



KIMBERLEY LAND COUNCIL
getting country back caring for country securing the future

NEWSLETTER

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NO 3, October 2013

KLC celebrates 35 years



then ...



...now

The KLC was formed in 1978 at a bush meeting in Noonkanbah. Kimberley Aboriginal people started the KLC because they wanted an organisation that would stand up for them and fight for land rights and a better future.

Today, after 35 years the KLC is still standing up and fighting for Kimberley Aboriginal people. We have achieved land rights for Kimberley mob and today about 70 per cent of the Kimberley is determined native title land. We also work to look after our country through our land and sea unit and the Kimberley Ranger Network.

In the past 35 years, the KLC has come a long way from that bush meeting at Noonkanbah. Today, the KLC is a professional organisation and one of the biggest employers in the Kimberley but our organisation is still underpinned by the cultural values of our members and our board. We have built on our past and are working to create a bright future for all Kimberley Aboriginal people.

Looking Back @ the KLC



Five years ago: 2008

Stolen Generations

In 2008, the Federal Government apologised to the stolen generations for forcibly removing them from their families.

Kimberley Aboriginal people and the Kimberley Land Council welcomed the apology saying it was of great significance to all Australians.

“The significance of today’s apology is undeniable,” KLC Executive Director Wayne Bergmann said at the time.

“It brings Australia in line with the rest of

the world in recognising the wrongs done to Indigenous people. It allows our society to begin a healing process that will allow us to move forward with clear hearts to a better future.

“The real and personal stories of the stolen generation – their forced removal from their families and the dispossession from their culture – impact every day on all Aboriginal people.

“Today’s apology allows the truth of these injustices to be accepted. This will form the basis of real engagement between Aboriginal and non-Aboriginal Australians, at the personal level and in government.”



Ten years ago: 2003

KLC 25th Anniversary

The KLC held its 25th anniversary celebrations at its AGM held at Wuggubun in the east Kimberley. The 25th anniversary was a time for reflection on what Kimberley Aboriginal people had achieved since forming the Kimberley Land Council at Noonkanbah in 1978.

KLC members used the anniversary to call on the State Government to form a regional framework with Kimberley Aboriginal people and Indigenous organisations. The 500 people, who attended the meeting, voted unanimously to support this decision.

“We have asked the State Government to

commit, in the spirit of true partnership, to a regional framework as a way of finding regional settlements that recognise land, law, culture and language at their centre,” KLC Executive Director Wayne Bergmann said at the time.

“These regional settlements need to address land justice and heritage issues, governance, economic development and our quality of life and services and how we can heal our families and our people.

“We have our own organisations that together form a regional structure that is accountable to Kimberley Aboriginal people.”

Mr Bergmann gave a statement about the regional framework to State Member for the Kimberley, Carol Martin who passed it on to the State Cabinet.



message from the **Chairman**

This year marks the 35th Anniversary of the Kimberley Land Council. Looking back, to that day in 1978, when the KLC was formed at a bush meeting in Noonkanbah, the time has gone so quickly.

We have achieved so much, yet as an Aboriginal people we still have a long way to go. Here, in the Kimberley, we have achieved what we set out to do and then some.

We wanted to create an Aboriginal organisation to represent our mob and fight for our land rights. The KLC is our organisation; it is run by Kimberley people for Kimberley Aboriginal people, and it works hard to get our mob native title rights.

In the past 35 years, our organisation has grown to become a large, professional body employing more than 200 people, including rangers. We have a Corporate Services Unit, Finance Unit, Native Title Unit and a Land and Sea Management Unit.

We not only work to get back our country, but we also work to look after our country and to get control of our futures.

The KLC has been working with Traditional Owners to get our country back and today more than 70 per cent of the Kimberley is determined native title land, with another 25 per cent covered with native title claims we are working hard to get determined.

We are also leading the way in looking after country at a regional, national and international level. Our land management activities have grown to include carbon abatement and climate change while the Kimberley Ranger Network has expanded to include 14 groups right across the region.

Indigenous Protected Areas in the Kimberley form one of the largest Indigenous conservation areas in Australia and through pursuing our vision to forge international partnerships, we have been able to take the KLC brand across the globe as we share our knowledge with other Indigenous groups overseas.

Kimberley Aboriginal people worked hard to get the Indigenous cultural values of the West Kimberley National Heritage Listed, cementing our region as a strong and significant Aboriginal place.

We are also working to get control of our futures through pursuing sustainable economic opportunities that will create wealth in our communities while enhancing our traditional knowledge and culture and protecting our environment.

I think the reason we have been so successful, is because of the strong leaders we have had supporting us and guiding our organisation.

I was looking through an old KLC newsletter the other day, and it made me happy to think of all the amazing people we have had guiding our organisation. In the newsletter there were photos of Mr McPhee, Mr Sampi and John Watson and all our old leaders and staunch supporters, who have been with us since day one.

Our old leaders have done a lot for our organisation but it is also important to acknowledge our young people. We have a strong group of young people in the Kimberley who will be our future leaders and represent our mob.

This year, our 35th anniversary will be celebrated as part of our AGM at Wuggubun in the east Kimberley. Our AGM is combined with KALACC and the language centre and together we are the region's three peak Aboriginal organisations. We represent land, law and language but our strength lies in the cultural values that underpin our organisations. Culture is central to everything we do and that's important because our culture is what keeps us all together.

FRANK DAVEY



Balanggarra native title & IPA

The Federal Court has recognised the native title rights of the Balanggarra people across an area almost half the size of Tasmania in Western Australia's north Kimberley.

Justice Gilmour handed down the determination at an on-country hearing in Wyndham on August 7, giving the Balanggarra people the native title rights they have waited more than 18 years for. The Balanggarra native title determination consists of two claims – Balanggarra Combined and Balanggarra #3.

The Balanggarra combined claim covers 26,025 square kilometres of country including Kalumburu, Oombulgurri and Forest River Aboriginal Reserves, Carson River Pastoral lease, parts of the Drysdale River National Park and unallocated crown land at Cape Londonderry, Carson River and the Cambridge Gulf coast.

The Balanggarra #3 claim covers 4318 square kilometres across the Wyndham township and some parts of the El Questro and Home Valley pastoral leases. Most of the native title claim area is exclusive possession – the strongest form of native title.

Balanggarra Traditional Owner and KLC Deputy Chairman Tom Birch said the determination brought a positive end to an 18-year battle for native title rights.

"This is a momentous occasion. We have waited a long time for this and I am so proud of the Balanggarra people for having the patience, determination and courage to continue to fight for native title and the recognition that comes with that," he said.

"Our old people started this 18 years ago, and sadly many of them are not with us today to celebrate this great win for our people. But we will always remember the hard work they did to get us here today.

"But our work is not over. We need to continue to move forward so we can use our native title to provide our people with opportunities. That means having good governance and building up our Balanggarra Aboriginal Corporation to be strong, so we can leave behind a successful organisation for the next generations.

"I remember our old people were at a meeting, out in the bush, and they said if we were going to get our native title we needed to be united, that we needed to look after each other and share with each other. We have our native title now, but as we start the next stage of our journey it's even more important that we stick to these principals and follow the wisdom of our elders."



KLC CEO Nolan Hunter acknowledged the willingness of the State Government and respondent parties to cooperate and agree to the Balanggarra consent determination.

“When all parties can agree on an outcome and native title can be negotiated by consent, not only does it speed-up the process but the decision is beneficial to all parties,” he said.

“Native title provides all parties with certainty. This is an advantage for governments, in that native title clearly identifies who the landholders are, making it easier for Traditional Owners to work with governments on access, governance, land and sea management, research projects and development proposals.

“With the Balanggarra determination complete, about two thirds of the Kimberley region is now determined native title land. We look forward to continuing to work in collaboration with the State Government to settle the remaining native title claims in the Kimberley by consent.”

Immediately following the native title determination, the Balanggarra people declared an Indigenous Protected Area across more than 10,000 square kilometres of country.

Balanggarra Aboriginal Corporation Chair Cissy Birch Gore said the IPA declaration would ensure the high

biodiversity values of the north Kimberley region would be maintained and enhanced into the future.

“Our vision is to manage our own country by our own rules, and we want others to engage properly with Balanggarra Traditional Owners. We want to speak for our country, decide for our country and manage access to our country. Having an IPA allows us to achieve our vision for our country,” she said.

“We have created a Healthy Country Plan that sets out the threats to our country and how we will manage them while achieving our targets to keep our country strong and dynamic.”

The Balanggarra Indigenous Protected Area will be managed by the Balanggarra Aboriginal Corporation and the Balanggarra Rangers. The Kimberley Land Council, The Nature Conservancy and PEW Charitable Trusts assisted in the development of the Balanggarra IPA, which is an initiative of the Federal Government’s Caring for Country program.

WILD 10 Conference

A contingent of Kimberley Aboriginal leaders will travel to Spain to present at the prestigious WILD 10 Conference in October.

The World Wilderness Congress and the conference are the longest running, international public conservation projects and environmental forum in the world. It brings together about 1200 delegates from more than 50 nations with another 50,000 online participants.

Attending WILD 10 is in line with the KLC's vision to foster strong international partnerships through creating a global network of land and sea managers. The KLC will be sending a group of leaders including Nolan Hunter, Wayne Bergmann, Irene Davey, Jean O'Reeri, Peter Murray, Frankie McCarthy and Ari Gorrington to WILD 10. They will be joined by Melissa George who is the Chair of the National Indigenous Advisory Committee to the Environment Minister. They will be presenting on a variety of topics featuring Kimberley projects including protection of sacred sites in the face of development pressures, protected areas, landscape strategies for cultural heritage protection, women's leadership, governance and cultural economies based on ecosystem services.

KLC CEO Nolan Hunter said Indigenous people across the world were contributing in a big way to the preservation and management of the environment.

"The KLC wants to create a network that

brings Indigenous people together so we can collaboratively tackle these issues through a global movement that is working to achieve the same outcome – which is to improve the environment while strengthening Indigenous culture and traditions," he said.

"In the Kimberley we are leading conservation initiatives through programs such as the Kimberley Ranger Network and the implementation of Indigenous Protected Areas as well as climate change and carbon abatement projects."

"If we bring together all the Indigenous groups that are undertaking similar conservation initiatives, only then will we begin to understand the significant impact Aboriginal people are having in looking after the environment on a global scale.

"Attending the WILD10 Conference will enable us to seek out new ideas about conservation management while informing people about the success of our projects in the Kimberley. It will also give us the chance to network and forge new partnerships with other Indigenous people and international organisations."

The WILD 10 Conference follows on from other international events the KLC has attended including the Kimberley International Ranger Forum and the World Indigenous Network Conference which were held in May and the International Funders for Indigenous People Conference held in San Francisco last year.



BANKSIA AWARD FINALIST

The KLC has been recognised as a Banksia Award Finalist for our on-going work and innovation in caring for country projects.

The Banksia Award celebrates leadership and innovation in environmental sustainability.

KLC CEO Nolan Hunter said being shortlisted was an outstanding achievement for the KLC and acknowledged the positive impact our land and sea activities were having on improving the environmental sustainability of the region.

He said the KLC's caring for country projects were implemented through the Kimberley Ranger Network and included the management of Indigenous Protected Areas, cultural and natural resource management, carbon abatement, climate change research, transfer of knowledge and sustainable enterprise development.

"The Kimberley Ranger Network has grown to become a professional and dedicated unit of land and sea managers that undertake caring for country projects. The Network is facilitated by the KLC and is comprised of 14 ranger groups employing more than 100 Indigenous rangers and cultural advisers," Mr Hunter said.

"The Network has become a movement that is not only achieving success in environmental, cultural and heritage management but is providing our people with real jobs, education and training while improving socioeconomic conditions and creating community leaders and role models."

Banksia Award winners will be announced at a Gala Presentation Dinner in Melbourne on October 9, 2013.

REGIONAL PARTNERSHIP AGREEMENT

Background

Since 1991, Kimberley Aboriginal people have been coming together to talk about how to improve the quality of life and standard of living for Kimberley Aboriginal people. The Crocodile Hole Report (1991) sets out what is important to Kimberley people and what they want for their future.

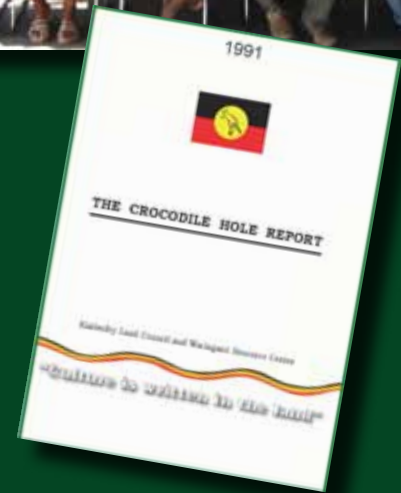
Between 1991-2011, there have been a number of large meetings and forums bringing everyone together to try to progress regional governance and to set regional priorities for the Kimberley. Some of those forums have been: *Kimberley Futures* and the *Tripartite Forum*.

There has been a lot of consultation and discussion amongst many Kimberley Aboriginal people on how to improve the standard of living and quality of life for people – but it has been difficult to take it to the next stage: *getting commitment from people and the government on how to progress things*.

From 2011 to now, FaHCSIA has provided some funding to the KLC to help progress the conversation into a **Regional Partnership Agreement (RPA)**.



Kimberley Futures





What's been done on the RPA?

A group of people representing Kimberley regional Aboriginal organisations have been meeting to talk about developing the RPA.

Those regional organisations have included: KALACC, KLRC, KLC, KAMSC, KASGC, Aarnja Limited (Kimberley Regional Body), Wunan, Marra Worra Worra, KRCI Regional CDEP and KRED.

So far, they have prepared a draft Regional Partnership Agreement which is currently being workshopped with FaHCSIA. The draft RPA sets out key objective, principles, a governance framework and priority areas.

What's next?

The next step is to look at some pilot projects for the RPA to deliver. These projects will aim to prioritise issues that are important to Kimberley Aboriginal people and to respond to those priority issues with a project that is designed and driven by Kimberley Aboriginal people and Kimberley Aboriginal

organisations. This also means that we will be able to start negotiating with the State and Commonwealth Governments on the nuts and bolts of the RPA.

Where is it going?

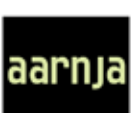
The aim of the RPA is to set priorities and to identify answers on how to improve things in the Kimberley that are not working well for Aboriginal people. What it won't do is take over or make decisions that impact on other organisations. The RPA wants to identify targets for change that will benefit everybody.

The objective of the RPA is to:

Improve the quality of life and standard of living for Kimberley Aboriginal people.

Contacts

If you would like more information, please contact:
Kimberley Land Council on 08 9194 0100



MIDDLE DAMPIER PENINSULA CLAIM

Traditional Owners on the Middle Dampier Peninsula have come together to strategically consolidate claims across their country as a way to speed-up and resolve native title.

Native title claimants on the Middle Dampier Peninsula share the same system of laws and customs and decided it would be better to resolve native title as the one society rather than as individual tribal groups. Through this joint approach they believe they can move forward with native title after previous long delays to the process.

The new claim is called Bindunbur and was authorised at a meeting on July 31, 2013 at the Broome Civic Centre.

The Bindunbur claim will be lodged in stages. Part A will cover all unclaimed country on the Middle Dampier Peninsula while Part B covers the area from Carnot Bay to Sandy Point and the Lacepede Islands.

The KLC is working hard to get the Bindunbur claim ready for either trial or consent determination negotiations. This will take time as it requires lots of research and interviews with senior Traditional Owners to gather all the evidence needed to demonstrate native title.

Further work will also be done to bring the rest of the Middle Dampier Peninsula into the Bindunbur claim by lodging claims over Areas C, D and E.

Native title claims give Traditional Owners certain rights in relation to mining and exploration on their country.

On the Middle Dampier Peninsula two new petroleum exploration permits have been released, covering most of the Middle Dampier Peninsula.

The KLC will have the new Bindunbur claim lodged with the Federal Court before the deadline for these permits, giving the people whose country is affected, the right to negotiate in relation to these exploration permits. This gives Traditional Owners more rights to have a say about what happens on their country and how exploration can happen.

As part of the governance conditions of the Bindunbur claim, any decision about development on country, heritage surveys or permission to use country will be made by the family groups whose country will be affected. This is to ensure that the right people speak for country and make decisions about country.

Introducing

Frank Parriman



The Kimberley Land Council has appointed Frank Parriman as the organisation's Deputy CEO.

Mr Parriman comes to the KLC after having worked for more than 21 years at the WA Department of Corrective Services. He is a Jabirr Jabirr and Yawuru man and is passionate about improving the lives of Kimberley Aboriginal people through sustainable economic development.

"I'm excited to be working with the Kimberley Land Council as it is a widely respected organisation that is steeped in Aboriginal history and has played a pivotal role in advocating for Indigenous rights," he said.

Mr Parriman has extensive experience in negotiating agreements and played a pivotal role in negotiating the Browse LNG Precinct Project Agreement as part of Woodside's proposal to develop James Price Point. He was Co-Chair of the Traditional Owner Negotiating Committee and represented his people with a strong voice.

"I learnt a lot from those negotiations but more importantly I realised the strength of Kimberley

Aboriginal people when we stick together to create positive outcomes and achieve great things," he said.

"I am a strong advocate for Aboriginal decision-making. We need to be the people making the decisions about what happens on our country whether it is about managing the environment, resource development or creating conservation economies."

Mr Parriman has impressive leadership skills, demonstrated in his ability to connect with people and inspire change. He is a strong advocate of Indigenous empowerment and the development of sustainable economic futures for Aboriginal people.

"I also want to work with our people to create economic opportunities that generate wealth in our communities and jobs for our people, so we can live a life without reliance on welfare," he said.

"Many great things are happening in the Kimberley and I'm really excited to be a part of that and look forward to continue working with Kimberley mob."

FLASHBACK 1978-2013



We're celebrating 35 years since the KLC was first set-up at a bush meeting in Noonkanbah in 1978. We're now recognised as one of the peak Indigenous organisations in the Kimberley, working with Traditional Owners to get back country, look after country and get control of our futures.



1978

The KLC is launched at a bush meeting in Noonkanbah

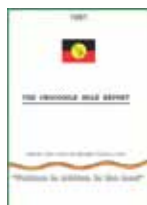
1984

The Federal Government recognises the important role of the KLC and funds the organisation for the first time. KLC sets up its first office in Derby and employs a coordinator to cover the east Kimberley



1986

The KLC sets up its second office in Kununurra and organises for a contingent of leaders to head to the United Nations to fight against the Federal Government's land rights bill



1991

Big meeting held at Crocodile Hole where Kimberley Aboriginal people decide to pursue economic development opportunities



1994

The KLC is appointed as the Aboriginal representative body for native title in the Kimberley

1994

The KLC challenges the legality of a State Government law in the High Court after it refuses to recognise the Native Title Act. The KLC successfully argues the WA law is discriminatory and it is thrown out



1994

The KLC office opens in Broome



1998

KLC land and sea unit established



1999

The KLC organises for a group of Aboriginal leaders from across the nation to travel to the UK to meet the Queen and discuss the settlement of Australia and Indigenous rights



2001

The Federal Court recognises native title across Tjurabalan in the first determination to be negotiated by consent rather than litigation. The first Indigenous Protected Area in the Kimberley is declared across parts of Tjurabalan country



2008

The KLC sets up the Kimberley Ranger Network



Our Place: Our Future Conference hosted by KLC brings together Aboriginal organisations, national bodies like ATSIC, ILC, local government reps, industry reps and environmentalists to help everyone work together



1999

The KLC wins its first native title case when the Federal Court recognises native title for the Miriwung Gajerrong people. It is the first claim to be determined in the Kimberley. The State Government appeals the decision.



2007

The KLC continues to work with Traditional Owners to successfully get native title determined across strategic areas of the Kimberley including across the north Kimberley, desert region, Dampier Peninsula and across pastoral leases. Native title is also recognised over Noonkanbah – the birthplace of the KLC



2011

The Indigenous cultural values of the west Kimberley are National Heritage Listed after the KLC and Traditional Owners drive this initiative

2011

In a historic agreement the Goolarabooloo Jabirr Jabirr native title party give consent for development of a gas precinct in a multi-million deal negotiated by the KLC



2013

KLC focuses on forging International partnerships through hosting an International Ranger Forum and presenting at prestigious international conferences across the world



2011

The KLC launches the charitable Abooriny Buru Foundation and KRED Enterprises to seek out and develop business and job opportunities for Aboriginal people as outlined in the Crocodile Hole Report



2013

Kimberley IPAs create one of the largest Indigenous conservation corridors in Australia

Did you know?



About 70% of the Kimberley is determined native title land



The KLC is one of the largest employers in the Kimberley with 113 staff plus rangers



The KLC facilitates the Kimberley Ranger Network which has 14 ranger groups and employs more than 100 rangers and cultural advisers



The KLC has more than 1000 members

Celebrating 35 years



Pearl Gordon in 1986



Frank Sebastian - Gudjai
at the Rubibi determination



Ngurrara determination

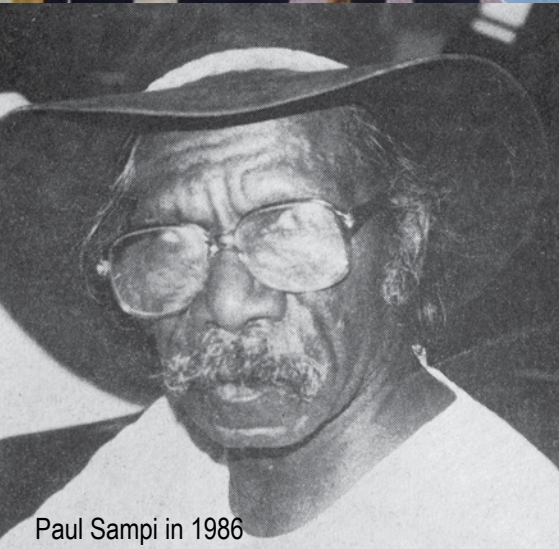


Yirrkala dancers perform at first KLC
meeting at Noonkanbah in 1978



Frank Davey, Irene Davey & Tom Birch

Tjurabalan determination



Paul Sampi in 1986





MG Argyle smoking ceremony



Johnny Watson and Suri



Butcher Wise



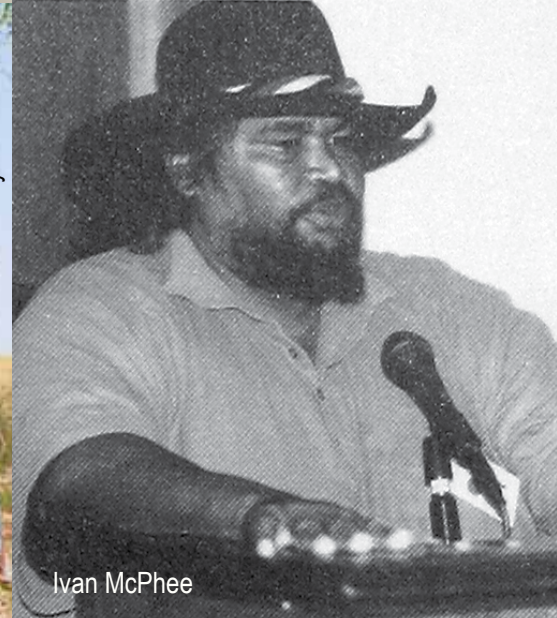
Janet Oobagooma & Justice Gilmour



Joe Brown



Kimberley women leaders



Ivan McPhee





celebrating 35 years

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.



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