



## NEWSLETTER



No. 2

JULY 2017

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

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## History made at Uluru

From 24 to 26 of May 2017, more than 250 Aboriginal and Torres Strait Islander delegates converged on Uluru for historic talks about changing Australia's founding document – the Constitution.

Five delegates from the Kimberley - Peter Yu, Irene Davey, Anthony McLarty, Cherie Sibosado and Wayne Bergmann - were elected at the Broome regional dialogue to travel to the spiritual heart of Australia for the historic talks. **Find out more on pages 4 and 5.**

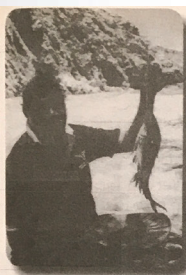


# Looking back on the KLC

## 1997 - 20 YEARS AGO

### Fitzroy River damming opposed

In 1997 plans to dam the Fitzroy River to allow cotton production and irrigated agriculture threaten the Kimberley region. Fears that country could be flooded and cultural sites destroyed led to the KLC voicing its absolute opposition to damming of the river. The KLC also provided support to Traditional Owners throughout the region to continue their efforts to stand against the dam.



▲ Sam Cox with gawi (fish) caught at Margaret Gorge

#### IRRIGATED AGRICULTURE in the West Kimberley

Plans to dam the Fitzroy River to allow cotton production and irrigated agriculture threaten our region. Many different mobs will be affected if the River is dammed. Country will be under water or under farms, sites will be flooded or impossible to get to, cultural heritage will be lost or damaged.

The KLC is absolutely opposed to any plans to dam the Fitzroy River. We are working with Traditional Owners throughout the region, providing information and support in their efforts to stand against the dam.



Butcher Cherel, Joe Ross and Teddy Campbell - Gooniyandi and Bunuba people meeting to talk about the Fitzroy River ►

◀ Bunuba Aboriginal Corporation Chairman Adam Andrews tells the ABC's 7.30 Report about Bunuba worries on the proposal to dam the Fitzroy River



▲ Robert Watson, Sam Cox and KLC CHairman Kurijinpi McPhee, together at the ACF/KLC launch of 'Kimberley At the Crossroads'

#### What will damming the Fitzroy and creating irrigated farms do to your country?

It is hard to know all the likely effects of damming the River, and of providing water for irrigation. This is because not a lot of scientific work has been done on the Fitzroy River, the fish and plant life in it, and the land around it.

But there are some things we do know. Changing the way the Fitzroy River flows will mean that the lives of people all over the West Kimberley will be affected.

Irrigated agriculture will mean that there will be changed not only in how the country looks, but also in how people live.

Kimberley Land Council Newsletter No 7, 2008.

## 2007 - 10 YEARS AGO

### Canadian Cree nation visits the Kimberley

Building on the strong ties developed with the Canadian Indigenous community, the KLC was proud to host a visit from representatives of the Cree nation in 2007. The Cree people form an Aboriginal nation living in eastern Canada nearby the United States. The visitors left the KLC with a gift of traditional Cree snow shoes. The shoes were a symbol of 'taking a journey' with the Cree people.



# Message from the Chairman



**M**arboo Ngyimbi (hello) and welcome to the July edition of the Kimberley Land Council newsletter. It's hard to believe we are already half way through the year and I will soon be seeing you all at the KLC AGM in September.

I'm pleased to announce that the AGM will be held in Lombadina/Djarindjin in the West Kimberley from 18 to 22 September. A big thanks to everyone from the community for hosting us. The KLC AGM is a huge event with hundreds of people attending and it is a fantastic celebration of the work we do. We also combine AGMs with our sister organisations KALACC, KLRC and Aarnja, and this year is especially exciting because it is a festival year. This means KALACC will be bringing their deadly performers to give us a cultural experience like no other so I encourage you all to attend.

Sadly, I must announce the sudden passing of one of our female directors. We give our condolences to the family and friends. Director McKeon will always be remembered by us. Please see page 2 for a tribute to our fellow director.

It's been three months since the new Labor Government came into power in Western Australia. The KLC has had some honest and productive conversations with the new government since that time, particularly with Treasurer

and Minister for Aboriginal Affairs Ben Wyatt. We were pleased to host the Aboriginal Lands Trust Divestment and Land Tenure Reform Forum at the KLC office in Broome in June. The State Government has expressed their desire to address the issue of ALT lands and the KLC will be working hard to progress this work.

The KLC has again been advocating for the needs of Kimberley Aboriginal people internationally. I together, with CEO Nolan Hunter, travelled to New York last May to attend the Sixteenth Session of the United Nations Permanent Forum. A particular focus of this meeting was the implementation of the UN Declaration on the Rights of Indigenous Peoples (UNDRIP). At the KLC we have serious concerns about the lack of implementation of this Declaration in Australia. I delivered an 'Intervention' to the UN Permanent Forum calling on member states to:

- Acknowledge that effective implementation of the Declaration will only be achieved through Indigenous participation in decision-making and control over decisions affecting their land and communities; and
- States commit to the establishment of benchmarked strategic achievement goals on implementation of the UNDRIP, through the development of national policy outcome focused assessment frameworks.

- In relation to recognition of rights to land, that the Australian Government review and overhaul the Australian native title legislation and prioritise the resolution of native title land claims in Australia.
- In order to overcome the significant social, cultural and economic barriers facing Indigenous people, native title rights must be given their due recognition as proprietary or property rights.

Locally, we continue to progress significant native title work. I attended the Purnululu claim group meeting in Warmun and work on this claim is continuing to progress. The Bindunbur claim is also nearing completion. The Judge is considering all arguments before making his finding.

We also held our first Board meeting for the year in Derby in April. The new Directors have been great to work with. They bring new questions and leadership to the Board meetings and I look forward to forging a close working relationship with all.

**ANTHONY WATSON**

# History made at Uluru



A member of the Mualgau Lak Gubau Gizu dance troupe from the Torres Strait.

From 24 to 26 of May 2017, more than 250 Aboriginal and Torres Strait Islander delegates converged on Uluru for historic talks about changing Australia's founding document - the Constitution.

Five delegates from the Kimberley - Peter Yu, Irene Davey, Anthony McLarty, Cherie Sibosado and Wayne Bergmann - were elected at the Broome regional dialogue to travel to the spiritual heart of Australia for the historic talks.

They were joined by Kimberley Land Council support staff CEO Nolan Hunter, Deputy CEO Tyronne Garstone, Sarah Parriman, Chad Creighton, Daniel Oades, Goolarri's Jodie Bell and Aarnja's Divina D'Anna.

When asked what Constitutional recognition meant to them, First Nations peoples told the Referendum Council they didn't want recognition if it meant a simple acknowledgement, but rather Constitutional reform that made a real difference in their communities.

At the end of the meeting the 250 delegates adopted the 'Uluru Statement from the Heart' with a standing ovation.

Delegates agreed that sovereignty has never been ceded or extinguished. With substantive Constitutional change and structural reform, Delegates believe this ancient sovereignty can shine through,

while giving First Nations people more control over their destiny.

"We seek Constitutional reforms to empower our people and take a rightful place in our own country. When we have power over our destiny our children will flourish. They will walk in two worlds and their culture will be a gift to their country," the Uluru Statement from the Heart says.

The Uluru Statement calls for the establishment of a First Nations Voice enshrined in the Constitution and establishment of a Makarrata Commission to supervise a process of agreement-making between governments and First Nations that includes truth-telling about Aboriginal and Torres Strait Islander people's history.

"In 1967 we were counted, in 2017 we seek to be heard. We leave base camp and start our trek across this vast country. We invite you to walk with us in a movement of the Australian people for a better future."

The full Uluru Statement from the Heart can be accessed at <https://www.referendumcouncil.org>. The Statement has informed the Referendum Council's report to the Prime Minister and Leader of the Opposition, which was delivered on 30 June.







# 50 years on from the 1967 referendum

**O**n the eve of the 50th anniversary of the 1967 referendum, KLC CEO Nolan Hunter issued the following statement about Indigenous recognition:

*"The 1967 referendum was a defining moment – a date in history when Indigenous Australians were recognised as citizens at law and more importantly in the mind's eye of the Australian public.*

*But today we know that while the 1967 referendum achieved something, it did not achieve everything.*

*We still have a long road to walk if we want real recognition and change for our Indigenous brothers and sisters.*

*The push for Constitutional change has persisted in the years following 1967, but all attempts have either faltered at the start or failed at the finish line.*

*In 2017, we find ourselves in the midst of another Indigenous Constitutional recognition debate.*

*This time Aboriginal and Torres Strait Islander people are calling for more than just symbolic recognition.*

*We want substantive, structural reform.*

*Real change should provide a Constitutional guarantee, such as a mandated First Peoples body.*

*What it means to be an Indigenous Australian has changed dramatically in the half century since more than 90 per cent of Australians voted to change the Australian Constitution.*

*As we travel further down this road to reform, we won't accept anything less than real change."*

*On 27 May 1967, 90 per cent of Australians voted yes in a referendum which allowed the Commonwealth to make laws for all Australians and take account of Aboriginal people when determining the population.*

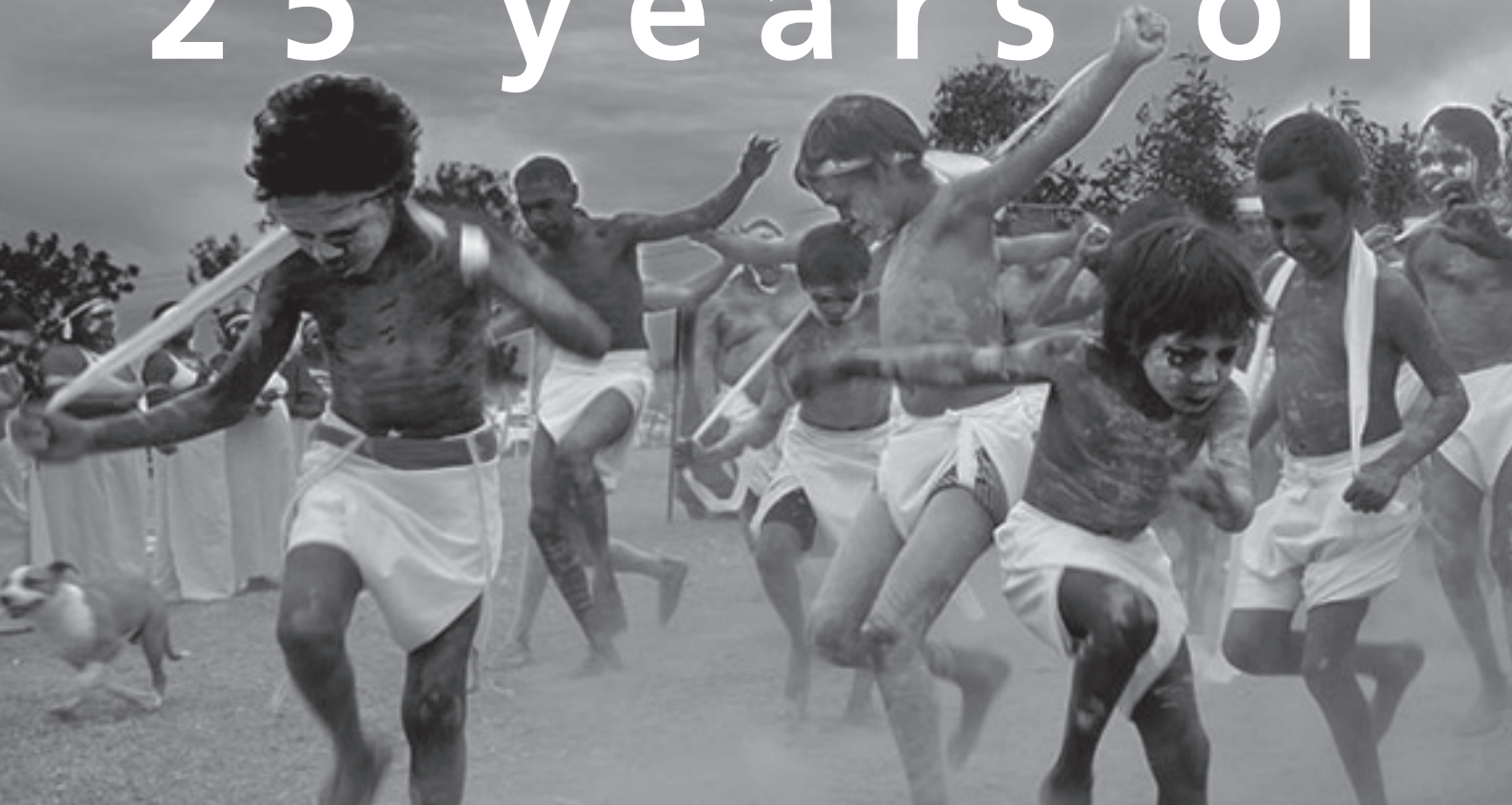
*There have been 44 Referendums in Australia's history and only eight carried.*



Uluru Conference Hall 2017.



# 25 years of



Gooniyandi native title determination - Joy Springs, June 2013

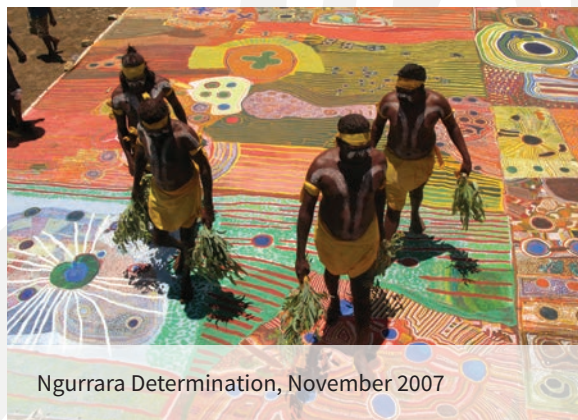
## Reflecting on Mabo and the future of native title

**O**n Sunday, 3 June, Australia celebrated the 25th anniversary of the Mabo decision – one of the most significant moments in history for Indigenous people in Australia.

"The Mabo decision was a watershed moment for First Nations people, presenting new opportunities and a new era for land rights in this country," KLC Chief Executive Officer Nolan Hunter said.

"In the 25 years since Mabo we have fought hard to secure native title for our people and we are proud to say that the Kimberley is now 80 per cent native title determined.

"While the anniversary is an important milestone, it is also a stark reminder of the challenges that still lie ahead when it comes to native title rights in Australia.



Ngurrara Determination, November 2007

"In the two decades since the Native Title Act came to be we have experienced many challenges.

"Native title is a long and arduous process, often taking up to 18 years to be resolved. Once a decision is reached there is often still a difficult and complicated road ahead.

"We want a better native title system and stronger rights for Traditional Owners. We want a system that recognises native title rights as being equal to other property rights in Australia.



# native title



"Our politicians must commit to working with Indigenous people to fix the failings of the Native Title Act.

"Allow Aboriginal people to prosper through native title. Don't hold us back."

## Who was Eddie Mabo?

Eddie 'Koiki' Mabo was born in 1936 on Mer, which is also known as Murray Island, in the Torres Strait. Sadly, Eddie Mabo never found out the result of his legal case. He died in January 1992, just five months before the High Court made its decision.

## What was the Mabo decision?

The Mabo decision was a legal case held in 1992. The legal decision was made by the High Court on 3 June 1992. The Mabo case ran for 10 years. On 3 June 1992, the High Court of Australia decided that terra nullius

was a fiction. This decision recognised that Aboriginal and Torres Strait Islander peoples have rights to the land – rights that existed before the British arrived and can still exist today. The Mabo decision was a turning point for the recognition of Aboriginal and Torres Strait Islander peoples' rights, because it acknowledged their unique connection with the land. It also led to the Australian Parliament passing the Native Title Act in 1993.







Karajarri Ranger Wynston Shovellor with 2017 National Indigenous Youth delegation, Canberra June, 2017.

# Wynston wows in Canberra

**K**arajarri Ranger Wynston Shovellor has made his Parliamentary debut in Canberra, wowing attendees with an inspiring speech about Indigenous rangers and working on country.

Part of the 2017 National Indigenous Youth Parliament delegation, Wynston headed to Canberra in May along with 49 other participants from around Australia.

Throughout the week-long program Wynston and his fellow participants met with Members of Parliament and other dignitaries, attended electoral and leadership workshops and networked with other young, like-minded Indigenous leaders.

Participants had the chance to meet with senior politicians, including Prime

Minister Malcolm Turnbull, Leader of the Opposition Bill Shorten MP and Senator Malarndirri McCarthy, and joined in a two-day simulated Parliament where they debated bills (proposed laws) and spoke on important issues.

Wynston took this opportunity to deliver an inspiring speech about his work as an Indigenous ranger and the importance of caring for country in the Kimberley and all over Australia.

The speech has received huge support and positive feedback. Wynston's work as an Indigenous ranger was also the subject of an address to Parliament by Member for Durack Melissa Price.



**Find out more about the Canberra trip from Wynston in the message below.**

*Wayiti ngajukura yini Wynston Shovellor  
muwarr ngajukura Karajarri, ngaju  
kakarajangka ngurra*

*My language, law and culture connects  
me to my country and gives me strength.  
That strength comes from my ancestors  
and my elders around me.*

*In May I travelled down from the  
Kimberley to Canberra as a member of  
the National Youth Indigenous Parliament.  
I told everyone there that country needs  
people and people need country. I even  
met PM Malcolm Turnbull and Bill Shorten  
and gave them letters saying that.*

*All the talk in Canberra, alongside all  
the good results that Indigenous rangers  
like me are delivering for people and  
nature, and the thousands of emails from  
supporters like you to key politicians, is  
having a big impact.*

*After the federal budget, we heard some  
good news: the Country Needs People  
team has been told that the government  
plans to extend Indigenous Protected  
Areas for five more years to 2023.*

*We don't know the detail, in particular  
that the funding would be enough to*



Wynston Shovellor with fellow Indigenous Youth Parliamentarian, Canberra, June 2017.

support existing Indigenous Protected Areas and the IPAs in development. The Country Needs People team are working on getting that information so we know whether to celebrate or spring into action. What we do know is that our combined strength is making a difference. We're not done yet and spreading the message, like sharing my speech on Facebook, keeps the profile of the campaign high so politicians know they have to do more.

Thank you for joining with me in calling for more Indigenous rangers and Indigenous Protected Areas for the long term. I'm looking forward to working together to continue making waves down in Canberra.

To view Wynston's full speech visit <https://www.facebook.com/>



Wynston Shovellor with Prime Minister Malcolm Turnbull, Canberra, June 2017.





Chairman Anthony Watson at the United Nations Permanent Forum, New York.

# KLC Chairman delivers

In May 2017, Kimberley Land Council Chief Executive Officer Nolan Hunter and Chairman Anthony Watson travelled to New York to attend the Sixteenth Session of the United Nations Permanent Forum.

The theme of the event was the 'Tenth Anniversary of the United Nations Declaration on the Rights of Indigenous peoples: measures taken to implement the Declaration'.

During the Permanent Forum the KLC raised its concerns about the lack of real implementation of the Declaration in Australia. This culminated in the delivery of an Intervention to the Assembly by KLC Chairman Mr Watson.

## **Intervention by Mr Anthony Watson Chairman of the Kimberley Land Council, Australia**

*Congratulations to you Madam Chairperson and I thank you. I pay my respects to our Indigenous brothers and sisters here today and their ancestors. I acknowledge the support of the UN Secretariat's Voluntary Fund in assisting us to come to New York to present at the Permanent Forum and thank the Chairperson and Board for their consideration. Madam Chair we have a number of recommendations to read out*

*first before we talk about the details:  
Recommendation: We call on the UN  
Permanent Forum to urge all States:*

- *to acknowledge that effective implementation of the Declaration will only be achieved through Indigenous participation in decision-making and control over decisions affecting their land and communities; and*
- *States commit to establishment of benchmarked strategic achievement goals on implementation of the UNDRIP, through the development of national policy outcome focused assessment frameworks.*
- *In relation to recognition of rights to land, that the Australian Government review and overhaul the Australian native title legislation and prioritise the resolution of native title land claims in Australia.*
- *In order to overcome the significant social, cultural and economic barriers facing Indigenous people, native title rights must be given their due recognition as proprietary or property rights.*

*Despite the endorsement of UNDRIP by the Government of Australia in 2009, many of the articles are not adhered to. A better form of measure to assess implementation is required. We call for reporting on practical evaluation through development of structured domestic policy frameworks,*





# s UN Intervention

adequate system mechanisms, and action plans for achievement that go beyond political endorsement.

Australian Government reports for Indigenous Australians tend to focus on achievement of activity and output or effort, as opposed to outcome. National statistics such as the Prime Minister's 2017 Closing the Gap report, national bureau of statistics, Office of National Audit on the Indigenous Advancement Strategy, and many other evidence based reports on Indigenous social or socio-economic circumstances, do not reflect a high score card on outcomes.

Erosion of land rights and discriminatory land tenure administration Article 32 of UNDRIP: A major obstacle facing Indigenous people in this endeavour is the ongoing erosion of our native title (land) rights, and the discriminatory administration of land tenure and land management by State Governments.

In Western Australia, for example, all manner of conservation, planning and land administration legislation is founded on a binary land classification that recognises only 'freehold' (private) and Crown land. As a result, Indigenous lands, which by default fall within the 'Crown land' category, are systematically viewed as being controlled

and managed by the State Government. Thus, native title rights must be given their due recognition as proprietary or property rights.

Social, cultural and economic inequality in Australia today; Indigenous people are dying 10 to 17 years younger than non-Indigenous Australians. Our children are being detained at 25 times the rate of non-Indigenous Australians. Our children are still being removed from their parents at alarming rates. Youth are being locked in detention for non-violent crimes. Young people are taking their lives in desperation and many of our old people are not surviving to become senior elders.

Articles 7, 21 and 24 of the Declaration on the Rights of Indigenous People confirm our rights to improvement of economic and social conditions and the highest standard of physical and mental health. Rights which are reiterated in the Universal Declaration of Human Rights and International Covenant on Economic, Social and Cultural Rights.

The Declaration on the Rights of Indigenous People further confirms our rights to self-determination (Article 3), self-governance (Article 4), and our own representative bodies (Article 5).





# ILUA changes pass the Senate

**C**hanges altering the Native Title Act have been approved by the Australian Parliament.

The news comes following months of uncertainty around the validity of more than 100 Indigenous Land Use Agreements (ILUAs) across the country after the High Court “McGlade” decision.

The McGlade decision related to the signing of six ILUAs by the Noongar people in south-west Western Australia. In February the full bench of the Federal Court decided that the signing of the ILUAs was ineffective under the Native Title Act and the ILUAs could not be registered by the Native Title Registrar.

In each case, the ILUAs were not signed by all the members of the applicant. The decision overruled a previous decision of a single Federal Court judge in 2010 that ILUAs could be effective and valid if signed by only one member of a native title applicant.

On Wednesday, 15 June, changes designed to address the uncertainty around ILUAs caused by the McGlade decision were

passed by the Senate.

The changes mean that ILUAs do not need to be signed by all members of the applicant. Rather, ILUAs can be signed by nominated persons or a majority of the claimant. This applies for ILUAs moving forward.

For ILUAs signed on or before 2 February (when the McGlade decision was handed down), the changes to the Native Title Act confirm that these ILUAs are valid even if they weren’t signed by all members of the applicant.

The changes provide valuable certainty about the validity of ILUAs for native title holders who had entered into these types of agreements.

The changes also provide greater flexibility for the signing of ILUAs, helping to make this process more efficient into the future.

The McGlade decision was expected to impact around 126 ILUAs across the country. None of the affected ILUAs are known to be in the Kimberley.



# Innovative training providing a pathway for strong PBCs

The Kimberley Land Council's Native Title Services team is continuing its innovative PBC capacity work, with the first ever Kimberley Regional PBC Governance Training occurring this month.

The training is being held at three separate locations across the Kimberley, including Broome, Fitzroy Crossing and Kununurra.

The training, a first for the Kimberley region, takes an innovative approach by providing PBCs with the opportunity to learn from each other in a collaborative forum.

The focus of the training will be on the responsibilities of PBCs both as corporations and as trustees of native title and will include governance, the role of directors and members in a PBC, native title decision making, rights of native title holders, running more effective meetings, dealing with numerous and varied demands on PBCs and mechanisms for managing disputes.

Kimberley Land Council Deputy Chief Executive Officer Tyrone Garstone said PBCs deal with extremely complex issues and need the training and support to undertake this work successfully.

"For the last 23 years, native title holders have been operating under the regime of the Native Title Act which requires, as a matter of law, that they establish a PBC (Prescribed Body Corporate)," Mr Garstone said.

"However, there is no mechanism from government to actually provide for those prescribed and mandated corporations to meet even their most basic compliance obligations.

"This means PBCs are often dealing with complex legal and governance issues

without the adequate support and training required, and that is what we at the KLC are committed to improving.

"With a renewed focus on the post native title determination era and extra government funding we have been successful in securing, the KLC is doing more than ever before to support capacity building of PBCs.

"One of our most exciting new initiatives is the first ever Kimberley Regional PBC Governance Training which is being staged this month. The training will bring PBCs together for the first time to seriously look at governance and how they can increase their capabilities and move towards independence.

"The KLC is also rolling out a number of individualised self-assessment workshops with PBCs aimed at measuring current capabilities and identifying clear areas for improvement.

"The KLC is in a unique position to provide this ongoing support to PBCs and we are dedicated to helping our PBCs stand strong and deliver important outcomes for their members."

In other news, the self-assessment tool for PBCs the KLC has developed under its Capability Assessment and Service Prioritisation (CASP) Framework is continuing to receive positive feedback locally and nationally.

The Commonwealth Government has now used the KLC tool as a basis to develop their own version called a Transitional Plan. This is another example of how the KLC is continuing to lead the way in PBC capacity development.



# East Kimberley update



Ivy Bindai, Theresa Jessell, Pearl Gordon, Shirley Drill at the Purnululu Claim Group Meeting, 2017.

The connection report by Dr Tony Redmond for the Malarngowem, Yurriyangem Taam and Ngarrawanji claims was provided to the State Government in May 2016.

Dr Tony Redmond has now completed his research for the Jaru and Koongie Elvire claims and the KLC provided Dr Redmond's connection report to the State Government for assessment in May 2017.

The State expects to complete its review of those reports in late 2017 or early 2018 after which the next step in the process is mediation with the State Government.

Following this the State needs to tell the native title claimants if it accepts connection and agrees that the claim groups are the right people to make the native title claims over that country. If the State does accept connection then the KLC will start to negotiate consent determinations of native title.

There will be more meetings with the native title claim groups when the KLC and the State start to talk about a draft consent determination.

In other news, a meeting for the Purnululu Claim was held at Warmun in April 2017. Catherine Wohlan reported the results of her genealogical research to the meeting. Ms Wohlan will now prepare a genealogical report and database. Dr

Tony Redmond will undertake research in the second half of 2017 and prepare a connection report that can be provided to the State early next year.

KLC Anthropologist Justin Lincoln will undertake research for the Gooring Claim and prepare a connection report in the second half of 2017.

The KLC will also hold a meeting with Traditional Owners for the area of the Argyle Grazing Lease in the second half of 2017 to discuss a native title claim over that area. This is part of the process under the Argyle Co-existence Agreement. KLC will be working with Gelganyem on the Argyle Grazing Lease native title claim.

Plans for a Halls Creek claim are currently on hold while resources are put towards moving the big East Kimberley claims through the native title process.



Jaru Country, East Kimberley.

# West Kimberley update



Bindunbur, Jabirr Jabirr/Ngumbarl and Goolarabooloo  
final hearing, June 2017.

Bardi Jawi country, West Kimberley.

## Bindunbur Native Title Claim

The final hearing for the Bindunbur (Nyul Nyul, Nimanburu and Jabirr Jabirr), Jabirr Jabirr/Ngumbarl and Goolarabooloo native title claims was held on 28 and 29 of June in Perth. This hearing was for the Judge to hear the final oral submissions on extinguishment – only the lawyers were involved. Now that the hearing is over the Judge will go away and write up his decision – this may take around 12 months. While we wait for the decision, the KLC will be talking with family groups about what kind of governance people want and how to set up PBC/s for the area.

## Mayala Native Title Claim

Dr Kingsley Palmer has been engaged to complete a connection report for the Mayala Native Title Claim. Dr Palmer has almost completed this research and report. This will be a major step forward for the Mayala claim. The KLC plan to hold family group meetings with Mayala native title claimants over the month of August to explain the report in preparation for an authorisation meeting.

Family group meetings will be held in Broome, Derby, Ardyaloon and Hedland. If you are a claimant you can find out more information by calling the KLC office. Notices for these meetings will be sent out in due course.

## Unclaimed area

There is an area of country between the Nyikina Mangala, Yawuru and Karajarri native title determination areas that has not yet had a native title claim lodged over it. The KLC facilitated a meeting earlier this year between representatives of the Nyikina Mangala, Yawuru and Karajarri groups to discuss how they would like to proceed. These representatives nominated an anthropologist to undertake the research for a connection report over this area in the preparation for a new native title claim.

The work for a new native title claim is being done now because the KLC has been informed by the Department of Lands that an application for a pastoral lease has been made over this unclaimed area. By doing the work now, native title claimants and the KLC will have more time to consider and talk together about any future native title claim.

## Edarrbur (Rubibi #18)

Negotiations towards a consent determination in 2017 are continuing. Administrative support for this claim is being provided by Nyamba Buru Yawuru.



# Ranger tour opens hearts and minds



Tour on Karajarri country



Turtle tagging with Bardi Jawi Ranger Azton Howard.

The Kimberley Land Council together with the Australian Conservation Foundation officially welcomed the first ever Kimberley Ranger Experience participants to the region in May.

The group of 12 from across Australia travelled up and down the Kimberley coast visiting the Karajarri, Nyul Nyul and Bardi Jawi ranger teams.

The rangers gave the group a special insight into their work and lives. Participants visited remote beaches, taste tested bush tucker, learnt about culture and its connection to country, were taken on a journey through Indigenous history and assisted with important turtle research.

The group also spent time learning from local tourism operators, elders and Traditional Owners about their country, traditional practices and land and sea management.

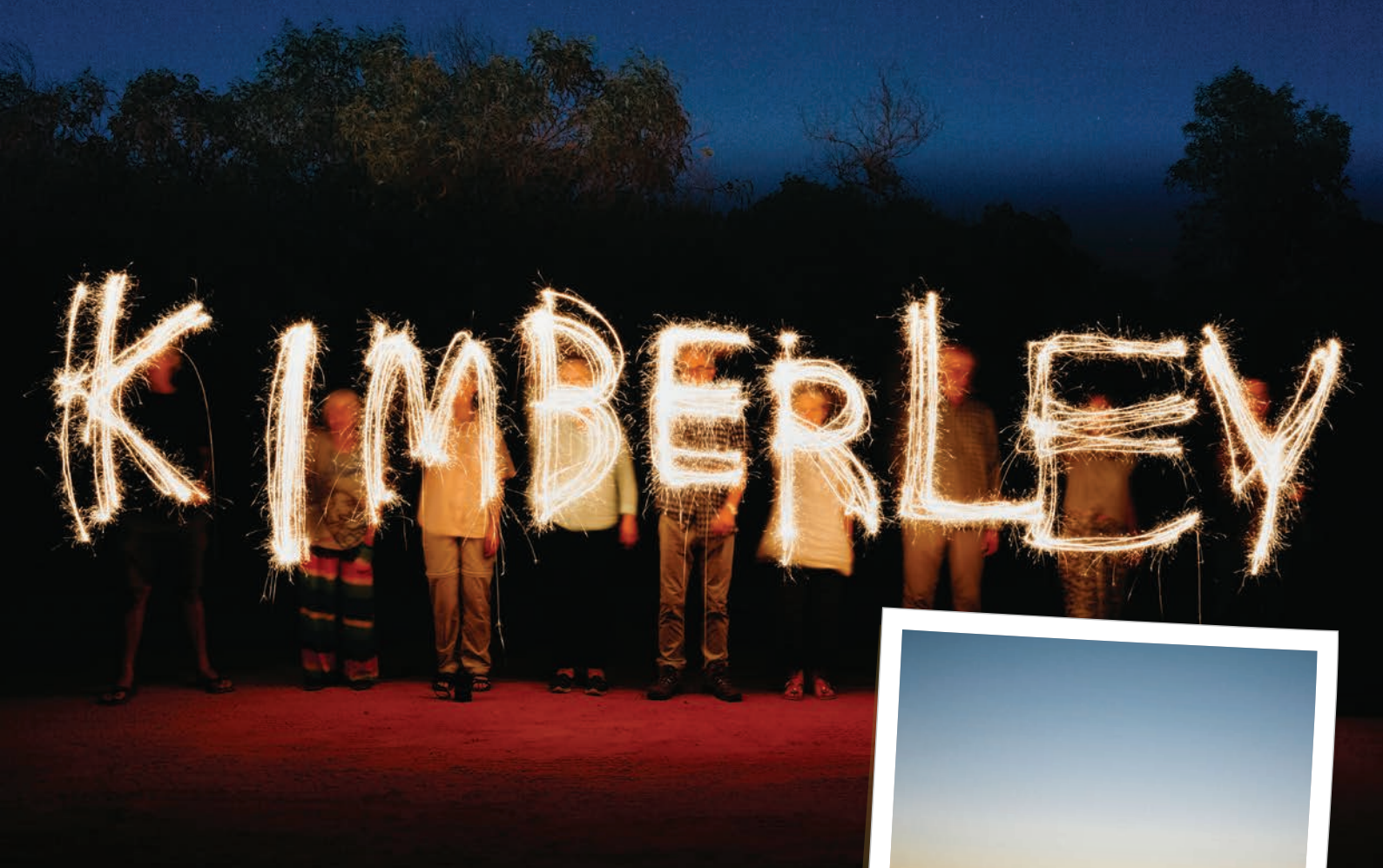
Developing tourism opportunities to help rangers diversify and looking at ways of managing tourism on country sustainably are key focus areas for PBCs, ranger teams and something the KLC is working hard to develop as part of our new KLC Cultural Enterprise Hub (see page 20).

More tours are expected and we will continue to keep KLC members updated with any future developments.

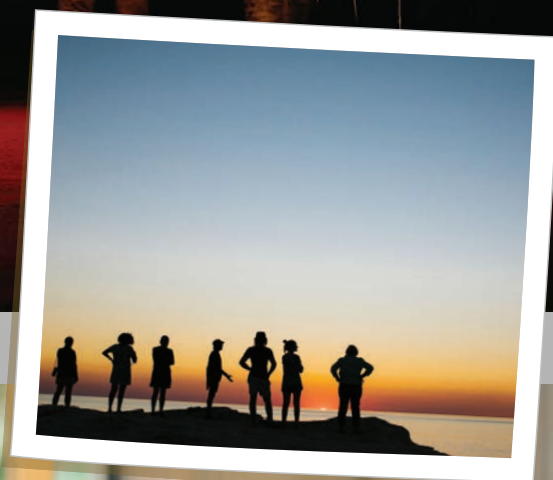


Nyul Nyul Ranger Albert Wiggan speaking to guests on the Kimberley Ranger Experience.





Tour participants spell out "Kimberley" on the Kimberley Ranger Experience.



Senior Karajarri Ranger Jessica Bangu with tour guest on the Kimberley Ranger Experience.



# Bardi Jawi Rangers discover Nicobar pigeon

Nicobar pigeon discovered by Bardi Jawi rangers.

A bird native to South East Asia and the South Pacific has been found by the Bardi Jawi rangers.

First spotted at Chile Creek on the Dampier Peninsula, the bird was identified as a Nicobar pigeon.

The colorful pigeon is normally found on small islands and in coastal regions, including the Andaman and Nicobar Islands, India, east through the Malay Archipelago, the Solomons and Palau.

The Nicobar pigeon is classified as near endangered by the International Union for Conservation of Nature and is reported to be the closest living relative to the extinct dodo.

Bardi Jawi Senior Ranger Kevin George said the Bardi Jawi rangers first spotted the bird in April.

Since then there have been numerous sightings before the bird was captured in a One Arm Point front yard on 2 May.

"We don't know how the bird got here – whether it flew all the way from Indonesia, India or the Solomons, if it island hopped or came by boat," Kevin said.

Bardi Jawi Ranger Coordinator Phillip McCarthy said the find is an important example of the biosecurity work Kimberley Ranger Network rangers are undertaking all along the Kimberley coastline.

"As Indigenous rangers we have responsibility for looking after some of the most remote and pristine coastline in the state," Phillip said.

"We take the biosecurity of our area very seriously and are strengthening our links with the Australian Government to ensure it is protected.

"We are the eyes and ears of Bardi Jawi country and will continue to work hard to look after this amazing coastline."





# Keeping the Karajarri story alive

Karajarri Traditional Owner Rosie Munroe with KTLA Executive Director Joe Edgar.

An exciting new project has begun to enable Karajarri people to have greater control of their photos, films, stories and other recordings.

The Karajarri Traditional Lands Association together with the Karajarri Rangers have been working closely with AIATSIS to bring back materials held by AIATSIS, and work with the community to figure out who can look at or access the materials.

Karajarri people and AIATSIS met in Bidyadanga in May where they received 132 audio files repatriated from various anthropologists, including McKelson, Moyle, Kerr, Laves, Ogrady, Johnson, Hutchinson, two video files - community made, 10 historical photos and 10 cultural site visits with elders documenting stories by reports, audio and video.

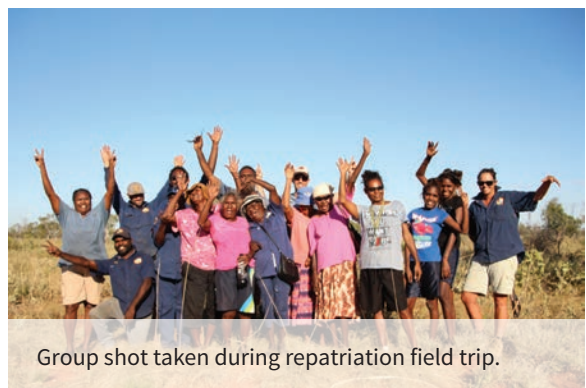
These materials had been stored by AIATSIS in Canberra previously and were mostly unknown by Karajarri people.

They also discussed a draft protocol for managing repatriated information in the future as well as other protocols for dealing with cultural materials.

Receiving the materials was a moving and at times emotional experience for the people involved and highlighted the need to look after photos, stories and recordings into the future.



Karajarri Ranger Coordinator Ewan Noakes with rangers Sheen Kitty and Braedon Taylor.



Group shot taken during repatriation field trip.

AIATSIS is now writing a paper about the decision making process and protocols for access and storing materials. This paper will be for people who want to know more about strong cultural processes for returning old materials and making new stories.



# Kick-starting cultural enterprise

**A**n innovative cultural enterprise model to provide targeted cultural and environmental business expertise to the Kimberley Ranger Network was launched Friday, 2 June, at the Ernst and Young offices in Perth.

The KLC Cultural Enterprise Hub, an initiative of the Kimberley Land Council, proposes a bold solution to an entrenched long-term problem. It aims to decrease sole reliance on government funding, increase job opportunities in remote communities, improve biodiversity, reinvigorate Indigenous culture and improve health by enabling people to move back onto country.

Chief Executive Officer of the Kimberley Land Council, Nolan Hunter, said the model represents a rapidly developing business opportunity that will play an increasingly important role in turning around intergenerational disadvantage in the Kimberley region.

"Our vision is for a prosperous and thriving community, with Aboriginal people living and working on their country in enterprises that are founded on traditional knowledge, culture and connection to country," Mr Hunter said.

"Our savanna burning projects are an example of our leadership in this area."

The Cultural Enterprise Hub model will engage strategic advisors and secure

investment for long-term projects that deliver multi-generational impact.

"The Hub will demonstrate the benefits of a new and innovative funding model for Indigenous groups across Australia and internationally," added Mr Hunter.

More than 50 people attended the launch with representatives spanning government, corporate and research sectors.

If you're interested in finding out more information about the Cultural Enterprise Hub launch please contact Ariadne Goring on 0409 086 715.



Ariadne Goring speaking to guests at the KLC Enterprise Hub launch.



Nolan Hunter speaking at the KLC Enterprise Hub launch.

# Ranger forum and AGM

The two big events of the 2017 Kimberley Land Council calendar are fast approaching.

From 1 to 3 August the Kimberley Ranger Forum will be staged on the Dampier Peninsula. More than 400 people are expected to attend the event which will include rangers from all across the Kimberley as well as the Northern Territory and Queensland.

The Kimberley Ranger Forum is a special event, bringing together land and sea managers to discuss their work, learn from others and improve the way they look after country.

This year's forum is being staged in partnership with the Commonwealth Department of Agriculture and Water Resources and planning is well under way.

People invited to attend the forum will continue to receive regular information in the lead up to 1 August. If you have any questions please contact Amarah Treacy [executive.lsmu@klc.org.au](mailto:executive.lsmu@klc.org.au)

In other news, the location for the 2017 joint AGMs of the Kimberley Land Council, Kimberley Aboriginal Law and Culture Centre (KALACC), the Kimberley Language Resource Centre (KLRC) and Aarnja has been announced.

This year's event will be held at Lombadina/ Djarindjin, located on the Dampier Peninsula in the West Kimberley, and will run from 18 to 22 September.

This year is a festival year, which means KALACC will be staging some amazing performances and cultural activities throughout the week-long event.

The combined AGMs are vital for strong governance and the KLC encourages all members to come along, hear about the business of these four organisations and enjoy the atmosphere.

For more information contact the KLC on 9194 0100, KALACC on 9191 5317, KLRC on 9168 6005 or Aarnja on 9192 2361.





# Kimberley Sustainable Development Trust



**T**he Kimberley Sustainable Development Charitable Trust (KSDT) was established in 2002 as a fund for the benefit of Kimberley Traditional Owners, Aboriginal people and their descendants.

As a trust, KSDT is administered by a corporate trustee, the Kimberley Sustainable Development Pty Ltd ("the trustee"). The directors of the trustee are Nolan Hunter, Rob Powrie and Tom Birch, with Anne Sigley managing the day to day operations.

The trust funds are unconnected to the operations of the KLC and are separately audited and accounted for.

KSDT and the trustee provide a cost efficient way of managing monies earned by native title holder groups from agreements and royalties as the trustee directors do not charge fees. KSDT therefore provides Kimberley native title holders with a non-commercial alternative to other trustees.

KSDT assists native title groups to set up rules and processes to enable them to maximise the benefits of their available funds. Any money that is managed by KSDT must be used to improve the standard of living of Kimberley Aboriginal people, and for assisting education, health, housing, employment and economic development opportunities.

Activities and items regularly approved by the trust for funds include funerals, law business, education grants and items to assist the standard of living of people.

Beneficiaries of the trust are required to lodge an application and each native title group has their own process for approvals. Native title groups are encouraged to form their own advisory committee to provide guidance to the trustee directors to assist in the decision making process for their funding applications.

# Acknowledging Anne and Caroline

**A**nne Sigley has been dealing with the management of KSDT since 2009.

Unfortunately sometimes members don't understand that Anne does not make decisions on spending. An advisory committee is always set-up to decide on how funds are distributed.

We understand that some people can at times feel frustrated by the trust process and confused about how trust law works.

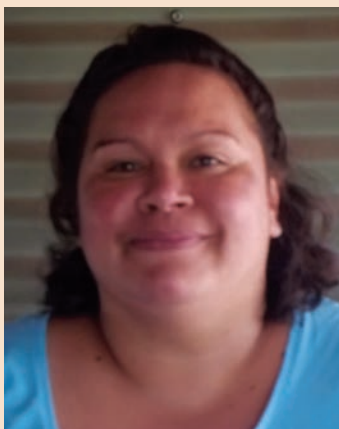
Anne often wears the brunt of people's frustrations. Despite this she continues to strive to ensure the trust operates at a high standard.

Caroline Stilman is the administration officer for KSDT.

Caroline has been working in this role for the past five years.

Caroline does not make decisions on how funds are spent. It is important that members understand this process.

We acknowledge the hard work of both Anne and Caroline and thank them for their continued contribution.



Top: Anne Sigley  
Bottom: Caroline Stilman



KSDT is a trust management company that operates under trust law and its sole responsibility is to hold the funds on behalf of the beneficiary claim group/families



Claim Group

The claim group determines how money is to be spent.

Advisory Committee

Claim group signs off on application from people who want to access funds.

Funds

Funds are allocated as directed by the claim group.





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.



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