



NEWSLETTER



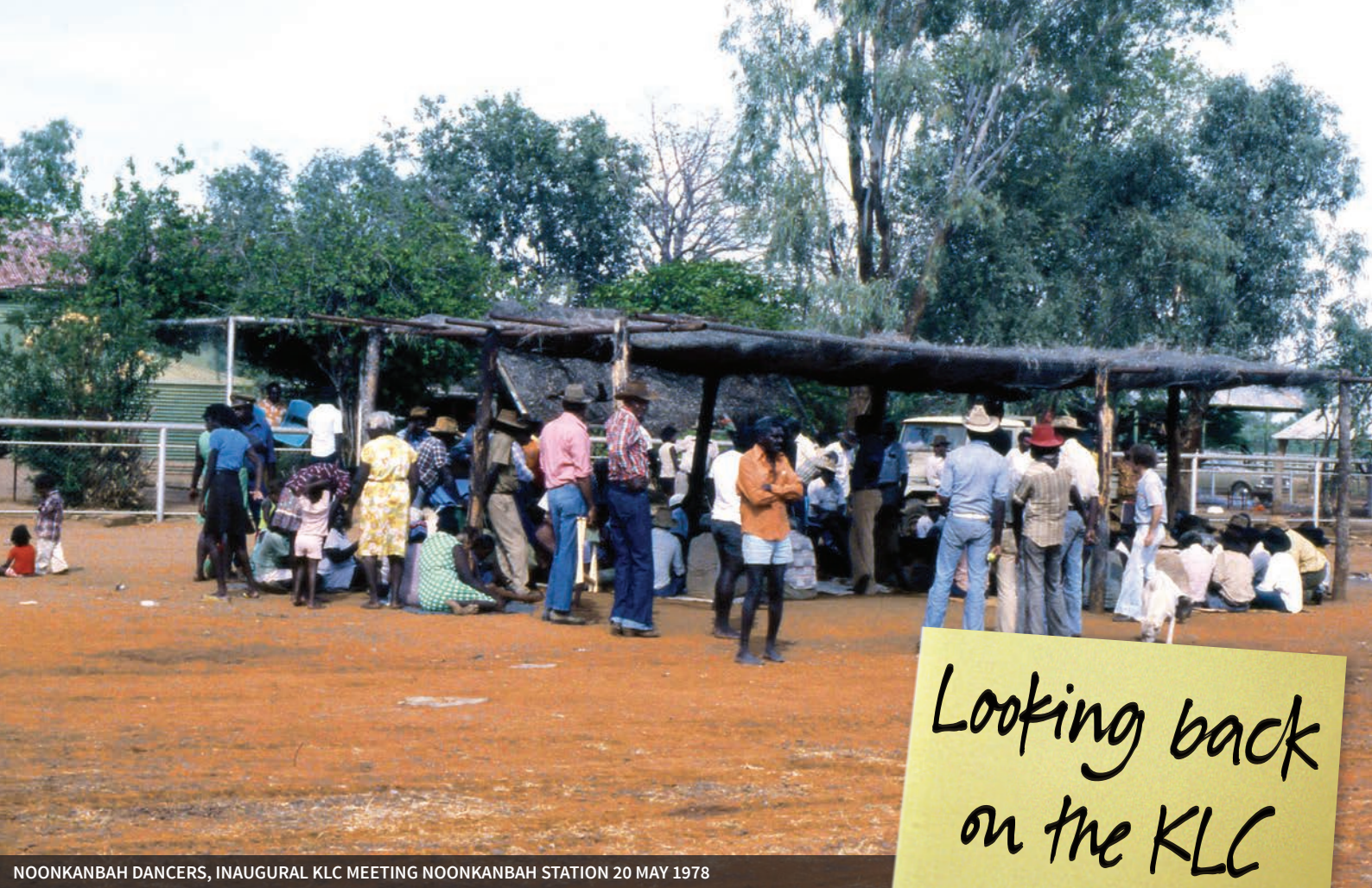
DEC 2018

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●●●●● 40TH ANNIVERSARY SPECIAL EDITION ●●●●●



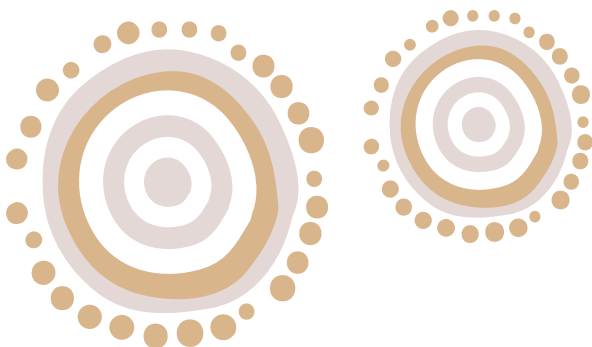


Looking back
on the KLC

NOONKANBAH DANCERS, INAUGURAL KLC MEETING NOONKANBAH STATION 20 MAY 1978

► 1983 - 35 years Meeting support

Meetings continue to be an extremely important part of the Aboriginal struggle. People from many different communities and language groups gather for these bush meetings which are often held outside. Bush meetings allow for face to face contact and long talks, and for immediate translations to be made if this is required.



► 1988 - 30 years Patrick Sampi's ex- Chairman's report

I like to work for the people, I love my people. I wanted to help them get equal rights so that Aboriginal people and gudiya can work together and be equal. Aboriginal people in the Kimberley talk about their land and their law and culture. People have been trying to get land for a long time, but I tried to make them understand it might take 10 years and that they have to keep trying and the land council was there to help. Though the land council could always do more if we had more field officers, motor cars and workers we did a lot to help people get back country. What the Burke Government has done and said since they got elected shows that Aboriginal people's needs and rights have been forgotten.

Message from the Chairman



Marboo Ngimbi,

I greet you at the end of 2018, full of pride for what the Kimberley Land Council has achieved this year. 2018 has been filled with many highlights and it's hard to believe we have managed to fit so many events, projects and general business in over the past 12 months. By the end of the year we will have celebrated five native title determinations, a huge achievement in helping to get land and sea back for Kimberley Traditional Owners.

We have had a huge year celebrating the Kimberley Land Council's 40th anniversary. This culminated in the big celebrations and AGM at Ngumpan in September, including the re-enactment of the Noonkanbah march, very significant cultural performances and a huge final night with Yothu Yindi next generation.

The September KLC AGM also included elections for the new KLC Board. I feel very proud to have been re-elected to the position of Chairperson. This is a role that I feel very privileged to hold and take extremely seriously. I look forward to visiting and speaking with KLC members about a range of issues throughout this next two-year term. I would like to thank all of our outgoing board members for their efforts and guidance over the last two years, and I offer a very warm welcome to our newly appointed directors who I know will continue to set a clear vision and direction for the land council.

In 2018, we have continued to fulfil our role facilitating native title claims across the region. We have celebrated the Yi-Martuwarra Ngurrara determination, the Bindunbur and Jabirr Jabirr/Ngumbarl determinations, the Mayala determination and before the year is out we expect to celebrate the Jaru and Giniyawarni Yoowaniya Riwi determinations.

We have also been undertaking significant work with Kimberley PBCs over the past 12 months, including assisting with the establishment of three new PBCs. Most recently, Kimberley PBCs have been holding their annual general meetings as part of their governance and ORIC requirements. For the majority of PBCs, the KLC provides logistical assistance and legal services as required at these meetings.

The KLC has also been staging governance training for PBC Directors with the aim of building capacity among the different groups in the region so that those PBCs that continue to require assistance can transition to greater independence.

We also mustn't forget the incredible National Native Title Conference that the KLC co-convened back in June. This was one of the biggest conferences ever to be held in Broome and brought more than 800 people to our region to discuss native title and land management issues.

As the year comes to a close let's rest with family and friends, and reflect on the many achievements and challenges of the year. Thank you to everyone involved in our work and for making such a wonderful contribution to the Kimberley Land Council. I hope you have a peaceful Christmas and I look forward to seeing you all in the New Year.

Anthony Watson

A handwritten signature in black ink, appearing to read 'Anthony Watson'.

Chairperson
Kimberley Land Council



KLC calls for constitutional reform on historic 40th anniversary

The Kimberley Land Council has made history, officially celebrating 40 years of standing up for the rights of Kimberley Aboriginal people.

The organisation, one of the most successful native title representative bodies in the nation, started its journey in 1978 as a grass roots movement of Kimberley Aboriginal people to protect land, law and culture.

Held in September, the celebrations started powerfully with a re-enactment of the famous Noonkanbah march. Elders who were at the original march took part and the family members of those who have now passed stood up to become the next generation leading the charge on issues affecting Aboriginal people.

Throughout the march, Kimberley people called for a voice and for governments and the whole of Australia to respect the rights of Aboriginal people, and after a welcome to country by the Ngumpan community everyone gathered for cultural performances and speeches by KLC elders and leaders, including John Watson, Joe Brown, Frank Davey, Irene Davey and Pearle Gordon.

The event, which attracted more than 800 people over the week, included general business and AGMs, a documentary screening, more guest speakers and closed with a special performance by the family



and founding members of Yothu Yindi to the backdrop of thunder and lightning.

“The 40th anniversary of the KLC is an historic event not just for Aboriginal people but the whole of the Kimberley,” KLC Chairperson Anthony Watson said.

“The KLC has come from humble beginnings to become one of the strongest voices on Aboriginal issues locally, nationally and internationally.

“We have honoured our old guard, on whose shoulders the KLC stands today, and called on our next generation of leaders to take up the charge. We thank everyone who has contributed to the KLC and supported us in our mission to get back country, look after country and get control of the future.”

KLC Acting CEO Tyrone Garstone said the anniversary was also a time to reflect on the issues that continue to prevail for the Kimberley mob.

“We have come a long way since 1978, but we still have a difficult journey ahead,” Mr Garstone said.

“The consequences of colonisation are enduring. Our young people are suffering and the gap between Indigenous and non-Indigenous Australians is ever widening.

“In 2020, Australia marks the 250th anniversary of the arrival of Captain Cook. There is no better time for Australia to right the wrongs of the past and deliver real recognition and representation for our Indigenous brothers and sisters.

“We call on the Australian Government to commit to constitutional reform and a referendum, fulfilling the wishes of First Nations people. It is only by changing the systems, policies and structures that perpetuate the status quo that we will ever see progress for our people.”

Since forming at Noonkanbah in 1978, the KLC has been at the forefront of issues affecting Aboriginal people. One of the organisation’s first major battles unfolded at Noonkanbah in the late 1970s, when international mining company Amax, supported by the Western Australian Government, wanted to drill for oil on sacred ground.

Kimberley Aboriginal people travelled from all over the region to support the Yungngora people and protest against the mine, resulting in national and international media attention.

In 1993, the KLC was recognised as the native title representative body for the Kimberley. Since that time there have been more than 30 successful native title determinations in the Kimberley region and approximately 84 per cent of the Kimberley is now native title determined.

The KLC has led the charge on a range of issues affecting the Kimberley mob, including most recently the threatened closure of Aboriginal communities, the protection of native title rights and interests, the expansion of Indigenous ranger programs and the push for constitutional reform.





Photographs courtesy of Kimberley Land Council, Steven Cutts and Joe Fox.





KLC 40th Anniversary - Ngumpun





KLC 40th Anniversary - Ngumpun

The Ngumpun Statement

The Ngumpun Statement was read aloud to WA Minister for Aboriginal Affairs Ben Wyatt on the final day of the combined AGMs of KLC, KALACC, KLRC and Aarnja.

Welcome to the Kimberley and this very significant meeting – the 40th anniversary of the Kimberley Land Council and the joint AGMs of the KLC, Kimberley Aboriginal Law and Culture Centre, Kimberley Language Resource Centre and Aarnja.

We gather here this week on important ground at Ngumpun. Our law, language and culture is strong. It has been practiced by our fathers and mothers, and their fathers and mothers before them for time immemorial. Culture and language is and will always be the foundation of our people.

Forty years ago we stood at Noonkanbah to assert our rights to self-determination, to protect our land and our sacred places. In 2018 we do the same, and although we have come a long way, with 80 per cent of the Kimberley native title determined, we continue to face challenges and our people continue to suffer. Throughout the past three days, the members of our key regional organisations have been considering these issues that confront the Kimberley mob.

We support the message from the Uluru Statement from the Heart calling for an Aboriginal Voice in the Constitution. Our 40 year struggle has been about exactly this, recognition for our people, and we ask that you support these wishes and the call for a Voice for First Nations. This is about human rights and having the type of rights that other people are afforded.

We ask for greater support of Registered Native Title Prescribed Bodies Corporates

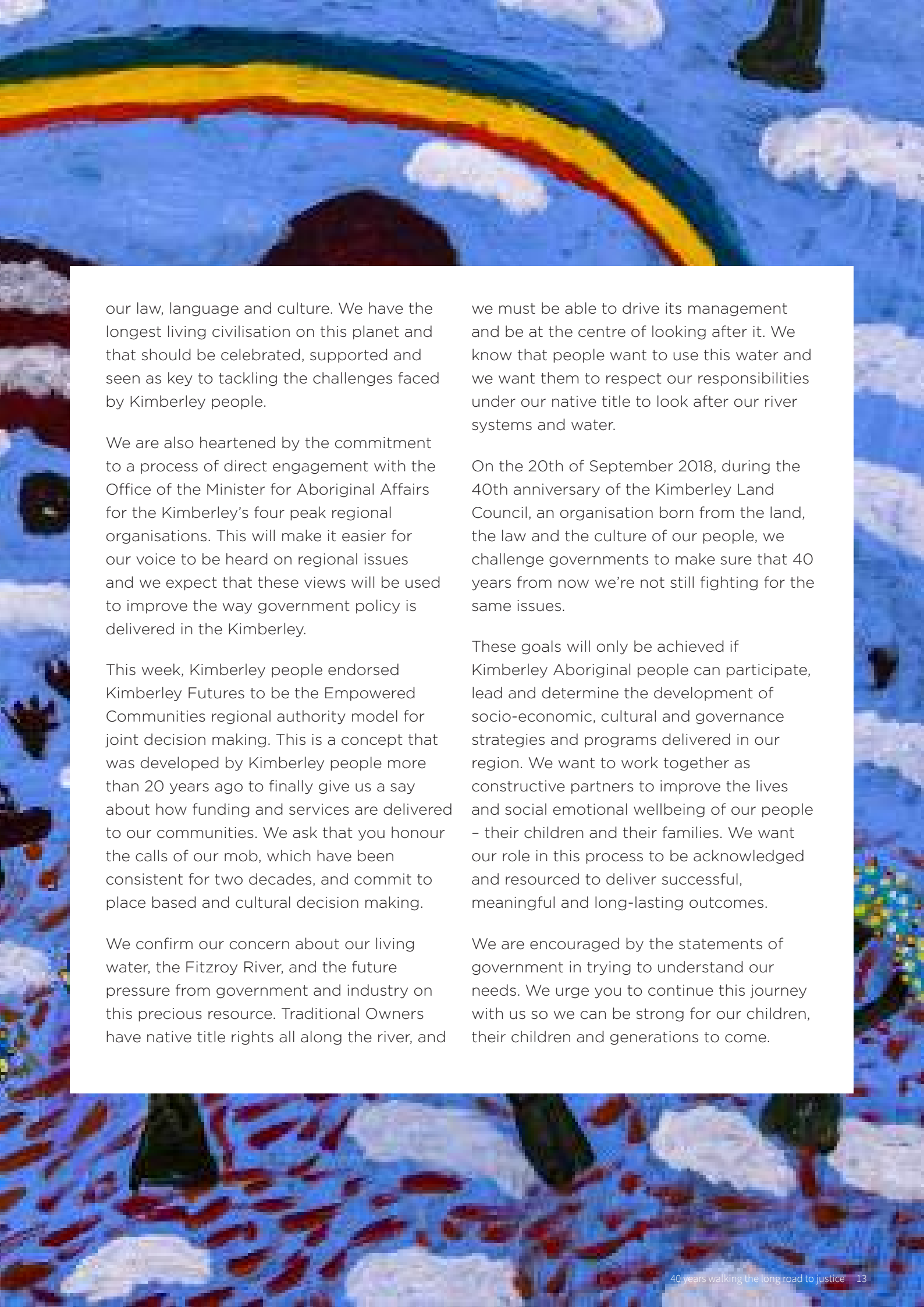
who have received their native title but lack funding support to build their capacity and capability in order to run their native title and develop economic and commercial opportunities.

We also have strong cultural governance in the Kimberley and peak organisations here to represent us. They should not be ignored. They must be respected and included. We question the need for a state advocacy role when we already have these organisations in place. Work with us and listen to what we have to say. We know what works and what doesn't.

Over many years, governments have failed to recognise our native title rights as a vehicle to earn an income and create culturally appropriate economic opportunities. We need the ability to use our lands for economic and other purposes and we call for real consideration and action on a new form of Aboriginal land tenure that will finally allow this to happen. We, the First Nations of this region, deserve this opportunity as much as any other and we shouldn't have to give up our native title rights to do so.

Last year we challenged the West Australian State Government to take a new approach to Aboriginal affairs and we acknowledge the commitment they have made to some of the key issues, such as the divestment of the Aboriginal Lands Trust and the protection of the Fitzroy River.

We applaud their announcement today of \$500,000 to assist with the maintenance of



our law, language and culture. We have the longest living civilisation on this planet and that should be celebrated, supported and seen as key to tackling the challenges faced by Kimberley people.

We are also heartened by the commitment to a process of direct engagement with the Office of the Minister for Aboriginal Affairs for the Kimberley's four peak regional organisations. This will make it easier for our voice to be heard on regional issues and we expect that these views will be used to improve the way government policy is delivered in the Kimberley.

This week, Kimberley people endorsed Kimberley Futures to be the Empowered Communities regional authority model for joint decision making. This is a concept that was developed by Kimberley people more than 20 years ago to finally give us a say about how funding and services are delivered to our communities. We ask that you honour the calls of our mob, which have been consistent for two decades, and commit to place based and cultural decision making.

We confirm our concern about our living water, the Fitzroy River, and the future pressure from government and industry on this precious resource. Traditional Owners have native title rights all along the river, and

we must be able to drive its management and be at the centre of looking after it. We know that people want to use this water and we want them to respect our responsibilities under our native title to look after our river systems and water.

On the 20th of September 2018, during the 40th anniversary of the Kimberley Land Council, an organisation born from the land, the law and the culture of our people, we challenge governments to make sure that 40 years from now we're not still fighting for the same issues.

These goals will only be achieved if Kimberley Aboriginal people can participate, lead and determine the development of socio-economic, cultural and governance strategies and programs delivered in our region. We want to work together as constructive partners to improve the lives and social emotional wellbeing of our people – their children and their families. We want our role in this process to be acknowledged and resourced to deliver successful, meaningful and long-lasting outcomes.

We are encouraged by the statements of government in trying to understand our needs. We urge you to continue this journey with us so we can be strong for our children, their children and generations to come.





Mayala native title recognised after twenty years

Two decades after their native title claim was first lodged, the Mayala native title holders have been recognised by the Federal Court of Australia as the Traditional Owners of their country in the Buccaneer Archipelago and King Sound.

The consent determination, which was delivered by Justice Barker at Ardyaloon community on the Dampier Peninsula, recognises both exclusive and non-exclusive native title rights across 3,833 square km of land and water north of Derby.

First lodged in 1998, the successful claim includes exclusive possession rights across almost all of the hundreds of islands in the native title area, including major islands such as High Island, Long Island, Mermaid Island, Hidden Island, Irvine Island and Bathurst Island.

It was the third native title determination to occur in the Kimberley for 2018 and means the Kimberley is now approximately 84 per cent native title determined.

Traditional Owner and Applicant Valarie Wiggan said she was proud to see the claim finally determined.

"I've been involved in this claim since it started 20 years ago, when my mum was on it, and she has been gone 18 years now," Valarie said. "I know my mum and uncles would be very proud and excited for this claim to be determined.

"My connection is to Long Island and I go out there whatever chance I get. I love being out on country."

Kimberley Land Council Acting Chief Executive Officer Tyrone Garstone congratulated the Mayala native title holders, acknowledging the many years it has taken to finally receive native title.

"Today is an historic moment for the Mayala Traditional Owners who have waited a long time to be recognised as native title holders," Mr Garstone said.

"Native title gives people real rights and a real say about what happens on their land and waters. It proves, at law, that the Mayala native title holders have a continuing and unbroken connection to their land and waters that spans thousands of years prior to colonisation.

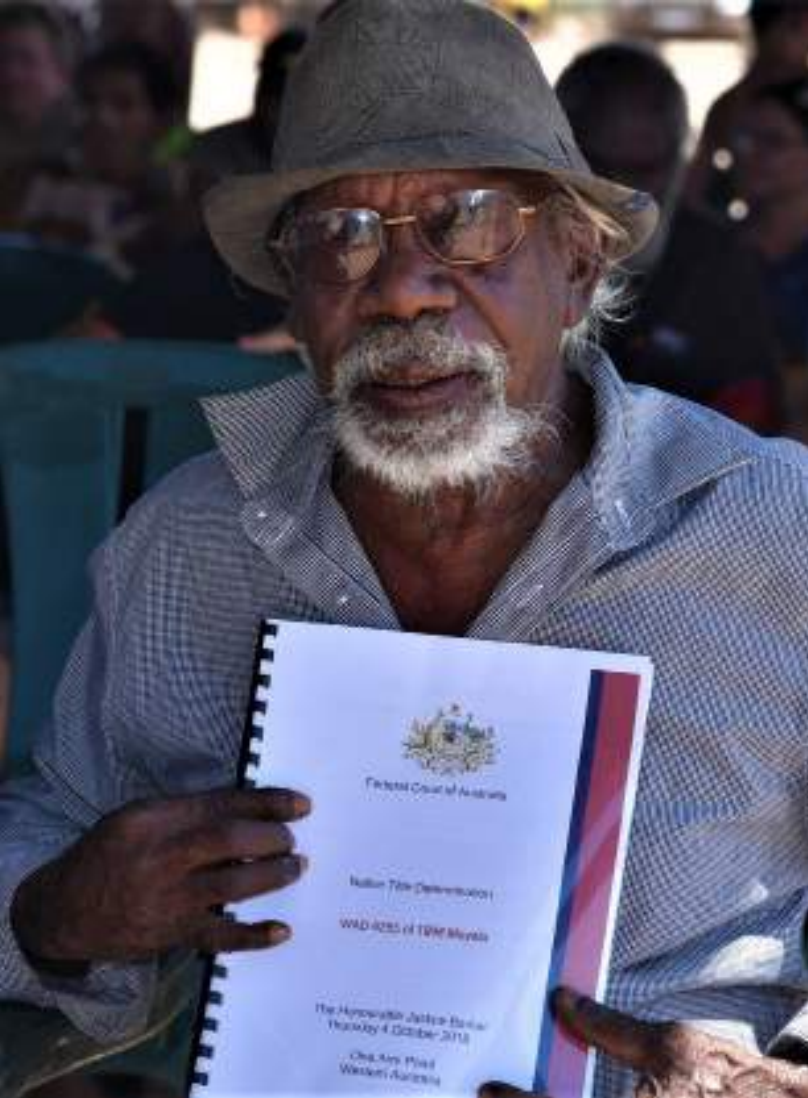
"Since this claim was first lodged many people have passed away. I would like to pay my respects to and acknowledge those who have fought tirelessly to get their country back.

"Now the challenge is to ensure that these hard fought native title rights are maintained and strengthened, rather than being subjected to the threat of extinguishment or compulsory acquisition.

"The Kimberley Land Council will continue to work for the Mayala native title holders to ensure their rights stay strong for generations to come."

Mayala native title determination











AGM season kicks off!

It's PBC AGM season in the Kimberley. People have been travelling from across the region to attend their PBC's Annual General Meeting, which is a requirement for all PBCs under the CATSI Act and is an important part of maintaining good governance.

They are a great opportunity for Directors to report back to their members about what the PBC has been doing this year, for the members to ask questions and for people to talk about the future of their native title.

There are currently 15 PBCs holding AGMs across the Kimberley. The KLC plays a role in assisting most of these PBCs, helping to stage and facilitate the meetings, as well as provide legal advice as required.

Check out these pictures from the Tjurabalan Native Title Land Association Corporation AGM held in November at Mulan Community.



Kimberley PBCs registered

Over the past year, the KLC has been working with the Nyul Nyul, Nimanburr and Jabirr Jabirr/Ngumbarr people to set up the PBCs which are capable of holding the native title for the Traditional Owners of the Middle Dampier Peninsula.

Each language group has now lodged applications to register three PBCs with ORIC and will continue to work with the KLC throughout early 2019 to strengthen the governance of each PBC before they hopefully become the registered native title body corporates for parts of the Bindunbur determination and Jabirr Jabirr/

New native title claim

In late November, the KLC convened a meeting of Karajarri, Yawuru and Nyikina native title holders to authorise a new shared native title claim over the largest remaining unclaimed area in the Kimberley.

Members of all three groups agreed to lodge the Birriman-gan native title claim on behalf of all Karajarri, Yawuru and Nyikina people over a previously unclaimed area in between the already determined Karajarri, Yawuru and Nyikina Mangala determinations.

The KLC will continue to work with the Applicant for the Birriman-gan claim (which includes equal representation of men and women from all three groups) and each of the already existing Karajarri, Yawuru and Nyikina PBCs over the course of 2019 to finalise the claim and finalise post-determination governance arrangements.



Karajarri, Yawuru and Nyikina authorisation meeting, November, 2018.



Karajarri, Yawuru and Nyikina authorisation meeting, November, 2018.



Photo taken during the Giniyjawarnni Yoowaniya Riwi (GYR) native title claim group meeting in November.

East Kimberley update



Painting by Barry Demi, Jaru native title consent determination, December 2018



The Kimberley Land Council has been leading a large amount of work in the East Kimberley this year. There have been lots of meetings and KLC staff have been working with Traditional Owners to help progress the large number of native title claims in the region. The below update provides a snapshot of what has been happening with some of these claims and what is planned for the future.

Giniyjawarnni Yoowaniya Riwi (GYR) native title claim

The Federal Court has scheduled the Giniyjawarnni Yoowaniya Riwi (GYR) native title claim to be determined on 17 December 2018. The determination provides that the GYR claimants will have an area of exclusive possession native title along the Margaret River in the south-west portion of the claim area. There will be non-exclusive native title rights over the remainder of the claim area, where the native title rights and interests will co-exist with the rights under the pastoral leases. The non-exclusive rights include the right to have access to the area, to take the resources of the area for any purpose, and to protect places of traditional significance.

Two of the pastoral respondent parties (the owners of the Lansdowne and the Margaret River pastoral leases) have requested that a pastoral access agreement (ILUA) also be agreed alongside the consent determination. This ILUA sets out guidelines for the ways the native title holders and pastoralists should together use the pastoral lease country. The GYR native title claim group agreed to and authorised the consent determination and the ILUA at a meeting of the GYR native title claim group on 22 November and the Federal Court will make a determination recognising the native title rights and interests of the native title holders on 17 December in Perth.

Jaru native title claim

A Minute of Consent Determination Native Title and pastoral access Indigenous Land Use Agreement was authorised by the Jaru Claim group at a meeting in Halls Creek on 21-22 August 2018. As a result, the Federal Court has scheduled an 'on country' native title claim consent determination to be held at Mary Pool on December 6. The Jaru native title claim constitutes areas of exclusive native title, non-exclusive native title and smaller areas where native title is not recognised. The Jaru claim group also made a decision to remove a large reserve from the area covered by their claim as native title cannot be recognised in that area under the Native Title Act. If the law changes in the future, another Jaru native title claim could be made over this reserve.

We'll bring you more information and pictures from the on country determination next year.

Goorring native title claim

An authorisation meeting of the Goorring native title claim group was held on 23 October 2018 in Kununurra. The native title claim group authorised a Minute of Consent Determination Native Title (MCDNT).

The State of Western Australia and the Goorring native title claim group, who are the only parties to the Goorring native title claim, have agreed the MCDNT and joint submission that have been filed with the Federal Court. The native title claim constitutes exclusive possession.

The Federal Court is expected to make a determination of native title in December 2018 in Perth. Acknowledgement on country for the determination will occur at the same time and location of the Yurriyangem Taam native title claim consent determination, which is expected to take place in mid-2019.

Ngarrawanji native title claim

An authorisation meeting with the Ngarrawanji native title claim group was held on 26 November 2018 in Halls Creek. The native title claim group authorised a Minute of Consent Determination Native including the proposed new claim group description.

The Ngarrawanji native title claim predominantly constitutes an area of non-exclusive native title but does include an area of exclusive possession native title and smaller areas where native title is not recognised. Next steps are for the parties to the native title claim to agree a MCDNT. An 'on country' consent determination is scheduled for mid-May 2019.

Yurriyangem Taam native title claim

An authorisation meeting for the Yurriyangem native title claim group is scheduled for 19-21 March 2019 in Warmun for the native title claim group to authorise the Minute of Consent Determination Native Title and pastoral access Indigenous Land Use Agreement. An 'on country' consent determination is scheduled for mid-June 2019.

Koongie Elvire native title claim

A meeting of the native title claim group for the Koongie Elvire claim is scheduled for the first week of March 2019 in Halls Creek for the native title claim group to consider amendments to the claim group description. Following that, in early April 2019, an authorisation meeting will be held for the members of the Koongie-Elvire claim group to decide whether to authorise changes to the claim group description and a consent determination of native title. If the consent determination is authorised, an on-country determination will be made by the Federal Court in mid-2019.

Next newsletter we'll bring you more updates, including news on the Malarngowem and Purnululu native title claims.



Photo taken during the Giniyjawarni Yooowaniya Riwi (GYR) native title claim group meeting in November.



Photo taken during the Giniyjawarni Yooowaniya Riwi (GYR) native title claim group meeting in November.

Native title interests honoured in new Sheffield agreement

The Kimberley Land Council has welcomed an announcement that Mount Jowlaenga Traditional Owners and Sheffield Resources have reached a formal native title agreement in relation to the proposed Thunderbird project.

The agreement will provide the Traditional Owners with heritage and environmental protection oversight and will deliver employment and contracting opportunities. In addition, the agreement will deliver \$150 million of compensation to Traditional Owners over the lifetime of the mine, which is predicted to operate for at least 42 years with a projected total revenue of over \$13 billion.

KLC Acting CEO Tyronne Garstone said the outcome is a positive step forward for Traditional Owners who have been calling for a native title agreement in relation to the mineral sands mine project for the past four years.

"This is a long awaited but positive result for the Mount Jowlaenga Traditional Owners," Mr Garstone said.

"No project that impacts peoples' country, and their native title rights and interests for generations to come, should ever go ahead without an appropriate agreement.

"Native title should not be a barrier to development, but an opportunity to

engage and work with Traditional Owners to create a meaningful partnership."

The announcement comes following more than four years of negotiations and court hearings, including a Full Federal Court decision in favour of the Traditional Owners, which set a precedent in native title law in regards to the good faith negotiation obligation under the Native Title Act.

"I congratulate the Traditional Owners and Sheffield Resources for working together to reach this agreement," Mr Garstone said.

"This outcome would not have been possible without the continuing commitment of KRED Enterprises and Arma Legal who have represented the Mount Jowlaenga Traditional Owners in this matter.

"The Kimberley is known for its strong agreements and the Kimberley Land Council will continue to advocate for native title agreements that benefit and meet the interests of Traditional Owners."



KTLA and Environs Kimberley take out massive Google Impact prize

The Karajarri Traditional Lands Association and Environs Kimberley have been awarded \$250,000 after being judged runner-up in the Google.org Impact Challenge.

The huge prize is for the groups' Pirra pani pi jara: Desert Eyes and Ears project, a monitoring network to help Indigenous rangers better manage and protect biodiversity and culture.

The project will be undertaken with the Karajarri Rangers (supported by the Kimberley Land Council) on their Indigenous Protected Area (24,797 km²) in the Great Sandy Desert to develop a network of equipment for monitoring biodiversity and cultural sites (e.g. cameras, audio recorders; pani (eyes) and pijarra (ears)).

This network will be wirelessly connected back to the ranger base and Karajarri community, allowing the rangers to access the data more frequently between on-country trips. Algorithm-driven software will then help rangers sort the large number of animal images and sounds recorded by the equipment, helping them to identify animal species and reducing data-processing time.

Additionally, an immersive space will be established in the Karajarri community with speakers and projectors to display

the images and sounds of remote cultural sites, enabling Karajarri and other people to 'virtually' visit remote sites, allowing them to connect cultural ceremonies and education to remote country between on-country visits.

This project can be scaled up to include other Aboriginal ranger groups and conservation land managers protecting an additional 10 per cent of Australian natural landscapes and species.

A massive congratulations to Karajarri and Environs Kimberley on such a well-deserved and inspiring outcome.





Paruku rangers score second snap of rare night parrot

One of the Kimberley's most isolated Indigenous ranger teams has for the second time photographed the elusive and critically endangered night parrot.

The Paruku Rangers, who photographed and recorded the species for the first time last year, now have a second camera trap image taken during a habitat assessment trip in October 2018.

The Great Sandy Desert location of the camera trap image, which remains a tightly held secret to protect the species, was close to the area where the rangers first photographed the bird last year.

It means the Paruku Rangers have recorded the only two known camera trap images of the rarely glimpsed bird taken outside of the well-studied population in Pullen Pullen, Queensland.

Paruku Ranger Coordinator Jamie Brown said the second photograph, as well as hundreds of audio recordings of the bird in the same area, provide further evidence of an important night parrot population in the Great Sandy Desert.

"As custodians for this country we feel very proud to be looking after the night parrot," Jamie said.

"Our aim as rangers is to identify where we have a strong night parrot population and work intensely to protect that area.

"We want to look after the night parrot for our children and our children's children."

The Paruku Rangers are well and truly leading the charge on night parrot conservation in Western Australia, also bringing together Australia's leading scientists, other rangers and elders for a recent night parrot workshop at Lake Gregory.

Jamie said the workshop was an opportunity to discuss the best way of protecting the species.

"Fire, foxes and cats are the biggest threats to night parrots on Paruku country," he said.

"We try to stop these threats by undertaking early season burning to reduce the impact of destructive bushfires and putting in place feral animal management plans."

The Paruku Rangers were recently awarded an \$80,000 Commonwealth threatened species grant to continue their work looking after night parrot habitat and to assist in the protection of other threatened species such as the Greater bilby.



Paruku Rangers Abraham Calyon, Jamie Brown and Lachlan Johns

The team works across an area of more than 25,000 square kilometres, including the Paruku Indigenous Protected Area (IPA).

The Paruku rangers look after the Tjurabalan Native Title area and greater Paruku region. They are supported in their work by the Tjurabalan Native Title Lands Aboriginal Corporation, the Kimberley Land Council, and the KLC's Kimberley Ranger Network.

Kimberley Land Council Acting CEO Tyrone Garstone said the night parrot work being undertaken by the rangers was clear evidence of the value of having Aboriginal people working on country.

"What is clear from this latest photograph is that you need Traditional Owners who are on the ground and experts in their country, to help save and look after endangered species," Mr Garstone said.

"Indigenous rangers have intricate knowledge of their country. This comes from generations of dreamings and stories handed down throughout the ages.

"If not for the Paruku Rangers and local elders, we'd never know that this population of night parrot existed."

Jamie said it was also really important to acknowledge those people and groups who have assisted the rangers.

"I would like to acknowledge my elders, the Traditional Owners of this country. Without them none of this would be possible. They are the backbone of everything we do," he said.

"I'd like to thank my brothers the rangers who are out there working with me every day and also my family, the elders and all the different family groups, as well as my colleagues at the Kimberley Land Council who have supported me all the way, WWF, the Broome Bird Observatory, Environs Kimberley and the Honourable Minister Melissa Price and Threatened Species Commissioner Dr Sally Box – we couldn't do our job without their support."

The night parrot workshop held at Lake Gregory was supported by a range of organisations, including the KLC, WWF Australia and Environs Kimberley.

For more information about the Paruku IPA and to obtain a permit if you would like to visit the area, please visit <https://parukuipa.org.au/>. The Kimberley Ranger Network is supported by the Commonwealth Government.

KLC Board of Directors



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Ngarrawanji

Shirley Purdie



Malarmgowem

Douglas Hobbs

Kurungal

KLC responds to fracking announcement

The Kimberley Land Council issued a public statement following last month's fracking moratorium announcement by the State Government. Read the full statement below:

The Kimberley Land Council (KLC) supports the free, prior and informed consent of Traditional Owners. It is a matter for Traditional Owners themselves to make decisions about processes that impact their country.

It is essential that any decision to lift the moratorium on fracking is accompanied by a clear and mandated process that ensures Traditional Owners and native title holders have the right to say no.

While the KLC welcomes the State Government's commitment to consent by Traditional Owners, recognising Aboriginal people's native title rights and ability to determine what happens to and on their country, it is paramount that a right to veto is legislated by government to remove any legal uncertainty or the risk of change in government policy.

No project that impacts peoples' country, and their native title rights and interests, should ever go ahead without Traditional Owner consent.

Of the existing granted petroleum titles in place across Western Australia, approximately 50 per cent are located in the Kimberley. These titles are located on

the traditional lands of at least nine native title groups.

This means that any decision to lift a moratorium on fracking on existing titles will have a significant and disproportionate impact on Traditional Owners and native title holders in the Kimberley.

Until a clear process for Traditional Owner consent for fracking production is in place and more information becomes available about the details of the State Government's plan, the moratorium should not be lifted.

The KLC also questions the fairness of a decision that allows fracking in some parts of Western Australia and not others. The WA Government must treat all Western Australians equitably no matter where they live.

The KLC requests an immediate commitment from the WA Government that zero activity will be undertaken in relation to existing petroleum titles until government has undertaken a thorough consultation process with affected native title holders and farmers, and an agreed process for providing consent is protected in law."

Key statistics:

In Western Australia different types of petroleum titles exist. They include: title (granted), special prospecting authority, application and release.

- Of the **existing granted petroleum titles** in place across Western Australia, approximately 50 per cent are in the Kimberley. These titles are located on the native title lands of at least 9 native title groups in the Kimberley.
- **14.3 per cent of the Canning Basin area** (that is located within the Kimberley) is covered by existing granted petroleum titles.
- **26 per cent** of the Kimberley is covered by petroleum titles of any kind (title (granted), special prospecting authority, application and release).
- **50 per cent** of the Canning Basin area of the Kimberley is covered by **petroleum titles of any kind** (title (granted), special prospecting authority, application and release).

Constitutional Recognition Committee endorses First Nations Voice

The Joint Select Committee on Constitutional Recognition released its final report on November 29.

The report endorses the formal establishment of a Voice, and also recommends a process of co-design with Aboriginal and Torres Strait Islanders.

The four key recommendations to come out of the report are:

Recommendation 1

In order to achieve a design for The Voice that best suits the needs and aspirations of Aboriginal and Torres Strait Islander peoples, the Committee recommends that the Australian Government initiate a process of co-design with Aboriginal and Torres Strait Islander peoples.

The co-design process should:

- consider national, regional and local elements of The Voice and how they interconnect;
- be conducted by a group comprising a majority of Aboriginal and Torres Strait Islander peoples, and officials or appointees of the Australian Government
- be conducted on a full-time basis and engage with Aboriginal and Torres Strait Islander communities and organisations across Australia, including remote, regional, and urban communities
- outline and discuss possible options for the local, regional, and national elements of The Voice, including the structure, membership, functions, and operation of The Voice, but with a principal focus on the local bodies and regional bodies and their design and implementation
- consider the principles, models, and design questions identified by this Committee as a

starting point for consultation documents

- report to the Government within the term of the 46th Parliament with sufficient time to give The Voice legal form.

Recommendation 2

The Committee recommends that, following a process of co-design, the Australian Government consider, in a deliberate and timely manner, legislative, executive and constitutional options to establish The Voice.

Recommendation 3

The Committee recommends that the Australian Government support the process of truth-telling. This could include the involvement of local organisations and communities, libraries, historical societies and Aboriginal and Torres Strait Islander associations. Some national coordination may be required, not to determine outcomes but to provide incentive and vision. These projects should include both Aboriginal and Torres Strait Islander peoples and descendants of local settlers. This could be done either prior to or after the establishment of the local voice bodies.

Recommendation 4

The Committee also recommends that the Australian Government consider the establishment, in Canberra, of a National Resting Place, for Aboriginal and Torres Strait Islander remains which could be a place of commemoration, healing and reflection

Access the full report online: https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Constitutional_Recognition_2018/ConstRecognition/Final_Report



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