



KIMBERLEY LAND COUNCIL

getting country back caring for country securing the future

NEWSLETTER

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WARNAMIRNTI



AGM bush meeting success

The importance of land, language, law and culture was celebrated at the combined Annual General Meetings of the Kimberley's three peak Indigenous organisations.

More than 600 Aboriginal people, representing the 29 claim groups of the Kimberley, gathered at Ngumpan in the Fitzroy Valley to attend the event hosted by the Kimberley Land Council, the Kimberley Aboriginal Law and Culture Centre and the Kimberley Language Resource Centre.

The bush meeting is the largest and most important event for Kimberley Aboriginal people,



A touch of royalty

KLC Co-Chairs Tom Birch and Frank Davey travelled with CEO Nolan Hunter to Perth to meet the Queen at a State Reception Garden Party.

More than 1800 people attended the October 27 event as part of the Commonwealth Head of Government Meeting (CHOGM) that was happening in Perth.

Co-Chair Tom Birch said although he did not get to meet the Queen, it was an important event to attend.

“Very few people get the experience to come so close to the Queen and the Duke of Edinburgh, so it was a unique opportunity for the KLC to represent all Kimberley Aboriginal people,” he said.

“Although I didn’t get to meet the Queen there were a number of politicians, celebrities and business leaders that we got to speak to and inform about the Kimberley and the work the KLC is doing.”

The Queen was presented with an AFL football when she visited the Clontarf Aboriginal College and received a Message Stick when greeted by the Noongar people.



Meeting assistance

The KLC works hard to ensure that all native title claimants can attend native title meetings so they can participate in decision-making processes about their country.

The KLC has an extensive advertising and notification process to ensure Traditional Owners know about any possible meetings they can attend.

It is important for claimants to contact the KLC to keep our organisation up-to-date on your details so we can keep you informed about your claim group and any relevant meetings.

The KLC has limited resources but does offer travel

assistance to those people wishing to attend meetings.

For those people wanting to attend meetings and require travel assistance, it is essential you do so as early as possible because meeting assistance funds are limited and we cannot accommodate last minute travel arrangements.

If you need to provide the KLC with contact information, require travel assistance or want to ask a question about your native title claim please contact us on (08) 9194 0100.



message from the Chairmen

The KLC has achieved many things for Kimberley Aboriginal people this year but we have also had to fight many battles to ensure our rights as Traditional Owners are respected.

We have secured many positive outcomes.

Goolarabooloo Jabirr Jabirr Traditional Owners agreed to development of a gas precinct on their country in return for life-changing benefits and the opportunity to create a better future for their children.

In signing the historic LNG Precinct Agreement in June, Traditional Owners secured substantial benefits including jobs and training, business development opportunities and greater access to health, education and housing as well as community development, land management and regional benefits packages.

The Goolarabooloo Jabirr Jabirr people did not agree to development at any cost. They have ensured that LNG development on the Kimberley Coast is limited to a single location and have reserved the right to object to the project on environmental grounds.

The KLC also worked with the Wanjina Wunggurr Traditional Owners to help them get back their country.

The Federal Court handed down the Wanjina Wunggurr Uunguu and the Wanjina Wunggurr Dambimangari native title determinations in May this year at two on-country hearings.

Native title is important to our people and these determinations finally proved what Kimberley Aboriginal people have always known – that the Wanjina Wunggurr are the rightful owners of their traditional lands.

In a significant announcement, the Indigenous cultural values of the Kimberley were National Heritage Listed in August, cementing the region as a strong and significant Aboriginal place.

Kimberley Aboriginal people had been the driving force behind National Heritage Listing and were involved in the process for more than two years.

Never before, have Indigenous cultural values of an area been so widely included and recognised as part of National Heritage Listing. This shows the strength and determination

of Kimberley Aboriginal people to continue to practice their law and culture despite much political upheaval. We have resisted, survived and adapted.

The combined AGM's of the KLC, KALACC and the Language Centre gave our mob the opportunity to come together, re-group and refresh.

It was a significant and symbolic AGM as more than 600 Kimberley Aboriginal people turned out in force to recognise the hard work of our organisations in getting back country, looking after country and protecting and enhancing our law and language.

It showed the strength of our people to come together and work together to ensure that we have a strong voice and our rights are respected.

There have also been many battles this year as Kimberley Aboriginal people work to improve our lives and have our decision respected.

We have fought long and hard in the past for the right to make decisions but now that we have that right some people are questioning our judgement.

This attitude towards our people is deeply patronising, paternalistic and racist.

But this criticism has not dampened our spirit but worked to unite our people, as we face these challenges as one Kimberley mob.

I would like to praise the work of our members who are the backbone of our organisation. The Kimberley Land Council is an organisation of the people and has been fighting strong since 1978.

The KLC only acts on the instructions of Traditional Owners and we look forward to working with you all in the new year.

We wish you all a safe and Merry Christmas.

TOM BIRCH & FRANK DAVEY



AGM 2011 Ngumpun

The importance of land, language, law and culture was celebrated at the combined Annual General Meetings of the Kimberley's three peak Indigenous organisations.

The annual gathering hosted by the Kimberley Land Council, the Kimberley Law and Culture Centre and the Kimberley Language Resource Centre was held at Ngumpun, in the Fitzroy Valley in September.

More than 600 people representing the 29 native title claims in the Kimberley travelled to attend the week-long meeting.

KLC Co-Chair Frank Davey said the AGM's of the three organisations is the single most important

bush meeting for Kimberley Aboriginal people.

"This annual meeting is so important for our mob. It is a time for us to come together, reflect on the past and debate what our people need to do into the future," he said.

"This year was extremely significant, in that more than 600 people attended to unite together to tackle the problems that face our people and fight for self-determination.

"Our people experience disadvantage on a daily basis and we want to change this to improve the lives of our people. Sometimes that means we need to make some tough decisions.



"The mood at the AGM this year was vibrant as we all agreed to stick together as one mob, to respect each other and to support all Aboriginal people from across the Kimberley.

"It was a very powerful meeting."

Topics discussed at the Annual General Meetings included police and justice, youth suicide, native title, culture, language and the economic future of Kimberley Aboriginal people.

Labor MP Carol Martin, who was the first Indigenous woman elected to an Australian Parliament, addressed the meeting to announce her retirement after a long career.

Mr Davey said the meeting was a KALACC festival year so included nightly corroboree and dance performances.

"It was great to see so many elders at the meeting but also the many young people there learning about land, law and language. These young people will be the leaders of our community in the future. It made me proud to see them get involved," he said.

"We have a lot of work to do as Kimberley Aboriginal people and the meeting enabled our three organisations to listen to our members and continue to implement the vision they have for our mob."



Getting back country:

The KLC has been working with Traditional Owners to lodge new native title claims across unclaimed areas in the Kimberley.

Three new claims have been lodged in recent weeks with several more new native title claims to be lodged in the new year.

KLC CEO Nolan Hunter said lodging new claims across unclaimed areas and working to progress other claims forward, was in line with the strategic vision of the KLC as set by the Executive Board.

“We want to ensure that Traditional Owners are in the strongest possible position to make decisions about their country,” he said.

“Having a native title claim across country ensures Traditional Owners have the right to comment or negotiate with third parties that want to access their land.

“This is really important, which is why the KLC is

working to lodge claims across all unclaimed areas.”

In the past 18 months, the KLC lodged nine new native title claims – Warawa, Mawadjala Gadjidar, Yurriyangem Taam, Uunguu Part B, Ngurrara A Revised Determination Application, Ngurrara C, Bunuba, Jaru and Nyul Nyul.

The KLC will be continuing to implement the vision of Traditional Owners in the new year which includes finalising new claims on the Dampier Peninsula including Nimumburr, Nyul Nyul and Jabirr Jabirr.

The KLC is also the representative body for 26 active separate claims that are still in the process of getting native title.

Mr Hunter said the KLC also had six native title claims that were awaiting determination approval from the State Government.



Native title update

The WA Native Title Representative Body alliance, of which the KLC is a member, met with Premier Colin Barnett on December 8, to discuss State Government delays to the native title process.

“State Government is trying to impose another layer of conditions on native title consent determinations to ensure land access for pastoralists and miners. There is no legal basis in the Native Title Act for this demand,” Mr Hunter said.

“I call on the State Government to progress these claims forward in a timely manner. Native title is a long process as it is, without the State Government delaying these determinations any further,” he said.

“The KLC has a strong history in getting country back for Kimberley Aboriginal people and more than 65 per cent of the Kimberley is determined native title land.”

Mr Hunter said the KLC was also working to amend and progress native title claims.

“Native title law was given to us by the Government.

We have limited powers under the Native Title Act and have to operate within stringent and out-dated laws,” he said.

“Getting native title is a frustrating and long process. It comes at a great human cost to Traditional Owners. But I want our members to know that we are doing our best to progress as many native title claims forward as possible.

“This is not particularly easy in face of all the obstacles that we have to get through. We not only have to contend with the Native Title Act but limited resources, staffing and funding issues. And now the State Government is attempting to undermine the native title process by introducing land reform that is threatening native title rights and interests.”

The KLC and the Wanjinia Wunggurr Traditional Owners secured two native title victories this year, with the Wanjinia Wunggurr Unguu and the Wanjinia Wunggurr Dambimangari native title applications being determined by the Federal Court in May.



Mayala Traditional Owners celebrate Indigenous decision-making

Mayala Traditional Owners held a traditional ceremony in October to celebrate a recent deal made with Pluton Resources for construction of an iron ore mine in the north Kimberley.

The agreement was signed in June this year and provides for significant employment, training and business opportunities for Mayala Traditional Owners. The agreement ensures the project will operate to best practice environmental and cultural heritage standards.

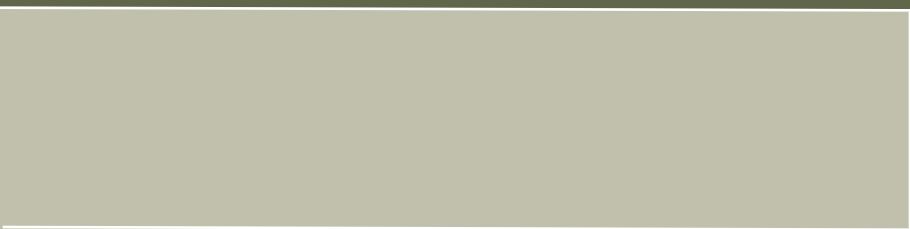
Kimberley Land Council CEO Nolan Hunter said the deal would create life changing benefits for the Mayala community and ensure their children had opportunities in the future.

“This agreement will ensure the Mayala people have an economic base from which they can create opportunities for their people; opportunities to ensure people have an education and training so they can create businesses and jobs for themselves,” he said.

“This deal highlights Indigenous decision-making at its best. The Mayala people are taking control of their own future by stepping up and doing something for themselves.

“Our people are on a path to self-determination. We have relied on Government welfare for too long and, through negotiating strong agreements like this, Kimberley Aboriginal people are showing that they are more than capable of identifying, negotiating and providing an economic future for themselves.

“The KLC has a long history of negotiating complex commercial agreements that secure significant and positive outcomes for Traditional Owners. This agreement is yet another example of this.” The agreement includes compensation and royalty payments for the Mayala community as well as equity in Pluton Resources and regional benefits for all Kimberley Aboriginal people.



Mayala Traditional Owner Phillip McCarthy said his people were supportive of the agreement because it would ensure the Mayala community would be able to grow and prosper into the future.

“This is a good agreement for our people. We had lots of discussion about it and in the end we had a very good deal that will help Mayala people and Aboriginal people across the Kimberley,” he said.

“We supported this because we want to see our children have a good education and full-time jobs. We want to set up a scholarship for the young people that want to further their education.

“Making agreements is not all about royalties but planning for the long-term through having good business planning and contracts, which is why it is so critical that we set up the right governance structures so we can continue to grow into the future.

“But, more importantly, we want our Mayala people to be happy and looked after for years to come.”



Ngurrara Rangers

The Ngurrara Rangers will monitor the impacts of climate change on country with a new weather station initiative in the Great Sandy Desert.

The KLC-facilitated rangers have been working on a range of projects that combine Indigenous knowledge of country and seasonal change with western science. This latest project has been funded by Shell as part of their social investment portfolio.

In the New Year, rangers will begin monitoring and tracking the flowering of plants and the mating habits of animals in response to seasonal

fluctuations before collecting the data and registering any changes.

The seeds of this project were sowed last year, when KLC and Miriwoong Traditional Owners, in partnership with the Bureau of Meteorology, produced a seasonal calendar in language and a website to help match up weather formations with Indigenous knowledge of the land and seasonal indicators.

Ngurrara Ranger Coordinator Peter Murray said the project was an exciting chance to monitor and minimise the impacts of climate change, using the weather station to assist in the collection of data and analysis.



lead the way in climate change

“We will be setting up the weather station from scratch with the help of Perth Scientific before our ranger group takes on the operation and management of the facility,” he said.

“We are already seeing the impacts of climate change through the variation of seasonal changes so it will be great to be able to record and monitor these changes as they happen using this weather station technology.”

KLC CEO Nolan Hunter said the Ngurrara weather station was a great example of Traditional Owner expertise being used in partnership with western science.

“Our ranger groups are noticing changes on country that can provide valuable insight into the effects of climate change,” he said.

“The weather station will allow the Ngurrara Rangers to minimise and manage the impacts of climate change on country while protecting the Kimberley’s natural assets and unique plant and animal life.”



KIMBERLEY COAST



impacted by marine debris

Indigenous Rangers have found and destroyed more than 250kg of ocean debris harmful to vulnerable marine species, during a survey trip along the north Kimberley coast.

A team of Kimberley rangers joined the Kimberley Land Council, GhostNets Australia, WWFAustralia and researchers from the Australian National University to survey the region for ocean debris, the endangered Australian snubfin dolphin, and to collect important data on the health of the Kimberley marine environment.

The group discovered about 261kg of debris at a small number of survey sites at Cape Bougainville, Cape Voltaire and the Maret Islands.

Dwayne George, a member of the KLC-facilitated Bardi Jawi ranger team, said the trip was an amazing experience that had opened his eyes to the negative impacts debris can have on marine life.

"As Kimberley rangers, we are at the frontline, and are responsible for looking after country. Doing this work is really important because we need to make sure the Kimberley coastline is protected for the future," he said.

"We need to do more of this work to make sure our beaches are clean, to protect our marine life and to look after and ensure the health of our country."

Grace Heathcote from GhostNets Australia said the results of the survey were disheartening.

"Although the Kimberley coastline is relatively clean compared to other parts of northern Australia, we still found large amounts of debris, particularly rope and buoys, plastic bottles and rubber thongs, in areas that really should be pristine," she said.

"This shows that more needs to be done to manage the influx of marine debris on to the Australian coastline before it gets here."

A large number of vulnerable marine species, including turtles, whales and Australia's rarest dolphin, the recently described snubfin, were recorded living amongst the debris. The collaborative research trip also surveyed for inshore dolphins in the Prince Regent River for the first time.

WWF-Australia Kimberley Project Manager Dr Alexander Watson said the project was a success.

"We surveyed a large portion of the coast for which we have very little information and found a significant population of Australian snubfin dolphins," he said.

"Unfortunately, one of the animals had been seriously injured. This is unacceptable and shows that without better management, rare species such as the snubfin dolphin are not even safe in these isolated areas."



Bardi Jawi Rangers

WIN *Coastal Excellence* award

The Bardi Jawi Rangers have been awarded the State's top honour in coastal excellence for their cultural awareness and tourism project.

The rangers took home the WA Coastal Award for excellence for the Bardi Jawi Cultural Experience – a cultural awareness workshop for commercial tourism operators, government departments, local industry and service providers.

Bardi Jawi head ranger Bibido McCarthy said the

project was an important tool to inform many groups working across Bardi Jawi areas about saltwater country, culture and people.

"We think it is important for tourism operators and government departments working with our people to understand our culture as it helps to break down any barriers while highlighting the outcomes we want to see happen on our country," he said.



“This project has given us the opportunity to provide knowledge to people who otherwise may not be able to access this information. We hope that with the knowledge participant’s gain, they will have a better understanding and be able to help us protect and preserve our culture and the environment. We believe this is a proactive way to manage country”.

The KLC -facilitated Bardi Jawi Rangers were selected as the winning entrant because their project successfully protected and promoted Western Australia’s coastal environment as well as Indigenous culture.

“For our work to be recognised through the WA Coastal Award for Excellence is fantastic recognition for our ranger group. It’s great that the work we do has been recognised for protecting the environment while promoting Indigenous culture.

“The Bardi Jawi ranger group has gone from strength to strength and we have a tight, close knit group of rangers that are proud to work tirelessly to look after our country.”

The Bardi Jawi Rangers is one of 13 ranger groups working across the Kimberley. The Kimberley Ranger Program employs more than 80 men and women who are charged with the mission to look after country.

The Bardi Jawi Rangers would like to thank Paul Sampi, Peter Hunter, Irene Davey, Audrey Shadforth, Pam Jennings, Ardyaloon, Lombadina and Djarindjin communities, WWF, Department of Sustainability, Environment, Water, Populations and Communities, Kimberley Land Council and many others for their support and contribution to the success of the project.



Dampier Peninsula

Traditional Owners involved in the Dampier Peninsula Planning Project recently met to discuss the issues of land tenure reform, governance and implementation.

The Dampier Peninsula Planning Project is about Traditional Owners and other Indigenous stakeholders of the Dampier Peninsula developing their aspirations for the future.

The Traditional Owner Steering Committee, formed to work on the project, had their latest meeting last month and continued to discuss the issues facing Peninsula communities, so they can make recommendations to the State Government through the draft Dampier Peninsula Planning Strategy.

At the meeting the State Government agreed with Traditional Owners to delay finalising the report until the end of April next year.

This gives both the Traditional Owner Steering Committee and Indigenous stakeholders more time to take a careful look at the recommendations being proposed for a future planning strategy.

The Traditional Owner Steering Committee has met every month for the last five months to discuss a very broad range of issues including:

- Heritage, Conservation and Management
- Land Use, Development and Economic Sustainability
- Infrastructure and Services
- Land Tenure Reform and Governance and Implementation

Planning Project



AGM 2011







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



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