



GOLDFIELDS
LAND & SEA
COUNCIL

5/10 WILLIAM STREET
ESPERANCE - 9072 1141
[KALGOORLIE 9091 1661]

Esperance Nyungar News

DECEMBER 2006

ENAC off to a strong start with farm transfers

In late October, an exciting milestone on the road to giving Esperance Nyungar people a strong and united voice was reached with the election of inaugural office bearers for the Esperance Nyungar Aboriginal Corporation (ENAC).

In accordance with an earlier recommendation by members of the ENAC committee, Mr Allan Bullen was elected Chairman, with Ms Julie Dabb the Secretary and Ms Gail Reynolds-Adamson Treasurer.

"The way is now clear for Esperance Nyungar people to play a much stronger role in the region's social and economic life," said Mr Bullen.

In preparation for the transfer soon of ownership of several local ALT properties to ENAC, a five-year agreement has been struck between ENAC and the Esperance Aboriginal Land Development company (EALD) for its ongoing management of the farming properties.

"The transfer of the ALT farms to our control will help provide a platform for building a secure future for generations of Esperance Nyungars to come," Mr Bullen said.

The GLSC assisted ENAC in negotiating the EALD agree-



ENAC members Dianne Clinch, Gail Yorkshire-Selby, Elaine Bullen, Julie Dabb (Secretary) and Allan Bullen (Chairman).

ment and transfer of the farms, and with securing an \$80,000 grant from the State Government for preparing a strategic plan for future management of the properties. The GLSC also helped negotiate a lease of one of the properties to the Wongatha CAPS organisation for use in association with their school at Gibson.

The GLSC is providing interim office accommodation and support for ENAC in Esperance (9072 1141).

CLAIM UPDATE

Mediation

Mediation of the Esperance Nyungar claim is proceeding slowly, with the State Government yet to determine whether it is prepared to agree to a native title consent determination. The GLSC has provided a lot of good connection evidence to the State to consider, including several expert reports, preservation evidence given by 7 senior claimants in 2003 and detailed legal submissions.

The Government has asked the GLSC for additional connection material, which will be provided soon. While a date for the government's decision is not known, it is expected to be around April or May 2007.

Next Claim Group meeting

A meeting of Esperance Nyungar claimants will be held early in the new year. Important business for the meeting will be:

Appointment of Applicants

The passing of the claim's two Applicants means that new Applicants have to be selected and authorised to represent claimants in all legal matters and business associated with the claim. Previous meetings have suggested that one Applicant from each family on the claim be appointed (Bullen, Dabb, Reynolds, Rogers, Newman, Yorkshire and Tucker). After the appointment of the new Applicants the claim will have to undergo the

registration test again.

Fine-tuning the claim

In line with previous claim group discussions, several amendments to the claim will be canvassed at the meeting. These include changes to the sea boundary and the inclusion of adopted children.

Noongar Claim – Perth

The Federal Court's decision to acknowledge the ongoing connection of Noongar people to land in and around Perth has important implications for all outstanding native title claims, especially the Esperance Nyungar claim, which abuts the wider Noongar claim.

The GLSC will be following closely the appeals by the State and Federal Governments and others.

CALMland

The GLSC is finalising reports to the Department of Environment and Conservation (DEC – formerly CALM) on how Esperance Nyungars can share management responsibilities for Cape le Grande National Park, Stokes Inlet and Esperance Lakes.

These negotiations are proceeding under a memorandum of understanding that the GLSC struck with CALM in 2001 for joint management of government conservation areas and reserves.

As well as pushing for a strong involvement by indigenous people in day-to-day management of all three conservation areas, the reports recommend formation of a joint management committee for Cape le Grande, interpretative signage that tells the Nyungar story for Stokes Inlet, and a re-write of the existing management plan for Esperance Lakes to give Aboriginal people a larger say in how these reserves operate.

The GLSC is also pressing the State government for funding to allow these initiatives to proceed.

Mount Ridley

Over recent times visitors to Mount Ridley Reserve have seen major changes. Walk trail signs and signs explaining features of indigenous cultural significance have been erected and a much-needed toilet block built.

These facilities and other aspects of the reserve's management are being overseen by the new Mount Ridley Association, a committee comprised of Esperance Nyungar people and representatives of the Shire of Esperance.

The GLSC helped the claim group in its negotiations with the Shire to form this Association and develop a partnership approach with the Shire.



Bill Bennell supervising installation of the new toilet block at Mt Ridley Reserve.

A change in the vesting of the reserve from the Shire to the Association is underway, a move that will strengthen indigenous people's role in operation of this large bushland area, which has great cultural importance to Esperance Nyungar people.

Flinders Estate/Bandy Creek

The GLSC is negotiating with the Shire of Esperance to ensure Esperance Nyungar interests are respected in the shire's Flinders Estate subdivision at Bandy Creek.

For example, the old camping ground that was used by the Yorkshire family, up-river from the mouth of the

creek, needs protecting. One idea is to extend the existing reserve, which follows the creek bed, to include the camping ground and then establish a partnership involving Esperance Nyungar people for joint management of the expanded reserve.

SOUTH COAST OPPORTUNITIES

The GLSC is pursuing several avenues for giving Esperance Nyungar people stronger ties to their traditional lands that lie along the coast.

Area survey

The GLSC has secured a contract from the government's South Coast Regional Initiative Planning Team (SCRIPT). One of the objectives is to identify lands that are of cultural importance or offer opportunities for land ownership or management by Aboriginal people. Stockyard Creek reserve is an example of where ownership of this type has already been developed successfully.

Stockyard Creek

DPI has set aside Stockyard Creek for Esperance Nyungar people. With support and assistance from Esperance Nyungar people and GLSC, SCRIPT's Restoring Connections project has committed to implementing some of the recently completed Stockyard Creek management plan.

Implementation of other aspects of the plan is expected to commence in the new year. Recommendations included signage, fencing, track upgrades and a camping ground and facilities in the top reserve.

The GLSC has proposed to Restoring Connections that a study be undertaken of the environmental and cultural significance of un-vested Crown land in the coastal strip from Wylie Bay to Cape le Grand National Park. The study would be an important step toward Esperance Nyungar gaining a bigger say and more management control over this area, as happened with Stockyard Creek.