

PRESS RELEASE
By
NGARLUMA ABORIGINAL CORPORATION
of Roebourne WA
The Prescribed Body Corporate
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A small Aboriginal community in the middle of the resource boom in the Pilbara has today made a plea for help in protecting its heritage and its community.

The Ngarluma Aboriginal Corporation is the body set up after the Federal Court of Australia- with the eventual consent of the State Government, resources sector and even pastoralists- accepted that the Ngarluma hold native title over the major resource boom area, around the iron ore infrastructure nodes such as the towns, railways and ports and gas projects in the Pilbara.

A delegation of the NAC, sisters Jill and Jeannie Churnside, today made representations to the Aboriginal Cultural Material Committee set up under the State Aboriginal Heritage Act for assistance in protecting the Ngarluma heritage. "We have fought for over fourteen years since the introduction of the Native Title legislation to get Governments to accept that our native title is real and that the Ngarluma people have a legitimate interest in the area." Jill Churnside says. "But the State Government has fought us over every one of those years in order to try and unsuccessfully disprove our claim. It was only after the Government tried to destroy our claim that we made them see during the claim's appeal that we are the rightful Traditional Owners, the native title holders" Ms Churnside said.

"The Office of Native Title has done nothing but oppose our native title rights and interests and indeed, tricked us out of our heritage on the Burrup.

At the urging of the State Government wanting to create an industry zone on the Burrup, the Ngarluma Aboriginal people entered into an agreement called the "BMIEA Agreement" which was a sacrifice by them of all of their native title in the Burrup peninsula in return for the expectation that the agreement would enable, among other things, a real say in the area and with maximum cultural heritage places consultation and protection through our nominated people.

Under the guidance of the Office of Native Title, an unworkable organisation was established under the agreement and that has been proved to be unworkable, but notwithstanding our repeated representations, nothing has been done.

We wrote to the Deputy Premier and the Office of Native Title in December 2006 and the first response that we had was a meeting which was held in February 2008.

It is that totally uncaring and disrespectful attitude on the part of the State Government which has meant that our people have really nowhere to go.

We had high hopes after the election of the Rudd Government that Jenny Macklin would be amenable to listening to the pleas of our community, but we were disgusted to see that she had in fact been flown into the area by Woodside and Rio and entertained by them with Aboriginal people of the companies' choice without any acknowledgement of the role of us Traditional Owners or even any reference to our organisation.

There should be no confusion in the Minister's mind as to who holds the Native Title, but she simply chose to ignore our presence.

We are now at our wit's end as to how to protect our heritage and we are heartened by the fact that we have legal advice which demonstrates that the approvals for the destruction of Aboriginal heritage on the Burrup may have been issued by the Minister illegally and we propose to take that issue up as forcefully as we can.

We also have legal advice that the State Government is in breach of the BMIEA Agreement in that it was required to obtain consents of all the signatories to the heritage clearances by 16 January 2008 and it has not done so.

Like a poker player refusing to reveal its hand, the State Government has held a meeting with us but refused to give any indication of what it proposes to do about its breach. The State Government should not regard itself as simply a renegade negotiator in this situation, but has a responsibility to act in the interests of all of its people including the Aboriginal people of the Pilbara and it is forfeiting the right to claim the moral high ground.

In addition to investigating legal proceedings, we are making this plea to the ACMC and we are also writing to Aboriginal communities in the Pilbara and the Kimberley looking for their support.

We are also warning the Kimberley Land Council and Traditional Owners up that way that whilst the resource companies and the State Governments like to talk about the rivers of benefits that will flow to the communities if they give up their native title and heritage, the fact is that they will get no support from the Minister responsible for these matters, the Deputy Premier, who is totally in the thrall of the resource companies and they should be very wary about entering into agreements with resource companies whose interests evaporate once they have the agreement signed. Alan Carpenter has gone on record that there will be no industrial development in the West Kimberley without the informed consent of those Traditional Landowners. That promise remains to be honoured, honoured for the first time ever in WA.”