



KIMBERLEY LAND COUNCIL
getting country back caring for country securing the future

NEWSLETTER

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Wanjina Wunggurr native title determinations



Kimberley gets National Heritage Listing

The Indigenous cultural values of the Kimberley have been National Heritage Listed cementing the region as a strong and significant Aboriginal place.

Federal Environment Minister Tony Burke made the announcement on August 31 at Gambanan on the Dampier Peninsula.

This represents a significant win for Kimberley Aboriginal people as National Heritage Listing will ensure the Indigenous cultural values of the Kimberley are preserved, protected and enhanced.

KLC Appoints New CEO



The Kimberley Land Council Executive Board has appointed Nolan Hunter as the organisation's Chief Executive Officer.

Nolan takes the place of Wayne Bergmann, who left the Kimberley Land Council in March after more than 10 years as CEO.

Nolan has worked at the KLC for more than four years as the Deputy CEO and has the knowledge about how our organisation works.

Nolan said he was excited to take on the job and looks forward to continuing to work with all KLC members.

He said there would be many challenges ahead for Kimberley Aboriginal people just as there had been in the past.

"The strength of the Kimberley Land Council has been defined by our ability to bring all Kimberley Aboriginal people together and stand as one to improve the lives of our people," he said.

"The KLC has a long and proud history and in its 33 years has led the fight for political change in the struggle for Indigenous rights and freedoms.

"The KLC was formed by Aboriginal people for the benefit of Aboriginal people. The KLC will continue to represent our members and be accountable to them. We act on the directions of Traditional Owners and I am merely a spokesperson, voicing the concerns and aspirations of our members.

"My focus as CEO is to put Traditional Owners in a strong position by creating benefits out of native

title rights. We want to build on our conservation and land management practices and utilise our knowledge of country to create new opportunities for communities.

"We will be pursuing key projects such as carbon trading while we work to expand the Kimberley Ranger Initiative."

Nolan said he would also work to lobby state and federal governments on the issues of Indigenous water rights and the impacts of climate change on Aboriginal communities while pursuing Indigenous carbon opportunities.

"The vision of the KLC is to set up a regional trust, which pools together funds dedicated to achieving environmental and cultural outcomes, with a focus on investment into programs deemed as priorities by Kimberley Aboriginal people," he said.

"Aboriginal people in the Kimberley have a strong future ahead."

Born in Broome, Nolan is a Bardi Jawi man who has strong connections to his country and people. Nolan worked overseas in various foreign posts in immigration and humanitarian programs before coming back to the Kimberley. His favourite past time is fishing and never fails to tell a good yarn about his many adventures and the 'big one' that got away.



message from the Chairmen

Our Annual General Meetings are upon us and provide us with a time to conduct important business, reflect upon our history and set the direction for the future.

It is important that we use this year's gathering as a time to re-group and refocus so we remain strong and united in facing the challenges ahead of us together.

It has been a big year for the KLC. We have had two native title determinations and I would like to congratulate the Wanjina Wunggurr community for being recognised as the Traditional Owners of their country.

We have also had the Indigenous Cultural values of the Kimberley national heritage listed, cementing the region as an Aboriginal place.

There have been numerous court battles, in which, dissident groups of Traditional Owners have brought legal action against the KLC.

In every case, the KLC, its processes and way of doing business, stood up in a Federal Court of Law. This is something to be proud of because it shows that our organisation is working for us and doing the best for us.

The KLC, has also worked with Traditional Owners to negotiate Agreements that put our people in the strongest position to get control of their own future.

Goolarabooloo Jabirr Jabirr, Mayala and Lumugal Traditional Owners have all signed major agreements, highlighting the ability of the KLC to negotiate some of the best agreements to ever be made in Australia.

The KLC was formed by Aboriginal people for Aboriginal people. It continues to be an organisation of the people, that achieves major outcomes for our mob.

The KLC was borne out of the Noonkanbah days when we all stood together to fight for a common cause. That strength, of standing together is still with us.

Our old people have worked hard for us and have helped get us where we are today. We need to respect them as well as each other as we continue to achieve our aspirations into the future. The KLC is a grass-roots organisation, which is why we have been touring the Kimberley, along with some of our Executive Board members and Cultural Advisers. We travelled right across the Kimberley visiting remote communities to talk to you, our members. This is your organisation and we want to hear what you have to say and your ideas about the future of the KLC.

We have a tough year ahead. The State Government is changing its approach to native title and is wanting our people to sign off on land use agreements and tenure before it works with us to resolve native title. Native title is already a long and tough process and the State Government is trying to make it even harder for us to get back our land.

There are other challenges too around joint management, proper consultation, and policy.

In order for our people to be heard we need to stand together. This has always been our strength and when we stand united our voice is louder and stronger. Kimberley Aboriginal people are not going anywhere; which is why we are calling on governments and other organisations to work with us; not against us. We don't want to fight anyone because ultimately we are all working towards achieving the same goal.

Kimberley Aboriginal people have endured many challenges in the past and we will continue to be challenged into the future. But our people have always resisted, survived and adapted because we have stood together as one.

The KLC has been working for us since 1978 and will continue to do so into the future.

TOM BIRCH & FRANK DAVEY





Wanjina Wunggurr

Uunguu

native title determination

The Wanjina Wunggurr community was recognised as the rightful owners of their traditional lands in the north Kimberley, after the Federal Court granted the Uunguu native title consent determination on May 23.

The Wanjina Wunggurr Uunguu native title claim is closely linked to the neighbouring Wanjina Wunggurr Wilinggin and the Wanjina Wunggurr Dambimangari claims. These three areas represent a cultural bloc as they share similar mythology and law based on the Wanjina Wunggurr spirits.

The Kimberley Land Council acted on behalf of the Wanjina Wunggurr Uunguu claimants to negotiate native title across 25,909 square kilometres of land and sea country. Most of the native title claim will be exclusive possession – which is the strongest form of native title

KLC Acting CEO Nolan Hunter said native title empowered the Wanjina Wunggurr Uunguu claimants to take control of their futures.

“Native title is about respect and the recognition of Aboriginal people’s rights to country. Rights that can’t be ignored or brushed aside,” he said.

“Traditional Owners have been fighting for native

title rights and interests for more than 10 years. It has not been an easy journey and their frustrations were further amplified by huge hold-ups and delays to the native title process as a result of third party respondents.

“We welcome the decision of the State Government to agree to the consent determinations of the Wanjina Wunggurr people and we call on the Government to progress native title in the Kimberley through mediation in a timely manner.

“Native title puts Traditional Owners in a stronger position to negotiate agreements, manage their country and set terms and conditions for access.

“This is extremely important in light of increased development pressures in the Kimberley. As a result of native title, Governments and industry are required to sit down at the table with Traditional Owners before anything is done on country.

Uunguu Traditional Owner Syslvester Mangalomara said he had learned a lot about his country while collecting evidence for the native title claim with his old people.

He said his grandfather and some of the other old people had told him the stories of the country and showed him sacred places.



“This native title, it makes people happy,” Sylvester said.

Traditional Owner Diane Williams said the native title determination was a very special day for her community.

“It makes us feel too good, that bit to be recognised at long last and because during this process we lost a few old people,” she said.

“It would have been a special day for them. We have to remember them. They are with us no matter where we are.”

Immediately following the Federal Court’s on-country native title determination at Truscott Airbase, the Wanjina Wunggurr Uunguu native title holders declared an Indigenous Protected area on their country.

The Indigenous Protected Area or Aboriginal National Park covers more than 340,000 hectares of country, which will be managed by the Uunguu Rangers.

Mr Hunter said the KLC had been working with Wanjina Wunggurr people, the Commonwealth Government, the Wunambal Gaambera Aboriginal Corporation and Bush Heritage Australia, to help them achieve their vision to declare an Indigenous

Protected Area on their country.

“Indigenous Protected Areas provide Aboriginal people with the opportunity to look after their country, their way while also creating jobs and economic benefits for communities,” he said.





Wanjinia Wunggurr **Dambimangari** native title determination

After more than 14 years fighting for their native title rights, the Wanjinia Wunggurr people have been recognised as the Traditional Owners of their country.

The Federal Court handed down the Wanjinia Wunggurr Dambimangari determination, at an on-country hearing at Cone Bay on May 26, 2011.

More than 65 per cent of the Kimberley is now determined native title land, highlighting the success of the KLC in assisting Traditional Owners to get back their country.

The Wanjinia Wunggurr people comprise one cultural block sharing the same mythology and law based on the Wanjinia Wunggurr – the creators of their country. Wanjinia Wunggurr country stretches from King Sound, north of Derby to Napier Broome Bay.

The Wanjinia Wunggurr Dambimangari native title claim covers of 27,932 square kilometres of land and sea country in the north Kimberley. Much of the determination is exclusive possession, the strongest form of native title recognised in Australian Law.

KLC Acting CEO Nolan Hunter said it was a significant day for the Wanjinia Wunggurr people as all three native title claims across their country had now been determined.

“Today should be a very proud and special day for the Wanjinia Wunggurr community. Native title not only provides recognition of these people as Traditional Owners but provides them with the right to take control of their own futures and make decisions about their country,” he said.

“The Kimberley Land Council has successfully negotiated native title across more than 65 per cent of the Kimberley. Aboriginal people in the Kimberley have proven they have strong links to country, culture and tradition –and that is something we should all be proud of.”

Mr Hunter said Wanjinia Wunggurr country was renowned for its natural, cultural and heritage values and was home to Camden Sound, Montgomery Reef, Hall Point and Horizontal Falls.

He said the State Government had proposed the creation of four marine and wilderness parks covering 3.5 million hectares of the Kimberley



including the Great Kimberley Marine Park which would cover Camden Sound - a known humpback whale calving ground.

“This is special country, not only for Traditional Owners and Aboriginal people but all people. There needs to be an agreement between the Traditional Owners of this country and Government to protect and manage these areas,” Mr Hunter said.

“We are all working towards the same goal of looking after and protecting Kimberley country. This is about finding an equal partnership based on self-determination and respect.

“I invite the State Government to walk with us; to talk to Traditional Owners and work with them to achieve their vision which includes joint management of any conservation area on traditional country.

“Aboriginal people want to make informed decisions about what happens on our country and we are the right people to make those decisions.”

Wanjina Wunggurr Traditional Owners celebrated the native title determination with a corroboree and feast.

Dambimangari Traditional Owner Donny Wooladgoodja said getting native title was a proud moment but was also time to recognise and remember the work of many of the old people that

had passed away during the fight for native title rights.

“We will be thinking of them. They fought against the Government all their lives and could not get a result. We need to thank those old people for fighting for our land rights. They fought for our land,” he said.

“The land means everything to us. We love that land.

“It was our land before we had native title but we are happy to have native title. It’s like going back home again. For our next generations, it’s something they will be proud to have.”





Traditional Owners sign historic deal and negotiate life-changing benefits

Goolarabooloo Jabirr Jabirr Traditional Owners recently signed a historic multi-billion dollar agreement giving the go ahead for development of a gas precinct at James Price Point.

A group of Goolarabooloo Jabirr Jabirr Traditional Owners, including the named applicants of the native title claim, travelled to Perth to sign the Agreement with WA Premier Colin Barnett and Woodside CEO Peter Coleman at Parliament House in Perth.

The Agreement was signed after more than 60 per cent of Goolarabooloo Jabirr Jabirr Traditional Owners voted to approve the taking of land for a gas precinct after a week of authorisation meetings in May.

Traditional Owner Anthony Watson said the benefits from the agreement would give the Goolarabooloo Jabirr Jabirr people and other neighbouring Aboriginal groups, economic independence and self determination.

“We’ve negotiated not only for hundreds of ongoing jobs but we have reserved the right to oppose the development on environmental grounds and will continue to push for world’s best practice in environmental, cultural and heritage standards,” he said.

“The State Government has made a commitment that there will be no further LNG development on

the Kimberley Coast. We are protecting the rest of the Kimberley by limiting LNG development to one location.

“We struggle a lot within this region, with all the social issues, and the things that will come out of this Agreement will help our community be a better community with a really good future.”

Former KLC CEO Wayne Bergmann said the Agreement represented a rare opportunity to create positive social change within Kimberley communities.

“For Kimberley Aboriginal people the signing of this Agreement is a landmark exercise in democratic decision making,” Mr Bergmann said.

“Traditional Owners have struck a balance between protecting our environmental and cultural values and harnessing an opportunity to participate in the modern economy.”

Jabirr Jabirr Traditional Owner Mary Tarran said the Federal Government still had a critical role to play in ensuring the proposed development moved forward responsibly.

“We’ve got to have all levels of government walk with us in this development, and the Commonwealth still has a ways to go before we’re confident they’re at the table.”

Traditional Owners in a strong position: benefits will make a difference

Traditional Owners negotiated life-changing benefits in one of the most significant deals to ever be made in Australia's history.

Traditional Owner Negotiating Committee Co-Chair Frank Parriman said the Agreement for a Gas Precinct at James Price Point was significant and put Traditional Owners in the best possible position.

He said Traditional Owners had secured a commitment that no future LNG development would occur on the Kimberley Coast without the consent of Traditional Owners.

"This has never been about development at any cost. The environment has always been our main priority," Mr Parriman said.

"We have also reserved the right to oppose the development on environmental grounds and we will continue to push for world's best practice in environmental, cultural and heritage standards."

Mr Parriman said the benefits in the Agreement would be life-changing.

"It was not an easy decision for us to make but the chance to create long-lasting change for Aboriginal people in the Kimberley was hard to ignore," he said.

"We have secured the best possible deal for our people. We have fought hard in the face of adversity and immense pressure but we have stayed strong and the deal we have been able to negotiate is a reflection of that."

The benefits to Traditional Owners include significant community development packages, land management packages, employment and training packages and regional benefits packages.

Traditional Owners will also have involvement in all elements of the development and management of the precinct.

The State Government will also create an Act of Parliament so key parts of the Agreement are enshrined in law and cannot be changed by any future West Australian Government.

Although the Agreements are commercial-in-confidence, they provide for significant benefits for the Goolarabooloo Jabirr Jabirr people.

Highlights of the Agreements include:

THE project is to have a maximum of a 100-year lifespan with Traditional Owners given the option to renegotiate after 50 years;

SIGNIFICANT training and employment opportunities including an initial commitment of 300 jobs for Aboriginal people during construction;

TRADITIONAL Owners to be involved in all phases of the gas precinct development and precinct management;

REGIONAL Benefits for Kimberley Aboriginal people; UNDERTAKINGS from Woodside to comply with environmental laws;

WOODSIDE to remedy any effects of an environmental incident;

A STATE Government commitment to employ an Environmental Protection Authority Officer whose sole job will be to audit the environmental elements of the gas precinct;

LAND to be returned to Traditional Owners at the end of the project.





Indigenous cultural values of the Kimberley get **NATIONAL HERITAGE LISTING**

In a historic announcement, Indigenous cultural values of the Kimberley have been National Heritage Listed cementing the region as a strong and significant Aboriginal place.

Kimberley Land Council CEO Nolan Hunter said Kimberley Aboriginal people had been the driving force behind National Heritage Listing and had been involved in the process for more than two years.

“The Kimberley is a place that is rich in Indigenous culture and heritage. The inclusion of a large part of the West Kimberley on the National Heritage List cements the region as a strong and significant Aboriginal place,” he said.

“Never before, have Indigenous cultural values of an area been so widely included and recognised as part of National Heritage Listing. This shows the strength and determination of Kimberley Aboriginal people to continue to practice their law and culture despite much political upheaval. They have resisted, survived and adapted.

“Kimberley Aboriginal people have driven this process from the beginning and have been involved in assessing the Indigenous cultural values across an area that is more than 50 per cent Indigenous-owned or controlled and almost 100 per cent covered by native title claims or determinations.

“We praise the Federal Government for doing business the right way.”

Mr Hunter said National Heritage Listing would

ensure the Indigenous cultural values of the Kimberley would be protected so they could be enjoyed by future generations to come.

“The Kimberley is a cultural landscape that is interconnected through our stories detailing the past, present and future. National Heritage Listing will ensure the Indigenous cultural values of the Kimberley are preserved, protected and enhanced,” he said.

“National Heritage Listing will not stop development but it will provide an extra layer of protection to ensure the Indigenous cultural values of the region are retained and enjoyed by future generations.”

Federal Environment Minister Tony Burke made the National Heritage Listing announcement at Gambanan, near One Arm Point on the Dampier Peninsula, north of Broome.

Mr Hunter said Kimberley Traditional Owners welcomed the decision, as almost all of the cultural values they had recommended have been included as part of the National Heritage Listing announcement.

He said the next step was to ensure proper management was undertaken to preserve and enhance Indigenous cultural values in the Kimberley.

“The Indigenous cultural values of the Kimberley have been recognised for its national importance and will forever be considered national treasures of this country,” Mr Hunter said.



“The beauty and aesthetics of the Kimberley, which are so strongly valued by non-Indigenous people, remain today because Aboriginal people have worked for thousands of years to look after country and keep culture strong.

“We need to ensure there is appropriate management of any listed values. This involves Traditional Owners setting the management arrangements and implementing on-ground actions.

“The KLC and Traditional Owners call on Minister Burke to fund Indigenous management and on-country work, through management plans, ranger programs and carbon initiatives, to ensure the Kimberley retains its status as a living cultural landscape and national icon.”



“ The Kimberley is an ancient and powerful land. Kimberley Aboriginal people have stayed true to their cultural heritage which is still rich and vibrant today. In a historic announcement, our cultural values have been National Heritage Listed, showcasing the Kimberley as an Aboriginal place of strength and significance. ”

- Irene Davey -

“ National Heritage Listing captures the stories of our culture, our people and our country from the past, present and future. We are one mob and the Kimberley, a cultural landscape that connects us all together. ”

- Janet Oobagooma -





Mayala Traditional Owners step into the modern economy

Mayala Traditional Owners have negotiated an agreement for an iron ore mine in the North Kimberley as a way to provide an economic future for their people.

The deal between Mayala Traditional Owners and Pluton Resources is for the construction and operation of an iron ore mine on Irvine Island, in the Buccaneer Archipelago north of Derby.

The Agreement includes significant training, employment and business development opportunities for Mayala Traditional Owners. The project will operate to best practice cultural, heritage and environmental standards.

Kimberley Land Council CEO Nolan Hunter said the Pluton Agreement had found the right balance between looking after the environment and creating economic opportunities for Kimberley Aboriginal people.

“The Mayala Traditional Owners, through this agreement, have created an economic base for their community from which they can create employment, training and business development

opportunities,” he said.

“This is about providing a strong future for the Mayala people, which respects Indigenous culture and heritage.

“The KLC has a long-history in securing considerable outcomes for Kimberley Aboriginal people and this Agreement further illustrates the high-standards of Agreement-making we have in the Kimberley.

The Agreement, which was negotiated by KRED Enterprises, includes compensation and royalty payments for the Mayala community as well as equity in Pluton Resources and regional benefits for all Kimberley Aboriginal people.

KRED Enterprises CEO Wayne Bergmann said the regional benefits fund was a key component of the Agreement and would be administered by the charitable Ambooriny Burru Foundation for the benefit of all Kimberley Aboriginal people.

“The Ambooriny Burru Foundation and the idea of regional benefits were founded in the values of our old people who taught us to share with each other



We are one mob in the Kimberley and the Foundation is there to ensure we can all benefit and work together to build strong communities,” he said.

“This deal builds on the significant agreements we have already negotiated in the Kimberley and works to fulfil our vision to create economic independence while looking after our people, our country and our culture.

“I would like to congratulate Pluton Resources for working with Traditional Owners on an equal platform, listening to our point-of-view and respecting our decisions.

“The role of KRED is to now help Mayala Traditional Owners transform these benefits, agreed to on paper, into real life outcomes that produce a direct positive impact through the creation of businesses, joint venture partnerships and jobs.”

KRED Enterprises

The Kimberley Land Council in March this year launched the Ambooriny Burru Foundation – a charitable venture to facilitate Kimberley Aboriginal people’s engagement in the expanding regional economy.

The KLC, in establishing this Foundation, is fulfilling the long-term vision of Kimberley Aboriginal people to get control of their future through increased opportunities and economic independence.

Ambooriny Burru means “people’s land” and the Foundation belongs to all Kimberley Aboriginal people.

Ambooriny Burru has established KRED Enterprises as its business arm to seek out and develop business and job opportunities for Kimberley Aboriginal people, on behalf of the Foundation. Wayne Bergmann is the Chief Executive Officer of KRED Enterprises Charitable Trust.

Income generated by KRED Enterprises flows back into the Kimberley for the benefit of Kimberley Aboriginal people and to support Aboriginal law and culture, land management, language work and economic development in the Kimberley.



CARBON



will create Indigenous economic independence

The Kimberley Land Council has praised the work of the Australian Government in delivering a carbon package that benefits Indigenous Australians.

KLC CEO Nolan Hunter said the new carbon legislation would pave the way for Aboriginal communities in the Kimberley to be involved in the carbon economy.

“This provides Aboriginal people with a real opportunity to stay on country, to utilise our knowledge of looking after the environment while benefiting economically through the creation of carbon businesses and jobs,” he said.

“The carbon market is the next big opportunity for Aboriginal people and puts us on a path to economic independence.”

Mr Hunter said he met with Federal Government Ministers in July to discuss the carbon farming initiative and was pleased they had amended the legislation so Aboriginal people could equally benefit from the carbon market like all other Australians.

“In amending the legislation, the Government has broken down the barrier between Aboriginal people and participation in the carbon market as they have recognised the importance of native title lands,” he said.

“We are excited that Aboriginal people will be given the opportunity to profit from carbon through setting up our own enterprises. Enabling our people to benefit from this market will also work to offset the impacts the carbon tax will have on Indigenous Australians.

“We want to see this legislation passed so we there is certainty for our carbon future and we can start to make that future a reality.”

Mr Hunter said the Kimberley Land Council had been preparing for carbon abatement through the North Kimberley Fire Abatement project.

“Through conducting cool, prescribed burns on country we can reduce the emissions generated into the atmosphere compared to when there is an out-of-control wildfire. The emissions saved can then be on sold to industry,” he said.

“The benefit of this project is that it will deliver economic benefits to Kimberley Aboriginal people while providing jobs in remote communities. Participation in the carbon market also strengthens our cultural ties to country while improving the biodiversity of our natural environment.”





Kimberley **RANGER** Forum

Networking and teambuilding was the focus of this year's annual Kimberley Ranger Forum held at Middle Lagoon in June.

Kimberley Rangers refined their skills and training at the event which was hosted by the Nyul Nyul Rangers.

About 50 rangers from across the Kimberley participated in the event which included training workshops, a Ranger Olympic games, presentations and a suicide awareness workshop.

Training was a feature of the event with rangers participating in workshops on the I-Tracker, digital media, aircraft safety, whale research, quad bike safety, Toyota tinkering, team communication and development.

As most ranger groups across the Kimberley use the high-tech I-Tracker as part of their work to enable

them to collect, manage and share information while being out in remote locations, this was a course most rangers attended at the forum.

The workshop, supported by NAILSMA and Caring for our Country, involved a treasure hunt field exercise that while being fun taught rangers how to handle the I-Tracker in the field.

As part of this exercise rangers were taught how to collect information and GPS data using the I-Tracker before being sent out on a treasure hunt expedition, using the I-Tracker to get them to the next stage.

Nyikina Mangala Ranger Travis Fazeldean said the I-Tracker workshop was a great fun way to enhance their skills at using this technology.

"You get to work on different sorts of environments for example tagging, patrols, trapping and I think



the I-Tracker is more advanced and more easier way of getting around GPS makes life easier for people to work on country and doing a lot of ranger stuff.

Ashton Nandoo from the Wunggurr Ranger group said he had never used the I-Tracker before but found it easy to use and was looking forward to using it in his ranger duties across the Gibb River Road.

“We are going to use it for aerial burning and fire work, to monitor cultural sites, rock art and freshwater turtle tagging,” he said.

During the ranger group presentations, the Nyul Nyul rangers, gave an overview of work completed so far this year which included cleaning up rubbish, collecting ghost nets and buoys that had washed up on the beach and vine thicket monitoring.

“We have been doing lots of burning. We are doing

corridor burns to strategically stop big fires from going through,” the rangers said.

“We have been doing nice cool slow burns to keep the country nice. We will be working with FESA so we can burn bigger tracts of country, to protect the whole peninsula and to protect lost of sites.”

The Ranger Olympics was a highlight of this year’s Ranger Forum and enabled rangers from across the Kimberley to get to know each other better.

The Kimberley Cup involved three stages including an Olympic Games session, quiz night and fishing competition. The winner of the competition was a visiting ranger group from the Pilbara, much to the dismay of the local groups.

DAMPIER PENINSULA



The Dampier Peninsula Planning project is about Traditional Owners and other Indigenous stakeholders of the Dampier Peninsula developing their aspirations for the future and making recommendations to the State Government about its draft plan, the Dampier Peninsula Planning Strategy.

The Dampier Peninsula Plan gives people a chance to look at past work and current pressures and opportunities on the Peninsula. The project aims to set out a plan for things like economic futures, tourism and access management, cultural and heritage protection and management, land and sea management priorities, community services and infrastructure. The plan developed by Traditional Owners will be given to the State Government as recommendations for how its planning strategy should be developed. These recommendations will be provided to government in December 2011. The Dampier Peninsula Planning Project is also an opportunity for people to come together and set up governance and other arrangements to get more control of the future.

There have been several Traditional Owner Steering Committee meetings which have focused on specific topics. At the meetings, briefings are provided from government agencies and stakeholders to ensure members have an up-to-date understanding of all the agencies and organisations doing business on

the Peninsula. So far, the meetings have looked at: an overview of the project; conservation, culture and heritage and other management priorities; and land use, development and economic sustainability.

Some principles highlighted at these meetings by Traditional Owner Steering Committee members include:

- Protect the whole Peninsula for culture and environment
- Work together for the whole Peninsula
- Each native title group to plan their own cultural and conservation areas
- Bring in an access management system so that Traditional Owners have control over who comes on to country and where they can go
- Have a ranger system across the Peninsula with enforcement powers
- Work with DEC and Fisheries with the aim for Traditional Owners to be sole managers within 10 -15 years
- Build stronger economies on the Peninsula to increase economic independence while also maintaining and strengthening culture
- Have an ongoing Peninsula-wide organisation or corporation that can coordinate and drive priority actions, such as economic planning and development and access management, to

PLANNING PROJECT



overcome past problems like not following up with actions, and to make sure that cultural interests are properly dealt with.

Newsletters outlining the activities and outcomes from each meeting are being distributed to Peninsula communities and stakeholders to help keep everyone up to date on what is happening. KLC staff will also meet with different groups as much as possible to help get information out to people about the project.

The remaining meetings for the Traditional Owner Steering Committee are: community services, infrastructure and facilities; and land tenure reform, governance and implementation.

A meeting of all Dampier Peninsula native title groups is being planned for early December so that the Traditional Owner Steering Committee can present all of the recommendations to Traditional Owners. If Traditional Owners support the work and recommendations of the Traditional Owner Steering Committee, the KLC will finalise a report on these recommendations and present it to government. The State should take these recommendations into account when it is preparing its Dampier Peninsula Planning Strategy. The Dampier Peninsula Planning Strategy will then go through full public consultation in 2012.



Saltwater Country Meeting

Work with us. This was the message Traditional Owners gave to stakeholders at the Saltwater Country meeting.

At the three-day meeting, Traditional Owners met with government agencies and stakeholders to discuss management of Kimberley Saltwater country and ways they could work together.

Traditional Owners at the July meeting said it was great various groups wanted to work with them to achieve their aspirations for looking after country, but engagement needed to happen from the start and be based on an equal partnership.

Bardi Jawi Traditional Owner John Albert said Aboriginal people needed to be involved in projects so they could continue working on them long after any change of Government.

He also said Governments and external stakeholders needed to operate within cultural protocols, including conducting consultations and meetings with entire native title claim groups and allowing for an appropriate timeframe in which to get the work done.

“There might be distrust with Governments, they come in; they go. They got a four-year lifespan,” Mr Albert said.

“Then when a new Government comes in, they tell you a project’s going to close. People need to listen properly so you can learn for the next one. We will always be here.”

Saltwater Traditional Owners at the meeting praised the process used by the Commonwealth Government for the establishment of Indigenous Protected Areas as it ensured Aboriginal people were in the driver’s seat from the start of the

project to the finish.

They also said it catered for Indigenous cultural practices and enabled Traditional Owners to form their own plans of management for looking after country, based on Aboriginal people’s priorities.

Dambimangari Traditional Owner Leah Umbagai said the same approach needed to be taken with the State Government’s Camden Sound Marine Park planned for her country.

She said Traditional Owners wanted genuine joint management.

“Everyone is trying to make right. Everybody has to get an understanding. We are the main ones affected by the marine park and it needs to be done right from the beginning,” Ms Umbagai said.

The Federal Government’s national approach to turtle and dugong management was also discussed at the meeting along with tourism management on saltwater country, IPA consultations and plans of management and positive ways to work in partnership.

More than 45 people attended the meeting, which was facilitated by the Kimberley Land Council. Representatives were present from Saltwater native title groups, the Department of Environment and Conservation, Fisheries, the Department of Planning, NAILSMA, Department of Sustainability Environment Water Population and Communities, WWF, WA Marine Science Institute, Shire of Wyndham/East Kimberley, Wunambal Gaambera Aboriginal Corporation and the Australian Quarantine Inspection Service.



Saltwater Traditional Owners with representatives from government organisations, environmental groups and relevant stakeholders at the annual meeting

Traditional Owner Statement from the Kimberley Saltwater Country Meeting

We, the Traditional Owners of Kimberley Saltwater Country, have been managing our country for thousands of years.

For sharing management of our country, as equal partners, we have to plan together in a way that reflects our cultural responsibilities right from the start.

This requires respect of our traditional protocols. To do this, we need resources and the time to get it right from the beginning.



Social impacts must be addressed: Traditional Owners

Goolarabooloo Jabirr Jabirr Traditional Owners support the development of an LNG Precinct at James Price Point because of the benefits and opportunities it provides for Kimberley Aboriginal people.

As part of the historic LNG Precinct Agreement, Traditional Owners secured life changing benefits including jobs and training, business development opportunities and greater access to health, education and housing as well as community development, land management and regional benefits packages.

The Agreement gives support for the taking of land for a gas precinct at James Price Point.

The KLC and Traditional Owners have consistently said that if development happens, it must be done responsibly.

Traditional Owner support for the LNG processing facility is, and has always been, conditional on this development being done to the highest standards. For that to happen, there needs to be adequate plans in place to address social and environmental impacts.

This is not new. Traditional Owners have been saying this since 2007 and they are still saying it today.

The responsibility for dealing with the social impacts rests with the Commonwealth Government.

Traditional Owners have consistently lobbied the Commonwealth Government to ensure the social impacts of this project are addressed. They also remain committed to working with the State and Commonwealth governments to ensure there are effective strategies in place to appropriately manage these impacts.

Traditional Owners have called on Federal Environment Minister Tony Burke to only approve this project if it is done responsibly by ensuring there are detailed management plans in place to deal with any social impacts as required under the strategic assessment process.



Late last year, the KLC released a six-volume Indigenous Impacts Report which identifies what is needed to achieve responsible development of natural gas resources off the Kimberley Coast.

At the time, Wayne Bergmann said the release of the Report was “a critical step in a sustained effort by Kimberley Traditional Owners to ensure that a Liquefied Natural Gas (LNG) Precinct will only be established in the Kimberley if their sea and land country is protected and it generates long-term benefits for affected Indigenous people.”

“Since the process of finding a site for an LNG Precinct on the Kimberley Coast started in 2007, Traditional Owners and the KLC have had only one goal, to make sure that development will only occur if it is responsible, protecting cultural and environmental values at the same time as ensuring that future generations of Kimberley Indigenous people have greater access to economic and social opportunities,” Mr Bergmann said.

The Indigenous Impacts Report was prepared as part of the joint Commonwealth – Western Australia

Strategic Assessment of the proposed LNG Precinct at James Price Point, some 60 km north of Broome.

It examines the likely effects of LNG development in one of the most comprehensive studies of its type undertaken in Australia, funded by the Government of Western Australia and prepared under the direction of the KLC and Traditional Owners for James Price Point

The Report includes numerous recommendations designed to ensure that potentially negative impacts associated with an LNG Precinct are effectively managed, and that Traditional Owners and other affected Indigenous people share in the economic and other benefits a Precinct can generate.

The final decision on whether to approve the Precinct lies with the Federal Minister for the Environment, who in making his decision must consider the social and cultural effects of a Precinct on affected Indigenous people and whether management arrangements are in place that will avoid or mitigate those impacts.



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