



MEDIA STATEMENT

FOR IMMEDIATE RELEASE

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“An Historic Moment for Australia”: Exclusive Native Title Recognised for Traditional Owners of World Heritage Listed Purnululu National Park

The Kimberley Land Council (KLC) has extended its congratulations to the Purnululu and Gajangana Jaru native title claimants who have been recognised as the native title holders for the Purnululu National Park.

In an historic development, exclusive possession native title, the highest and strongest form of native title in Australia, has been recognised over the world heritage listed Purnululu National Park and the neighbouring Purnululu Conservation Reserve under an agreement reached with the State of Western Australia, allowing the Federal Court to recognise this form of native title.

The Purnululu claim, first lodged in 1994, was the oldest active native title claim in Australia.

The native title claimants have been recognised as the native title holders for the Purnululu National Park, Purnululu Conservation Reserve and other areas including parts of Texas Downs pastoral lease and unallocated Crown land.

The resolution of the two claims brings both to a positive conclusion and recognises the interests of the Traditional Owners for the area, who together have Kija, Jaru and Malignin language identities.

Purnululu Elder, Shirley Drill, said this process has taken a long time, but she is happy to have her land back.

“This is a very happy moment but this process has taken too long. I had black hair when this all started. I was asked questions over and over. Now it is finished and now we can finally have our land back.”

“I want to stay out there on my country. I want my children to stay out on country.”

KLC CEO Tyrone Garstone congratulated the Traditional Owners, noting the significance of today’s outcome, which is only the second agreement of its kind in Australia.

“This is an historic moment for all of Australia. The agreement between the Purnululu and Gajangana Jaru Applicants and the State of Western Australia acknowledges the value of Traditional Owners’ deep knowledge of country and connection.

“The agreement creates a pathway under the *Native Title Act* for the Federal Court to recognise exclusive possession native title, and sets the foundation for a strong relationship over an area which is of great cultural significance to Traditional Owners and has recognised global significance under World Heritage Listing,” Mr Garstone said.

Recent amendments to the Native Title Act have allowed the Purnululu and Gajangana Jaru Traditional Owners to take this opportunity. The amendments to the 47C agreement in the Native Title Act allow state governments to agree that prior extinguishment of native title can be disregarded and exclusive possession recognised over conservation reserves and similar areas.

The 47C agreement involves two native title parties, Purnululu and Gajangana Jaru, and the State of Western Australia. The KLC has provided support to both native title parties as part of its native title representative body functions.

Mr Garstone said the outcome “acknowledges the depth of traditional knowledge and its value to cultural and environmental conservation, will result in better conservation practices for Australia”.

“This is indicative of the forward-looking approach that governments are now taking to native title, Indigenous land management and the mutual and community-wide benefits that stem from the recognition of Traditional Owners’ ongoing connection to country, their culture, and knowledge.”

There will be a ceremonial sitting of the Federal Court of Australia in the determination area in May 2023.

Background notes:

- 47C agreements are a recent mechanism introduced into the Native Title Act (NTA) to allow governments and native title holders to agree that native title should be recognised in conservation reserves.
- The proposed 47C agreement covers the **Purnululu** National Park and the **Purnululu** Conservation Reserve. This is only the third such agreement in Australia and the second in Western Australia.
- The **Purnululu** native title claim covers 4,573 sq km and includes the **Purnululu** National Park, the **Purnululu** Conservation Reserve, and neighbouring pastoral lease and unallocated Crown lands.
- The Gajangana Jaru native title claim covers 2,438 square kilometres and covers the **Purnululu** National Park.

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