



## Kimberley Land Council

**MEDIA RELEASE**

**Wednesday, 2 May, 2018**

### **Historic day on country for Middle Dampier Peninsula native title holders**

Hundreds of people will gather in Beagle Bay for the on country determination of the Bindunbur and Jabirr Jabirr/Ngumbarl native title claims.

Today's historic judgment recognises the Nyul Nyul, Nimanburr and Jabirr Jabirr/Ngumbarl people as the native title holders over a combined area of approximately 12,000 square kilometres on the Middle Dampier Peninsula in Western Australia's Kimberley region.

Delivered by Justice North, the determination extends from Willie Creek in the south to Pender Bay and Disaster Bay in the north and includes the Lacepede Islands, the Beagle Bay community, pastoral stations and unallocated crown land.

The judgment brings to an end the first litigated native title claim to occur in the Kimberley in the past 10 years. The Kimberley region of Western Australia is approximately 80 per cent determined as native title land.

Kimberley Land Council Acting Chief Executive Officer Tyrone Garstone said today's native title determination is the culmination of years of hard work and persistence by the Nyul Nyul, Nimanburr and Jabirr Jabirr/Ngumbarl people to have their rights to land recognised at law.

"This is a historic day for the Nyul Nyul, Nimanburr and Jabirr Jabirr/Ngumbarl people, the Traditional Owners of the Middle Dampier Peninsula," Mr Garstone said.

"A determination of native title recognises the unbroken and continuing connection to country of the Traditional Owners before sovereignty was declared across Western Australia in 1829.

"Native title gives Traditional Owners a genuine and real say on what happens to and on their land."

Mr Garstone said the next step for native title holders will be to set up corporations known as Prescribed Bodies Corporate, so that native title holders can manage what happens on their country.

"For more than two decades, 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 body corporate," he said.

"However there is barely any support to actually enable those mandated corporations to meet even their most basic compliance obligations.

“PBCs deal with significant and complex issues and must be provided with the funding and capacity building required to undertake such an important role.

“Only by doing this will Kimberley Aboriginal people be able to transform their native title rights and justly be able to take control of their future, their economic independence and prosperity.”

The Kimberley Land Council has been the legal representative for the Nyul Nyul, Nimanburr and Jabirr Jabirr/Ngumbarl people throughout the Bindunbur native title claim.

**Quote to be attributed to the Bindunbur Named Applicant. The Named Applicant is an overall term for the people who are named on the application for the native title claim, brought on behalf of the wider group.**

*“It was a bit of a struggle but we all came together and have had a good win. We were together in the past, we are together now, and we will be together in the future. We have shown good strength working side-by-side. But we still have more work to do.”* – **Bindunbur Named Applicant – Damien Manado, Cecilia Churnside, Alec Dann, Betty Dixon, Walter Koster and Phillip McCarthy.**

#### **Individual quotes from Traditional Owners**

*“In the space of five years we have been recognised and gotten our native title. Now the Dampier Peninsula can be whole. This determination means from Broome to One Arm Point there is native title.”* – **Damien Manado, Nimanburr Traditional Owner and native title holder**

*“I think it is important to have native title recognised because as it is now our old people and our ancestors haven’t been able to talk up for themselves, but now we have the right to make sure our country is protected. I feel free finally being recognised as a Traditional Owner and respected by the government.”* – **Henry Augustine, Jabirr Jabirr/Ngumbarl/Nyul Nyul Traditional Owner and native title holder**

*“We have lost a lot of our old people who have advocated and fought very hard to see this day of recognition. Having our native title recognised is a welcome achievement for the Nyul Nyul people. Native title gives us as Traditional Owners a much stronger position at the table to negotiate agreements for our country. Native title for us is a tool to work together and aim to bring prosperity in many ways for our people. Our apical ancestors’ spirits will be with us every step of the way. We owe it to them and our future generations moving forward.”* – **Mary O’Reeri – Nyul Nyul Traditional Owner and native title holder**

*“What a great result, a vindication to all. For some of us it has been a long time coming, the highs and the lows, the expectations have now all come to fruition for the Bindunbur and Jabirr Jabirr/Ngumbarl native title claim groups and people of the Dampier Peninsula in addition to the Yawuru and Karajarri peoples. I’d like to acknowledge all the hard work and thank all the witnesses, Blackshield Lawyers, and, arguably the most successful land council in the country, the Kimberley Land Council. It is incumbent on us now to make this work for all of us, for every group on the peninsula, I say let’s not be wasteful of this opportunity but to take the advantage and build a working model which is inclusive, which protects, preserves and grows the true meaning of native title for all in the region.”* **Frank Parriman – Jabirr Jabirr Traditional Owner and native title holder**