



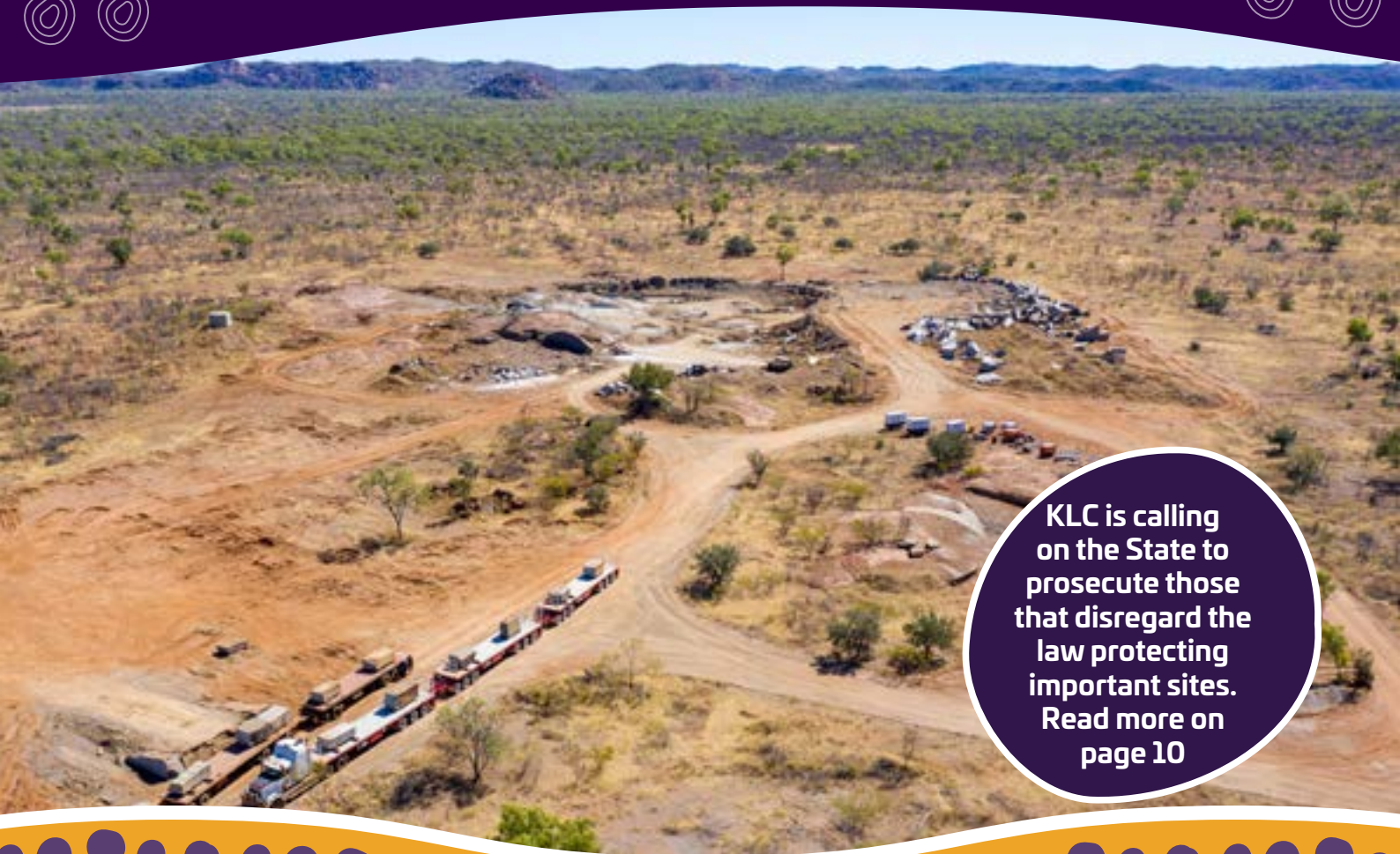
NEWSLETTER



October 2020

• GETTING BACK COUNTRY • CARING FOR COUNTRY • SECURING THE FUTURE

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KLC is calling on the State to prosecute those that disregard the law protecting important sites. Read more on page 10

Government policy at odds over protection of Aboriginal heritage

Over the past few months the KLC has been on the case to highlight the damage of a culturally significant place in the East Kimberley. The recent destruction of the Juukan Caves in the Pilbara has highlighted the failure of the WA Aboriginal Heritage Act to protect important sites and the KLC is calling on the State to prosecute those that disregard the law and for tough legislative reform of outdated legislation that favours industry over the rights of Traditional Owners. Read more on page 8



AGM SAVE THE DATE

NOVEMBER 9TH - 13TH 2020
KOOLJAMAN, DAMPIER PENINSULA
 Stay tuned to our Facebook page
 and website for more details.

The AGM's of KLC, KALACC, KLRC and Aarnja will be held the week of 9th – 13th November. The dates are subject to the lifting of Phase 4 of Western Australia's COVID-19 Recovery Plan, which is tentatively due to happen on October 24, 2020.

A final decision on whether Phase 5 can proceed on this date, or if it can be brought forward, will be decided in October. Should the state decide not to lift the restrictions and remain on Phase 4, the AGM will be postponed until next year.

Phase 5 would see remaining restrictions removed, except WA's hard border and access to remote Aboriginal communities. It would also see the removal of WA's 2 square meter rule.

Please note: This year is an election year for membership to the KLC Board. Information about the election process will be included on the official meeting notice which will be in your mail box shortly. The AGM's of KALACC, KLRC and Aarnja will also be held at this time should the meeting proceed.



Message from the Chairman



Marboo Ngimbi,

Welcome to the October edition of the KLC Newsletter. It's certainly been an unusual time as we do our best to return to business as usual after the COVID lock down period. Our team has been working hard and I am pleased to announce the launch of our new 2020-2024 Strategic Plan that was formally approved at the last board meeting, held in Derby in August. Discussions about this year's AGM have also been ongoing as we navigate through a world much changed by this global pandemic.

Further information about the date and the format of the AGM can be found on our website and KLC Facebook Page.

Future Focus

In developing the plan, which sets the course for the future of our organisation over the next four years, we worked closely with our Directors, PBC's and the wider community to get their feedback on what they need from the KLC moving forward. This plan also reflects the words and actions stemming from our old reports, the Yirra Statement and Crocodile Hole Report, whose guiding principles still ring true as we move toward self-determination. For more information about the plan see page 4 of this newsletter.

COVID response

During the ongoing COVID-19 pandemic KLC has had to adapt and adjust to keep the wheels turning and ensure our work continued. In March, all office-based KLC staff started a period of working from home and we switched our operations, where possible, to online. We held our first virtual board meeting in May and I'd like to thank our Directors for taking on this new way of doing business with good spirits.

KLC also established a taskforce to link with other Kimberley organisations and service providers to tackle issues affecting our Kimberley mob as a result of the pandemic. We assisted in relocating people back to their communities, and dealing with other challenges caused by community lock downs. This work continues as we look toward recovery.

Working with PBC's

The KLC started a process of engagement with PBCs to gain a better understanding of what services and support is needed from the KLC in different regions to help their move toward self-determination. We are formalising our relationship with PBCs to clearly define responsibilities and expectations of each party. We are also seeking to increase the

number of economic opportunities available to PBCs facilitated by the KLC, and support them in building strategic partnerships to drive economic development. Future strength for the entire Kimberley region lies in PBCs with good governance and robust leadership so these discussions are very important and will continue throughout the year.

I'd also like to share with everyone that after many years of dedicated service both Nolan Hunter, CEO, and Tyronne Garstone, Deputy CEO, have accepted new opportunities outside of the KLC. Nolan and Tyronne have made an immense contribution to the work and progression of the KLC. I'd like to thank them on behalf of the board, and the KLC team and wish them both the very best for their future endeavours.

Anthony Watson

Chairman,

Kimberley Land Council.



KLC STRATEGIC PLAN

UPDATE BY ERIKA BLADES, OPERATIONS MANAGER, KLC

The KLC 2020-2024 Strategic Plan was formally approved by the Board on Tuesday July 7 and will steer the direction of KLC operations for the next four years. The plan builds on the successes of the past and charts a way forward that will continue to promote Traditional Owners and Custodians, and their Prescribe Bodies Corporates with a greater focus on economic development, First Nation building, cultural, social and environmental heritage protection, leadership and advocacy.

Why a new strategic plan?

The last KLC Strategic Plan identified our priorities for the period 2016-2020, and this new plan will see us through until 2024.

A strategic plan is an important way to capture the wishes, aspirations and opinions of Traditional Owners. It allows our organisation to take stock of what we have done, decide on what we want to achieve in the future and provide a roadmap for how get there. The needs and expectations of our members, PBC's, partners and funding bodies are also constantly changing, this new plan address this evolution.



How did we get to the KLC Strategic Plan 2024?

Our journey started in 2018 with discussions with the KLC board, CEO and leadership team, combined with feedback from the Nous Review. In 2019 we created a dedicated subcommittee to provide strategic oversight and to determine what a new strategic plan would need to include to ensure success for Kimberley Aboriginal people.

Members of the subcommittee included; Anthony Watson, Irene Davey, Wayne Bergmann, Rosette Sahanna, Robert Watson, Bobetta Albert, Frank Davey, Annette Kogolo, Greg Tait and Edith Skeen. The team have worked diligently over the past 12 months and participated in many meetings and consultations with different stakeholders to ensure a diversity of views and aspirations are reflected in the new plan. This included consultation and engagement surveys with Traditional Owners, members and PBCs, partners and KLC staff. The committee also spoke with other NTRBs and drew from their experiences and lessons learnt.



What will the strategic plan achieve?

KLC Strategic Plan 2024 will drive the achievement of our vision to get back country, look after country and get control of our future through four strategic objectives:

- Empowerment in Nation Building: So that our nation building can redress the impact and imbalance from the erosion of traditional owner values and structures created from a history and legacy of colonial culture and western society.
- Native Title rights and recognition: So that we can protect and continue to access and build our rights and interests, culture and values that are central to our relationship to land and native title.
- Partnerships and relationships: So that we have the power and influence to lead and effect change for Traditional Owners and Kimberley Aboriginal people.
- Financially sustainable operations: So that we have a strong organisation that can continue to support us into the future.

The plan includes how success will be measured over the next 4 years and the KLC will identify, develop and manage effective partnerships to assist in achieving our goals.

What happens next?

The new plan is a turning point for the KLC and will create extraordinary opportunities moving forward. Our leadership team will develop and implement annual plans that ensure we are able to deliver on our strategic objectives. Importantly it is a plan developed in partnership with many and it is a plan that will be delivered in partnership with many. The KLC is, and will continue to be, a community organisation working for and with Traditional Owners of the Kimberley, to get back country, look after country and get control of our future.

For more information visit www.klc.org.au or request a copy by calling the office on 9194 0100.



Destruction of sacred sites in the East Kimberley

Sites of cultural significance in the East Kimberley have been destroyed by large-scale granite mining operations despite breaching Section 17 of the Aboriginal Heritage Act 1972 (WA). Located 50kms north of Halls Creek and within the Malarngowem native title area, the site is under an exploration licence operated by Kimberley Granite Holdings Pty Ltd.

The company took over the tenement in March 2019, and illegally damaged protected sites. The company did not apply for a Section 18 (consent to destroy an Aboriginal site) until 18 March 2020. The application was declined by the Minister for Aboriginal Affairs, Ben Wyatt on June 4. An aerial viewing of the site on Sunday June 7 by Traditional Owners and the Kimberley Land Council uncovered ongoing operations. Kimberley Granite advised the State that they had ceased operations on June 3.

The area is part of an important cultural dreaming site called “Moon Dreaming” (Garnkiny) made famous by senior Traditional Owner and well-known artist, Mabel Juli, whose award-winning paintings of the area have been projected onto the Sydney Opera House and hung on the walls of the National Gallery of Australia. Ms Juli expressed her concern about what might happen now the mining has destroyed or damaged their sacred places

“I will have to jarrak (talk) to my old people, talk to my mother and my grandfathers and tell them what happened,” she said. I’ll tell them that there was nothing I could do to stop it. I didn’t know what was happening.”

In October 2019, the KLC, on behalf of the Malarngowem Traditional Owners, the KLC informed Kimberley Granite in writing that significant Aboriginal sites were being destroyed and they should stop works, restore the site and enter into a heritage protection agreement with the Traditional Owners to prevent further damage. Kimberley Granite declined to do so. In March 2020 the company was informed in writing by the State that there was an Aboriginal heritage site at the location and works should stop.

Nolan Hunter, CEO of the KLC, said the Aboriginal Heritage Act is not working to prevent destruction but only to regulate the manner in which it happens.

“This is the fundamental flaw that is enabling the continued destruction of Aboriginal sacred sites,” he said.

“The combination of weak legislation, inefficient government policy and the industry knowing State and Federal laws won’t stop them doing what they want is putting enormous pressure on Traditional Owners. They continually have to prove their rights through a legal system geared toward industry and against their interests.

We are calling on the State to bring a prosecution against Kimberley Granite for their blatant and unlawful breaches of the Act.”

Kimberley Granite have since applied to the National Native Title Tribunal to approve the grant of their mining lease.

“This is a clear indication that they have no intention of stopping, and there is a 99 per cent chance that they will get it. This is yet another way industry can by-pass heritage laws to get what they want,” said Mr Hunter.

Kimberley Granite Holdings has already been enabled by the WA Government to destroy part of the ancient cultural heritage of the Malarngowem people, causing untold hurt and loss to the Traditional Owners.

The WA Government is sending contradictory messages as to whether the project can proceed via the Minister of Aboriginal Affairs and the Minister of Mining. The planned mining project would cause far greater destruction than that already experienced.

Next Steps

With the application for a mining licence now before the National Native Title Tribunal (NNTT), the KLC is working with the Traditional Owners to prepare for the next legal steps. Updates will be posted to our website and Facebook page as the issue progresses.



Artist and custodian of the area, Mabel Juli with her artwork inspired by the Garnkiny site projected onto the Sydney Opera House in 2018.
Credit: Epic Inspiration

Submission into the destruction of Juukan Gorge



“The fact that this submission needs to be pleaded to the Committee should reinforce how woeful current protections available to Indigenous people in Australia are.”

- KLC Submission to Juukan Gorge Inquiry

An inquiry into the conduct of Rio Tinto and the destruction at Juukan Gorge is being conducted by the Joint Standing Committee on Northern Australia. The KLC provided a submission endorsing the call of the National Native Title Council (NNTC) for legislative reform at a Commonwealth level.

The KLC expressed our particular concern over the ability of miners and other proponents to appeal any Aboriginal group opposition to activities in the National Native Title Tribunal, which ruled in favour of the miners 98 per cent of the time. The submission also called for the Government put in place a legislative scheme that provides the globally accepted, and Australian Government endorsed, minimum standards for protection of Indigenous people.



KLC joins calls for Rio Tinto to be stripped of global human rights benchmark

“For Rio Tinto to claim the blast was a misunderstanding is highly insulting to Traditional Owners and all Aboriginal people who have fought so hard for rights over their land.”

Nolan Hunter, CEO, Kimberley Land Council

The KLC, along with 35 other Indigenous and human rights groups, have publicly demanded that Rio Tinto to be removed from a global index promoting its human rights record, following the destruction of the Juukan rockshelters in the Pilbara.

The destruction of the caves in May devastated the Traditional Owners, the Puutu Kunti Kurrama and Pinikura (PKKP) people, and Aboriginal and Torres Strait Islander communities around Australia, leaving many in disbelief.

The demand has gained significant media attention and the pressure is on for the global Corporate Human Rights Benchmark (CHRB), based in the Netherlands, to remove Rio Tinto who is listed on the CHRB's website as the highest ranked extractives company globally on human rights issues.



Farewell Tyronne Garstone

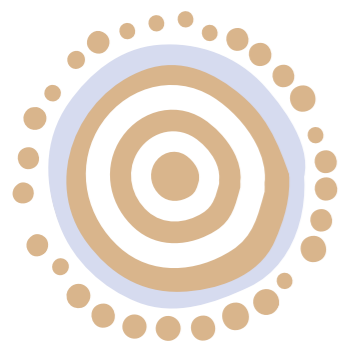
Message from the CEO, Nolan Hunter

It is with sadness, but also gratitude that we will shortly say farewell to Deputy CEO, Tyronne Garstone, who is leaving the KLC in November to take up a new opportunity. Tyronne has been with the KLC for six years and during that time has acted in the CEO position for almost 3 years.

Ty has many great achievements, notably his strong leadership during the COVID-19 lock down earlier this year, and as co-convenor of the National Native Title Conference, the first to be held in northern Australia in 2018. He is highly regarded by the KLC management team for his approachable nature and pragmatic leadership style. His skills in relationship building have helped the KLC to move forward on many challenging issues and his commitment to the mission of the KLC will be felt for many years to come.

On behalf of the KLC team, the Board, and all those that have worked with Ty over the years I'd like to thank him for his significant contribution and wish him all the best for his future.





FAREWELL, NOLAN HUNTER.

CEO, KIMBERLEY LAND COUNCIL



It is with sadness that I announce that Nolan Hunter will be stepping down as CEO of the Kimberley Land Council effective November 13, 2020. Nolan has been a visionary leader and on behalf of the KLC team, our members and all Kimberley people I thank him for his immense contribution to our organisation over the past 13 years.

Nolan is a proud Bardi man with strong links to his people and culture across saltwater country and it is this connection that has driven him to use his skills and endless energy to fight for the rights of our people. Under Nolan's leadership we have achieved some incredible things and succeeded in ways that many thought would not be possible.

During his time as CEO the KLC has secured a record number of determinations across the Kimberley and his work is also reflected in the iconic building which is now our headquarters. Nolan was instrumental in securing multimillion-dollar funding to enable construction of a building that is often referred to as the "Kimberley's Parliament House". The KLC building reflects the power and persistence of Traditional Owners to build the KLC into the heavy hitting organisation we are today.

Nolan has lifted the profile of the KLC locally, nationally and internationally. He has shared our story and our mission across the world, from Canberra to the United Nations.

He has used his skills in relationship building to leverage opportunities for Kimberley Aboriginal people that have grown our organisation.

Nolan's other achievements, too numerous to fully mention, include his contribution to the many committees, initiatives and inquiries that have given a voice to the progression of Aboriginal affairs in this country. His contributions include; Chair of the National Native Title Council, Director of the Kimberley Foundation Australia and Member of the Uluru advisory committee. He is also a founding member of the International Savanna Fire Management Initiative, which shared the best practice fire management work of our Kimberley rangers with the world.

It's an incredible legacy. Thank you, Nolan, for your dedication, your intensity and your commitment to our vision that has continued the strong tradition of ground-breaking advocacy that built, and continues to drive work of the KLC.

A subcommittee of the board will commence recruitment to identify a new CEO, and I will advise the outcome of this process in due course.

Anthony Watson

Chair

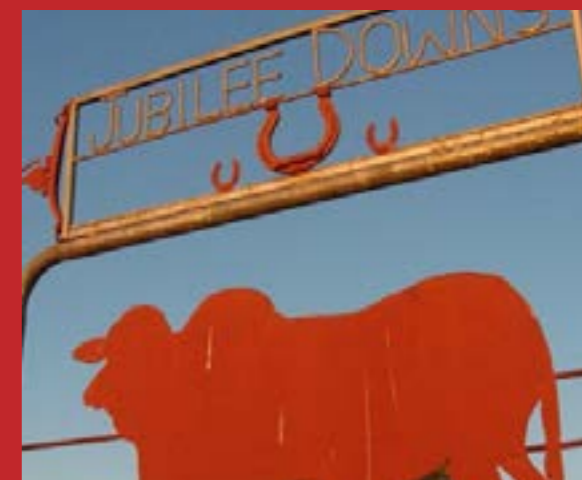
Kimberley Land Council



Traditional Owners fight the sale of Jubilee Downs

The KLC has been working with the Yanunijarra Aboriginal Corporation and the Traditional Owners in a push to block the sale of Jubilee Downs and Quanbun Station to mining billionaire, Andrew Forrest. The Traditional Owners are calling for a reconsideration of their \$25m bid to allow them to take ownership of the industry their ancestors helped to build.

The bid was made via Kimberley Agricultural and Pastoral Company (KAPCO), the largest indigenous owned cattle company in the north of WA. KAPCO successfully operate four stations in the Kimberley and employ a large percentage of indigenous staff.



Kija and Dampier Peninsula Rangers funded

Environment Minister Stephen Dawson, Aboriginal Affairs Minister Ben Wyatt and Women's Interests Minister Simone McGurk announced the successful recipients of the McGowan Government's Aboriginal Ranger Program Round Three yesterday at Kooljaman on the Dampier Peninsula.

The funding will provide operational support and wage funding to the Kija Rangers to continue their fire, threatened species, and cultural site management program, and ongoing support to Women rangers on the Dampier Peninsula to continue working on managing and protection Monsoonal Vine Thickets – a nationally listed threatened ecological community.

This is the final round of funding for the WA ranger program, totally \$20m over five years.

KLC Chairman, Anthony Watson, congratulates the government for its investment in the Aboriginal Ranger Program, as the first of its kind in WA.

"We are looking forward to working with the government on how to manage the sustainability of its investment beyond 2022 to value add to existing ranger programs and support sustainable livelihoods in remote communities."



Land and Sea Management Unit Update

Kimberley Fire early season wraps up

Prescribed early burning season in the Kimberley is now complete, with KLC-supported rangers wrapping up their final early season burns. It's been a big year in the Kimberley, with rangers putting in a solid effort to get the job done, despite unseasonal rain and community closures caused by COVID. This year we supported eleven ranger groups with fire management, planning meetings, stakeholder liaison, aerial and ground operations, fire reviews, insurance, GIS, SOPs and Operations Manual, and compliance plus on-the-job training

What support can KLC provide to ranger groups?

Following feedback from rangers and PBCs during strategic reviews in 2018 and 2019, KLC's Land and Sea Management Unit (LSMU) has been focusing on providing high quality technical services to ranger groups to build their skills and capacity.

After some recruitment delays due to COVID restrictions, we are pleased to let everyone know we now have a full team of training and technical services staff that can provide a wide range to both KLC and independent ranger groups across the Kimberley Ranger Network.

We are also pursuing funding to enable us to support ranger groups with Healthy Country Planning, Monitoring and Evaluation/MERI, data collection and management, professional development and leadership, and working with researchers.

A list of our services and support staff is available on the next page. Please get in touch if we can help!

Karajarri Rangers taking next step to empowerment

As of 1 July 2020 Karajarri Rangers now have a direct contract with the National Indigenous Australian's Agency for their Indigenous Ranger and Indigenous Protected Areas programs. Prior to this, the KLC had managed these contracts on Karajarri's behalf. This shift represents a significant step in Karajarri's journey as a strong and empowered PBC and KLC's journey in our work supporting PBCs to grow and build capacity over time. Congratulation to Karajarri on this significant achievement.



What support can KLC provide to ranger groups?

| Service | Details | Who to call |
|--------------------------------|---|--|
| TRAINING COORDINATION | <ul style="list-style-type: none"> Core: Conservation and Land Management certificates, First Aid, 4WD, OHS. Specialist: fire, maritime, GIS, firearms, fulcrum and data management, tourism, business administration. Coordinating regional training blocks. Reports, records and database management Liaison with TAFE and training providers. | Hylke Vader Ranger Training Coordinator training@klc.org.au |
| FIRE MANAGEMENT | <ul style="list-style-type: none"> Support with fire planning, meetings, GIS, compliance, reviews, stakeholder liaison, best practice procedures and templates. On-ground field support and on-the-job training. Strategic liaison with key agencies. | Richard Whatley Andrew Morton Fire Officers fireops@klc.org.au |
| ECOLOGY SUPPORT | <ul style="list-style-type: none"> Technical advice on project design Field support Capacity building and on-the-job training in biodiversity surveys, data management and analysis Best practice SOPs, resources, templates & apps | Annika Spiridis Regional Ecologist annika.spiridis@klc.org.au |
| WOMEN'S RANGERS SUPPORT | <ul style="list-style-type: none"> Personal & professional development, recruitment advice, mentoring, project support Exchanges, forums & networking opportunities Women's training blocks Fundraising & lobbying | Kirsty Bragg Women's Development Coordinator Kirsty.bragg@klc.org.au |
| Mapping & GIS | Technical advice and training sessions on ArcGIS, QGIS, google earth, NAFI tailored to your ranger group or a specific project | Alex Clarke GIS Analyst Alex.clarke@klc.org.au |
| CARBON SERVICES | Technical advice to develop knowledge and capacity in operating carbon projects. | Kristina Koenig Carbon & Enterprise Development Manager Kristina.koenig@klc.org.au |
| ENTERPRISE DEVELOPMENT | Strategic business advice, enterprise development workshops, advice on fee for service arrangements, prospectuses, business plans, revenue models... | Joe Heffernan Enterprise Development Management Joe.heffernan@klc.org.au |





BUSHFIRE SEASON IS COMING

With winds picking up, creeks drying up and temperatures climbing, we are moving into the risky time of year for bush fires. Any fires lit in the late dry season with strong winds and dry conditions can cause significant damage to country. Rangers and traditional owners have worked hard through the early season to protect sensitive areas and pastures from bushfire, please don't undo all that planning and on-ground work.

Remember! Contain campfires, observe fire bans and if you're worried about late fires, report them to emergency services - call 000

Gooniyandi and Ngurrara fire training

With the easing of COVID restrictions the Gooniyandi and Ngurrara Rangers were able to get together for important fire training on country with North Regional TAFE. This training is critical to teaching rangers how to reduce the impact of late season wildfires with early dry season "cool" prescribed burns to protect communities and infrastructure, cultural sites and sensitive ecological areas. The training is also requirement under the KLC's Fire Operations Manual that outlines training and safety standards, planning and communications protocols as part of a comprehensive risk management framework.



On the road with Wunggurr

Wunggurr Rangers, with the help of long-time Ngallagunda community resident John Cheeseman, have begun the long journey with the tractor from Mt Elizabeth Station to Bachsten camp for maintenance. Along the way the team are undertaking track maintenance, grass fuel load burns and putting up a gate to stop tourists entering the Maggie Jump-up area whilst the track is closed. It's hard work but who minds that when you get to camp somewhere so beautiful?



Bardi and Nyul Nyul take to the skies

Things are heating up on the Dampier Peninsula with Bardi Jawi and Nyul Nyul Rangers rolling out their early season burning program, on foot and from the air. Taking advantage of the cool weather, "early season" burning helps to prevent devastating large-scale wildfires later in the year. As part of the KLC's Kimberley Ranger Network the Rangers receive technical and training support to help build their skills and confidence. The ultimate goal being that they will advance to specialist fire or leadership roles and run their own fire programs. Big shout out to Azton from the Bardi Jawi Rangers for stepping up as lead navigator for Bardi Jawi's aerial burning program. Deadly work!





KIMBERLEY LAND COUNCIL

OCTOBER NEWSLETTER



ICN: 21

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.