the following rangers on completing TAFE qualifications in Certificates 2 and 3 in Conservation and Land Management:

Phillip McCarthy (Certificate 2 and 3), Chris Sampi (Certificate 3), Brendan Smith (Certificate 2), Kenneth Callaghan (Certificate 2), Patrick Kitchener (Certificate 3), Julie Bangu (Certificate 3), Frank Bellou (Certificate 2), Kevin Hopiga (Certificate 2), Lloyd Nulgit (Certificate 3), Ashton Nandoo (Certificate 3), Robin Dann (Certificate 3), Donald Lee Carlton (Certificate 2), Roy Benning (Certificate 2) and Jamie Brown (Certificate 3).



## First-Aid Training

Two intensive Remote Area 1st Aid courses were held with rangers on country at Gibb River Station and Fitzroy Crossing in October and November 2012. The Unguu, Wunggurr, Balanggarra, Gooniyandi and Ngurrara groups and the Fitzroy Crossing women's ranger groups all participated in the course which applied practical examples to first aid in a remote outdoor setting.

The course was held-on country to imitate real-life scenarios and used a hand-on approach to learning. Scenarios were also tailored to specific ranger situations and participants were taught how to transform a swag into a stretcher with a few sticks and whatever other tools they could find in a troopy. And of course it was fun, with lots of fake blood involved.





# Animal Cruelty





# discovered on Fitzroy River

Slaughtered crocodiles, a speared goanna and dead sawfish were some of the appalling acts of animal cruelty the Nyikina Mangala rangers have discovered along the Fitzroy River.

The KLC's Indigenous ranger group made the grim discovery while on a field trip to research tagged sawfish with Murdoch University scientists last week as part of its Freshwater Fish Group.

Nyikina Mangala ranger coordinator Terry Marshall said it was horrifying to find the slaughtered animals and atrocious that a person was capable of doing such cruel acts to an animal.

"While looking for a lost sawfish receiver, we found a large goanna that had a hunting arrow shot through its neck," he said.

"One of our rangers jumped out of the dinghy and into the crocodile infested waters of the Fitzroy River to catch the goanna and remove the arrow from its neck before releasing it.

"There is no need for this sickening act of animal cruelty. Why would someone do this?"

Mr Marshall said the group also found slaughtered crocodiles and dead sawfish in a bin, which were an endangered species, along with a host of other unnecessary and inhumane acts of animal cruelty.

"What we found is inexcusable, shocking and disgusting. It is really distressing to us to see these

things, especially when they were done for no reason," he said.

"People need to have more respect for our environment and the animals that live within it."

The Nyikina Mangala rangers, facilitated by the Kimberley Land Council, regularly patrol the Fitzroy River and have been involved in a sawfish tagging project since 2003. The project is funded by the State Government's NRM program and is aimed at monitoring and researching the endangered dwarf and freshwater sawfish species.

Mr Marshall said the group's research had shown that the sawfish populations along the Fitzroy River are extremely healthy.

"During the field trip we also found two tagged sawfish that had travelled more than 100km since the last wet season. It is great to see that these endangered animals are flourishing in the Fitzroy River, which is one of the last places to find healthy populations of this species," he said.

The Kimberley Ranger Program is supported by the Federal Government's Caring for Country initiative.

To report a tagged sawfish, follow the Team Sawfish link at [www.freshwaterfishgroup.com](http://www.freshwaterfishgroup.com) or contact David Morgan at Murdoch University on (08) 9360 2813.





# NHL framework to protect

Kimberley Aboriginal people are working to create a National Heritage Listing management framework to protect, maintain and enhance the important cultural, environmental and traditional Indigenous values of the region.

The Kimberley received National Heritage Listing in August 2011 for its outstanding Indigenous cultural values to the nation.

It is the largest area in Australia to have been protected through National Heritage Listing, cementing the region as a strong and significant Aboriginal place.

To further protect the Indigenous cultural values of the Kimberley, the senior leadership group that led the National Heritage Listing Consultations have re-formed to create a Legal Policy and Indigenous Values management framework.

The vision is to create a database to hold all the stories and traditional ecological knowledge that has been captured as part of the National Heritage Listing Process, so it can be passed down to, and shared with future generations. Some information on the database would be available to the public,







# Indigenous values

while other information will be restricted as directed by the senior leadership group.

The second part would be to create a National Heritage Listing Management Framework that pulls together already existing work from developing Healthy Country Plans with Traditional Owner communities and investigates in more detail areas without current Plans of Management.

National Heritage Listing leadership group member Irene Davey said it was important to ensure the stories that connect all Kimberley people together remain protected.

“We don’t want to lose our cultural values; we want to make sure they are there for future generations. Having a database will help ensure our stories are available. We want to leave a legacy behind, and we want to look after our places,” she said.

“We also want to create a management framework because we want to call the shots on how we protect and look after our cultural heritage. These are our stories and it is up to us mob to look after them in our way.”



# From the Kimberley

## Daniel Oades and Phillip McCarthy take the ranger story overseas

Kimberley land and sea managers Daniel Oades and Phillip McCarthy recently travelled to Canada to promote the success of Australia's Indigenous ranger program.

The tour nine-day knowledge exchange started in Vancouver and took in the sites of Alberta, Yellowknife, Winnipeg and Ottawa and was aimed at talking to First Nations people in Canada, as well as politicians, community leaders and the public about the ranger model. The tour, which also included Damien Williams from Central Land Council, was funded by the PEW Environment Group and supported by the Federal Government's Caring for Country program.

Daniel Oades, from the KLC's land and sea management unit, said the First Nations people in Canada were impressed with the work rangers do in

the Kimberley and across Australia and were looking at using the model there to engage Indigenous people with the environment.

"Our program works so well because it is underpinned by our cultural obligation to look after the land. The ranger program is a modern extension of what Aboriginal people used to do but today they've got a uniform, they get paid and there is a lot of well-being attached to it," he said.

"We had lots of public engagements and we spoke at many Universities and forums. Everybody got to talk about their perspective about where they have come from with the rangers and what work they do on country.

"The people we spoke to found our stories to be really interesting, especially the practical examples





# to Canada

about dugong tagging and the biodiversity work rangers do.”

Bardi Jawi Head ranger Phillip McCarthy said there were many similarities between Indigenous Australians and the First Nations in Canada.

“It was really great to share stories with each other and compare how we do things and learn from each other’s experiences. Our ranger model is definitely leading the way in environment and conservation,” he said.

The cross-cultural exchanges between the two groups, Phillip said was a highlight of the tour for him.

“We had our first traditional experience with the First Nations people standing inside a tepee tent; cooking fish, playing traditional drums, listening to their songs and stories near a lake that was starting

to freeze,” he said.

“For me, it was a really culturally spiritual moment. I felt so privileged to have shared it with our hosts.”

It was the second time both Daniel and Phillip headed overseas in 2012 to promote the work of Kimberley Rangers and is in line with the KLC’s vision to create an International Ranger Network. Phillip also went to Abu Dhabi to teach local rangers how to satellite tag dugongs for research while Daniel went to Rio De Janeiro to assist the Federal Government launch its World Indigenous Network at the United Nations Rio + 20 Conference.



# International Ranger Network







Through talking with Indigenous people the world over and sharing our stories it became clear that we all face similar challenges and issues.

As Indigenous people, we hold a responsibility to manage our resources while protecting and enhancing our country, culture, heritage and law. We share a rich cultural knowledge and deep connection to our country. We also want to create a sustainable future that provides an economic base for our nations and employment and training opportunities for our youth. We can walk in two worlds.

Knowing that Kimberley Aboriginal people did not face these challenges alone was the inspiration behind the KLC's vision to create an International Knowledge Sharing Network for Indigenous Land and Sea managers. Through connecting with other Indigenous people across the globe we can share knowledge and work together to create sustainable cultural economies based on the strong foundations of land, law and language.

Kimberley Traditional Owners and the KLC have worked hard to protect our natural landscape and Indigenous cultural heritage. One of our milestones was to secure National Heritage Listing for the west Kimberley. We achieved this in August 2011 and Minister Burke travelled to the Dampier Peninsula to announce the declaration.

We wanted to show him Kimberley country, so we went camping on Sunday Island in the remote north Kimberley. While sitting on the beach, we talked about the idea of creating an International network with Indigenous people. We formed a partnership that day, with the desire to share our vision with the world. Since then the idea has grown and gathered momentum. We look forward to seeing where this journey takes us.

"We want to use the International Network as a way to create a house of ideas where we can bring together best practice examples of the ways Indigenous people across the world are looking after country while creating sustainable cultural economies."

**- KLC CEO Nolan Hunter**





# North Kimberley

## CARBON Meeting

The North Kimberley Fire Abatement project works with Wilinggin, Dambimangari, Uunguu and Balanggarra native title groups to set up a business based on burning country the right way under the Commonwealth Government's Carbon Farming Initiative.

North Kimberley ranger groups and Aboriginal Corporations held a big meeting on December 4 and 5 in Derby to plan for future burning operations and to discuss setting-up a carbon business.

KLC rangers, environmental groups, government representatives, lawyers and community development consultants travelled from Perth, Darwin and Arnhem land to participate in the event.

North Kimberley groups have been working on fire abatement projects through doing right way fire and conducting cool, late season burns which helps look after country but also reduce the amount of emissions into the atmosphere. They have also been doing vegetation mapping, fire training and management, so as to start up a carbon business in the future.

The West Arnhem Land Fire Abatement Project is a successful carbon business and some of the Warddeken Rangers who have worked on this project presented at the recent Derby meeting. They talked about a deal they have made with gas company, Conoco Philips which pays the Traditional Owners money to reduce

their carbon emissions each year by right way fire.

An Indigenous Land Corporation representative also presented on the Fish River Project, which was the first carbon business to be set-up under the Federal Government's Carbon Farming Initiative.

At the meeting, the carbon story was also discussed including the impacts of climate change, the greenhouse effect and how indigenous land managers can potentially make a business out of reducing carbon emissions from wildfires by doing right way fire.

Setting-up a carbon business can also have many other benefits including employment, looking after country, the passing on of traditional knowledge and sustainable business opportunities for communities.

The four North-Kimberley groups, in partnership with the KLC, have applied for funding to conduct burning operations for the next four years, to get legal advice and to set up a carbon business.

This funding will put North Kimberley native title groups in a strong position to make informed decisions about how they move forward with carbon and setting up a business into the future.



*fighting strong since 1978*

The Kimberley Land Council welcomes donations to support our activities – donations of \$2 or more are tax deductible. The Kimberley Land Council acknowledges the financial support provided by the Commonwealth of Australia and the Government of Western Australia.



© 2013 Kimberley Land Council. Enquiries: Community Relations Officer Lauren Pike on 9194 0106 or 0408 436 987 - January 2013