

LAND RIGHTS NEWS

NORTHERN EDITION



NORTHERN
LAND COUNCIL



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REMEMBERING OUR CHAIRMAN

AUSTRALIA'S OLDEST ABORIGINAL NEWSPAPER. SINCE 1973.

EDITORIAL

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FRONT COVER

Vale Dr Bush-Blanasi

BACK COVER

Land Rights News covers from across the decades

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Message from the CEO – Joe Martin-Jard

MY CEO message in this edition is an opportunity for me to reflect on the contributions and unexpected loss of our Chairman, Dr Bush-Blanasi.

The Northern Land Council, staff, friends and communities of the Northern Territory mourn the loss of Dr Bush-Blanasi.

For the Northern Land Council, the Chair position serves as one half of the Accountable Authority, who is responsible for the operations of the organisation.

This responsibility is a heavy weight to carry. The NLC is the largest Aboriginal led organisation in the Northern Territory, and the expectations of our constituents are as broad as they are high.

Dr Bush-Blanasi carried this responsibility with strength and determination.

As a leader, Dr Bush-Blanasi had a steely resolve to serve the NLC's constituents with drive and respect. He was accessible to all, and active in advocating on their issues. It was clear the support he received from across the NLC footprint was based on the trust he had built with many people over many years.

When our staff learned of his

passing, the sorrow could be felt throughout our workplace. There were many stories told of layers of interactions staff had with their Chairman. People recounted how he was generous with his time, remembering their names and asking after their families. In an organisation with over 350 full-time staff, it speaks to our Chairman's personal values that he interacted with most of our team on a personal level in a genuine and warm way. Many will miss seeing him sitting at the front of the building, greeting staff and spending time with them as they went about their work day.

For myself, I respected the Chairman, as both my partner in the shared role of the Accountable Authority and as a trusted peer. I often sought his counsel on complex issues, his insights always added depth and clarity to assessments.

We cannot reflect on the Chairman without a smile and a laugh when remembering his irreverent comments that often softened a difficult conversation. There are many recollections of cheeky and sometimes sharp quips

he made, which we referred to as his 'statements of endearment'. Not many can get away with such irreverence, but our Chairman did, and it added to how people felt about him, and now, how we remember him.

The sadness at his loss is compounded knowing that Dr Bush-Blanasi was taken too soon. However, I am comforted knowing he received the recognition in his lifetime of receiving an Honorary Doctorate and being awarded the NT Australian of the year. He was proud of these recognitions, and rightly so. They are some of the highest honours available and recognise the value of a lifetime of work for Aboriginal communities.

I also acknowledge the loss the organisation feels is nothing comparable to the loss which is felt by his friends and family. We offer our sincere condolences to all, especially his family who he loved and was very proud of.

Knowing Dr Bush-Blanasi as a colleague and a peer was a privilege and the Northern Land Council will deliver his legacy long into the future.



Raymond Hector, Chris Neade, and the late Chairman Dr Bush-Blanasi with CEO Joe Martin-Jard at Garma Festival 2023

The NLC Official Statement on the passing of our Chairman

We mourn the loss of Dr Bush-Blanasi. His mother was a Yolngu woman from the Blue Mud Bay region and he was raised by a Mayili man from Wugularr community (Beswick).

Dr Bush-Blanasi will be forever remembered for leading the Northern Land Council and dedicating his life to serving Aboriginal communities in the Top End.

Representing the Katherine region, he served as Deputy Chair for three terms and led the NLC as Chair for four consecutive terms. Our organisation is stronger for his leadership and will benefit from his legacy for years to come.

His leadership was bold and uncompromising. Never deferential; he spoke truth to power. His political nous was second to none; equally as influential when talking with countrymen or politicians. He engaged naturally to deliver tough messages to those who needed to hear them.

He lobbied tirelessly on behalf of Aboriginal people, without seeking personal recognition. The passion he held for Aboriginal empowerment never wavered.

Dr Bush-Blanasi was a staunch advocate for Aboriginal women, always making sure they contributed to discussions and their voices were elevated in forums. He keenly advocated for family-centric policies which created safe and nurturing environments.

He was a passionate supporter of two way learning through the Learning on Country Program which allowed Aboriginal children living in remote communities a better opportunity to navigate the world while keeping strong in their culture.

His contribution to the fight for sea rights enhanced the recognition of traditional ownership of Aboriginal people across the NT coastline. This was a seminal marker in the rights of Aboriginal peoples.

Most of all Dr Bush-Blanasi was a family man. His children and grandchildren were never far from his thoughts. He loved to be surrounded by his extended family and often shared stories of their achievements and successes.

The Northern Land Council's Members and Staff offer our condolences to the family of our Chair. A fearless leader, gone too soon.

The professional achievements of Dr Bush-Blanasi span many years.

He was an elected ATSIC representative and a long-serving board member of the North Australian Indigenous Land & Sea Management Alliance, Imparja and Northern Building Consultants.

He was a founding member of the Association of Northern, Kimberley and Arnhem Aboriginal Artists, Aboriginal Sea Company, Aboriginal Housing Northern Territory, Top End Aboriginal Bush Broadcasting Association and the Northern Territory Aboriginal Investment Corporation.

In 2023, Dr Bush-Blanasi was awarded an honorary doctorate by Charles Darwin University and was the Northern Territory Australian of the Year.

The NLC has asked Mr Bob Gosford to write a piece to honour our Chairman, Dr Bush Blanas. Bob is a well-known writer, former NLC employee, and also established a friendship with Dr Bush-Blanas that evolved over many years into a kinship relationship.

My brother Ngarritj*

By Bob Gosford

I first met Dr Bush-Blanas (hereinafter referred to as Ngarritj) in 1985 when he helped recover a Mimi Arts & Crafts Hilux truck that had rolled over a few kilometres outside of Wugularr on a hot dry-season Saturday afternoon.

Wugularr was—and still is—amazingly culturally and linguistically diverse—a 1999 residential survey included Jawoyn traditional owners and members of the Rembarrnga, Ngalbon/Dalabon, Mayili, Mara, Rithangu, Mudburra, Jingili, Warlpiri, Woyala, Yangman and Mangarrayi language groups.

This complex cultural matrix could have been a recipe for conflict but—to the credit of community elders past and present—ceremonies and kinship obligations continue to be observed and knowledge of and caring for country practices have been maintained.

That rich cultural mix framed Ngarritj's long career of dedicated public service—from his modest beginnings at Wugularr in the late 1980's to his decades of service with a wide variety of agencies and organisations, and not least as a nine-term elected Northern Land Council member with four three-year terms as Chairman of the Land Council.

I had the particular privilege to see Ngarritj develop as a peerless advocate for his people and a true leader—not a gammon one nominated by the media or politicians—and a fearless Land Rights warrior.

Ngarritj developed his political strengths over time, learning from a number of cultural, political and business mentors and peers and as the complexity of his roles increased.

Ngarritj often referred to the development of these skills during his terms as Deputy Chair, and recognised one of his most respected mentors as, then Chairman, Wali Wunungmurra, the venerated cultural and political leader from north-east Arnhem Land. He knew he had very big shoes to fill when he was elected as NLC Chair following Wali's passing in 2014.

He also had a wicked sense of humour. Wicked that is, as long as you weren't its target. Unfortunately, it was often the case that I'd find

myself the butt of Ngarritj's cutting—but never spiteful or mean—barbs, usually on one of our many long drives together—when there was no escape.

Ngarritj also had a prodigious memory for people, places and events and he was wont to remind you of any past social or cultural indiscretions—especially those you'd consigned to the dustbins of memory—at precisely the time when that reminder would have the greatest effect.

Life and times with Ngarritj were never dull!

He backed his beliefs and passions with action. Two examples from those early days at Wugularr will suffice.

The first concerns the Central Arnhem highway-in-name-only between Barunga and Wugularr. Ngarritj lobbied relentlessly to get that stretch of road sealed and by the mid-nineties it was finally done. The effect on the local communities was almost immediate. Residents could buy better cars that lasted longer—the unsealed road would literally shake a car apart—and travel to and from town and other communities was safer and faster. Fewer accidents meant fewer funerals from road deaths and fewer hospital stays and visits.

The second example concerns the establishment of a Creche at Wugularr in the early nineties. The Creche proposal was initially met with trenchant bureaucratic opposition if there were no trained staff to operate and unlicensed Creche.

That is, until one day a friendly NT public servant whispered to Ngarritj that, "If you build it, they will come (and provide funding and support)." He directed CDEP workers to clean up an old demountable, fence it off and fit it out as a Creche. Sure enough, the NT government was suddenly more than keen to back training for the staff and provide support once the Creche had been established. Within months many more women in the community were working at the Creche itself—which also became a de facto women's centre—and at the Store, Clinic and Council offices.

Ngarritj was the best politician—black or white—that I've ever seen in action.

I was more than proud to call him brother.

I'll miss him. Every day.

We all will.

Bobo Ngarritj.

** Ngarritj is used by permission of Dr Bush-Blanas's family*



Conway Wirrapanda-Blanas and twins Conrad and "Biggie" Bush alongside Dr Bush-Blanas (centre) and Bob Gosford (far right) in the 1980s



Dr Bush-Blanas, with a Katherine Council member and Tex Camphoo from Bulman at the Full Council Meeting, Ngukurr 1994



Nathaia Wauchope, Nuwundjali Marawili, Dr Bush-Blanasi, Djambawa Marawili and Tedisha Bush



Hon Chanston Paech, Dr Bush-Blanasi former NT Chief Minister Michael Gunner, Hon Selena Ubio, NLC Council Member Richard Dixon and Paul Kirby



Several Katherine Regional Council Members: Irene Jungawanga, Helen Lee, Lazarus Manbulloo (proxy), Dr Bush-Blanasi, John Dalywater, Adrian McDonald



Accepting the award for NT Australian of the Year, 2023



Receiving his Honorary Doctorate from Charles Darwin University, 2023

50 YEARS OF LAND RIGHTS 1973-2023

The past five decades, have seen much progress across the Top End with Aboriginal people acquiring their traditional lands, seas and waters, and now managing these through strong leadership, engagement, and advocacy.

This year, the NLC celebrated the anniversary of the first meeting of Aboriginal representatives who came together to form the NLC 50 years ago. On September 29, 2023, the NLCs Full Council, constituents, staff,

stakeholders, friends and the general public gathered at State Square, Parliament House to celebrate this milestone.

This retrospective takes a look back through some of the most significant actions and people, from the 1970s to today. Across the pages that follow, we acknowledge pivotal moments that have played a crucial role in our history and shaped the land rights movement of this country.

1970s

On September 25-16, 1973, 26 leaders from across the Top End met at the Anglican Christ Church in Darwin. Their purpose – to discuss the Interim Report by Justice Edward Woodward into the setting up of Aboriginal Land Rights in the Northern Territory.

This report included a recommendation to form a Central and Northern Land Council.

In a letter to Prime Minister Whitlam dated October 4, 1973, the inaugural NLC Chair, Silas Roberts, said: "The Northern Land Council was gratified to see that the hopes of the Aboriginal people are to be realised at last, and we are seeking the cooperation of all Aboriginal people in helping Mr Justice Woodward to fulfil his Commission."

Over the following months, from October 1973 through to late January 1974, a series of meetings were held by the NLC across the Top End. Covering 31 communities, these meetings ensured

widespread discussion and input into the NLC submission to the Woodward Inquiry into Land Rights.

These were the first of hundreds of NLC stakeholder consultations that would follow over the next 50 years.

In December 1973, the Whitlam Government set up the Aboriginal Land Fund so organisations could buy back traditional lands owned by private interests. The Northern Land Council became incorporated to receive the funding.

A final report by Justice Woodward was released in April 1974. It proposed land rights legislation, including procedures for claiming land and conditions of tenure.

Justice Woodward said, in recognising land rights, the aim is:

- The doing of simple justice
- The promotion of social harmony
- The provision of land as a first essential for a people who are economically depressed
- The preservation of the spiritual

link between Aboriginal people and the land,

- And the maintenance of Australia's international standing.

In August 1975, following the land purchase from Wave Hill Station using the Aboriginal Land Fund, Gough Whitlam handed over the title deed to Daguragu Station to Traditional Owners (TOs), including Vincent Lingiari.

Famously captured by Mervyn Bishop, the image of Gough Whitlam pouring dirt through Lingiari's hands became an iconic symbol of justice and the recognition of the traditional customs, land and First Nations peoples.

With the dismissal of the Whitlam government in November 1975, and the election of Malcolm Fraser's Liberal Government, land rights legislation was not passed until December 1976 and came into law on January 26, 1977.

Although Justice Woodward

recommended TOs should have a right of veto over mining, the Whitlam Government had already signed an agreement to mine uranium at Ranger in the NT.

The Fraser Government went further and included a specific clause in the Aboriginal Land Rights Act (ALRA) legislation that removed the Mirarr's right of veto over the Ranger Project.

The signing of the Ranger Uranium Mining Agreement in 1978 was the first negotiated by the NLC. It took many years of legal battles and negotiations before the Mirarr obtained a 'fair agreement.'

1977 saw the first land claim hearing at Borroloola. The Yanyuwa were the first to lodge a claim under the new ALRA, with the NLC lodging 136 more claims before the 'sunset clause' came into force in June 1997.

In 1978 the Tiwi Land Council was formed.

The names of the first attendees (including representatives from the Tiwi Islands and Groote Eylandt who went on to form their own land councils) are:

- Chair, Silas Roberts – Maningrida (Chairman)
- Deputy Chair, John Gwadbu – Goulburn Island
- Secretary, Ruth Paul – Bagot
- Dick Malwagu – Croker Island
- Frank Gulamanamana – Kopanga
- John Baya – Milingimbi
- Stephen Bunbay Jnr – Galiwin'ku
- Wali Wunungmurra – Yirrkala
- Lindsay Joshua – Numbulwar
- Douglas Daniels – Ngukurr
- Silas Maralingura – Oenpelli
- Victor Jackinimba (Hood) – Beswick
- Felix Bunduk – Port Keats
- Harry Wilson – Daly River
- Harry Singh – Delissaville
- Jack Isaac – Borrooloola
- Peter Parrmiripal – Mudginberri
- Snowy Ponto – Roper Valley
- Allan Young – Victoria River Downs
- Jack Cotton – Brunette Downs
- Captain Andrew – Bamyili
- Harry Munkara – Bathurst Island
- Billy Hetherington – Snake Bay
- Albert Tipungwuti – Garden Point
- Terry Meruyrwan – Angurugu, and
- Clancy Wurramaminyamanja – Umbakumba

PROCLAMATION OF THE ABORIGINAL LAND RIGHTS (NORTHERN TERRITORY) ACT

The Aboriginal Land Rights Act was proclaimed on Australia Day, 26th January 1977. That means that it properly became law that day. Mr. Viner, the Minister for Aboriginal Affairs said some words about the Act which are worthy of the occasion.

"While the Australian people have much to be proud of in the creation of a great nation in these two centuries, it should not be forgotten that the pages of our history are blotted with the stains of gross injustice, slaughter, dispersal, dispossession and finally indifference perpetrated on a unique and gentle people whose historical and spiritual link with this land extends back not 200 but 40,000 years.

"The granting of land rights to Aboriginals recognises not only the justice of prior claims to ownership, it also recognises the validity of Aboriginal traditional law and cultural values.

"But legal recognition of Aboriginal cultural values is not sufficient. The community as a whole must do its part by giving full value to the Aboriginal people in terms of both human and cultural equality.

"I firmly hope that this just and reasoned legislation will awaken the whole of the Australian community to the value of a bi-cultural society in our country and an appreciation of the contribution to our civilisation those who are different from us but belonging to us, can make.

"It is well and timely to remember that throughout history effective social reform has had as its basis a just and equitable land reform for the benefit of underprivileged people. Aboriginal land rights is an example of this. It will provide for the Aboriginal people a land base for future social advancement according to their own cultural values and their own aspirations and importantly, in their own time.

"The Government stands committed to ensure that Aboriginals are properly equipped for their futures and will be unwavering in its support for them in the achievement of their aspirations.

"What we require now is the goodwill of the people of Australia to make this legislation work. White Australians are not unaware of the strength of their own attachment to the soil, to the earth. To Aboriginals land is more. It is their very life, the source of not only their spirit but the place to which their spirit must return. They are indivisible with their land. It is life itself. It is the force that has enabled them to survive for 40,000 years. It has been the strength of their fight - now won - for their birth right."

Mr. Viner said he hoped the Act would be studied with interest in the States with a view to their giving similar recognition to Aboriginal land title.

Editorial printed in *Land Rights News* February 1977



Cover of Edition 12 concerning the Borrooloola land claim areas



Meeting as part of the Woodward Royal Commission 1973

1980s

As the NLC ramped up land claims and worked with TOs to prepare for hearings, there were persistent calls for changes to the land rights legislation from powerful industry lobby groups and Territory and Federal governments.

In August 1982, the NLC and CLC executives held their first joint meeting at Alekarenge.

The land councils reaffirmed

their opposition to proposed amendments to the Land Rights Act.

In October 1984, the NLC handed over a statement to Prime Minister Bob Hawke. In part, it said:

"Since time began Aboriginal laws never change – but whiteman's law changes everytime a government changes, or changes its mind."

The 1982 Alekarenge meeting – and the first joint NLC and CLC full council meeting at Lake Bennet in 1987 – was the start of a strong and proud alliance between the land councils and the formation of a powerful voice for Aboriginal Territorians.

In 1985, the NLC started its legal fight against the Commonwealth and Energy

Resources Australia (ERA) over the 1978 Ranger agreement, alleging it was inadequate, unreasonable and unfair.

And while celebrating the handback of the Uluru and Kata Tjuta National Park to TOs in the same year, new Federal heritage laws left the final decision on the protection of sacred sites to ministerial discretion, which the

"Since time began Aboriginal laws never change – but whiteman's law changes everytime a government changes, or changes its mind."

NLC deemed as 'inadequate'.

There was also growing support for the rights of First Nations peoples and land councils in the 1980s. This came from churches, ethnic communities, human rights organisations, trade unions and the general population.

In 1988 the nation celebrated the bicentenary of 200 years of British colonisation – but not everyone was celebrating.

The NLC led a national call to all

countrymen and women to travel to Sydney for a rally on the big day, January 26.

John Christophersen and Josie Crawshaw were key organisers, with a convoy from the Top End including Baroga-Mimi dancers from Maningrida, Auntie Kathy Mills, John Paterson, Christine Christophersen, Wendy Ludwig, Ursula Raymond and many more.

The Kimberley Land Council and Central Land Council joined them on

the way.

More than 40,000 people marched in Sydney, led by the Maningrida dancers with NLC Director Jack Ah Kit and the banner 'Our Land, Our Life'.

A few months later, in June 1988, CLC chair Wenten Rubuntja and NLC chair Yunupingu presented Prime Minister Bob Hawke with the Barunga Statement.

It called for the recognition of the rights of First Nations people... and

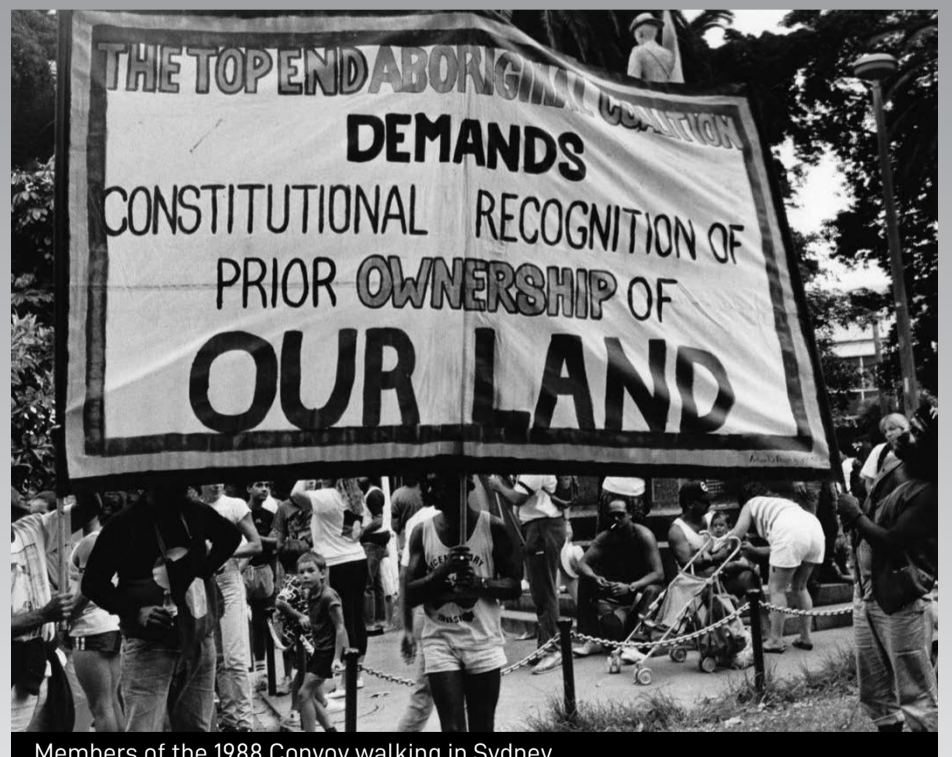
a Treaty.

This act was echoed 35 years later when members from the four NT land councils presented Prime Minister Anthony Albanese with the 2023 Barunga Voice Declaration.

This time, it was a call to Australians, not the government, to support the Uluru Statement from the Heart and vote Yes in the 2023 referendum.



Mr Yunupingu with Prime Minister Bob Hawke, Barunga Festival 1988



Members of the 1988 Convoy walking in Sydney

RADIATION LIMITS HALVED

New overseas research has put a question mark over accepted "safe" radiation dose limits.

A report from the Radiation Effects Research Foundation, presented to the September 1987 meeting of the International Commission on Radiological Protection, sets risk estimates for exposed populations at half the existing levels.

In other words, the "safe" permissible dose should be half what has been previously regarded as "safe".

Although risk data are as yet far from conclusive, the British National Radiological Protection Board has already slashed its recommended occupational and public health exposure limits.

The Board wants the occupational dose limit reduced from 50mSv per year to 15mSv per year. The public health dose limit is to be reduced from 1mSv to 0.5mSv per year from any one site.

Australia's National Health and Medical Research Council is likely to recommend that our occupational exposure limits be set at the new British level.

Authorities say the increase in risk levels is, by itself, not enough to require a change in recommended dosage levels for the general population. These levels were reduced in 1985 from 5 to 1mSv per year from sources other than medical or natural background radiation.

Any reduction, temporary or not, is bound to have serious implications for any body defining minimum safety standards for present and future uranium mines and processing plants in the Northern Territory and elsewhere.

Changes to established NT practice are likely to be discussed at the next meeting of the Co-ordinating Committee for the Alligator Rivers Region, a body which includes Federal and Territory Government bodies, the independent Office of the Supervising Scientist, the Northern Land Council and environmental and mining interests.

It is likely that the matter will not be fully discussed until the Committee's September meeting, to give all parties the chance to prepare full submissions on the issues.

The report presented to the ICRP meeting — "The effects of changes in dosimetry on cancer mortality risk estimates in the atomic bomb survivors" — gives a definitive account of changes in organ dose estimates from exposure to the Hiroshima and Nagasaki bombs.

It details the resultant increase in the estimated risks of cancer, which, as a result of the use of new dosimetry technology, have been estimated at 40 per cent higher than presently recognised levels.

The Commission is expected to wait until epidemiological research has been fully evaluated before revising its system of dose limitation.

But it is worth noting that exposure limits are based on total exposure to external gamma radiation and internal alpha, beta and gamma radiation.

If the public dose limit is set at 0.5mSv from any one site and the gamma dose rate due to mining is 0.25mSv per year, the dose from inhalation and ingestion from mining sources cannot then exceed 0.25mSv per year.

This means tighter controls and tighter monitoring for both public and occupational health at, and around, mine sites. As one observer put it: "The bland assurances about the negligible impact, say, of the release of contaminated water on a surrounding population can no longer be acceptable".

For Land Councils negotiating on behalf of traditional owner clients, the implications are equally clear.

Already many groups of traditional owners who are interested in the mining process have emphatically sought assurances that uranium and other mines will not release contaminated waters onto their land or into their creeks and rivers.

Should epidemiological research bear out the findings of increased risk extrapolated from improved dosimetry techniques, the push to upgrade BPT — best practicable technology — at existing uranium mines and for new uranium mining proposals will gain ground (see story below).

Ranger spill shows just how easy it is for systems to go wrong

An accidental release of contaminated water from the Ranger uranium mine last month has focussed attention on environmental safety around mines in the region.

The effects of the release — embarrassing as they have been for the mining industry — have been played down by the NT Mines and Energy Minister Barry Coulter and by Federal Environment Minister Graham Richardson.

But the Chairman of the Parliamentary Standing Committee on Environment, Senator John Black, has warned Ranger and other mining companies that such accidents are not on.

Traditional owners from the area have repeatedly made it clear they consider it unacceptable that they should be expected to live under a water release management system for the mine. There is always the potential for such accidents to release water which could seriously pollute the surrounding environment.

And in a letter to the Office of the Supervising Scientist, which is responsible for monitoring environmental safety in the Kakadu area, the Northern Land Council has urged that all present and future mining projects, including Ranger, be designed to contain and control their pollutants.

Concern over the spill is not that it caused damage — which it didn't — but that it clearly demonstrated the fallibility of human-designed systems of water release.

The letter warns that approval by Government of water release systems at Ranger could be taken as a sign of acceptance by traditional owners of contaminated water release systems at current and future mines throughout Western Arnhem Land. And this is not the case.

"It is absurd to expect people to expose their society to this political risk," the letter says.

There are enough social pressures within and without Aboriginal society in the region without creating a new set of tensions which strike at the fundamental asset of their society — the land.

Although a full report has yet to be presented to the Federal Government, it appears that the Ranger spillage, which occurred in the early hours of 2 February this year, involved human and mechanical error in the tailings neutralisation area of the processing plant. Between 20 and 100 cubic metres of water contaminated with uranium and calcium carbonates overflowed into the restricted release zone around the mine perimeter, which borders Kakadu National Park.

Senator Richardson has already described the spill as "not a big one". Mr Coulter has been quick to divert the issues by blasting comment from environmentalists that drew parallels between the Ranger spill and the potential for disaster at BHP's proposed Coronation Hill gold mine.

But Senator Black was less equivocal in his comments. He said the Committee was visiting the area, was "not a good illustration of arguments against human error".

Speaking on the ABC's NT radio current affairs program "Territory Extra", he said the committee "would not be impressed with a biased attitude on the part of any mining company towards that degree of supervision".

The spillage has focussed attention yet again on the long-running question of applying "best practicable technology" to mining practices on Aboriginal land and particularly in the socially and environmentally sensitive Alligator Rivers region.

Since the beginning of the Ranger project, Aboriginal traditional owners have sought assurances that their creek and river systems — an important source of water and food — be kept free of pollution from uranium mining. These traditional owners carry the responsibility of ensuring the integrity of the land for future generations.

As the NLC letter points out, most exploration and mining companies — with the notable exception of Ranger — have been able to answer Aboriginal concerns through contractual commitment to zero release management of contaminated water.

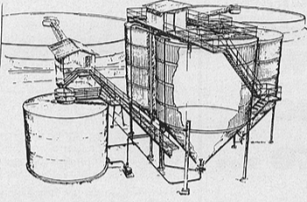
"As scientists cannot give absolute assurances that no significant environmental detriment will be produced by direct discharge, it makes good sense to landowners to require that mining projects be designed to contain and control their pollutants, including the Ranger mine," the letter says. "Will the assurances of monitoring today become a regrettable error in 20 years' time?"

"The Aboriginal landowners of Magela Creek have leased their land to the Australian Government for use as a national park. That park has recognised World Heritage status.

"The environmental management of the park is under the scrutiny of other Aboriginal people, the Australian public and other nations.

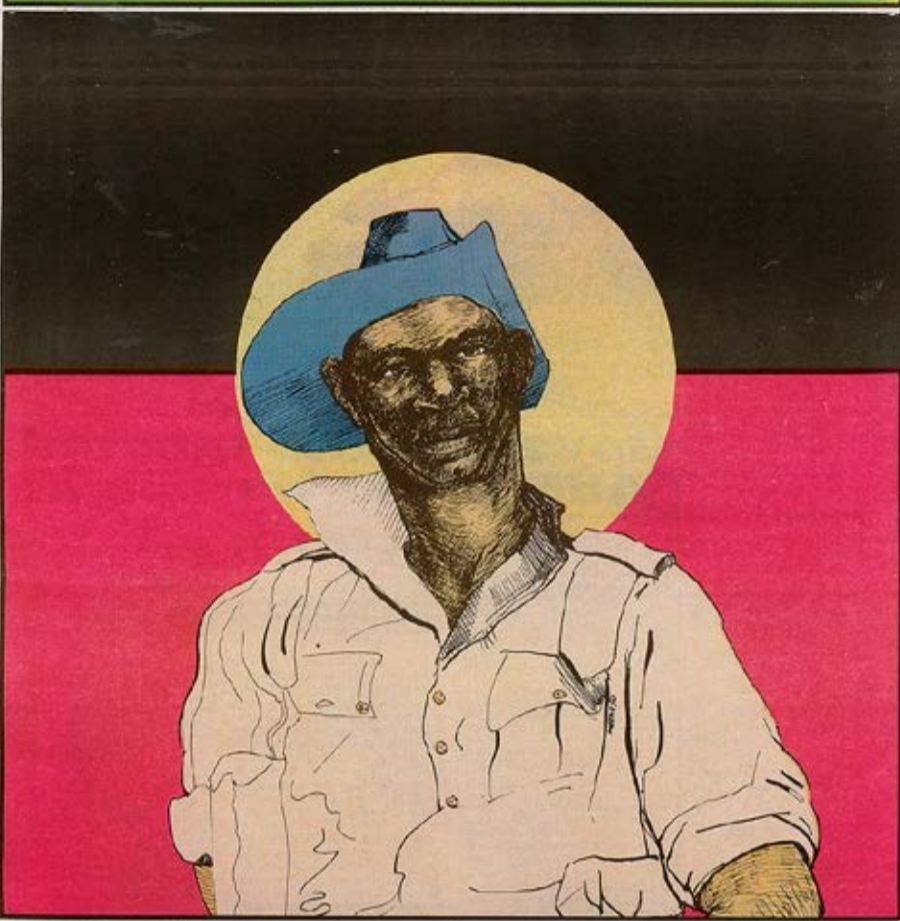
"These type of social pressures lead to conservative environmental management attitudes towards potential pollutants and assume a higher reality than a uranium mining operation that cannot manage its contaminated water.

"There are times when scientific argument finishes and sociological



The 10m high "pachuca" at left is used to neutralise the pH of uranium tailings.

On the basis of publicly available information, it seems that contaminated foam and water could have been bubbling from the top of the tank, into the bunded area and then out over the 80cm bund walls into the restricted release zone for as long as seven hours before being noticed by mine-workers.



In defence of the land ... Sovereignty is the issue ...
Radiation shock ... Sydney photo feature ... Petitions
for new Parliament ... Prisoners of assimilation ...
Kalkadoons' finest hour ... and more.

Cover of Land Rights News March 1988 by Raymond Meeks. Designs like this helped gain a loyal following to the newspaper with many artworks becoming iconic poster and T-shirts advocating for Aboriginal Rights in the NT

One of NLC's focuses in the 1980s was the Ranger Mines Agreement with NLC alleging it was inadequate, unreasonable and unfair



Marching at NAIDOC Week in 1989, utilising the banner from the Sydney rally in 1988

1990s

As the 1990s began, the sound of a shotgun still echoed.

In December 1989, a bullet was fired through the front window of the NLCs Darwin office.

'Rights for whites' was written on its walls and likewise on the NLCs Katherine office, where the 1989 handback of Nitmiluk had brought local tensions to a high.

Throughout the 1990s, Australia witnessed a major shift in the fight for the rights of First Nations peoples.

The Royal Commission into Aboriginal Deaths in Custody and the Bringing Them Home report provided a spotlight on the impact of past and present policies, causing disgrace to some and pain to many.

The NLC was also working to submit land claims before ALRA's June 1997 sunset clause.

The NT Government was still chasing control of the NT land rights from the Commonwealth and wanted to overturn the rights of TO's to veto mining.

The Jawoyn, led by Raymond

Fordimail and Bangardi Lee, won the fight against mining at Guratba - Coronation Hill.

This victory was largely due to support from Bob Hawke, who, in December 1991, displayed the Barunga Statement at Parliament House Canberra.

In the same year, the Anindilyakwa Land Council was formed.

And in 1995, the NLCs Caring for Country Unit was established.

But it was the High Court's Mabo decision that had a seismic impact during this decade.

The High Court's June 1992 Mabo decision overturned the doctrine of *terra nullius* as determined in the 1971 Gove land rights case – the legal case at the heart of the NLCs formation.

NLC lawyers and Chair Yunupingu were quick to see the significance of the Mabo decision.

So too was Prime Minister Paul Keating who, in a defining moment, made his Redfern speech acknowledging the devastating consequences of dispossession on

First Nations peoples.

In August 1993, the NLC hosted a national conference at Manyululuk, and the Northern, Central, Kimberley, and Cape York land councils developed the Eva Valley Statement to guide native title negotiations.

The land council negotiators were up against powerful industry and state government interests. After exhaustive debate and negotiations, the Native Title Act was finally passed in December 1993.

One of the NLCs earliest native title applications, the Croker Island claim known as 'Mabo of the Seas', was led by Executive member Mary Yarmirr – a strong and powerful advocate for her people, Aboriginal women and the NLC.

In 1996, Mary Yarmirr hosted the first NLC workshop for elected female councillors to discuss the organisation's role and operations, as well as land rights and native title processes.

Since its first meeting in 1973 and the appointment of Ruth Paul

as Secretary, the representation of women in the NLC has grown.

Today, the NLC co-opts an additional five female members to the Executive to ensure women are fully represented and have input into the Council's direction and decisions.

In the 1990s, First Nations women were at the forefront of significant native title determinations.

Cape York's Gladys Tybingoompa drove the 1996 Wik case, which found leases, such as pastoral leases, do not necessarily extinguish native title.

Newly elected Prime Minister John Howard, who was busy dismantling ATSIC, was unhappy about the Wik finding. He proposed new native title amendments dubbed the 'Wik ten-point plan' to increase the government's ability to extinguish native title.

The NLC continued leading the fight to retain hard-won traditional rights and recognition of Aboriginal Territorians.



Mary Yarmirr – A new generation of female leadership in the NLC and advocate for Sea Rights



Northern Land Council Full Council 1995

THE ARGUMENT FOR SEA RIGHTS

As many as four thousand Aboriginal people live between Maningrida and Numbulwar in Arnhem Land.

The *Land Rights Act* says what they have always known, that the land is theirs by right of their own tradition and law, but it stops at the Low Water Mark. Although Aborigines petitioned for recognition of the ownership of lands in the sea in the inquiry which led to the framing of the Land Rights Act, their requests and the recommendations of Commissioner Mr Justice Woodward were ignored.

The Yolngu say they have one law for ownership of territory which is the same law for land and sea. The management of the waters is now fragmented, with various Commonwealth and Territory Departments each claiming their own special areas of responsibility.

The NT Government is responsible for laws, including the regulation of fishing, environmental management, protection of sacred sites and maritime activities generally out to the Australian Territorial Baseline, established as "three miles" from the shore but more often defined by an arbitrary line at varying distance. Beyond that, to the edge of Australian interest, is Commonwealth Government jurisdiction.

Yolngu say they are left out of management of the seas to which they say they have customary tenure, they have no role in how governments decide commercial resources are managed, in environmental protection and are afforded no place in benefitting from the commercial benefits.

They say that their rights as owners of territory in the sea were recognised and respected more fully by the Macassan fisherman who came to the coast each year for over 300 years harvesting sea

per year. Over 90% of this catch is exported to Japan. As well as catching prawns in their nets, trawlers pick up many other kinds of marine animals in their nets, including sea snakes, dugong and sea turtle.

They generally catch between four and nine times as much other fishes as prawns and so are probably catching as much as 2000-4500 tonnes of other fishes each year which are discarded over the side.

The commercial take out of barramundi and threadfin from the rivers entering the eastern Arafura has doubled in the last ten years (100 tonnes approximately in 1979 to 200 tonnes in 1989). The number of operators has fallen from 12 to 8 in the same period and fishing effort has similarly halved.

The average price over the wharf for barra is \$10 per kilo so the total value of the fishery in this area to the Northern Territory is no more than \$2,000,000 per year.

It is an inshore and estuarine fishery in which commercial fishers using gill nets also catch jewfish, sharks, catfish, various snappers, triple tail or jumping cod, crocodiles, dugong, crabs and various species of turtle. Some of this catch is also marketed but most discarded and left to die. There is currently no formal Yolngu involvement in how this fishery is managed.

Further, intensive use being made, legally and illegally, by foreign fishing vessels of area to north of the Australian Fishing Zone in the Arafura Sea. At least five 20-25 metre pair trawlers are regularly working north of Marchinbar Island during the dry season. Four of these trawlers were seized in March 1993 for being

and proposals for appropriate management - has only recently begun.

It is through these consultations and related ethnographic and bio-physical research that the Yolngu marine protection strategy will be developed.

It will present a detailed account of Yolngu concerns and aspirations for the eastern Arafura Sea and will include a number of options for the type of administrative and legal systems which will facilitate appropriate Yolngu involvement in management of these waters.

When current Australian marine management systems are inspected they can be seen to be virtually devoid of any Aboriginal or Torres Strait Islander presence.

While the High Court determined was something which Aboriginal people had known all along, it took the European law of non-Aboriginal Australia 205 years to finally recognise the existence of native title.

The Native Title Act establishes processes to work out where native title still exists and who are the native title holders, and how compensation which is to be paid to native title holders where their native title has been extinguished.

Compensation will only apply to the period since 1975 when the Racial Discrimination Act came into effect - it will apply for all future acts as well. The Native Title Act also sets out processes for negotiation over development proposals, such as mining, on native title land.

However, only a minority of Aboriginal people could benefit directly from the High Court's decision on Mabo. It is estimated that only about 10 percent of the Aboriginal population will be able to demonstrate continuous attachment to their country, the proof of native title. For the remaining 90 percent, their native title has long been extinguished.

There is very little non-Aboriginal land which is open for claim. In the Northern Territory the vast majority of land that would be claimable under the Native Title Act is already owned or under claim by the Northern Territory Government and the Northern Territory Aboriginal people.

Because of the success of the Land Councils in claiming land over the past 17 years the Native Title Act will have only a small impact on land tenure in the Northern Territory.

The Aboriginal negotiators demanded that the dispossessed Aboriginal people would also see some benefits from a Government response. In turn, the Prime Minister committed himself to negotiating and settling for past injustices to Aboriginal people by promising a social justice package as well as a National Aboriginal and Torres Strait Islander Land Fund. Both of these are designed to ensure that those Aboriginal people who have lost their native title will be able to acquire some land and receive other benefits.

Initially, for the Northern Territory, the Native Title Act, in addition to the benefits, may also create a threat. This is a threat not to the non-Aboriginal population but to the Land Rights Act and the Aboriginal people who have benefited from the Act.

The real threat is to the Land Rights Act, which allows Aboriginal people to exercise proper control over development which may occur on their land for example the right to give or withhold consent to exploration or mining on Aboriginal land. These controls do not exist in the Native Title Act. The Northern Territory Government and the mining industry are now wanting the Land Rights Act to be watered-down to remove the right of consent, to allow compulsory acquisition of Aboriginal land by the Northern Territory Government, and other changes, they say, to bring it into line with the Native Title Act.

The Land Rights Act provides benefits to all Territorians including additional royalty payments provided by the Land Rights Act, (amounting to hundreds of millions of dollars) and the orderly process by which the Land Rights Act helped avoid conflict during negotiation and undertaking of exploration and mining. It also protects the cultural, social and environmental values of Aboriginal land which also offers indirect benefits to all Territorians.

It is the threat to undermine these benefits which the land councils will be fighting in 1994.

The Central and Northern Land Councils were two of the major players in the negotiations over the native title legislation even though their constituents were unlikely to achieve significant direct benefits.

The strategy adopted by the land councils was to help fight for justice for



Senior Project Officer of the NLC's Nhulunbuy office, Wail Wunungmurra, in white shirt at front left with fellow Yolngu at a meeting at Galinwin'ku on Elcho Island in early June. The group formed a council to develop sea rights for Top End Aboriginal people. A major conference on indigenous people's sea rights, "Turning the Tide", held in Darwin on 14-16 July, emphasised Australia's relationship with its South East Asian and South Pacific neighbours as discussed in the article on this page. Delegates came from indigenous organisations and communities, industry, universities and governments and discussed topics such as: "Does Mabo extend to the seas". Photo courtesy of Peter Cooke.

Native Title Act to end the lie



Eighteen months after the Mabo High Court decision the Federal Parliament has made a law which recognises native title and establishes a process for dealing with it.

Back in June 1992 the High Court took the 10 year struggle of Eddie Mabo and other Murray Islanders by recognizing their native title rights. The High Court's historic decision not to rule the law of terra nullius, that Australia was an empty continent and the land was not owned by anyone prior to the arrival of Europeans.

What the High Court determined was something which Aboriginal people had known all along, it took the European law of non-Aboriginal Australia 205 years to finally recognise the existence of native title.

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It is the threat to undermine these benefits which the land councils will be fighting in 1994.

The Central and Northern Land Councils were two of the major players in the negotiations over the native title legislation even though their constituents were unlikely to achieve significant direct benefits.

The strategy adopted by the land councils was to help fight for justice for

other Aboriginal people throughout Australia, and to ensure that the price of Native Title legislation was not the weakening of the Land Rights Act, the price which would be paid by Aboriginal people in the Northern Territory.

Having achieved the first objective with the passing of the Native Title Act, the Land Councils' attention is now turning to the second objective, protecting their rights and hand-fought gains of the Northern Territory Aboriginal people.

The land councils will continue to negotiate for constructive change to the Land Rights Act to improve the operation and certainty which all parties want.

In particular, the land councils will seek changes to the mining provisions of the Land Rights Act which will help free up large areas for exploration and mining under properly controlled conditions which protect the interests of traditional landowners and resource developers.

The Northern Territory Government and the mining industry's commitment to such an approach will be a test of their sincerity to negotiate change for the genuine benefit of all Territorians, not just grabbing all they can for their mates at the expense of Aboriginal people.

ORDER YOUR NEXT ISSUE OF LAND RIGHTS NEWS FOR A FULL ANALYSIS OF THE NATIONAL NATIVE TITLE LEGISLATION

After the passing of The Native Title Act 1993. Sea Rights became another focus for Aboriginal people and the NLC

Headlines following the passing of the Native Title Act

2000s

As the millennium turned, the following decade was again one of extremes for the NLC and First Nations people.

Thousands walked for reconciliation and cheered on Cathy Freeman as she won the Olympic 400 metres.

ATSIC was abolished, and the Howard Government sent in the Army and an Intervention into remote NT communities.

Then, a new Prime Minister, unafraid to say sorry, finally delivered a national apology to the Stolen Generations.

In the year 2000, the first women's land management conference was hosted by the Wagiman at Douglas Hot Springs.

In June 2000, the Aboriginal Land Commissioner took evidence regarding a land claim in the Borroloola area – the region where the NLC had submitted its first

land rights claim in 1977.

Local fishos swamped the hearings at Centre Island, and some heckled TOs as they gave evidence. But to no avail.

After 29 years, in June 2006, the land was handed back to TOs.

In August 2001, after 23 years of CLP government, Clare Martin's Labor party won the Northern Territory election. Her team included cabinet Minister, former NLC Director Jack Ah Kit, Marion Scrymgour, and Malarndirri McCarthy.

There were more firsts – the first NT Indigenous Protected Area, or IPA, as Dhimurru IPA became part of Australia's National Reserves.

Increasingly, TOs sought partnerships, like the landmark Bradshaw Station Defence Facility signed in 2004.

This was a Native Title

Indigenous Land Use Agreement, or ILUA, and these began being used, along with Section 19 agreements under the Land Rights Act, to provide more economic opportunities and benefits to Aboriginal custodians.

The Miriuwung-Gajerrong native title decision in the Kimberley led to new joint management arrangements of Parks in the Northern Territory, and 31 ILUAs were entered into by the NT Government and the Northern and Central Land Councils.

The two Land Councils were also major partners in the over-arching agreement covering the new Adelaide to Darwin railway corridor constructed on predominantly Aboriginal land, with the first freight and passenger trains arriving in early 2004.

Through the Croker Island

and Blue Mud Bay claims, rights to traditional sea country began firming up.

In 2001, the High Court recognised non-exclusive native title to the seas surrounding Croker Island.

When Mary Yarmirr was asked during the hearing to explain how far her traditional sea country extends, she replied, "as far as the eye can see."

In 2008, the High Court confirmed through the Blue Mud Bay claim that TOs of Aboriginal-owned NT coastline have exclusive access rights to the tidal waters overlying their land under the NT Land Rights Act.

Thirty-five years after the formation of the NLC, the Blue Mud Bay decision was a significant win for the Djalkiripuyngu, for all Top End TOs, and the NLC.



Camp at Yameeri

Conference calls for more Women's Ranger Groups

“The Land is our identity, Identity is in our ceremony, our language and our life, Good to see women talking strong”



These were just some of the comments that came out of this year's Ngalmuka Land Management Conference, which saw 100 women camped together for three days from 4-6 June. Women spoke freely about their feelings and aspirations and there was a wonderful energy from everyone sharing together.

Women came from the communities of Yirrkala, Ramingining, Maningrida, Gunbalanya, Larrakia, Adelaide River, Jabiru, Pine Creek, Werenbun, Beswick, Barunga, Borroloola, Ngukurr, Roper Valley and Pigeon Hole. The Conference was held at Gunlom in the southern part of Kakadu National Park on Jawoyn lands. Beryl Smith and the Kakadu Rangers, who hosted this year's event, wish to thank all who attended for making it a success.

Women worked in small groups to develop their own action plans for projects in their communities. These included:

- setting up Ranger groups and getting young women involved;
- running bush culture camps;
- caring for country;
- planting bush tucker and medicine gardens;
- cleaning up rubbish and weeds;
- collecting bush tucker for aged care;
- doing flora and fauna surveys and pollutant research;
- working in schools and setting up Junior Ranger groups.

The women heard a number of interesting presentations from speakers working in the areas of fauna and flora preservation, bush tucker, mapping, education and health.

Two resolutions were passed, calling for the establishment of fully resourced Women's Ranger Programs in the Borroloola and Ngukurr regions.

Mamadawarre and Manmoyi women are also planning to start land management work in their area.

Women Ranger Groups is an area within NLC that has been growing



From the September 2008 edition; Blue Mud Bay was the beginning of Sea Rights in the NT

BLUE MUD BAY BLUE MUD BAY BLUE MUD BAY BLUE MUD BAY



Traditional owners walk to the High Court in Canberra.



Justice Mansfield hears the case at Blue Mud Bay in 2005.



Blue Mud Bay (above) and a fire ceremony (below) at Garna celebrating the Blue Mud Bay win.



Traditional owners from Aboriginal coastal communities at the High Court of Australia.

The High Court decision on 30 June 2008 acknowledged that traditional owners of the Blue Mud Bay region in north-east Arnhem Land have exclusive rights regarding commercial and recreational fishing in tidal waters overlying Aboriginal land. This decision means that Yolngu people must now be included in any discussions and agreements about fishing or any other business on Aboriginal lands to the low water mark, thus ending 50 years of uncertainty.

"The Australian Government will work with the Northern Territory Government, commercial and recreational fishers and indigenous territorialians to achieve positive outcomes for all parties."

"The collaborative approach between the NT government, fishing interests and the Northern Land Council shows that a sensible approach to these issues is possible." *Jonny Macklin, Federal Indigenous Affairs Minister*

"The Blue Mud Bay decision presents Territorians including traditional owners, professional and amateur fishing and the NT Government with unique opportunities and challenges." *Paul Henderson, NT Chief Minister*

"While we may be disappointed with the decision we must accept it and move on to work with all the various parties to ensure the best possible outcome for all."

"AFANT, the NT Seafood Council, Aboriginal land councils, the NT Government and others have been discussing how we might best do this for some time now and, although we could not anticipate the court's decision, we have come up with some ideas about how we might move forward." *Chris Makepeace, Amateur Fishermen's Association NT (AFANT)*

"There is no doubt that this is a very positive outcome for these coastal traditional owners who have argued for decades that commercial and recreational fishing in the intertidal zone impacts negatively on their social, cultural and economic interests."

"This decision has fundamentally altered the leverage that these traditional owners will be able to exercise in negotiations with either commercial or recreational fishers who want to access to Aboriginal-owned waters." *Professor Jon Altman, Australian National University*



Djambawa Morewill leads his clan to dance at Garna



A Federal Court hearing on the beach at Yilpara in 2005



People of Blue Mud Bay celebrate their historic win at the Garna Festival

The mainland coastline of the Northern Territory is 5,100 kilometres long, of which approximately 72% is Aboriginal land. Offshore islands encompass a further 2,100 kilometres of coastline of which more than 95% is Aboriginal land. Thus approximately 5,670 kilometres, over 80% of the total Territory coastline, is Aboriginal land.



Children at the Federal Court hearing at Yilpara in Blue Mud Bay in 2005.

2010 to today

Over the past thirteen years, since 2010, there have been policies and new partnerships aimed at 'Closing the Gap'. And although there has been some improvement, today, we still need to improve the lives of Aboriginal Territorians significantly.

The NLC supports the need for change and the need for First Nations Australians to be recognised in the Constitution. Following a 2012 expert panel report, Constitutional recognition of Indigenous Peoples was on the agenda.

In June 2015, the NLCs Chair, Dr Bush-Blanasi, attended a meeting in Sydney organised by Prime Minister Tony Abbott to discuss the

issue. By December 2015, a new Referendum Council was set up, and former NLC Chair Yunupingu was appointed. The Referendum Council held consultations and a series of regional dialogues in the lead up to a meeting at Uluru in May 2017.

In 2016, there was also a big reason to celebrate. Prime Minister Malcolm Turnbull handed over title deeds to one of the most complex and bitterly fought claims in the history of the Land Rights Act, the Kenbi Land claim.

It took 37 years of legal argument with challenges every step of the way. But finally, Kenbi, one of 137 ALRA claims made by the NLC on behalf of TOs became

Aboriginal Land.

At the same time, following years of discussion about Constitutional recognition, the Referendum Council hosted a meeting of more than 250 First Nations representatives, including the NLC, and together they developed the Uluru Statement from the Heart.

There was also talk of a Northern Territory Treaty. Thirty years after the Barunga Statement, the 2018 Barunga Agreement was signed by the four NT land councils and the Northern Territory Government. It aimed to develop a framework for Treaty discussions with First Nations people of the NT.

Five years later, in June 2023, the four Northern Territory land councils came together again at Barunga and united behind the 2023 Barunga Voice Declaration. The Declaration invited Australians to right the wrongs of the past and to secure a future where First Nations peoples could directly influence our lives.

Although the Voice Referendum was unsuccessful, the NT land councils were further strengthened by the Kimberley and Cape York land councils, who also supported the Barunga Voice Declaration – just as they had with the Mabo negotiations in 1993 – once again forming a mighty Northern Alliance.

Today, the Northern Land Council is one of the country's most prominent Aboriginal representative organisations.

As we celebrate 50 years since the first meeting of our inaugural Full Council, the NLC commits to continue the work of the original 26 representatives.

We will continue to ensure the rights of TOs and Native Title Holders are respected and fully considered – be that by governments, businesses, or industry.

We celebrate the 137 land and sea claims lodged under the Land Rights Act, the 87 native title claims won, and the more than 2000 Indigenous Land Use Agreements brokered.

We thank our leaders who have shaped the NLC and the fight for our rights and recognition.

In particular, our NLC Chairs:

Silas Roberts

Yunupingu

Gerry Blitner

John Daly

Binalany Gunbalga

Wali Wunungmurra

And our late Chair Dr Bush-Blanasi

As the NLC looks to the next 50 years, a new strategy titled 'Activating Land and Sea Rights' will guide the organisation. It is based on a phrase first used by Yunupingu and represents an increasing focus on 'activating' TO rights and interests in their land and sea country.

As we celebrate, we sincerely thank and acknowledge all our elected councillors spanning 50 years, all the TOs, Directors and CEOs, and all the NLC staff and supporters.

NORTHERN EDITION

LAND RIGHTS NEWS

"Our Land, our Sea, our Life"

April 2016 • Issue 2 www.nlc.org.au

KENBI: settlement at last!

As we look to celebrate the 40th anniversary of the *Aboriginal Land Rights (Northern Territory) Act*, final settlement has been reached over the Kenbi land claim. In a battle that has been going on for nearly as long as the existence of the Land Rights Act itself, the Kenbi claim has been the focus of numerous court cases and claim hearings, and hostility from a succession of CLP governments.

Nearly four decades after it was lodged with the Aboriginal Land Commissioner, the Kenbi land claim has been settled.

The settlement was announced at a press conference at NT Parliament House in Darwin on Wednesday 6 April, fronted by NLC chairman Samuel Bush-Blarasi, Chief Executive Joe Morrison, Federal Indigenous Affairs Minister Nigel Scullion and NT Chief Minister Adam Giles.

A formal hand-back ceremony was expected to be arranged within the coming months.

Over its tortuous history the claim was the subject of two extensive hearings, three Federal Court reviews and two High Court appeals before the then Aboriginal Land Commissioner Peter Gray delivered his report in December 2000.

"This is a tremendous day for the whole community," NLC Chairman Samuel Bush-Blarasi said. "This will open the door for the future economic development and the cultural protection of the Cox Peninsula area that has Aboriginal people at its heart."

Comment to the final settlement by Traditional Owners (known as the Tenney Lyons Group) followed extensive consultations conducted by the NLC with them, and with the Belyuen Group and Larrakia families.

Mr Bush-Blarasi said he acknowledged that not all Larrakia families have approved the settlement, and that some continue to disagree with the Land Commissioner's findings regarding traditional Aboriginal ownership.

"I accept that for some Larrakia this whole process has caused much distress. However, this claim has long over as all for far too long. Now is the time to move forward otherwise, there is a real prospect that it might never be settled," Mr Bush-Blarasi said.

"The path is now clear to tidy up final legal details before a handback ceremony. It is most fitting that this will occur this year, the 40th anniversary of the enactment of the Land Rights Act."

Chief Minister Adam Giles said: "This is truly an historic day and secures the future of Darwin for generations to come. It also provides the family groups involved with real benefits. These benefits will come in the form of opportunities as well as preserving their cultural ties with the land."

"I think the settlement that has been accepted is extremely innovative as it provides a combination of Territory freehold land as well as granting of claimed land under the Land Rights Act."

Mr Giles thanked the Traditional Owners and family groups and the negotiating teams from the Territory Government and the NLC for their diligence in crafting the settlement.

"While the settlement has obviously taken a long time, and had to factor in legal developments such as Native Title and the Blue Mud Bay High Court decision, I think it really does represent an excellent deal for all parties."

Kenbi Handback June 2016



The Kenbi Land Claim was finally settled, 37 years after it was submitted



The NLC's Full Council 2022



Northern Land Council NAIDOC 2023

Since the last edition of Land Rights News, voter data from the Referendum has been analysed.

WHILE it was not the result that the NLC's Full Council had actively lobbied for, the results of the remote polling booths show our position clearly aligned with the views of our constituents. We recognise the majority of Australians did not support a Voice to parliament, yet we acknowledge that the majority of people in remote areas agreed with our Full Council. We now know the highest support for the 'Yes' vote came from Wadeye with 92%. Maningrida recorded an 88% 'Yes' vote and Galiwinku recorded 83%.

As an organisation, the NLC will once again be led by our Council on what comes after the referendum. It is clear that the Referendum was only another single event in the long fight for Aboriginal people of the NT to make decisions on government policies that affect them.

Following the Referendum, Tiwi, Anindilyakwa, and Northern Land Councils came together to release a joint statement:

Land Councils joint statement about the Referendum outcome

Through the Uluru Statement, Aboriginal people asked to be recognised in the Nation's founding document and for a formal process to be established to inform government decision making on policy that affects our people and our communities

Thank you to the supporters who stood with us during the campaign. The Prime Minister showed courage to take the proposal to the Australian people, through a referendum. Campaigners were steadfast in their support.

On referendum day the majority of Australians denied this simple request.

The mistakes of the past will be continued with the latest mandate. In effect it is an attempt to silence Aboriginal people which is likely to further disadvantage our communities. The request for a voice was simple. Listen to us before you make decisions about us.

"We are disappointed, but not surprised", said Northern Land Council Chair Dr. Samuel Bush-Blanasi.

We recognise the result of the referendum cannot be separated from a deep-seated racism. It is fair to say that not everyone who voted "No" is racist but also fair to say that all racists voted "No". The vitriol and hatred that were part of the campaign existed prior to, but were given licence through the process. The overarching theory we are incapable of managing our own affairs is dehumanising and degrading and most of all, deeply flawed.

It is clear remote residents across Northern Australia overwhelmingly supported the referendum proposal. Eager to break the shackles of poor government decision-making, a proposal for a new system to engage with government was the opportunity to break from the past.

Chair of the Tiwi Land Council Gibson Farmer Illortaminni said that "this outcome underscores the pressing need for us to find a way forward, one that ensures our voices are not only heard but respected when crucial decisions are being made by the government, decisions that directly impact our lives, lands, seas and culture."

With an eye on the future, we remember in the Northern Territory, we make up 30% of the population. We control 48% of the land and 85% of the coastline. We remind the public and we remind politicians, prosperity in this jurisdiction relies on us. "We ask for and will continue to expect engagement and partnership", said Tony Wurramarrba, Chair of the Anindilyakwa Land Council.

In response to the referendum outcome the Northern Land Council, Tiwi Land Council and the Anindilyakwa Land Council say:

We are the oldest continuous living culture on the planet, and we will continue to assert our traditional and legal rights and land title to strive for improvements in social and economic outcomes.

We will continue our journey toward self-determination.

We are strong and resolute.

The Northern Land Council, Tiwi Land Council and the Anindilyakwa Land Council will continue to champion the rights of our constituents, particularly those in remote areas – through political, legislative, policy processes and advocacy.

Every successful step toward recognition and equality has been hard won and we will continue to fight for the rights of our people and the right to be heard.



Proposed mineral lease at Bing Bong goes all the way to the High Court

Yanyuwa and Yanyuwa-Mara Native Title Holders await court judgement after a momentous hearing in Canberra.

ON September 5 this year, five Justices of the High Court of Australia heard a long-awaited appeal brought on behalf of Yanyuwa and Yanyuwa-Mara Native Title Holders. This case considered the Northern Territory Government's proposal to grant a new mineral lease adjacent to the Bing Bong Port on the McArthur River Pastoral Lease.

In this important case, David Harvey, Thomas Simon and the Top End PBC filed the appeal on behalf of the Yanyuwa and Yanyuwa-Mara native title holders, who's country that will be affected by the new mineral lease if it is granted. It was specifically brought against the Northern Territory Minister for Primary Industry and Resources, the Northern Territory of Australia, and Mount Isa Mines Limited (MIM), which operates the McArthur River Project.

The Native Title Holders object to the NTG proposal to grant the mineral lease to Mount Isa Mines without the native title holders' consent or agreement. If granted, the permit would allow Mount Isa Mines to construct, use, repair and maintain a facility for dumping dredge spoil from the shipping channel at Bing Bong. Barges use this channel to transport mineral ore from the McArthur River Project to ships anchored offshore.

The Native Title Holders argue that the proposed grant of the mineral lease would result in the creation of a right to mine for the sole purpose of the construction of an infrastructure facility associated with mining. As a result, they are entitled to have their objection heard by an independent person or body under the Native Title Act.

The Northern Territory Government and MIM disagree.



Daniel Wells and David Harvey

Together they successfully argued – both at trial in the Federal Court and on appeal to a Full Court of the Federal Court – that under the Native Title Act the Native Title Holders are not entitled to a right to negotiate or a right to have their objection heard by an independent person or body.

The Native Title Holders have kept fighting those decisions and were successful in convincing the High Court of Australia to hear their appeal. Several Native Title Holders from Borroloola travelled down to the nation's capital for the momentous hearing and are eagerly awaiting the Court's judgment, which will likely be handed down in the first half of 2024.



BENEFIT ENQUIRY

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The NLC celebrates 50 years

The NLC celebrated its 50th anniversary in September with two major events that paid tribute to the inaugural meeting of its first Full Council in 1973.

THE first meeting of 26 representatives from across the Top End occurred at the Anglican Christ Church, now the site of the Christ Church Cathedral, on the corner of Smith Street and the Esplanade in Darwin September 25-16, 1973.

This meeting was in response to the release of an interim report by Justice Woodward, who had been appointed by the newly elected Whitlam Labor government 'to find an appropriate way to recognise the traditional rights and interests of Aboriginal people in and to the land'.

The NLC commemorated the occasion with an invitation-only ceremony at the original site on Friday, September 29, 2023. Later that day a free, public concert took place at State Square, Parliament House. The concert that was attended by thousands of people who came together to commemorate and celebrate 50 years of the NLC.



Crowds gathered early to watch the 50th concert



Thousands attended the NLC 50th concert



Kenbi and Belyuen Dancers welcoming visitors to State Square Park



Wariuk Band's guitarist Graham Kenyon alongside lead singer Phillip Goodman



King Stingray closed the show on the concert stage



Legendary Darwin band The Mystics



Mr Walter Rogers NLC Council Member Ngukurr Homelands at the NLC commemoration ceremony at Christ Church Cathedral Darwin



NLC team members handed out 50th celebration T-shirts to the public



Youth Mill Performing Welcome to Country at Christchurch Cathedral



The late NLC Chair, Dr Bush-Blanasi, speaking at the NLC commemoration ceremony at Christ Church Cathedral

Garawa and Waanyi Garawa Rangers collaboration wins management award

Congratulations to the Garawa and Waanyi Garawa Rangers for winning the Territory Natural Resources Management (TNRM) 'Best Collaboration' award for the 2022 biodiversity and culture camp they delivered in collaboration with Bush Heritage Australia (BHA), Robinson River School, and Ground Up Ecology.

HELD near the junction of Robinson River on Rhumbarriya Country at Limestone Creek from August 15-19, 2022, the camp was attended by over 60 people, including TOs, custodians, elders, rangers, students, support staff and volunteers.

Attendees participated in cultural activities such as painting, singing, dancing, weaving, fishing, fire-making and storytelling, as well as educational activities including the recording of cultural knowledge and language names for plants and animals, and creating a seasonal calendar.

Activities also focussed on the setup of camera traps and survey sites, bird watching and plant identification with ecologists.

The success of the camp was due to hard work and collaboration between many partners, including:

- BHA - have been working with the ranger groups and TOs since 2016 to support the management and health of their country
- TOs and custodians – provided guidance and support for the camp in terms of location and camp activities
- Robinson River School - provided supervision, transport and camping equipment for 15 local children
- An ecologist and botanist to support the flora and fauna survey
- Volunteers



Camp attendees showcase their artworks

- NLC Rangers - spent weeks preparing the camp area, collecting firewood, building shade shelters, installing pit toilets and ensuring safe road access to the site.

These camps are an invaluable opportunity for families, Elders, children and rangers to camp together on country and share knowledge about the land and the highly diverse plants and animals. Other benefits include:

- Recognising and identifying values and threats as per the Ranger groups Healthy Country Plans
- Appreciating the beautiful and diverse landscape of the region
- Understanding the importance of strong fire management to protect the natural habitat and keep feral animals from destroying local ecosystems
- Intergenerational transfer of cultural knowledge and stories
- Sharing and learning both cultural and scientific knowledge by having expert Elders and scientists working together.



Robinson River School kids personalise their camp T-shirts

SEAL Rangers making an impact from the Gulf to the Torres Strait

The Numbulwar Numburindi Rangers and the Yugul Mangi Rangers, who together manage the South East Arnhem Land (SEAL) Indigenous Protected Area (IPA), have had a busy year developing their Sea Country IPA.



Clive Nunggarrgalu and Lewis Pomery of Numbulwar Numburindi Rangers with Alexandra Carter from James Cook University

In September, Yugul Mangi Rangers assisted researchers from Charles Darwin University (CDU) with rare river shark surveys in the Roper River. During their research the team caught a spear tooth shark, the first recorded catch of this species for the Roper River.

In October, Rangers worked with researchers from James Cook University (JCU) and CDU to undertake baseline subtidal seagrass surveys. This involved taking the ranger boats out, using an underwater camera to take photos and collecting seagrass samples with specialised instruments. This survey follows on from the intertidal surveys completed in November 2022.

With seagrass being an important foraging habitat for dugongs and sea turtles, it is important for rangers to monitor seagrass health, and in turn, the health of the local ecosystem. The rangers will continue with seagrass monitoring into the future, with training and assistance provided by JCU and CDU.

Recently, rangers from both Numbulwar Numburindi and Yugul Mangi groups returned from a ranger exchange to the Torres Strait Islands. Visiting the Torres Strait Regional Authority Rangers to learn

more about marine management, six rangers visited Moa Island, 40km north of Thursday Island, where they worked with local rangers and Tangaroa Blue Foundation on a beach cleanup.

Four rangers visited the islands of Poruma and Warraber, where they assisted with beach cleanups and learned about turtle, bird, and seagrass monitoring, as well as the effects climate change is having on the islands and local communities. The rangers and communities of the Torres Strait Islands were very welcoming and generous, and the rangers from South East Arnhem Land were very grateful for the amazing experiences they had during the exchange program.

Also this year, rangers and community members worked on a film to publicly showcase their Land and Sea IPA. Representatives of the Numbulwar Rangers will travel to Canberra in November for the film's premiere at Parliament House.

This project was supported by Country Needs People, a not-for-profit supporting Indigenous ranger programs, and is a way for the local communities of Ngukurr and Numbulwar to widely broadcast the fantastic work that the rangers do in caring for their country and culture.



Clive Nunggarrgalu of Numbulwar Numburindi Rangers with a seagrass sample



Rangers Cherryanne Daniels, Julie Roy and with SEAL Sea Country IPA Development Officer Athanasia Hatzis

Cultural learning creating connection

It's been a busy start to Semester 2 at Yirrkalā Bilingual School.



Planning and preparing a guided walk down the Ralpa Way to teach visitors about Yolŋu plants



Senior LoC students tested out their Lipalipa (dugout canoe) on Caledon Bay

AS part of their studies for the 'Provide Visitor Information' unit, Nuykal class students have been planning and preparing a guided walk down the Ralpa Way to teach visitors about Yolŋu plants and their uses.

Students first learn about these plants and then work to create and practice a guided walk which they will conduct for visitors to the school in Term 4.

Bonba class have been working on two units for their CEM Cert II

– 'Recognise Plants' and 'Recognise Fauna'. Students visited a number of places to explore, identify and learn about the plants and animals that are found there.

Taking photos of plants, animals or evidence of animals on tablets, students then research and record information about the flora and fauna back in the classroom.

Senior Learning on Country students at Laynhapuy Homelands School have a new canoe to tackle the waters of Caledon Bay!

Students undertook a lipalipa/ dugout canoe project at school at the end of Term 3, working together with Yirralka Rangers, community Elders and teachers to plan and execute each step in the building of a lipalipa.

The lipalipa project is part of an effort at Laynhapuy Homelands School to deepen students' cultural learning experiences at school. In addition to practical work, students are working through written assessments that will form a

subject contributing 20 credit points towards their Northern Territory Certificate of Education.

This benefits the school in both the work that students are undertaking as well as increased engagement between the community and school, strengthening of students' cultural identity and improved opportunities for Yolŋu teachers to take on leadership roles in education delivery.

Pathways to conservation: students and Gumurr Marthakal Rangers

This term, through the Learning on Country program, 10 senior secondary students from Shepherdson College recently completed several units of Certificate II in Conservation and Ecosystem Management with support from specialist training provider INLOC.

THE Conservation and Ecosystem Management course is a direct pathway for employment with the local Gumurr Marthakal Rangers.

Students completed training in the operation of handheld GPS units, which was applied through identifying and recording the locations of invasive plants. These skills were then built upon as students completed two units on recognising local plants and fauna.

Students worked alongside Gumurr Marthakal Rangers across Galiwin'ku to identify a range of plant species significant to both the local ecosystems biosecurity and Yolŋu culture across.

Students Grace Durrurrunga and Wurrwuryun (Tyrone) Wanambi completed all requirements for their Certificate II in Conservation and Ecosystem Management. Wurrwuryun, who currently works part-time with the Rangers, is excited to begin full-time work next year once he graduates. Grace hopes to work within the Galiwin'ku Learning on Country team to support new students coming through.

Bulkunu Garrawurra and Gawanarrtjiwuy (Helena) Garrawurra, two graduates of Shepherdson College's class of 2022, have also recently joined



Loc students identifying invasive plants on Country

the Gumurr Marthakal Rangers team, demonstrating the continuing success of this pathway.

This time last year there were no women rangers working with Gumurr Marthakal. Now women are being employed, and the majority have been participants of the

Learning on Country Program.

This success is a testament to the authentic partnership between Shepherdson College and Gumurr Marthakal Rangers creating meaningful pathways for the young people of Galiwin'ku.

Jonah Ryan: pioneering cultural stewardship in Maningrida College's Learning on Country program

The Learning on Country Program (LoC) team at Maningrida College, under the guidance of Community Elders, has appointed Djelk Ranger Jonah Ryan as its first LoC Program Ranger.

THIS new role will look after the cultural safety of students, staff and the LoC Program, as well as the co-delivery and provision of Indigenous knowledge, ensuring the program is delivered with a two-way approach.

LoC graduate and Djelk Ranger Chris Campion has also been appointed as proxy for the role and will be supporting Jonah as needed.

Jonah and Chris will work alongside LoC Program Coordinator Dave Tome to deliver the LoC program activities in the classroom

and on-country.

After graduating from the LoC Program in 2018, Jonah has worked as a Djelk Ranger caring for the Djelk IPA in West Arnhem Land. His experience as a Ranger will be fundamental in as he supports the educational delivery of on-country and classroom activities and student engagement.

Jonah's new role is a compelling example of how the LoC Program creates ongoing outcomes for graduates and real benefits for



Jonah Ryan, Djelk Ranger

remote communities.

"I'm excited to work with the kids, and to be a good example for the next generation and encourage ranger job pathways and future opportunities," Jonah said.

Special thanks to Nja-marleya

Cultural Leaders and Justice Group, who provided the initial funding for Jonah's role, and the Bawinanga Rangers/Djelk Rangers for supporting Jonah's transition into the LoC Program.

Designing a "Keeping and Sharing Space"

Malak Malak TOs are realising their dream as they celebrate their culture on country.

EARLIER in the year, a Malak Malak working group engaged in a field trip to Kakadu. Visiting four cultural and arts centres, they gained insights from other TOs and operators, inspiring them to design their own cultural centre and seek additional funding.

"It means everything to us. It will hold all our stories, pictures – everything will sit in this centre," said Valemina White, a Malak Malak TO. "To share with other people who can read and see for themselves how Indigenous people see and do things... make baskets, catch fish".

The TOs have now engaged a local architect to design a practical, environmental and affordable centre. At the same time work is underway to digitise and preserve their important artefacts and heritage items, as well as stories and traditions.



Malak Malak Working Group: Donna Sullivan, Martin White, Joy Cardona, Valemina White and Gwendoline White in Kakadu

Manayinkarirra: supporting wayfinding in community

Dukurrdji Traditional Owners are designing and installing interpretive signs to welcome and educate visitors to their community.

IN support of a vision to create balance, the signs tell stories of key places, share knowledge on sacred sites, and support navigation. Yet they also inform of areas to avoid, such as when ceremony is

underway with signage including 'stop ceremony' and 'sorry business'.

The group has been very productive in turning ideas into meaningful and culturally significant signage. For the

designs they worked with Calytrix Communication, selecting TO and acclaimed local artist Joy Garlbin's artwork 'Djomi' to feature.

Through this NLC Community Projects Program, the Dukurrdji

group has also furthered project management skills – from assigning a working group to undertaking feasibility studies, and project scheduling to budget management.



Dukurrdji Traditional Owners with artist Joy Garlbin (pink cardigan) with the one of the sign designs

Aboriginal-led camp and outstation projects boost local communities

Through NLC's Community Projects Program, Aboriginal groups across the Top End have been dedicating their time to creating detailed project plans, negotiating agreements and keeping a range of initiatives on track. As a result, Aboriginal-led projects have pumped \$1.3 million back into their local economies over the past financial year.

APPROVED by Full Council in 2016, the Community Projects Program has grown from five to 23 groups, which today manage 25 projects and are undertaking a further 19 feasibility studies. In line with activating land and sea rights, the NLC has expanded the program by introducing matched funding.

Galiwin'ku TOs – who see rapirri camps as imperative to strengthening culture and connection to country – now run their camps more independently, setting their own budgets and



Manburrum Group undertaking a feasibility study on a two-bedroom house at their outstation

dealing with local suppliers. With more control over the camps they can make sure they have the right people on the right country.

Meanwhile, the Manburrum (Kneebone) community is investing in planning and infrastructure to improve the liveability of their outstation. This work is advancing their access to municipal and

essential service provisions through the NT Government's Homelands Program.

And as part of the Marralam Activation Project, Djarrany Djarrany are planning their outstation investment projects. They have partnered with MLEI Consulting Engineers to carry out an infrastructure assessment and set

priorities for future development, linking in with the cultural tourism strategy.

"It has helped us make good decisions about planning the upgrade," said Native Title Holder Bernadette Simon. "Now we've got the community up and going we can start a business plan to keep people out there and working".

Ngukurr Airstrip upgrade

Budal Milwarapara-Yutpundji TOs have built a new airstrip waiting and amenities facility.

TOs engaged local builder, DJC Build Pty Ltd, to construct a large waiting area. The facility comfortably accommodates 40 people, offering increased shade and air-flow as well as including a bathroom.

The TOs secured an ABA NIAA grant to co-fund the project as well as a local government commitment to undertake ongoing care and maintenance of the facility. Next, they are planning art work and the opening ceremony.

This project has provided training and created several job opportunities, and is just one of eight initiatives that Budal Milwarapara-Yutpundji TOs have funded to nurture strength and pride in their community.



The new waiting and amenities facility at Ngukurr Airstrip

Strong Women for Healthy Country Forum 2023

Sixteen Rangers and four Ranger Coordinators from across eight NLC Ranger groups gathered for the 2023 Strong Women for Healthy Country Forum, September 4-8.

HELD at Pudukul on Limilngan-Wulna land near Humpty Doo, ranger groups, support staff and partner organisations from across the NT camped beside the long neck turtle dreaming lagoon.

"It's important to bring TOs to forums so they can take information back to share with children in communities" said Elliot Ranger Coordinator Josephine Grant.

The focus of this year's forum was to develop strategies that could assist in implementing the action plans set out in previous forums.

The NLC rangers involved in previous Strong Women for Healthy Country Forums took on leadership roles in 2023 and helped facilitate the yarning circles around each action plan.

Action plans included supporting women in work places, safe women's spaces and governance and ranger exchanges.

Women talked about barriers in workplaces but also shared experiences of their successes and ideas around improvement.

A topic of particular interest was how women can maintain traditional leadership and the intergenerational

transfer of cultural knowledge. It was discussed that the engagement of Elders on Country as mentors and teachers could help preserve traditional protocols to guide the youth. The benefits of culture camps and Learning on Country programs delivered by rangers was highlighted in within this discussion.

"I used to be very shy but coming to these forums helped me be more confident," said Julie Roy, Yugul Mangi Assistant Ranger Coordinator.

"This forum is about leaving no woman behind and leading by example," added Gennivea Aplin, Waanyi Garawa Ranger.



Julie Roy, Message Sticks member, addresses the Forum



The governance workshop at the Strong Women for Healthy Country Forum



Jen Ansell and Josephine Grant at the promote best practice principles for employers workshop



Monteanna Cattermole and Yvette Farrar participating in the promote best practice principles for employers workshop

Next Generation of leaders address government



2023 First Circle Leadership Program Cohort - Back row: Andrea Andrews, Jacob Puautjimi, Sheila White, Jordan O'Brien, Ted Gondarra. Middle row: Ronnie Agnew, Lazarus Manbulloo, Timothy Simon, Kevin Collins, Jessica Phillips, Leah Narul-Holt. Front row: Evelyn Morgan, Dianne Reid, Stephanie Anderson, Minay Wunungmurra. Seated: Maythan Long, Wesley Campbell, Brendan Wunungmurra

Emerging leaders from remote Indigenous communities addressed the highest level of government at a special cabinet meeting at NT Parliament House.

EIGHTEEN future leaders from across the NT offered advice and guidance on policies, projects and initiatives that impact Aboriginal Territorians and remote communities. The presentation to cabinet is the final part of the First Circles Leadership Program – a flagship program aimed to identify, mentor and support future leaders from remote communities.

Local Decision Making Minister Selena Uibo, a graduate of the program herself, said it was important that emerging community leaders work directly with

government to "create change".

"First Circles is a program for emerging community leaders to share their stories and ideas and to work directly with the government to create change at a local level and have their voices heard," Ms Uibo said.

The program conducted

workshops across the Territory and the group also attended the NT Aboriginal Leadership and Governance Forum in Alice Springs.

First Circles member and NLC Council Member for Victoria River District Wesley Campbell, from the community of Yarralin, said the program had enhanced his skills which would positively influence the Territory.

"Being a member of the First Circles Leadership Program has enhanced my knowledge of leadership and provided

opportunities to step outside my comfort zone and grow," he said. "Knowledge is power and strong leadership is essential to positively influence and contribute to our communities and regions."

Fellow member Andrea Andrews, of the Barunga community, said she wanted to excel in leadership like her father.

"Leadership is an area that I want to excel in, following in my father's footsteps. I want young men and women to see how amazing it will be to be a First Circles member," she said. "To come and experience great opportunities to gain more skills and knowledge. To learn about government policies and processes and how to best influence positive decision-making to achieve better outcomes for our communities."

"Knowledge is power and strong leadership is essential to positively influence and contribute to our communities and regions"

Revitalised Wadeye Pool now open



Community members and Staff at Wadeye Pool enjoy the upgraded facility after a five year closure

The Wadeye Pool, a vital community hub, has welcomed back residents after being closed for over five years.

THE much-anticipated reopening comes after the completion of a major

\$4.5 million refurbishment project.

This ambitious undertaking, managed by the West Daly Regional Council, has been a collaborative effort to restore this essential community asset, which was closed as a result of significant damage. Funded by the Northern Territory Government, with a valuable contribution from the Wadeye Local Authority, the project enlisted M&J Builders to complete the refurbishment under the project

management of Turner & Townsend.

The hub holds immense significance for the community, and its reopening signals a new era of opportunity and connection.

"The Wadeye pool is more than just an aquatic facility; it represents a safe place for the entire community to come together," said West Daly Regional Council Acting CEO Andrew Everingham. "Beyond providing a

recreational outlet, the refurbishment brings several additional community benefits, including improved health outcomes, enhanced social connection, local employment, training opportunities, and improved water safety."

The revitalised Wadeye Pool will play a pivotal role in promoting physical fitness, social interaction, and community pride.

COVID-19 cases have been on the rise in Darwin again.

Vaccine remains the best defence against serious illness from COVID-19.

Talk to your GP and stay up-to-date with your booster vaccines

Book an appointment today! Call on 8942 5400.

Stay safe, you mob.

New peak body established to respond to the needs and experiences of Aboriginal and Torres Strait Islander people in the north of Australia

September saw the formation of the Northern Australia First Nations Alliance (the Alliance), providing a unified voice for the region's First Nations people and facilitating strong advocacy for their unique interests.

A peak body for the land councils and Native Title representative bodies, the Alliance is now the first point of contract for government and industry stakeholders in relation to regional or national policy initiatives related to First Nations peoples, sea management, Land Rights, Native Title, and heritage protection in northern Australia. At the same time, it provides a forum for ongoing communication and mutual support among body members and the people they serve.

The Chairman of Cape York Land Council and spokesperson for the Alliance, Mr Richie Ah Mat, heralded

the body a new and exciting chapter in the history of our region. "We are united by our shared commitment to representing and advocating for the unique interests of First Nations in the north," he said. We are excited to work with government and industry to create a better future for all of our people."

Founding members include the Cape York Land Council, Gur A Baradharaw Kod Sea and Land Council, Kimberley Land Council, Northern Land Council, North Queensland Land Council, and Northern Australian Indigenous Land and Sea Management Alliance.



Chairman of Cape York Land Council
Mr Richie Ah Mat

Harsher penalties for illegal land clearing paramount

The NLC calls out outrageously low fine, amid bigger issue of ineffective deterrence.



Land in Tarwoo Station was illegally cleared

A NT Department of Environment, Parks and Water Security's recent investigation into land clearing at Tarwoo Station found that works that occurred without Northern Territory Government (NTG) approval

were illegal. A fine of merely \$7,536 was handed down to current owners, Western Australia Northern Territory Cotton Company.

The illegal land clearing that occurred at this freehold station

exposes ineffective deterrence. It also highlights a broader failing on the part of NTG to prevent the destruction of land involving Aboriginal interests.

The clearing of native vegetation is currently regulated through the Planning Act 1999, and through the Pastoral Land Act 1992 for pastoral leases. NTG has stated that issuing a fine, rather than prosecuting for a breach in this instance was appropriate because a development application had been lodged and was ultimately (after clearing had occurred) approved.

The NLC has urged NTG to improve and enforce regulations that serve all Territorians. The current scrouge of illegal land clearing, demands harsher penalties and investigations into breaches need to become more transparent.

Earlier in 2023, the NLC nominated Aboriginal representatives to take up positions on the Pastoral Land Board. However, these nominations were

rejected. Considering the shared interests and rights to land from both Aboriginal and non-Aboriginal people, it is understood that balanced representation within this statutory authority would lead to more mutually beneficial outcomes.

The NLC CEO Joe Martin-Jard also raised concerns about the short timeframe for the submission of any comments on pastoral-use land permits that are being processed by the NTG. This means that the NLC, and other organisations such as the Aboriginal Areas Protection Authority, have inadequate time to consult with affected native title holders. "We see the NTG as hellbent on development at all costs," Mr Martin-Jard said.

Aboriginal Territorians have legal rights to Country, even that which is subject to pastoral leases. NLC calls for these rights to be upheld, allowing for the protection of land before irreparable clearing can occur.

Commercial fishing in Buckingham Bay reeled in

TOs of Buckingham Bay limit the amount of commercial barramundi fishing in their waters.



Gillnetting a fisheries management concern for Buckingham Bay Traditional Owners

EARLY in 2023, NLC was contacted by Member for Mulka Yingiya Mark Guyula regarding significant fisheries management concerns and marine life being harmed through gillnetting in Buckingham Bay, East Arnhem Land.

Due to inaction from the NT Government (NTG), in September TOs ended a waiver that allowed commercial fisheries to operate without a formal agreement. In particular, access for commercial barramundi fishing operators will not be reassessed until TOs are satisfied their concerns regarding gillnetting are being addressed.

For years the NLC has been calling on the NTG to actively listen to TOs concerns relating to fisheries management. In 2022, the NTG amended the objects of the NT Fisheries Act 1988 to reflect the rights and interests that Aboriginal people hold in relation to the fishing industry.

There is currently no quotas for the commercial barramundi fishery. Further, the indiscriminate nature of gillnetting means that all types of fish are caught in large numbers, as well as other marine life including turtles, dugongs and dolphins, with the unwanted 'bycatch' being disposed of at sea. This creates additional concerns of carcasses washing up on coastlines, potentially attracting crocodiles and jeopardising the safety of communities.

"We want our environment to be safe because we need the food. We

hunt sustainably, we hunt according to the seasons," said TO Guyulen/Helen Guyula. "We don't like current commercial practice – they throw the little ones or the ones they don't want back. We've found heaps of turtle, dolphin, crocodile and small barramundi washed up on the beach. Why get them all and then throw them away?"

The 2008 Blue Mud Bay decision, afforded TOs legal rights to the intertidal waters which overlay Aboriginal land. Yet, in the 15 years since, they have allowed access to their waters through a series of waivers with industry and NTG, allowing commercial operators to access Aboriginal waters without formal agreements, and providing limited opportunities for TOs to economically benefit from their land.

NLC hopes this change in fishing access for Buckingham Bay will act as a wake-up call to the NTG, and a catalyst to provide real opportunities for Aboriginal people to be included in fisheries management decisions that affect their land.

TOs have advised there are no concerns with other fishing sectors within the area. Recreational fishing access in Buckingham Bay will continue. Permits will now be processed through a TO delegate permit system rather than automatic issue. Access for the guided fishing industry remains unchanged.

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