

# Managing Weeds on Native Title Lands: Workshop Report Broome WA 26–27 October 2011

Nick Duff

NATIVE TITLE RESEARCH REPORT



**AIATSIS**

AUSTRALIAN INSTITUTE OF  
ABORIGINAL AND TORRES STRAIT  
ISLANDER STUDIES  
NATIVE TITLE RESEARCH UNIT



# **Managing Weeds on Native Title Lands**

Workshop Report

Broome, WA

26–27 October 2011

**Nick Duff**

Report author: Nick Duff

© Australian Institute of Aboriginal and Torres Strait Islander Studies 2011

Funding partner:



AIATSIS gratefully acknowledges the funding and support of the Rural Industries Research and Development Corporation (RIRDC). RIRDC is not liable for this activity.

Workshop partner:



## Acknowledgements

The Welcome to Country was given by Yawuru man Michael 'Micklo' Corpus, and the pre-workshop field trip was hosted by the Yawuru Rangers.

Dr Jessica Weir, Research Fellow at the AIATSIS Centre for Land and Water Research, convened the workshop in partnership with Bruce Goring from the Nulungu Centre for Indigenous Studies at Notre Dame University's Broome campus, and with input from Ari Goring of the Kimberley Land Council. The workshop was facilitated by Paul Mitchell from EthnoScapes. Advice and assistance was also provided by Louise Beams from Environs Kimberley, Lon Peters from the Land and Sea Management Unit at the Kimberley Land Council, and Dean Mathews from Nyamba Buru Yawuru Ltd, a company set up under the Yawuru Native Title Holders Aboriginal Corporation RNTBC. The workshop was coordinated by Kara Youngentob, AIATSIS. Nick Duff and Tran Tran from AIATSIS and Anna Dwyer from Nulungu provided additional assistance.

AIATSIS gratefully acknowledges the funding and support of the Rural Industries Research and Development Corporation (RIRDC). RIRDC is not liable for this activity. The application for the RIRDC research grant was prepared by Dr Weir and Claire Stacey, AIATSIS.

The maps appended to this report are reproduced with the permission of the National Native Title Tribunal.

# Executive Summary

This regional workshop was part of a larger research project funded by the Rural Industries Research and Development Corporation (RIRDC), supporting research into the implications of native title for weed management; the weed management priorities of native title holders; and the opportunities and limitations of current weed institutions, policies and programs with respect to native title holders.

The workshop was an opportunity for non-Indigenous stakeholders to gain a better understanding of the cultural landscape for weeds management on native title lands, and the governance and logistical environment of native title holders. It also allowed Indigenous land managers to network with other stakeholders about weed management issues, identifying gaps and challenges and developing strategies for collaborative engagement in the future.

During the workshop, participants described a number of ways in which weeds management is important to traditional owners, including:

- Spiritual and cultural responsibilities for country.
- People's well-being is tied to the health of country.
- Healthy country and looking after country is important for teaching the young people about their culture and history, and for building strong bonds between the generations.
- Cultural economies, such as food and medicine, depend on ecosystems not being degraded by weed infestations.
- Non-indigenous (*kartiya*) law obligations require landholders to manage weeds, which may include native title holders.
- Weeds management is an area of interaction with government that requires government to understand local priorities and cultural protocols, and to respect the status of traditional owners.
- Managing weeds through ranger groups has benefits for employment and mental health in communities.

In the face of the challenges and gaps identified in this report, it is possible to distil some conclusions and recommendations for future improvements. (More detailed conclusions and recommendations are set out in Part 5, below.)

## **(a) Clear responsibilities**

- I. Government parties need to recognise that traditional owners have traditional obligations to care for country, irrespective of how *kartiya* (non-Indigenous) law allocates responsibility.
- II. The lack of clarity around *kartiya* legal obligations for weeds management on native title lands is a problem. Different native title holders have different legal rights, and may have different legal responsibilities regarding weeds. Legal responsibility can be clarified through legislative amendment, specification in policy, or agreement in ILUAs and native title determinations.

- III. To the extent that native title holders have legal obligations to control weeds, there is a mismatch between that burden and the resources available.

**(b) Proper process**

- I. Government agencies, companies, and other parties need to have cultural competence and awareness.
- II. People doing projects on country need to talk to the right people, share information and obtain approval — not just consultation.
- III. Traditional governance has internal processes and protocols — law bosses and elders have certain roles in making decisions, and different family groups speak for different areas of land.
- IV. Indigenous ecological knowledge should be valued and utilised.
- V. Women's perspectives need to be heard, and women need to be involved in making decisions, setting priorities, and managing weeds.

**(c) Proper priorities**

- I. Many stakeholders, including traditional owners, consider that the process for declaring weeds should incorporate cultural, social, ecological, or even broader economic values (such as tourism or traditional economic livelihoods) not just threats to agriculture.
- II. DEC is now required to consider cultural heritage in conservation planning, but legal obligations and funding for other landholders are determined by DAF's list of declared weeds.
- III. Further work is needed on identifying Aboriginal cultural values that may be threatened by weeds.
- IV. Systemic change may be needed to make resources available for dealing with weeds before they become established pests.
- V. Many stakeholders disagree with a policy of removing weeds from the State list when they are considered too well-established and difficult to eradicate. Where the cultural, ecological and broader economic cost of infestation is very high, it may still be worth committed resources to control the weeds.

**(d) Proper resourcing**

- I. There is insufficient funding for managing declared weeds on native title lands outside the DEC or Main Roads WA estates, and insufficient funding for managing non-declared weeds across the board.
- II. A key weakness in weeds management is the need for better resourcing for PBCs' administrative and organisational capacity. Acting as a contact point, conducting community consultation, and dealing with government all require capacity and resourcing, which many PBCs lack. Part of weeds projects' budgets could be dedicated to increasing PBC capacity.
- III. Some PBCs have resources from ILUAs, some do not. And even ILUAs may not provide *ongoing* funds and longer-term solutions are required.
- IV. Government agencies need to be able to justify their expenditure of taxpayers' money, and to show that their priorities are consistent with policy and legislation. Policy shifts and even legislative change may be required.

- V. Strategic partnerships may help to fill the resource gaps. Getting the community actively involved through school groups, Clean Up Australia, Aboriginal community members, environmental NGO and community group volunteers. The linkages between weeds, employment, education, mental health and suicide prevention can be highlighted to source additional resources.
- VI. The existing funding structures tend to be piecemeal rather than integrated, being short-term, species-specific and disjointed.
- VII. Better resourcing may require more active promotion to Ministers and high-level bureaucrats of the issues, the current activities, and benefits of ranger work in weeds management. Raising awareness among the people who can make the important decisions.

**(e) *Integrated, holistic, and coordinated efforts***

- I. Holistic Aboriginal approaches to country can bring a useful new focus to weeds management, and align with the science supporting integrated management techniques.
- II. Weeds can best be managed at a regional landscape scale —‘country’ — rather than by splitting management across different tenures, levels of government, species, and short-term projects.
- III. Weeds sit within a complex web of interconnected issues, and recognising these interconnections can help with better management of all of those issues.
- IV. A proactive approach to weeds management, involving measures to prevent the introduction of new species, and the early identification and control of potential pests, is required.
- V. Better coordination and cooperation between different stakeholders and different structures or systems is needed. On native title lands, PBCs should ideally be the central contact point for weeds management. There are options for partnering with government or other organisations, and joint management is now supported by legislation. One practical initiative that may assist is the creation and maintenance of a Kimberley weeds contact list.

# Table of Contents

Introduction .....	1
1. Weeds management by native title holders in the Kimberley.....	3
Field Trip — Minyirr Park.....	3
Workshop presentations by Aboriginal Ranger groups.....	5
Summary — principles and themes.....	10
2. What does native title mean for weeds management? .....	12
Discussion by workshop participants.....	13
Legal obligations and responsibilities (non-Aboriginal law) .....	14
3. Weeds collaboration — what’s working, what’s not?.....	20
Environs Kimberley .....	20
Department of Sustainability, Environment, Water, Population and Communities (Commonwealth).....	24
Department of Environment and Conservation (Western Australia) .....	26
Department of Agriculture and Food (Western Australia) .....	27
Rangelands NRM WA.....	28
Australian Quarantine and Inspection Service (AQIS) .....	29
Discussion by workshop participants — getting it together .....	29
4. Designing a collaborative weeds project on native title lands.....	33
What needs to be done before managing weeds on native title lands?.....	33
Collaborative planning activity.....	35
5. Issues and conclusions .....	43
6. Appendices.....	48
Appendix 1 – Meeting Agenda	
Appendix 2 – List of participants	
Appendix 3 – Abbreviations and terms	
Appendix 4 – National Native Title Tribunal map showing native title applications and determination areas in the Kimberley	
Appendix 5 – National Native Title Tribunal map showing Prescribed Bodies Corporate across Australia	
Appendix 6 – Presentation by Yawuru Rangers, Yawuru Vision, Mission and Values, Yawuru Language Greetings	
Appendix 7 – Presentation by Wunggurr (Wilinggin) Rangers	
Appendix 8 – Photos presented by Bardi Jawi Women Rangers	
Appendix 9 – Karajarri Rangers brochure	
Appendix 10 – Presentation by Environs Kimberley	
Appendix 11 – Presentation by SEWPaC	
Appendix 12 – Presentation by DEC	



## Introduction

In preparing the agenda for this workshop our priority was to keep the focus on the cultural, legal and governance landscape, rather than the pressing task of managing the actual weeds. As this workshop revealed, weeds management occurs within a complex context, where collaboration is essential, meaning and authority is contested, and legal responsibility is unclear.

The key people who do the actual weed work on native title lands are the Indigenous ranger groups, established under the auspices of their RNTBC — the registered native title body corporate that holds and manages the native title of the native title group. RNTBCs are commonly referred to as PBCs (prescribed bodies corporate, see further explanation in the 'Abbreviations and terms', Appendix 3), and we have used that term in this report. A PBC is governed by an executive committee, and often advised by a group of elders. In the Kimberley, some ranger groups are funded through State and Commonwealth environmental programs; others are part-funded or volunteer their time. Where there is funding, some ranger groups are supported by a ranger coordinator. The Kimberley Land Council (KLC), the native title representative body (NTRB) for the region, hosts a Land and Sea Management Unit that also provides strategic support and coordination for many of the ranger groups. These new governance structures and institutional forms are responsive and responsible to the Indigenous laws, customs and traditions embedded in the Kimberley.

Weeds management requires technical, scientific expertise, such as training in how to stop the spread of particular weeds, and it is here that management priorities may implicitly or explicitly ignore the Indigenous values that are central to weeds management on native title lands. Decisions about which weeds are prioritised and how the work is done are based in the values of the different people involved. As the workshop discussion showed, the weeds priorities are generally set by the funding institutions, whose main concern is identifying and addressing weed threats to agriculture. Other concerns, such as weeds threatening an Indigenous law ground, an important ecological community, or the health and wellbeing of a community, are not threats to agriculture and thus it is harder to find funding for such projects. The important exceptions to this are Indigenous-specific funding regimes, such as Working on Country or Indigenous Protected Areas (IPAs), which have greater flexibility in linking weed priorities with community priorities. The importance of taking time out from the daily work of weeds management to discuss and exchange information on these context-setting issues was expressed strongly by participants throughout the workshop.

The design of the 'Managing Weeds on Native Title Lands' Broome workshop was based around an intercultural information exchange between Indigenous ranger groups, PBCs, the KLC, and the Commonwealth, State and non-government parties involved in managing weeds on native title lands in the Kimberley. The workshop conveners wanted non-Indigenous stakeholders to gain a better understanding of the cultural landscape for weeds management on native title lands, including the governance and logistics of PBCs. Another aim was for PBC land managers to network with other stakeholders about weed management and issues of funding. The rangers and PBCs presented their work and concerns to government and other stakeholders, and government representatives and others then presented their position. There was time for questions and discussion, and the last session was a group activity focused on improving collaborative weed work.

A pre-workshop meeting was held between ranger groups and workshop organisers, to talk about priorities and expectations for the workshop, and ensure the relevancy of the agenda. The areas of interest the ranger groups raised were: funding; identifying policy problems and priority gaps; and trying to shift people's mind-set about weeds management, so that they are not just thinking about pulling out the weeds. As Bardi Jawi Ranger Kevin George said, '*This is a good opportunity to learn and have a story for input into the government story*'.

## **Background to the workshop**

The 'Managing Weeds on Native Title Lands' Broome workshop, and this workshop report, form part of a larger research project within the AIATSIS Centre for Land and Water Research, funded by the Rural Industries Research and Development Corporation (RIRDC). This grant is supporting research into the weed responsibilities of native title holders, with three key research interests:

- the implications of the changing nature of land ownership for Australia's weed management;
- the weed management priorities of native title holders; and,
- the opportunities and limitations of current weed institutions, policies and programs with respect to native title holders.

In addition to the opportunities, networks and ideas shared amongst participants at the Kimberley workshop (as detailed in this report), the Broome workshop has provided valuable contextual information to support AIATSIS' nation-wide weeds research project. As part of this larger research project, Nick Duff (author of this workshop report) is undertaking a legal analysis of whether native title holders are 'land holders' under the land acts in each State and Territory, and thus responsible for weeds. We are also preparing a research report to synthesise the findings of the legal analysis, the workshop report, and existing literature and research in this area. Our research findings will be presented at the 2012 National Native Title Conference, in a research report to RIRDC, and prepared for publication in academic journals.

Dr Jessica Weir  
Research Fellow, Indigenous Country and Governance Research Program AIATSIS  
January 2012

# 1. Weeds management by native title holders in the Kimberley

The workshop began with a Welcome to Country given by Yawuru man Michael 'Micklo' Corpus, and a fieldtrip hosted by the Yawuru Rangers. On the second day, the workshop began with an introduction about native title and weeds by Karajarri man Thomas 'Dooli' King, followed by presentations by three Kimberley Aboriginal ranger groups, and by Aboriginal pastoralist Alan 'Doody' Lawford. This focus on the experiences of the traditional owners (TOs) with weeds and native title was central to setting the scene for later discussions. These presentations, summarised below, described the current work of the ranger groups, the challenges they face, and avenues for future improvement. The map in Schedule 4, reproduced courtesy of the National Native Title Tribunal, shows the areas of the Kimberley where the different ranger groups work (on the map Yawuru country is marked 'Rubibi').

## Field trip — Minyirr Park

On the first day, the workshop participants travelled to Minyirr Park, a coastal reserve adjoining Cable Beach. Yawuru man Michael 'Micklo' Corpus welcomed participants and told participants about the history of Minyirr Park. Over the years the soil and ecology of the area had been severely degraded by various types of land-use; later there were plans to develop the site for hotels and a golf course — plans that the traditional owners had opposed. In partnership with the Shire of Broome and the Western Australian Department of Environment and Conservation, the Yawuru PBC (formally called Yawuru Native Title Holders Aboriginal Corporation RNTBC) has gone to great efforts to rehabilitate the area. The Park was affected by a number of noxious invasive plants, particularly buffel grass, neem tree, strangling vines and bellyache bush. Talking about Yawuru's fight against buffel grass infestation, Micklo said '*Slowly, with hard work, the bush is winning*'.

### 'Our sites are important to us' — cultural landscape for weeds management

Micklo gave some background about the cultural landscape in which weeds management at Minyirr Park takes place. The area, containing dune systems and monsoonal vine thickets, is associated with Yawuru creation stories and several important song cycles. It is an important source of bush food and medicine, and plays a key role in connecting the young people to country and culture. Rehabilitation in one area of Minyirr Park has involved planting fruit trees and medicine trees in place of the cleared weeds. These are intended to compensate for those fruit and medicine trees lost to development in town.

The Yawuru people were recognised as holding native title over the area in 2006, and in 2010 they entered into an Indigenous land use agreement (ILUA) with the Western Australian government and the Shire of Broome. That ILUA provides the Yawuru PBC with resources for a range of functions, including land management and weed control. Yawuru are also in a position to work with the Shire town planners to ensure that land-use in Broome does not adversely affect the cultural and ecological values of surrounding areas. An example is ongoing collaborative work to

deal with the harmful impacts of the existing stormwater and drainage systems on the fight against weeds in Minyirr Park. In Micklo's words:

***Native title gives us the right to negotiate so Yawuru can make sure development is consistent with culture, consistent with life.***

Weeds are not a stand-alone issue for the traditional owners. The issue is closely interconnected with the health of country — affecting songlines, bush foods and medicine, increase sites, and the general well-being of the community. The way that weeds are dealt with by government and developers is also important to cultural considerations about the respect shown for traditional owners. Failure to consult properly or to take traditional owners' interests and priorities into account, does not respect their relationship to and responsibility for the land. Collaborative relationships, and doing things in the 'right way', is central to the weeds story for Yawuru.

### Aspects of weeds management

Yawuru Rangers took participants to different parts of Minyirr Park and the discussion raised a number of general issues relating to the management of weeds in the area including:

- the labour intensive nature of the process;
- the importance of local knowledge;
- the need for ongoing funding for chemicals, equipment, and wages;
- the need for training — particularly in the safe use and storage of chemicals;
- the need for ongoing commitment to constant monitoring and follow-up work to prevent re-establishment of weeds; and,
- the opportunities to get the community actively involved — school groups, Clean Up Australia, Aboriginal community members, environmental NGO and community group volunteers.

Because of the limited resources available, there is a need for prioritisation in decisions about which species and locations to target for weed control. For example, Yawuru Rangers prioritise their weed control efforts based on the likelihood of success, taking into account the invasiveness of different species, the cultural and environmental values at risk, the budgetary and labour constraints, and legislative requirements to control declared species. They see it as important to put their efforts into projects with a high chance of being successful.

One of the key themes discussed was the interconnection between land-use, weeds, and other aspects of the environment. Participants discussed the self-reinforcing relationship between fire and weeds, where some weeds can increase the spread and intensity of fire, and re-grow more easily after fire. The numerous challenges of managing weeds at the fringe of an urban area were also discussed, such as the disturbance of soil by visitors, horses, and dogs making it easier for weeds to become established. Drainage from a nearby housing development had multiple effects on the growth of weeds in Minyirr Park:

- excess water allowing water-dependent weeds to flourish;
- the high flow rate of water forming channels, disturbing the soil crust;
- drain bringing seeds and vegetative matter from gardens; and,
- silt.

A number of measures are being taken to address this issue, including the planting of water-absorbing trees around the drains, and working with Shire planners to develop

and implement sustainable design principles in future urban developments. These sustainable design principles can be exported to other applications in the region, in communities, outstations, and roads.

## Workshop introduction — Thomas 'Dooli' King

*Presentation by Thomas 'Dooli' King*

Thomas 'Dooli' King, from the Karajarri PBC (Karajarri Traditional Lands Association (Aboriginal Corporation) RNTBC) and the Karajarri Rangers, introduced the workshop by setting the broad context of native title and weed management in the Kimberley. Native title is gradually being recognised across the Kimberley, as both exclusive possession native title and non-exclusive possession native title. Many traditional owner groups now have their native title rights and interests recognised, and have set up a PBC to manage these rights. The Ranger groups answer to their respective PBC — that is where they receive their instructions and authority from.

Native title recognition interacts with the different land tenures, providing a complex context for weeds management. Often on the pastoral leases non-exclusive native title is recognised, so it is important to foster relationships with pastoralists, but this also has its challenges. Other land tenures include Aboriginal reserved lands such as Aboriginal Land Trust lands, horticultural leases, freehold land and national parks. Dooli also raised the recent national heritage listing for large areas of the Kimberley as a factor whose impact and significance for land management had not yet been addressed.

There are also various agencies, some that traditional owners already work with, who have their own weed priorities across the Kimberley. Dooli asked, '*How do we fit them into our overall weed strategy for the Kimberley, or do we consider separate individual plans for each area and region?*' It is possible to learn some lessons from the history of weeds management in the Kimberley. In particular, the problems with eradicating Noogoora Burr, and the effect of that weed for people who live along the Fitzroy River.

## Workshop presentations by Aboriginal ranger groups

### Wunggurr (Wilinggin) Rangers

*Presentation by Lloyd Nulgit, Dean Smith, Roy Benning*

The Wilinggin PBC (Wanjina-Wunggurr (Native Title) Aboriginal Corporation RNTBC) covers an area of approximately 60,000 square kilometres in the central northern Kimberley, including both exclusive and non-exclusive native title areas, Aboriginal and non-Aboriginal owned pastoral leases and national parks. The Federal Court recognised the traditional owners' native title in 2004. Wunggurr Rangers work under the PBC, providing information about land management issues to the PBC, and receiving direction about how to address those issues. Lloyd Nulgit explained to participants that for the Wunggurr traditional owners, controlling weeds in itself is not the main priority; instead, the priority is protecting the important cultural sites. If cultural sites are threatened by a weed infestation, that is when the Wunggurr Rangers will be directed by the PBC to take action.

Currently, the rangers work with the PBC to draw up a work plan covering the full range of land management needs, including weeds management. In the past, they have not conducted any strategic mapping or strategic weeds management plans; they have monitored weed infestations as they carry out their work plan. They are currently developing weeds management plans for individual communities.

The main challenges faced by the Wunggurr Rangers are the need to cover a very large land area, with no funding, and no mine sites that might provide a source of revenue to the PBC. The rangers are based in Derby, and to get to their jobs they need to drive for four hours — so access and distance is another issue. The main weeds posing problems are calotropis, rubber vine, Mosman River grass, blue butterfly creeper, and passionfruit vines. These are difficult weeds to control, and the rangers lack the necessary resources. The rangers have started doing fee for service work for the WA Department of Environment and Conservation (DEC), managing weeds in the King Leopold Range Conservation Park within the Willinggin native title area. But outside the DEC estate, there is no financial support for their work.

Communication and cooperation with government and pastoralists within their native title lands is also challenging for Wunggurr Rangers. In one area of Willinggin land, there is a calotropis infestation spreading from gravel pits operated by Main Roads WA. The rangers asked whether Main Roads should be contributing resources to control that problem on an ongoing basis.

## **Bardi Jawi Rangers**

*Presentation by Kevin George, Dwayne George, Todd Quartermaine, Cynthia Coyne, Bernadette Angus, and Gemma Chaquabor*

Bardi Jawi country is on the northern tip of the Dampier Peninsula and the islands offshore. The Bardi Jawi PBC is Bardi and Jawi Niimidiman Aboriginal Corporation RNTBC. For Kevin George of the Bardi Jawi Rangers, the main considerations in weeds management are governance, decision-making and proper processes. In pre-colonial Bardi Jawi society, the traditional governance system put decision-making into the hands of elders who had proved themselves to have authority. This system survived the mission days, and is still accepted by Bardi Jawi people to be the appropriate way to do governance. Traditional governance informs the relationships between Bardi Jawi communities, the PBC, and the law bosses who hold authority in traditional law. There are also relationships with the people and institutions providing services in Bardi Jawi country such as schools, medical care, police, and also weeds management. For Kevin, those relationships need to take account of traditional governance systems, and local knowledge and priorities:

*In terms of weeds and governance we'd like to have more of a say. Perth, Canberra, it's a long way. And there's lots of Western concepts—some of them good, some of them we don't know about.*

It can be frustrating to keep repeating the same message to government, about the need for collaborative partnerships, good relationships and effective communication:

*Before things go wrong, plan with us, plan with Aboriginal people up front. ... Decision makers in government need to not just talk about it but get it in their mind that if we're going to get a good job done, it needs to be coming from our heart.*



Kevin mentioned the benefits from working with Environs Kimberley in this regard, saying that Louise Beames (Projects coordinator, West Kimberley Nature Project, Environs Kimberley) is a people person who's good at communicating and getting on with people. He also said there was a need for rangers to access the best available science to tackle weeds in the most effective way.

Todd Quartermaine, ranger coordinator for the Bardi Jawi Rangers, highlighted the crucial role of the PBC as a platform for outside parties, such as government or industry, to gain access to the right people in Bardi Jawi country. The PBC is the contact point, the administration base, and can serve as a conduit for information and advice. With agreements coming from partners such as Environs Kimberley, DEC, Rangelands NRM WA, there are opportunities for employment on country, training, and resourcing. But the PBC lacks the infrastructure to serve as that base — simple things like office equipment, phone and email to handle correspondence, a physical meeting place.

Proper process is not just an issue between Bardi Jawi people and outside parties. It is also an internal consideration that affects the full range of activities on Bardi Jawi country, including weeds management. Elder Irene Davy stressed the importance of cultural protocols, saying that Bardi Jawi people doing work on country, such as rangers, need to get permission from the right TO people. Kevin underscored that, saying:

***We have a good way, the right way of doing things. The only way. Going to a place, there are people who you need to get permission from. We go along and explain why it needs doing, and they'll see it's a good idea. Even though it's Bardi country, people speak for different parts of that.***

Cynthia Coyne, the women's ranger coordinator at KLC, said that weeds management needed to take into account the need to get permission from the different family groups for different areas. Even though the PBC represents all traditional owners, cultural protocol still requires permissions. This need for local approval means that it is important for rangers to communicate effectively about the risks and costs posed by weeds and the benefits that come with weeds management. In Kevin's view, it is crucial to get everyone thinking about the issue and supporting the rangers' efforts, because eradicating weeds in just one area is useless if the weeds can re-establish from neighbouring areas. Community education is an area for future development, but will require resources and administration capacity.

Gemma Chaquabor, from the Bardi Jawi Women Rangers, said that educating the young people about country was important for the future. This includes teaching them about weeds and the threats they pose. Collecting seeds and propagating them for revegetation is an important part of the Women Rangers' work, making the environment better for the long run. There was also concern about additional funding needed to employ more women in ranger work.

## **Karajarri Rangers**

*Presentation by Thomas 'Dooli' King, John Hopiga, Gerard Bennett, Phillip Matsumoto*

Karajarri country is to the south of Broome, extending from the coastal region near Eighty Mile beach, right into the desert to south and east. The native title

determination area is some 27,000 square kilometres, recognised in two consent determinations in 2002 and 2004. There are two non-Aboriginal owned pastoral stations and a Karajarri owned station.

Currently the Karajarri Rangers' main priority is to stop parkinsonia (a Weed of National Significance (WONS)) from spreading northwards into Karajarri country. At the moment the main infestation is around the Anna Plains pastoral lease in the south, and rangers are working with the Anna Plains owners and Environs Kimberley to prevent its spread. That work has been successful so far, but is ongoing.

Elsewhere, Karajarri Rangers are engaged in joint management with DEC, including at the Ramsar listed site at Eighty Mile Beach. Weeds are not currently a significant problem at the joint management sites, but rangers intend to prevent future infestations by controlling the movement of animals such as camels.

Karajarri Rangers are developing a mapping project, to show the distribution of specific weed species on Karajarri country. This and other planning work will feed into the development of a comprehensive weeds management strategy. One hope for the strategy is that it will identify other agencies and partners that can assist with monitoring and treatment of weed outbreaks. Another aspect of the strategy will be to educate community members, service providers and visitors about the threat of weeds and necessary measures for minimising their impact.

Native title rights are important for the Karajarri's efforts to control weeds. One of the main vectors for the spread of weeds is the movement of people: tourists, people from town, and other visitors pose a risk of transporting seeds in their cars, clothing, or pets. This has led the traditional owners to consider what restrictions might need to be imposed on access to country — restrictions that are possible because of their exclusive native title rights. Another way that weeds are spread is through the movement of camels, cattle and other animals. Particularly around springs or other significant sites, there is a need for fencing to keep these animals from disturbing the soil and degrading the local ecosystems.

Because the Karajarri also own a pastoral lease, they must find ways of balancing weed control priorities against the realities of running a cattle business. They have instituted controlled paddocks, restricting visitor access, and are considering increasing these restrictions in some areas, even establishing complete quarantine areas. As Thomas 'Dooli' King, Karajarri Ranger coordinator, said '***Because we're land owners we can consider that***'.

The non-Aboriginal pastoral leases present a challenge for weeds management by traditional owners, because of the non-exclusive nature of their native title. This means there is a need and opportunity to develop and foster relationships with the pastoralists. Through the PBC, traditional owners have been establishing and improving relations with the pastoralists, and have conducted discussions with the Pastoral Lands Board and the Department of Agriculture and Food, WA (DAF).

## Yawuru Rangers

*Presentation by Dean Mathews*

Following on from the ILUA between the Yawuru PBC, Shire of Broome and the Western Australian Government, Yawuru were able to set up a land and sea unit and develop a cultural management plan. The Yawuru Rangers are 'triple badged', managed jointly by the Shire, DEC and the PBC. Part of the rangers' responsibilities is



the management of an “A” class conservation reserve. They have recently completed Certificate II in conservation and land management, covering fire control, chainsaw operation, use of chemicals, first aid and weed control.

The key feature of the Yawuru context for weeds management is the range of land-uses and tenures within the Yawuru native title area. In Broome, where urban development is occurring on the doorstep of a conservation estate, there is a need to work collaboratively with the Shire and town planners to develop and implement sustainable design principles. As mentioned above, Broome’s drainage system was causing problems for weeds management in the surrounding reserves, and so traditional owners have sought to have input into the design process for new drainage systems. The Yawuru PBC wants to be involved at the very forefront of the planning process for all future development in Broome. There is also pastoral land within Yawuru country, as well as DEC conservation reserves. These raise the question of how responsibility for weeds management should be shared among different land tenures, and how different stakeholders can best collaborate.

Cultural protocols are an important feature of weeds management for Yawuru. There are sites of significance, which ideally nobody except law people should be going to, and so there is a need to negotiate access and seek permission. The Yawuru PBC has a board of governance with senior law people as members — this gives the PBC a direct kind of cultural authority. Dean Mathews, project coordinator at the Yawuru PBC, said that PBC funding through the ILUA was crucial for proper communication and consultation around cultural protocol issues.

*We always ask people to come and ask us first, respect us. We’ve got an organisation, for people to contact us, a door to knock on so that people who want to do a project can come and talk to us.*

This funding, however, is finite — it has allowed for initial organisational set-up, but will not cover ongoing weeds management in the future. Existing funding for weeds management is focused on addressing the narrow economic impact of weeds, rather than Indigenous cultural priorities. Dean saw this as an important subject for discussion at the workshop:

*Our own bush care is what we want to get funding for, to target weed management and revegetation....When you go through the NRM [Natural Resource Management] lens, it’s more about economic development on land, and Indigenous cultural priorities don’t really fit into that economic language. For funding submissions, you can’t really put a dollar value on it. That’s what we want to tease out —the funding opportunities.*

One avenue Yawuru are considering in the absence of greater funding opportunities is partnering with other organisations and agencies, and members of the community, to provide manpower for weeds management. Recruiting volunteers through Clean Up Australia, environmental organisations and community groups, is one way of bringing the Broome community together to deal with weeds.

## **Alan ‘Doody’ Lawford — pastoralist on Walmajarri country**

*Presentation by Alan ‘Doody’ Lawford*

Alan Lawford (‘Doody’) is a Walmajarri man and the manager of Bohemia Downs Station ‘Kupartiya’, south-east of Fitzroy Crossing. Bohemia Downs was returned to

Aboriginal control in the early 1990s, and partially sits within the Kurungal native title area. The property now supports 2,500 head of cattle.

Doody spoke about the multiple priorities that come with running a pastoral property while respecting the cultural and ecological values of country. He said that introduced species had made a significant impact in the area of Bohemia Downs, though some of these were 'good weeds' from the point of view of raising cattle. Before European contact, there were many species that may be considered weeds because they could be poisonous, but some of these poison weeds are also good medicine plants.

The relationship between Doody and his neighbours is a crucial aspect of weeds management on the pastoral lease. For example, his neighbours' burning in the wrong season was worsening erosion and weed infestation on his property, and so he started developing communication with them and talking about how they could do better land management. Christmas Creek, which runs through Bohemia Downs, brings in weed seeds from upriver — this is another issue that has required cooperation from neighbours.

Doody described some of the history of weeds management in the area, talking about the use of dangerous chemicals to control Noogoora burr along the Fitzroy River in the 1970s. Aboriginal workers were paid to spray the weed, but were not told about its harmful effects or given protecting clothing. They experienced high levels of exposure, and later many died or developed chronic illnesses:

*We lost our people though using those chemicals, they didn't have safety training like you do today.*

For the future of weeds management at Bohemia Downs, Doody spoke of the need for more pastoral rangers. Previously, Walmajarri rangers had worked on the pastoral property, but only one is left now. There are opportunities for aspiring rangers: *'They'll have a job all year round. We've got a lot of country.'*

## Summary — principles and themes

The presentations from the ranger groups raised a number of key themes:

- Consultation
- Resources
- Capacity
- Policy and legal reform
- Education

At the end of the ranger group session, workshop organisers drew out six principles for weeds management that had emerged from the rangers' presentations. These were put to the workshop participants and endorsed by them:

- Proper process
  - Engage with the right people — PBCs, with family groups and law bosses and elders represented
  - Obtain approval, not just consultation
- Appropriate priorities

- Cultural heritage not just economic values
  - New versus established infestations
- Proper Resourcing
  - PBC capacity — meetings, governance, shopfront and contact.
  - Planning
  - Operational
- Commitment and accountability
  - Collaboration
  - Partnerships
  - Responsibility
- Integrated and Holistic
  - Weeds and other issues considered together
  - Government departments, other stakeholders, all working together
  - Across different land tenures
- Leadership

## 2. What does native title mean for weeds management?

Participants were invited to write answers to the question 'what does native title mean for weeds management?' The answers covered a range of issues, and are grouped together below into four categories: the legal obligations of native title holders, the rights of native title holders, the opportunities for developing new approaches to weeds management incorporating Indigenous perspectives, and some additional practical benefits that may accompany weeds management on native title lands. **The following are in participants' own words.**

### *Obligations on native title holders*

- A statutory burden!!
- Obligations (and complications) to deal with weeds issues
- Indigenous people will need to be responsible for managing weeds on native title land without resources
- Manage all weeds on your native title plus where other pastoral properties overlap
- Responsibility to act and respond? Need for a vegetation management plan, a plan of action

### *Rights of native title holders — consultation, control*

- Control over decisions and strategies for weed management in cultural context
- Control by native title holders to be empowered
- Always consult traditional owners, respect
- TO's should be notified on what chemicals are used on country
- Right people, right knowledge, right way. Talking with TOs
- PBCs have a right to be part of management plan decision making on weed management on their native title country
- Lore boss, TOs, consulted, get agreement
- Opportunities for legal recognition of TO's to look after country
- Native title holders have more opportunity to direct weed control effort, choose who, how, where and why
- Native title holders having more control — directing who, where, how and why weeds to be managed
- Some type of strategy to create ownership of weed management
- Provides access for other interest groups to offer support to Traditional Owners through the formation of PBC's. Ensuring TO's aspirations are considered
- More layers of management to negotiated through, before weeds can be managed

### *New ways of doing weeds management*

- Greater need for genuine partnerships
- Development of sustainable design of community. Taking in local Indigenous ecological knowledge of the bio-region.
- Wholistic approach to land use and management
- It means that TOs should and can have opportunities to make changes to what and can be grown in areas of native title and communities

- Provides opportunities for ownership of weed management and possibilities to provide input into prevention strategies
- Opportunity to be engaged in weed management: rangers, awareness, education
- Ensuring the right people are consulted and given good information about weed management to make good decisions, track progress
- Opportunity to define the cultural risk and threat of weeds
- Opportunity to heal the country
- Caring for the land
- Conserve, preserve native plants

#### *Benefits from native title and weeds management*

- Opportunities for TOs to be involved in weeds management — rangers, education, awareness
- Opportunities for combining employment and land management
- Jobs and training for local people, young people

## Discussion by workshop participants

Workshop participants considered how the narrow framing of weeds management impacted on how the rangers and their PBCs wanted to conduct their weeds work. Frustration was expressed at how the traditional owners were often repeating the same message, as Kevin George said:

**Sometimes I worry we're sounding monotonous, or putting people off. We don't want to say it in a way that deters people from coming to us. We just want them to have insight into how we want to do business on country in a respectful way. In the past it hasn't happened, but let's make it happen now. We've got TOs, communities, law bosses. There's some places where only men go, who does the weeds there?**

Workshop convener Jessica Weir identified how it could be assumed that weeds are only a scientific problem, but it is not like that because you need to talk to the traditional owners. As Kevin continued:

**Before, it would be either government making a policy and bringing it in and doing it. But this thing we're doing these two days, it could really change things, this could be the start of doing things better.**

Louise Beames from Environs Kimberley said that there needed to be more emphasis on a proactive approach to weeds management. For example, native title groups should have a say in the management of exotic garden plants, through determining what plants people are allowed to plant in their towns and communities. Two-thirds of garden escapees end up as weeds. Participants considered this, and debated whether *anybody* regulated this activity at present. Regulating the stock on sale in nurseries would be another way to address this source of weeds.

The relevance of state and federal priorities for the Kimberley was also discussed. For example, on the list of Weeds of National Significance, there are only 20 species, and only five of these are in the Kimberley. This list does not cover new plants.

## Legal obligations and responsibilities (non-Aboriginal law)

Under traditional law, traditional owners have responsibility to look after country, which today includes protecting country from introduced invasive plant species. Under *kartiya* (non-Aboriginal) law, however, the responsibilities are more complicated.

## Department of Agriculture and Food, Western Australia

*Presentation by Noel Wilson*

DAF is responsible for the enforcement of certain legislation, including the *Agriculture and Related Resources Protection Act 1976*. Noel Wilson from DAF explained that under the Act, the legal responsibility for controlling weeds rests with the land holder. This does not apply to all weeds, only declared weeds. Weeds are declared under the Act under five different categories:

- P1 — movement of the plant or its seeds within the State is prohibited;
- P2 — the plant must be eradicated;
- P3 — the plant's numbers or distribution or both is to be reduced;
- P4 — the plant must be stopped from spreading beyond its current infestations;
- P5 — the plant's infestations on public land must be controlled.<sup>1</sup>

The process for declaring a weed is quite lengthy, and there are specific criteria that need to be met. The DAF website lists the following questions to be addressed by any proposal to declare a new weed or change the categorisation of a declared weed:<sup>2</sup>

- i) How long has the weed been known?
- ii) Is it spreading? How fast?
- iii) What losses is it causing to those who have it?
- iv) Is it likely to become a serious, widespread crop or pasture weed in the area?
- v) Are those who have the weed applying the management required under the Declared Plant legislation? E.g. eradication, control, containment.
- vi) Is the work being done having a significant effect on the weed?
- vii) If no control was done, would the situation change?
- viii) Have people been expressing serious concern about the weed?
- ix) Has the weed established on roadsides or public land? Are these the main places it survives?
- x) What are the worst crop and pasture weeds in the area?

---

<sup>1</sup> Additional categories are: plants whose introduction into and movement within an area is prohibited; and plants in respect of which particular action should be taken on public or local government land. See s 36 *Agriculture and Related Resources Protection Act 1976*.

<sup>2</sup> Department of Agriculture and Food, Western Australia, 'Declaring Plants in Western Australia', available at <[http://www.agric.wa.gov.au/PC\\_93085.html](http://www.agric.wa.gov.au/PC_93085.html)> .

- xi) How does the declared weed compare in seriousness to other weeds?
- xii) What are the benefits in keeping the weed Declared?

This means that a weed will not be declared just because it poses a threat to an ecosystem, even if the threat is serious. Noel emphasised that a negative effect on agriculture is required.

Further, a weed is only declared if the Minister considers that remedial action will be effective. The purpose of declaring a weed is to impose legal obligations on landholders to control the weed, and those obligations must be capable of being realistically fulfilled. Noel said:

***We only declare it if we can do something about it. There's no point in declaring a weed that already covers 90% of the Kimberley and is really difficult to control. Because you're never going to be able to control it, so declaring it is not going to mean anything.***

Where a weed is just beginning to emerge as a problem, it is more likely to be declared under the legislation.

An example of this approach to declaring weeds is the Noogoora burr. As discussed earlier, the Noogoora burr is a weed that has infested the area along the Fitzroy River for decades. It is a woody herb that forms dense thickets in water-rich environments, and part of the original rationale for controlling it in the 1970s was its effect in preventing cattle from reaching the river.<sup>3</sup> The chemical spraying program described by Doody, which had such serious consequences for the Aboriginal individuals and communities affected, did not succeed in eradicating the weed.

Since the 1980s a quarantine area has been in place in large areas along the length of the Fitzroy River, to prevent the further spread of the Noogoora burr. Fences and gates have been installed, and people can be fined for entering the area.<sup>4</sup> This has prevented traditional owners from being able to access a significant part of their traditional lands, including some important cultural sites. In addition to the lack of access, the degradation to the health of country in this area is of great concern to traditional owners.

By the mid-1990s, the State government decided to withdraw funding for the eradication program. Noel from DAF described the reasoning behind this decision, saying that the government considered that the program's low success rate did not justify the degree of funding it required:

***It was thought that it was not good value for money. Since that time, no more work has been carried out. The size of the infestation is now so great that biological control is the probably the only way we're going to be able to reduce those infestations. There's currently no work being done on biological control.***

In 2006-2008, CSIRO undertook a research project into determine the feasibility of biological control of Noogoora burr.<sup>5</sup> Infestations in eastern Queensland have been largely brought under control by the rust fungus *Pucciniaaxanthii*, but the fungus has

---

<sup>3</sup> Other reasons for targeting it included the species' competition with palatable plants for livestock, and the fact that the seedlings are poisonous to livestock. The burrs reduce also the value of wool because of the cost of treating the wool to remove them, and so efforts were made to prevent it spreading to sheep areas.

<sup>4</sup> *Agriculture and Related Resources Protection (Property Quarantine) Regulations 1981*; Agriculture and Related Resources Protection Property Quarantine Notice 1988.

<sup>5</sup> CSIRO, 'Management of Noogoora Burr', 14 July 2009, available at <<http://www.csiro.au/Outcomes/Safeguarding-Australia/Noogoora-burr/Conclusion.aspx>>.



not been efficient at controlling infestations in the far north of the Northern Territory and Western Australia. The CSIRO project examined the potential of using additional strains of *Pucciniaxanthii* in these areas. The project was financially supported by DAF (WA) and the Commonwealth Department of Agriculture, Fisheries and Forestry. The project website states that:

***A more extensive follow-up project is required to deliver on the original goal of introducing additional isolates of P. xanthii better adapted to the climate of tropical northern Australia.***

This implies that, with further funding for research, it may be possible in the future to develop biological control solutions to the Noogoora burr problem in the Kimberley.

## **Department of Environment and Conservation, Western Australia**

*Presentation by Bel Catcheside*

Bel Catcheside from DEC stated that DEC's responsibility for weed control is the same as for any other landholder — it must control Weeds of National Significance and plants declared under the *Agriculture and Related Resources Protection Act 1976* (WA). DEC has these obligations in respect of national parks, sites protected under the Ramsar Convention on Wetlands of International Importance, and 'unallocated Crown land' or Crown radical title.

In addition to this legislative responsibility, DEC also considers weeds management to be part of its core business of environmental conservation, in recognition that weeds threaten biodiversity. This means DEC controls certain non-declared weeds on the DEC lands mentioned above, and also contributes to efforts to eradicate WONS weeds on other tenure types where they threaten areas of high biodiversity.

In light of these responsibilities and the large land areas involved, it is necessary for DEC to be very strategic about setting priorities and focusing its resources on the most effective actions and the most serious weed problems. There is a need to avoid spreading its efforts too thinly. For example, DEC is targeting rubbervine at Willare — it is a Weed of National Significance that could seriously threaten not only the Fitzroy River but other waterways as well.

A series of lists ranking different species has been developed by DEC with involvement from DAF officers and some other stakeholders. The rankings were based on an assessment of impact, cost effectiveness and potential to spread. It did not take cultural heritage threats specifically into account.

## **Main Roads WA**

*Presentation by Marni Baetge*

Main Roads WA has responsibility for certain land areas in Western Australia. Relevantly for the Kimberley context, these areas are the road reserves (covering the road and the road corridor, usually up to the fenceline) and gravel reserves. Community roads are not included in this — they are the relevant Shire's responsibility.

On these lands, Main Roads WA has a legal obligation to control any weeds declared under the *Agriculture and Related Resources Protection Act 1976*. Funding



for weeds management is included in the annual works program. This funding is for declared weeds as the first priority – if Main Roads WA becomes aware of a declared weed on its lands, then weed control action will be taken and there will be funding available for that. For non-declared weeds, however, a strong business case must be made for any proposed management activity. Marni Baetge from Main Roads WA said:

*If it's non-declared, we're open to consulting with whoever's brought that to our attention to come up with a management strategy, and if it's a practical strategy, it's cost-effective, and we can manage the weed, then we can put funding towards it.*

In 2010, DAF and DEC held a meeting at Willare to discuss the management of rubbervine in the area. Main Roads WA, native title holders, and pastoralists were invited to participate. Main Roads WA contributed funds to the management strategy because their land areas were implicated, and there was a comprehensive business case and management plan. Rubber vine is a WA declared weed.

Proposals to control non-declared weeds on Main Roads WA estate will be considered on a case-by-case basis. Such proposals need to be fairly comprehensive, both because of transparency and because of the need to justify the expenditure of taxpayer funds. The business case should be presented in a document containing at least:

- Introduction
- Scope
- Objectives
- Risks
- Outcomes
- Budget

Several participants raised the issue of capacity in relation to this need for a formal business case — rangers and PBCs need someone with the necessary skills and resources who can put together this kind of substantial document.

Where declared weeds are to be managed on the Main Roads WA estate, Main Roads WA would employ their maintenance contractors to undertake weed management activities. Marni indicated that there could be scope for involving native title holders in the planning and operational work of weed management. Main Roads WA has a vendor list through which plant and operators for construction work are procured. Ranger groups can apply to be included on the vendor list, as a first step towards being contracted for this work.

## **Native title and weeds management responsibilities**

'Native title' means the rights and interests in relation to land and waters that Aboriginal peoples possess under their own traditional laws and customs, and that are also recognised under the Australian (*kartiya*) legal system. The formal

recognition of native title rights and interests is made through determinations of the Federal Court, which may be litigated determinations or consent determinations.<sup>6</sup>

The formal recognition of native title depends on establishing that:

- the rights and interests are possessed under the laws and customs acknowledged and observed by the claimants;
- those laws and customs have their origins in the laws and customs that existed before the Crown's assertion of sovereignty, and their acknowledgement and observance has been substantially interrupted since that time;
- the rights and interests are recognised by the common law of Australia;
- the rights and interests have not been 'extinguished' by legislation or the grant of inconsistent rights to other landholders.

In Western Australia, as in a number of other Australian jurisdictions, the legislation governing legal responsibility for weeds management was passed well before the first recognition of native title in 1992.<sup>7</sup> This results in problematic ambiguities in the native title era, because the legislation apportions responsibility for weeds management to 'owners' or 'occupiers' of private land, and various government agencies for public land. The legislation does not make it clear whether, or in what circumstances, native title holders are 'owners' or 'occupiers'.<sup>8</sup> This means there is considerable uncertainty around the legal obligations of native title holders for weeds management on native title lands.

In some cases, the native title rights recognised in a Court determination may be a quite narrow 'bundle' of non-exclusive rights, limited to hunting, fishing, gathering, camping, conducting ceremonies, and taking natural resources for domestic or personal use. It is not clear that this would constitute ownership or occupancy, nor that these limited rights would be sufficient to *enable* effective weeds management. In other cases, native title holders may have the legal right to full possession of the land, to the exclusion of all others. This may well constitute ownership, and would appear to put the native title holders under a legal obligation to control weeds on their native title land.<sup>9</sup>

There was some uncertainty among government officers at the workshop about whether and when native title holders would have weeds management obligations. The consensus among government officers was that *exclusive* native title would probably constitute 'ownership', making the native title holders responsible for weeds management. Where there is a pastoral lease on the native title land, Noel said that the pastoralist would have the responsibility for managing weeds — this applies equally to traditional owner pastoralists or non-Aboriginal pastoralists.<sup>10</sup>

---

<sup>6</sup> Consent determinations are made when the traditional owners, the State or Territory government, and any other parties with an interest in the claimed land, agree on the basis and extent of the native title rights and interests. Where the parties cannot agree, the claim is determined by a judge who listens to evidence and arguments from all sides and makes a decision about whether the claimants have rights and interests in the land.

<sup>7</sup> *Agriculture and Related Resources Protection Act 1976*.

<sup>8</sup> See ss 7, 47-56 *Agriculture and Related Resources Protection Act 1976*.

<sup>9</sup> An additional complication is where the native title holders have legal rights over land, but do not physically occupy or control the land. In those circumstances they may not be 'occupiers'.

<sup>10</sup> Pastoralists also have responsibilities for weeds management under the terms of their pastoral leases, managed by the Pastoral Leases Board. The land area of pastoral leases is rated at a 'declared pest rate', and the revenue from that goes into a fund to control declared weeds. Sections 60-65 *Agriculture and Related Resources Protection Act 1976*.

New legislation is currently being drafted in order to replace the existing Act. It is not clear at this stage whether the new Bill will resolve the current ambiguity, or what mechanism it might use to decide which native title holders (if any) will have legal obligations to control weeds. Some participants suggested that while greater clarity in the legislation would be welcome, it would be unhelpful to have a one-size-fits-all or all-or-nothing approach in the legislation. Different traditional owner groups would have different aspirations and capacities in relation to weeds management, and so it may not be appropriate for the legislation to impose obligations on all of them equally. One suggestion was for weeds management issues to be addressed in native title determinations or ILUAs.

The workshop session about legal obligations concluded with a discussion about the situation where some native title holders may have legal obligations to control declared weeds on their native title lands, but are not funded to fulfil those obligations. Rangers said that effective weeds management requires funding for planning, training, supplies, transport, follow-up work, and especially PBC institutional capacity. Unlike pastoralists or other commercial land-users, native title holders are not necessarily gaining any revenue from their lands, so there is a significant gap between their responsibilities and their means of fulfilling those responsibilities.

### 3. Weeds collaboration — what's working, what's not?

In this session, participants from government agencies and non-government organisations spoke about their roles and activities in working with native title holders on weeds management. Representatives from Environs Kimberley, the Department of Sustainability, Environment, Water, Population and Communities (Cth), (SEWPaC), DAF and DEC were invited to give formal presentations, and representatives from Rangelands NRM WA and the Australian Quarantine and Inspection Service (AQIS) also spoke from the floor, sharing information about their work. Some avenues for future collaboration were identified, and ongoing gaps were discussed.

#### Environs Kimberley

*Presentation by Louise Beames*

Environs Kimberley is a not-for-profit community-based group that is the peak environment organisation for the Kimberley region. In relation to weeds, Environs Kimberley's aims have been to ensure that people have access to good information about Kimberley weeds, and also to provide support to people managing weeds in the Kimberley. Environs Kimberley has been working with and supporting Kimberley Aboriginal ranger groups since 2007,<sup>11</sup> including assistance on:

- identifying weeds;
- understanding the impact of weeds in terms of changing fire regimes, smothering or displacing native plants, causing habitat loss;
- methods of weed control;
- developing plans for integrated management, including species monitoring and fire management.

#### Challenges

Louise identified five significant challenges to effective weeds management in Western Australia, which are likely to have application more broadly around Australia.

- (i) **Determining species for priority treatment.** The prioritisation of different weed species for targeted funding and control is centred around an assessment of their economic cost. This cost is largely associated with agricultural production. Damage to cultural heritage values or ecological systems are not incorporated into the assessment of the 'cost' of weeds. This makes it difficult to articulate and justify the need for controlling beyond the threat they may pose to agriculture.
- (ii) **Short-term funding.** The funding that is available for weed control is limited to short-term cycles. This significantly reduces the effectiveness of any weed control program, because the problem is a long-term one. Money may be expended bringing an infestation close to full eradication, but without sustained and extensive follow-up work, the weed may quickly re-establish to its previous levels.

---

<sup>11</sup> First with the Community WEED project, funded by Rangelands NRM WA through the Natural Heritage Trust, and now continuing as part of the West Kimberley Nature Project, funded by Rangelands NRM WA through Caring for our Country.

- (iii) **Species-specific projects.** The funding structure fosters a species-specific project-driven approach to weeds management. This ignores the science of integrated approaches to weeds management, which ask how the relevant weeds became established in the first place. Louise posed the question:

***Does it make sense to walk past a rubbervine to cut out a parksinsonia plant? Isn't it better to ask 'Why are all these weeds here?'***

Often the answer to that question is that something is out of balance in the ecosystem, a new factor that altered the previous distribution of plant species. This may be a changed fire regime; the disturbing presence of cattle, sheep or camels; or a change in water flow. Removing a single species of weed will not address these underlying causes of the problem. Rather than seeing weeds as isolated problems, Louise said that '***Weeds are a symptom of the system being unbalanced***'.

- (iv) **Lack of coordination.** There are multiple lists of priority weeds at different layers of government, but these do not necessarily produce coherent or effective outcomes on the ground.
- (v) **Need for proactive efforts.** In terms of both cost effectiveness and likelihood of success, it makes sense to prioritise the control of new and emerging weeds over tackling the older, established weeds. Louise explained:

***My old boss used to tell me that if we walked around half the day looking for a weed, then that was better weed control than tackling a big wall of weeds. If you can stop a new weed from taking hold of an area by getting in early, then that is more cost effective and energy efficient than waiting 20 years and having a very expensive and difficult problem.***

The current systems for declaring weeds and funding their control, favouring reactive approaches. In the current structures, it is very difficult to develop funded projects that take a proactive approach to weeds management. The Kimberley is currently free of many of the weeds that are impacting other parts of Australia, and Louise underlined the importance of acting cooperatively to prevent future outbreaks before they become entrenched.

## Funding

Federal funding for weeds management on Aboriginal land is available through the Working on Country program and Indigenous Protected Area agreements (see below, presentation by Department of Sustainability, Environment, Water, Population and Communities). Beyond these, there are three circumstances where federal funding may be available:

- the weed control is part of the management of a Ramsar listed site;
- the relevant site is 'of national significance', meaning that the species or ecological community is listed as threatened under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth);
- the weed is a Weed of National Significance.

The Ramsar sites in the Kimberley are precisely defined, at Roebuck Bay and Eighty Mile Beach, and their boundaries do not extend very far into the surrounding country. This poses a problem for weed control in the wider ecosystems in which the Ramsar sites sit.

In terms of funding under the *Environment Protection and Biodiversity Conservation Act*, the challenge for the Kimberley region is the lack of adequate data. Data relating to threatened species is insufficient for most areas in the Kimberley, and there are currently no listed endangered ecosystems listed for the Kimberley. There are five grasses listed as 'threatening processes' under that legislation, but it is not certain how funding may be available for managing those.

Of the 20 Weeds of National Significance, six are present in the Kimberley (or five, considering that salvinia has now been eradicated): lantana and mesquite (in restricted and small populations); rubbervine and prickly accacia (larger infestations, but still fairly restricted, currently subject to control programs by DAF, DEC, Rangelands NRM WA and ranger groups); and parkinsonia (present in a large number of small and medium fragmented populations rather than massive infestations). The issue presented for weeds management in the Kimberley is that the Weeds of National significance represent only a small proportion of the weeds affecting ecosystems and cultural heritage. Louise said:

***Yes these are problem weeds, but there are so many more weeds posing similar problems in the Kimberley, and there is no opportunity for community and land managers to bring these concerns to government and have funded projects for their control.***

At the Western Australian State level, there is the DAF system of weeds classification. There is considerable overlap with the Weeds of National Significance list, but with two extra species. As mentioned previously, the list is based on threats to agriculture; threats to environment or cultural heritage are not taken into account. There are limited funding opportunities that enable groups to specifically target these weeds. There is the possibility of rebate for people controlling weeds (and, in rare cases, fines for land owners or occupiers failing to control weeds on their land). There is some lack of clarity about how the lower levels of weeds classification (such as minimising spread or reducing number or distribution) are enforced or implemented.

In 2010, DEC worked with stakeholders to identify 270 weeds in the Kimberley, and for each weed assessed:

- ecological impact;
- potential for spread;
- cost effectiveness for control.

On lands that form part of the DEC estate, this assessment is the basis for weeds prioritisation and management. Outside DEC lands, there is no legal requirement to control the weeds; the 2010 assessment merely serves as a guide for planners and land managers. No funding has been made available targeted at the control of these species.

Summing up the problems associated with funding, Louise said:

***Lists and plans don't kill weeds, people do.***

Louise presented an example that highlighted a number of the challenges outlined above. A site on Bardi Jawi country with very high cultural and ecological value has been significantly threatened by a long list of weeds: coffee bush, passion vine, siratro, neem, buffel grass, caltrop, Gallon's curse, mint bush, and bellyache bush. Only the last of these is a DAF declared weed (and potentially a Weed of National Significance under a new list to be announced in 2012). The only legislative controls

on bellyache bush in the north of Western Australia are on the movement of the plant or seed, and the spread of the weed from where it currently occurs; there is no funding for controlling and destroying those that are there.<sup>12</sup> Without the commitment of rangers and their Working on Country plans, there is very little opportunity to remedy this situation.

### Questions for future consideration

Louise raised the following questions for later thought and discussion by participants:

- Many weeds are falling through the gaps — how could government departments coordinate their activities better?
  - It is important not only to explain the restrictions of each department, but also to think about what could work better.
- How could government funding priorities be improved to ensure that Kimberley people have more opportunities to address weeds that threaten cultural heritage and the environment?
  - At the moment cultural and environmental weed management priorities are largely unsupported outside Working on Country (WOC) and IPA.
- How could the threat of a weed to cultural heritage be measured or assessed?
  - What assessment systems should be used? Are systems already used in developing Indigenous Protected Area plans, Conservation Action Plans or work plans?
- Given that Indigenous ranger groups and their communities, with skills, commitment, invaluable knowledge and understanding of their country, are working on country — what opportunities are there for departments and other organisations to better support and collaborate on weed management?
  - One option is some sort of rapid response program for all of the ranger groups for the Kimberley alert weeds.
- Does the Department of Indigenous Affairs, on the Aboriginal Lands Trust estate, support Indigenous communities or ranger groups to undertake any management activities including weed control? Do they have any obligations to control listed weeds, or alternatively assist with the maintenance of the environment and cultural heritage where weeds are concerned?

---

<sup>12</sup> The situation is different for areas south of the 26<sup>th</sup> parallel (around Shark Bay). In the south, bellyache bush is declared for eradication: Department of Agriculture and Food (Western Australia), List of Declared Plants, as at January 2011, available online at [http://www.agric.wa.gov.au/objtwr/imported\\_assets/content/pw/weed/decp/dec\\_plants\\_list.pdf](http://www.agric.wa.gov.au/objtwr/imported_assets/content/pw/weed/decp/dec_plants_list.pdf).



## Department of Sustainability, Environment, Water, Population and Communities (Commonwealth)

*Presentation by Fiona Peek*

Fiona Peek from SEWPaC gave an overview of Caring for Our Country programs in relation to weeds management on native title lands in the Kimberley. SEWPaC primarily funds Indigenous land and sea management activities through two avenues: Indigenous Protected Areas and Working on Country funding.

### Indigenous Protected Areas

IPAs are areas of Indigenous-owned land where traditional owners have entered into a voluntary agreement with the Commonwealth government to look after country and manage the values of country. First developed in 1997, the aim of IPAs is to conserve biodiversity and cultural values. IPAs are created through voluntary agreement rather than being established or managed under any government laws. Nevertheless, they form part of Australia's National Reserve System, a network of protected places supported by the Commonwealth. SEWPaC regards IPAs as a very successful form of protection; IPAs constitute nearly a quarter of the National Reserve System.

IPAs are designed for areas under exclusive Indigenous possession, where the traditional owners' primary objective is conservation. Other land-uses can still be undertaken in areas adjoining IPAs. There are three IPAs declared in the Kimberley region: Paruku, Warlu Jilajaa Jumu, and Uunguu Stage One. There are a further seven consultation projects. Under IPA agreements, funding is provided for the consultation process, and the development of a management plan setting out values, threats, potential partnerships and priorities. Some support is also provided for operational resourcing and training. Funding allocated for the period between 2008/09 and 2012/13 is \$5.1 million.

### Working on Country

Working on Country is a competitive grant program providing \$243.1 million over the period 2008–2013 to support the work of up to 680 Indigenous rangers. SEWPaC describes it as a program that helps to address the overdue recognition of the work of Indigenous rangers, who had previously operated on either no money at all or on money provided through Community Development Employment Projects (CDEP). It provides real jobs under the local hosting organisation's workplace agreements and employment conditions.

There are currently 90 supported ranger groups, totalling 680 rangers, who manage a total of 1.5 million square kilometres across Australia. In the Kimberley there are nine ranger groups: eight managed by the Kimberley Land Council plus the Miriuwung-Gajerrong Rangers. The funding is directed towards wages, training, equipment, operational costs, administrative costs, planning and consultations. Consultation funding includes support for PBC meetings, the development of work plans with PBC members and other traditional owners, and the annual review of outcomes.

Working on Country funding is available for a range of tenures — it is not limited to exclusive possession, but may include pastoral leases, for example. Working on Country can also work in conjunction with IPAs — where an IPA is in place, rangers will conduct work in accordance with the IPA management plan. In all cases, work



plans for Working on Country are developed in consultation with traditional owners and endorsed by the PBC. This means that priorities for work plans are not limited to treating Weeds of National Significance, or promoting environmental values, but can also include Indigenous cultural values. Work plans also incorporate Indigenous ecological knowledge at the direction of traditional owners; such knowledge is valued highly within the Working on Country program.

### What's needed for successful weed management?

Fiona outlined six factors that she considered to be necessary for effective management of weeds on native title lands:

- Alignment between government priorities and traditional owner priorities, in relation to the species and areas to be targeted
- Proper resourcing
- Good consultation, planning processes, information about weed locations and impact (on cultural values, environment, access, fire regimes, etc)
- Realistic goals and strategic prioritisation, rather than spreading efforts too thinly
- Proper equipment, training, shared knowledge on where weeds are and what to do about them, community education
- Partnerships and collaboration are critical — government, scientists, Natural Resource Management organisations, NGOs, private corporations, neighbouring land holders. No single agency or organisation has all the money or knowledge.

Thomas 'Dooli' King, Karajarri Ranger coordinator, said that the need for collaborative work on the ground was well understood, and has been put into practice for years. For Dooli, there is a need for government further up the line to acknowledge the work that is being done, and to improve the resources available to the people on the ground. SEWPaC expects weeds management to be included in rangers' work plans, and there is a need to ensure that adequate resources are available. He said:

***It's all well and good for us to get our act together on the ground, but without the resources from above in acknowledgement of what we're doing, we're just banging our head against the wall.***

Fiona agreed that improvements in resourcing were necessary:

***The onus is on government too, we have an obligation to make these programs work. We can't all do it alone so it's important for us to understand the partnerships you've already got in place so we can help make those work better.***

Fiona also said that it was necessary for government people and others involved in land management programs to get better coordinated, based on a better understanding of local priorities and sharing available resources.

In terms of how funding levels may be improved, Fiona reinforced the importance of promoting rangers' work (including weed work) with government Ministers and senior bureaucrats up the line as well as the general public. It is necessary to raise awareness and gain ongoing support among those people who make the funding

decisions, by promoting a better understanding of the work that is being done, how important it is, and what resources are needed.

Cynthia Coyne raised a separate issue, about the equal involvement of men and women in Indigenous ranger groups. She asked whether SEWPaC has statistics for the gender breakdown of Indigenous rangers nationally, and whether there are plans to address any gender imbalance. Fiona said that women represent about 10% of people engaged in Working on Country activities nationally. The Minister and the Department support the objective of increasing that figure, and Fiona said she is happy to sit down with the Kimberley Land Council to look at ways of increasing the engagement of women in the Kimberley context. She highlighted the different contexts of ranger groups around the country, saying that one size does not fit all, and there is a need to identify tailored solutions to the imbalance. A workshop was held recently at Ross River near Alice Springs to discuss the issue, and the intention in SEWPaC is to broaden that discussion out to other contexts.

## **Department of Environment and Conservation (Western Australia)**

### *Presentation by Bel Catcheside*

DEC is responsible for managing the environment in Western Australia, through building partnerships with Aboriginal ranger groups, government agencies such as DAF and AQIS, community and environment groups such as Environs Kimberley, research partners such as universities and TAFES, and community volunteers. DEC is organised into regions and districts, which do not exactly coincide with local government areas (this mismatch was suggested as an area for potential improvement in government coordination). In the Kimberley, DEC works with ranger groups managed through the KLC. In addition, through the development of ILUAs, DEC has entered into joint management arrangements with traditional owner groups, enabling DEC to support the establishment of new ranger groups such as Yawuru Rangers and Miriuwung-Gajerrong Rangers.

### Kimberley Science and Conservation Strategy

In June 2011 the State government announced the release of the Kimberley Science and Conservation Strategy, a plan for conserving the region's natural and cultural values that commits \$63 million over five years. The Strategy provides funding for the establishment, training and employment of Aboriginal ranger groups, supporting collaboration with PBCs and landholders to manage weeds, fires and feral animals, on country at a landscape level. The Strategy does not cover the whole Kimberley region, but there may be ways for including rangers from excluded areas in implementing the Strategy.

### Joint management

In addition to the Kimberley Science and Conservation Strategy, amendments to the *Conservation and Land Management Act 1984 (WA)* have been recently passed through Parliament to allow better engagement between DEC and traditional owners. The amendments allow and require management plans to take into consideration 'the value of the land to the culture and heritage of Aboriginal

persons'.<sup>13</sup> They also allow joint management of land between native title holders and DEC. This involves working out the necessary issues — such as signage, fencing, weeds, visitors, feral animals — and proposing a budget for addressing that. Joint management under the new arrangements is tenure-based, which means that the land needs to be held by one of the parties to the joint management. That could be DEC estate, native title or freehold.

Kevin George from the Bardi Jawi Rangers welcomed this idea of joint management, but said that his people also aspire to getting their country back. DEC ownership of land under joint management is not ideal from that point of view — the alternative is for ownership to be with the traditional owners, who would lease it back to DEC for joint management. Bel Catcheside from DEC confirmed that this is a model that is being considered currently.

### Procedural assistance

A further form of collaboration and assistance between DEC and ranger groups can be found in the potential for DEC to facilitate some of the administrative or organisational aspects of developing management projects. While DEC may not have very significant funding for rangers to control non-declared weeds or weeds outside DEC lands, DEC officers can provide other forms of assistance. They can help develop grant proposals and project outlines, draw up budgets, objectives and methodologies. DEC also has networks and contacts with other stakeholders, and can help ranger groups to gather support and funding from a range of sources. She said:

*It's a two-way street. We're a government department, we are responsible for delivering outcomes from taxpayers' money and there are certain things they expect to see. But likewise, we always have the door open and if people have concerns about weeds and other issues, then please come to us and let us know. We may not be able to directly help you, but we can assist you in pointing you in the right direction, support you with some of that scientific or other expertise.*

Kevin George from Bardi Jawi Rangers said that this would be an important form of assistance for rangers, and could help address the gap in administration capacity at PBCs, at least until other solutions could be found. Another participant made the comment that this form of assistance is essentially what joint management is about.

## **Department of Agriculture and Food (Western Australia)**

David Collard, a Nyoongar and Ballardong man working as an officer at DAF, described a project he was developing to deal with the question '**How does government talk to Aboriginal people?**'. In natural resource management as in other policy areas, Aboriginal people have 'all been saying the same things for years and government never seems to get it'. David's response has been to develop a framework for government engagement with Aboriginal people in natural resource management.

Previously a Kimberley Aboriginal Reference Group had been established, getting everyone together for engagement with NRM, but the costs were deemed too high

---

<sup>13</sup> Sections 56, 57A *Conservation and Land Management Act 1984* (WA).

and it fell by the wayside. The challenge, as David sees it, is '**how do we get more resources into employing more of our mob to go back on country and heal it?**'. One solution he proposed was the establishment of an Aboriginal NRM group with responsibilities and powers and a budget of its own, rather than merely a reference group or advisory group for the main NRM group.

In David's view, successful weeds management on native title lands requires Aboriginal people to take responsibility and get on the front foot, rather than waiting passively for funding. Having heard about how DAF's priorities are currently limited to weeds that threaten agriculture, traditional owners need to be part of the decision-making process to ensure that their priorities are included.

An additional aspect of this, David explained, is to see rangers as operating in a competitive commercial environment, rather than some sort of welfare context. This requires accreditation of training, which can allow Aboriginal rangers to obtain competitive procurement contracts; and, demonstrating to Shires and other agencies that Aboriginal land managers can be trusted to deliver effective outcomes. In this respect, he said '**Caring for Country is a revolution**'.

Overall, David highlighted the importance of everybody working together, and working in the same direction.

### Procedural assistance

Echoing Bel's offer on behalf of DEC, Noel from DAF said that DAF officers could assist PBCs and ranger groups to develop weed plans and draw up funding applications, and could provide technical advice on the best methods of controlling weeds on country. DAF officers could also help rangers to navigate the bureaucratic relationships and find other partners. Noel said: '**Call me up and I'll advise them the best person to talk to**'.

## **Rangelands NRM WA**

From the floor, John Silver from Rangelands NRM WA outlined the background and current activities of the organisation. Rangelands is a non-government organisation representing one of the 56 NRM regions prescribed by the Commonwealth government in association with State and Territory governments. Rangelands is one of six regional NRM groups established in Western Australia in accordance with an agreement between the Commonwealth and Western Australian governments. That agreement was for the delivery of the Natural Heritage Trust program, the National Action Plan for Salinity and Water Quality program, and the National Landcare Program (NLP), all of which now come under the banner of Caring for Our Country.

Rangelands receives around \$4m per year to cover the whole of the Rangelands area, which consists of all of the area north-east of a line running roughly from Kalbarri to Esperance. That area, covering 85% of the State's land area and 75% of the coastline, is divided into bioregions. Programs for these subregions are developed several years in advance of implementation. The current programs were drawn up in 2009, and the current round of funding is finishing in June 2012. For the Dampier land bioregion (covering Eighty Mile Beach, the peninsula and part of the Fitzroy), Rangelands allocated \$200,000 for rangers fee for service, in addition to the Working on Country money.

There has been, however, some difficulty in developing effective communication and engagement with the right people at the local community level. John said that community engagement presented a big gap for people like him, even at the regional level. He found people like Louise from Environs Kimberley to be crucial in bridging that gap. He said:

*The big gap is getting from the regional level to the local level. Although we have the money there, the hard part is how we talk to the people. That's my big hurdle. There's a lot of bureaucratic and other processes, we can't just pick up the phone to the PBC and say 'do you want to work for us?'*

Aside from fee for service work, Rangelands also works with rangers through the Working on Country program. For example, Nyikina-Mangala Rangers are working on controlling parkinsonia as part of their Working on Country work plan, without additional fee for service support from Rangelands. Rangelands has an agreement with the Kimberley Land Council, and the different ranger groups have work plans under that agreement.

Commonwealth funding for Rangelands is restricted to Commonwealth targets, and at the moment the organisation is fully dependent on the Commonwealth. Its aim, however, is to diversify its funding so that it can develop its own weeds list, and contract work out to ranger groups to control weeds on that list.

John recognised that native title groups may feel that they are set up to fail, because of the large amount of work that needs doing and the lack of adequate resources and funding. He said that Rangelands' problem was different — it has the funding, but finds it very difficult to engage with people and get down to the grass-roots level. He said that more work could be done to improve those avenues of communication and engagement.

## **Australian Quarantine and Inspection Service (AQIS)**

From the floor, John Westaway from the Australian Quarantine and Inspection Service (AQIS) explained that AQIS has an important but limited role in weeds management. AQIS provides experts and contributes to collaborative groups, but does not engage directly in weeds management activities. One form of AQIS assistance is to find, identify and map new weeds that have appeared in Australia, and also weeds that are new to the Kimberley region in particular. AQIS conducts surveillance of weed infestations, and can notify other parties who can control the weeds.

AQIS is limited, however, in that once a weed has been identified, AQIS can only recommend that it be controlled; it is not responsible for the actual control programs.

Finally, AQIS can also contribute to weeds management by helping to prevent the introduction of foreign species in the first place.

## **Discussion by workshop participants — getting it together**

During and following the government and NGO presentations, participants identified some key structural problems in dealing with weeds:

- Need for a coordinated, holistic approach rather than piecemeal approach: All relevant tenures and species, harmonising different priority lists, appropriate funding periods
- Need for a proactive rather than reactive approach, including education
- Need for better PBC resourcing and capacity

These could all be thought of as the need for 'getting it together'.

### Coordinated, holistic approach

One participant drew attention to the problem of a piecemeal approach by describing the different departments and agencies taking interest in just one small aspect of the health of country. Main Roads WA is concerned with its road reserves; DAF is concerned with weeds that threaten certain agricultural uses of land. In the participant's view, this is a problem because 'we see it as all one thing, not all these little things separately'. Dooli, Karajarri Ranger coordinator, expressed the same view:

***The problem is each agency sets its own objectives and priorities. They're split up. And also their priorities don't necessarily align with TOs — like the Department of Agriculture is all about food crops, which isn't necessarily what we want on our land.***

Some participants suggested that a strongly regional approach is the most appropriate way to coordinate the full range of actors to achieve the best outcomes for country.

The different objectives of different actors can lead to a funding structure that encourages projects that target single weed species. The science of weeds management, however, favours an integrated approach where the root causes of weed infestation are addressed in addition to controlling the outbreaks of particular species. A similar problem applies to the length of funding periods: a number of participants mentioned that effective weeds management requires time frames of five to ten years, but the system of government tends to favour projects of three years or less. This can greatly reduce the impact of any project, because if weed control ceases before the eradication is complete, weeds are likely to re-establish themselves. This means that the benefit of the previous expenditure and effort is lost. The impact of funding cuts on the efficiency of weeds work was evident when many weed management positions were lost with the 2007 scale-back of Community Development Employment Project funding. The new Working on Country program provided funds for ranger groups after that scale-back, but in some areas it was some time before funding became available, which created difficult setbacks in weeds management. The most effective way of dealing with weeds is by planning weeds management projects by reference to the geographical scale and time frame of the actual problem.

It was suggested by some of the government participants that government agencies are currently constrained from taking a really active role in engaging with traditional owners on an ongoing basis. Marni from Main Roads WA said:

***There is no one whose job it is. It would be difficult because people need to do the jobs they are paid to do, and time and money generally goes to rehabilitation of weed areas rather than people's time to work with other people to get more funding for these types of projects.***



An area for future exploration is how to articulate proper engagement and coordination as a core part of managing weeds rather than a marginal or optional aspect. In that way, resourcing for consultation and communication can be seen not as an expense additional to weeds management, but as a necessary step to getting successful and cost-effective outcomes.

### Proactive approach

Many of the participants recognised the need to take a proactive approach to controlling weeds, rather than waiting for problems to appear and then reacting. Tackling new and emerging weeds is both more cost effective and more likely to succeed than focusing energy on weeds that are already established. Bruce Gorring, from the Nulungu Centre for Indigenous Studies, said:

***We're dealing with the back-end of the issue... We don't have the resources to deal with the problem; we need to be preventing it, not just dealing with it.***

A recurring suggestion in these discussions was the need for better community education, so that people's day to day activities in a range of areas can be directed towards preventing weeds problems instead of making them worse. The plants sold for private homes in commercial nurseries, agricultural practices that spread seeds from other regions, infrastructure projects — these are all areas where better education could help prevent the introduction of new weeds. Educating the broader community, including young people, could also assist with identifying and mapping new outbreaks.

### PBC resourcing and capacity

Many of the discussions about the limitations and challenges in managing weeds on native title lands, converged on the resourcing and capacity of PBCs as a central weakness. PBC capacity arose as an impediment for:

- obtaining and managing funding grants;
- effective communication and collaboration with other stakeholders;
- proper consultation with traditional owners by outside stakeholders;
- identifying and discharging legal obligations of traditional owners.

There were concerns with the current capacity of PBC staff or rangers to engage with the bureaucratic and reporting systems that are necessary to obtain government funds for weeds management. Kevin George from the Bardi Jawi Rangers said:

***The jargon and language in various government departments and on funding applications is difficult to navigate.***

In relation to collaboration, coordination and consultation with government and other stakeholders, the role of the PBC as a contact point is crucial. Government agencies may be aware of the need to talk issues through with traditional owners, but do not know how to find the right people to talk to. Rangers or other traditional owners may want to engage with outside stakeholders in collaborative weeds management, but need a base for communication. John Silver from Rangelands NRM WA, said:

*Without a contact point you're going in circles, it's very frustrating. You're trying to do the right thing, you find a problem in an area but can't find the right people.*

One participant saw the ideal PBC arrangement as a 'one-stop-shop': a shopfront where locals can go to ask questions, meetings can be held, external stakeholders can contact by phone or email. Rangers cannot serve as this point of contact because their work does not have an off-season; pulling out weeds, fire management, school visits, all take place at different times of the year and there is never time to spend in the office dealing with external communications.

Officers at the native title representative body (in this case the KLC) can assist to some extent, but the resources are limited and there are many competing priorities. At the KLC there is one project manager managing five PBCs and all of their projects, of which weeds management is only one. There is competition to get these issues on the agenda at NTRB meetings, and there are no funds for the special meetings or fieldtrips required for effective PBC collaboration with government. Even where contact is made with a PBC, decisions and information can take a long time to pass through the PBC process, because of difficulties and costs involved in holding meetings.

A practical solution suggested by participants, that could help in the absence of improved funding, would be the creation and maintenance of a list of contacts of people at:

- government agencies
- NGOs
- ranger groups
- PBCs and native title working groups
- native title representative bodies

This list would serve as the starting point where a weed issue is identified and needs to be addressed.



## 4. Designing a collaborative weeds project on native title lands

### What needs to be done leading up to managing weeds on native title lands?

Before the final session, participants were asked to write down answers to the question 'What needs to be done leading up to managing weeds on native title lands?'. Their answers are set out below, **in their own words**:

#### *Consultation or permission from TOs*

- Support from native title holders
- Planning weeds projects and consultation with TO's
- Community consultation with TO's
- Need common body at the community level to improve local coordination
- Liaise with PBC for input and endorsement. Who, what, where and how things should be done
- Working on Country, liaise with PBC for input and endorsement of plan for:
  - Who needs to be involved
  - What needs to be done
  - Where it can happen (such as permissions and avoiding sensitive areas like law grounds)
  - How it should be done

#### *Funding*

- More communication and funding for ongoing weed management
- Government needs to recognise and acknowledge the gaps with funding/resources and to make weeds eradication a priority — back up with funding
- Confirm who requires what resources, consolidate this and then target specific support options, ie corporate, State and Federal government programs, Rangelands NRM, Lotteries West, DEC Community Environment grants, and in-kind from local community and businesses
- Planning funds, not just funds for implementation
- Government to get serious
- Funding \$\$ first, to plan future projects about weeds.
- Close the gaps between funding for weed management, so there is a \$ basis for action to plan and implement on-ground management.
- Everything is currently done in isolation: Weeds, employment, native title, education, mental health and suicide prevention. It needs to be integrated and holistic. Needs to be resourced — all sectors experience the gap. Weed management is just one issue of money.
- Long-term resourcing

#### *Capacity*

- Resources and capacity building
- PBC rangers need training and accreditation to become competitive for environmental service contracts
- PBC capacity — PBC needs to increase capacity

- PBC capacity to talk and engage with agencies and stakeholders about management priorities on country — ie weed management

#### *Research, priorities*

- Identify the scope and scale of the issue
- Develop a weed management plan that is suited to each native title area
- Understand the cultural landscape to inform management of natural landscape
- Policy developed to reflect regional concerns and aspirations. Survey and collate data on weed distributions, ie which weeds are where.
- Mapping weeds
- Prioritise which weeds can be effectively controlled
- Long-term planning after full consultation
- It's about environment *and* culture —wholistic
- Engage all stakeholders — what are the weed priorities? Threats to heritage, environment, other values such as agriculture or tourism
- Research into community concerns
  - Prioritising threats to environmental and cultural impacts
  - Acting on the outcome to provide assistance for on-ground works to commence

#### *Coordination, cooperation*

- All stakeholders need to come together once and say how they can assist, not one at a time, so native title holders can plan better
- Need a common conduit or body for communication and action planning. "Vegetation Management Committee" perhaps?
- Consult with all relevant stakeholders, especially TO's, to form collaborative approach to strategic weed management
- Collaboration with all stakeholders and neighbours
- Feel as if artificial barriers have been established — very complex frameworks established to engage people. You can't just ring somebody up and say 'we've got some money, do you want to do some work'. It's complex.

#### *Community education*

- A whole-of-community education campaign to support traditional owners
- Signage about weeds
- Education about the types of weeds on country and their damage, signage, public awareness

#### *Full descriptions of process*

- A lot!
  - Allow lead-up time
  - Consultations with stakeholders
  - Research into previous efforts.
  - Planning
  - Secure funding
  - Better access to information
  - Partnership building
  - Realistic vision dependant on capacity
  - Consideration of historical sensitivities regarding weed control
- Process

- Meet with all stakeholders
  - Identify roles: government, service providers, conservation groups, TO's
  - Need big planning funds
- Plan strategic action to remove weeds with appropriate methods, in right season, with follow-up work
- Process
  - Gather stakeholders
  - Seek permission to carry out activities
  - Set objectives, prioritise and identify resources
  - Source funding

## Collaborative planning activity

The workshop finished with a final session to pull the previous discussions together, by examining some best practice for the planning process in a PBC weeds-management perspective. Participants broke into four groups, and conveners ensured that each group reflected the diversity in the workshop, by including rangers, PBCs, government, non-government and other participants.

The four groups were asked to talk about the steps that should be followed in designing a collaborative weed project with traditional owners. The details were left up to participants, for example the plan could be limited to one PBC, or extend to a regional scope involving a number of PBCs. Government officers were asked to focus on how their respective departments could respond to the sorts of issues raised about PBCs today — such as the need for consultation, the lack of funding, and lack of organisational capacity. Where constraints on action were identified, participants were asked to discuss what would they need to do to address those constraints.

The results of the four groups were very diverse, reflecting the scope and complexity of the topic. The four groups' outlines for planning processes are set out below.

### Group 1—starting with traditional owner concerns

This group chose the traditional owners as the starting point for the planning process. They used Bardi Jawi as the hypothetical case study, and they imagined a context whereby the Bardi Jawi Niimidiman Aboriginal Corporation PBC was funded. In this imaginary context, the Bardi Jawi PBC has staff, an office, and resources to meet their native title responsibilities, and respond to important issues such as weeds.

#### (1) Pre-planning phase

A Bardi Jawi project officer would start by meeting with stakeholders with an interest or responsibility in weeds management on Bardi Jawi lands: rangers, State and Federal departments and agencies, and environmental NGOs.

Some initial research should be done to identify the weeds or potential weeds that are present on Bardi Jawi country.

Ideally the project officer would be in a well-resourced office with a receptionist.

#### (2) Presentation and field trip

A joint presentation by the project officer and the other stakeholders would be given to the PBC, and all parties would go out on a field trip. The aim of these

activities is to identify the concerns of traditional owners, priority areas, and relevant cultural protocols.

Bardi Jawi elder Irene Davey said that the most important thing is for government people to have cultural awareness, a good understanding of all the different peoples in the Kimberley, and the different ways of doing things. As part of this, it is important to appreciate men and women's different involvement too.

(3) **Develop action plan**

Once the priorities and other considerations are identified, an action plan can be developed. This involves defining the target area and conducting a vegetation survey.

(4) **Costing and partners**

Once the action plan is completed, it can be costed and potential partners and funding sources can be identified.

Funding and resources would then be secured, including in-kind services and goods, technical expertise and assistance.

(5) **Implementation plan**

Once all of the available inputs are identified, a detailed implementation plan can be developed.

This should include communication materials, to get information out to the wider Bardi Jawi community about weeds and managing weeds, and about the benefits of the project.

## **Group 2 — reforming priorities**

Group 2 focused on what is required to achieve a policy shift in the State and Federal bodies that might contribute to weeds management efforts on native title lands. They saw a need to fill the gaps in funding and responsibility.

### Issues of scale and priority

The group saw it necessary to start from a larger scale — at the level of cultural blocs or regions — because there are already plans for individual weeds and there is a need to look at higher-level systemic issues.

A key problem at the larger scale relates to decisions about which weeds are targeted for priority action. As discussed previously, funding is focused on weeds declared by DAF on the basis of their impact on agriculture, or on the 20 Weeds of National Significance, but there are other weeds that affect other important environmental and cultural interests. Different stakeholders may have different priorities and needs that influence what they see as a weed (e.g. pastoralists may think buffel grass is a godsend, while others want to eradicate it). Also, environmental factors may mean that the same species is not a problem in one place but it is elsewhere. For State jurisdictions, the classification of declared weeds needs to be broadened out.

If traditional owners find a new invasive plant on their country and went to government for help, they would be unlikely to secure any money because the new species is not on any lists. So the question is: **how can they get a new weed onto the list?**

Group 2's answer was to **write a new list**. Instead of Weeds of National Significance, the aim would be to identify weeds of significance to the Kimberley region.

### Plan for reform and projects

#### (1) **Determine and rank weeds of significance**

The first step is to identify which weeds are of significance to people in the Kimberley region, in terms of their cultural, ecological, and economic impact.

This identification process should happen at the level of **cultural blocs**, as identified in the Caring for Country plan developed by Sharon Griffiths and Steve Kinnane from Nulungu.<sup>14</sup> A project coordinator would be needed to drive this process, perhaps provided by the KLC or even AIATSIS.<sup>15</sup> A steering committee could be another way of driving it. The project coordinator would work with rangers, old people in the community, law people, outside experts and neighbours, to identify:

- important sites;
- important species or ecosystems for bush medicine, food, cultural value;
- weeds that have been creating problems and the areas they have been found.

The process should be informed also by existing research, such as through conservation action planning or IPA planning. All the information would be fed up to the PBC or native title working group for final approval. The aim would be to compile, for example, a list of the top five weeds for targeting resources to control. A six month period would be appropriate for compiling that list.

#### (2) **Priorities inform updated regional NRM plan**

Once the cultural blocs' weed priorities are identified, those priorities would then feed into the development of an updated regional NRM plan: the Rangelands NRM WA regional plan (Kimberley sub-region), with a priority list for each of the six cultural blocs.

That plan would then represent the grassroots priorities of the people who live in the area, rather than the weeds identified as significant threats to agriculture. The plan needs updating anyway to take account of carbon farming and other initiatives.

John Silver, from Rangelands, said:

*There's no point doing things that people don't believe in or aren't interested in or aren't important, so this ensures that what NRM does is relevant to people.*

---

<sup>14</sup> S Griffiths and S Kinnane, *Kimberley Aboriginal Caring for Country Plan: Healthy Country, Healthy People*, Kimberley Language Resource Centre/Nulungu Centre for Aboriginal Studies, 2010.

<sup>15</sup> AIATSIS supports this idea in principle, however identifying weeds does not fall within the scope of our research activities. If AIATSIS were to have a role it would need to be centred on research with PBCs, in a collaborative setting, and funding would need to be found for the project.

(3) **Use the plan to drive reform**

The updated regional plan would be used to lobby State and Commonwealth departments and agencies, getting them to recognise what weeds are problems and to help people to fix these problems.

- Changing the process and criteria for declaring weeds at the State level would be a good outcome.
- Lobbying for extended funding opportunities from a range of portfolios: environment, mental health, employment, tourism.
- Rather than all of the different departments going to traditional owners or PBCs separately, the regional plan could be used to get everyone together and deal with the problem holistically.

(4) **Develop individual projects**

Assuming that the funding can be made available to manage weeds on the Kimberley priority list, the next step is to develop projects and programs to carry that work out.

The rangers, who would have been heavily involved in the prioritisation process and have a good understanding of the issues, would be well placed to drive this. They would work with others to collect data, mapping, expert scientific assistance and best practice weeds management methods.

- Reality check: **Where does capacity for gathering and processing this information come from?**

They would then work with partners and stakeholders to develop individual project ideas. For example, if one of the problem weeds is Gamba grass, Fire and Emergency Services is likely to have an interest in partnering.

(4) **Take project ideas to PBC**

The project idea would be taken to the PBC, developed into a project plan, and approved by the PBC.

- Reality check: **Where does capacity for developing the project plan come from?**

(5) **Funding**

The project plan would be used to obtain funding according to the project budget.

Part of the budget will be money for improving the PBC's administration capacity, infrastructure, and resourcing.

Part of the budget will include inputs from other partners, including in-kind assistance.

(3) **Do, review and promote**

The work can now be done. It should be reviewed, needs for follow-up identified, and lessons noted for future work.

Importantly, the benefits and success need to be documented to generate support for future projects.

### Parallel process

In addition to the reform and planning, there needs to be a parallel process:

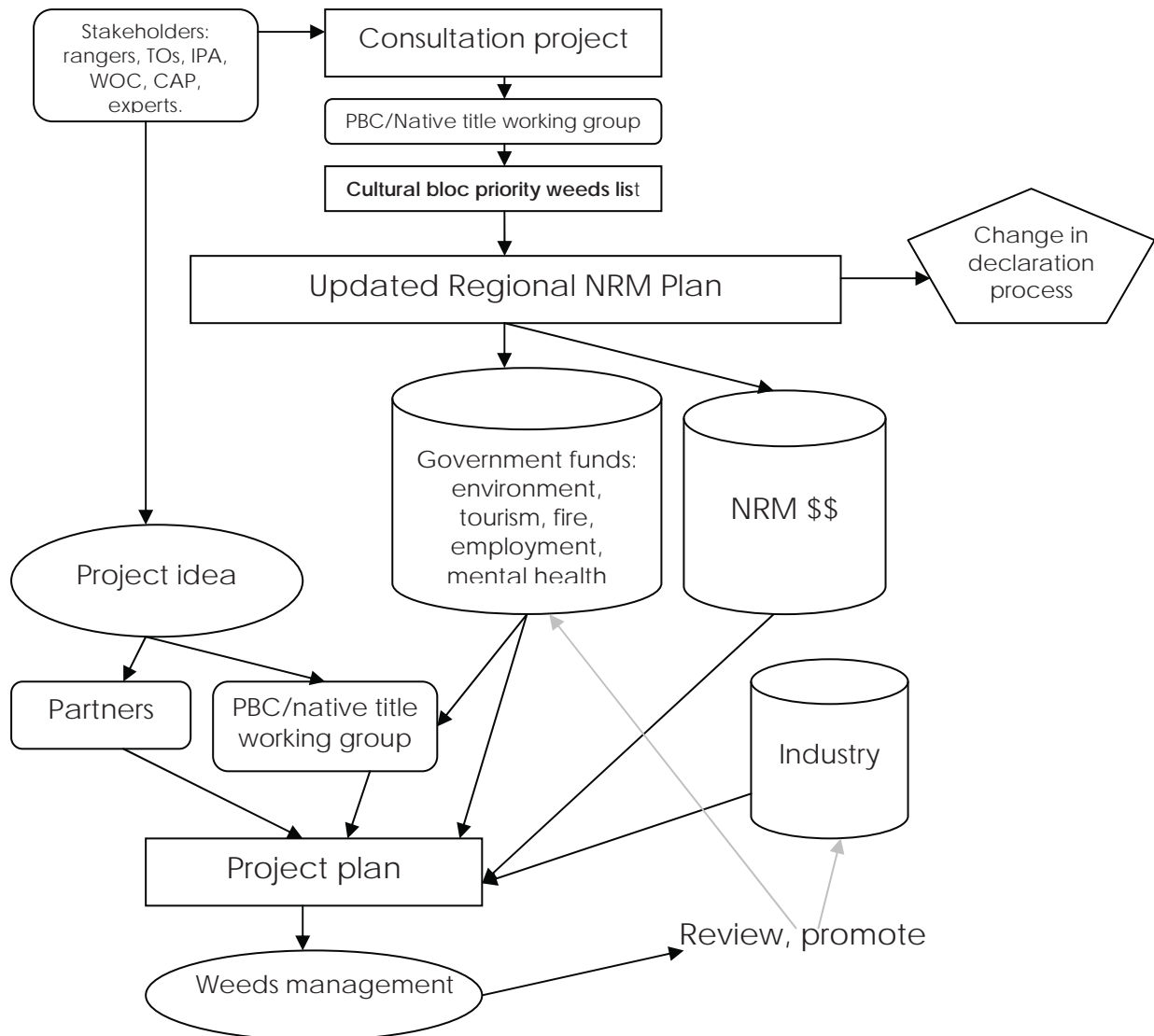
- identifying potential weeds;
- identifying vectors for the spread of weeds;
- gathering information, data and mapping.

This is part of the need to be proactive: getting on top of potential threats early, rather than waiting until it is too late. The information generated can then be used to prevent the spread and establishment of weeds, rather than dealing with difficult infestations:

- educating the community, Aboriginal and non-Aboriginal, including alerting children to the importance of weeds and how to recognise them;
- following the Yawuru model of traditional owner involvement in urban planning, design of drainage and other infrastructure, even speaking to nurseries about introducing species to the region.



**Figure:** Group 2's diagram showing their process for reforming priorities and securing funding.



### Group 3 — starting with the weeds

Group 3 developed a very broad approach to weeds management planning, not focused on any particular tenure, project or interest group. It was a general guide to how to approach the problem of a weed infestation.

#### (1) Identify the weed issue

The first task is to identify the weed-related issue that requires action. Is it a particular species or a number of species? Is there a physical process or disturbance that is causing weed infestations?

#### (2) Identify the responsible party

The next step is to identify the people or agencies who have legal responsibility for managing the weed problem. This will be determined by land tenure and

statutory functions. As discussed, there are ambiguities and controversies about this question in relation to native title land. It may be that there are multiple responsible parties.

(3) **Consultations**

The responsible party should facilitate consultations with *all* the relevant stakeholders. This will involve providing background information, and the type of background information will differ according to who the party is: if the responsible party is DEC then it will be able to bring scientific information about the weed and how to control it. If it is a PBC, they may not have the scientific background but will have other background information, about cultural priorities, cultural protocols, and ecological knowledge.

The consultations should identify the potential threats to the different values of the various stakeholders, and workshop possible hurdles to successful management.

(4) **Decision**

After consultations, the responsible party needs to decide whether or not to develop a management plan. Possible reasons for *not* pursuing a management plan include cultural implications of the required work, or the physical or financial impossibility of effective action.

(5) **Management plan**

If the decision is made to proceed with a management plan, then scoping and development work is required, including:

- Operational requirements — methods of control, mapping, education, monitoring.
- Stakeholders' aspirations for management — traditional owners, government departments and NGOs may have aspirations in relation to local employment, education, cost effectiveness, cultural appropriateness.

(6) **Control the weeds**

(7) **Review**

At the completion of the management project, or periodically in a management program, it is necessary to review the process for the future.

- Did the legislation or institutional arrangements make things difficult, slow, or inappropriate to native title situations? Is statutory reform required?
- Does the responsible group (PBC, government department, pastoralist) require better support, funding, or capacity to deal with these issues?

## **Group 4 — taking ownership, engaging in leadership**

Group 4 considered that once a weed problem is identified on native title lands, the next crucial step is for the traditional owners to take ownership and engage in leadership towards tackling the problem.

(1) **WHAT — identify the weeds that are the problem**

There is a change in mindset required, about getting to weeds problems early and not waiting until they become very serious. Also not necessarily giving up when a serious weed problem becomes too difficult.

(2) **WHO — identify the stakeholders**

All the different relationships to country, within government, NGOs etc. All the different people that need to be involved. This part of the process needs to be holistic, getting everyone in one place, not piecemeal like it is currently.

(3) **HOW — draw up management plan**

A management plan needs to cover the full range of considerations for effective management: a realistic and appropriate time frame; identification of necessary resources such as funding, labour, expertise, equipment; and identification of risks, including taking seasonal weather events into account.

The plan should take into account what other projects and programs are already in existence, or have been around in the past, or may be necessary in the future. This is important for coordination.

Good quality mapping is another important aspect of the management plan.

(4) **Project agreement**

This is the most important part of the process, getting formal engagement from government departments and other partners to be a part of the management plan.

(5) **Implementation**

As well as going out and doing the physical work associated with controlling weeds, implementation requires public education, follow-up, monitoring and evaluation.

One important question for implementation is around data management — where information is gained during the project, who owns it and what should be done with it?

Group 4 also identified the key constraints that must be kept in mind in designing a weeds-management project:

- Very large project scope without sufficient support
- Access to country, tenure issues, distance
- Access to resources, short-term funding
- Shortage of project management skills and capacity
- Lack of effective policy — understanding what's going on, setting national agenda
- Government priorities centred around biosecurity and economic interests, rather than cultural and whole-of-ecosystem values
- Engaging on a regional or local level, accessing larger or smaller buckets of funding
- Lack of adequate representation of Indigenous perspectives and weeds issues in national fora and on the national agenda

## 5. Issues and conclusions

Weeds management is important to traditional owners for a number of reasons:

- Spiritual and cultural responsibilities for country
- People's well-being is tied to the health of country
- Healthy country and looking after country is important for teaching the young people about their culture and history, and for building strong bonds between the generations
- Cultural economies, including food and medicine, depend on ecosystems not being degraded by weed infestations
- *Kartiya* law obligations require landholders to manage weeds, which may include native title holders
- Weeds management is an area of interaction with government that requires government to understand local priorities and cultural protocols, and to respect the status of traditional owners
- Aboriginal pastoralists have livelihoods that depend on weeds problems being managed
- Managing weeds through ranger groups has benefits for employment and mental health in communities

In the face of the challenges and gaps identified in this report, it is possible to distil some conclusions and recommendations for future improvements. These are set out below under five headings:

- a) Clear responsibilities
- b) Proper process
- c) Proper priorities
- d) Proper resourcing
- e) Integrated, holistic, and coordinated efforts

### (a) Clear responsibilities

Three main conclusions emerged from the workshop in relation to responsibilities for weeds management:

- I. Government parties need to recognise that traditional owners have obligations under traditional law and custom to care for country, irrespective of how *kartiya* law allocates responsibility.
- II. The lack of clarity around *kartiya* legal obligations for weeds management on native title lands is a problem. Clearer allocation of responsibility can be achieved through:
  - legislative amendment;
  - specification in policy;
  - agreement in ILUAs and native title determinations.

Not all native title holders have similar legal rights or organisational capacities; some have exclusive possession and the ability to control access to areas of country, others have very limited legal rights, and many do not currently have the necessary resourcing or capacity.

- III. To the extent that native title holders have legal obligations to control weeds, there is a mismatch between that burden and the resources available.

## **(b) Proper process**

Weeds management is not mere scientific or technocratic problem solving. There are important procedural considerations that need to take account of the cultural context of the areas where weeds are being managed.

- I. Government agencies, companies, and other parties need to have cultural competence and awareness. This includes an understanding of:
  - the cultural landscape;
  - the different groups and their ways of doing things;
  - the role of PBCs in holding native title and representing the decisions and interests of the community;
  - cultural protocols; and
  - the history of relations between government and traditional owners.
- II. People doing projects on country need to talk to the right people, share information and obtain approval — not just consultation. Communicating and planning with traditional owners; not coming in and explaining what has already been decided. Behaving respectfully; allowing traditional owners to be empowered.
- III. Traditional governance has internal processes and protocols — law bosses and elders have certain roles in making decisions, and different family groups speak for different areas of land.
- IV. Indigenous ecological knowledge should be valued and utilised.
- V. Gender — making sure that women’s perspectives are heard, that women are involved in making decisions, setting priorities, and managing weeds.

## **(c) Proper priorities**

Weeds management is based on a set of priorities about which species should be targeted for control and which areas to focus resources on. There are disagreements and a lack of alignment among different stakeholders about what those priorities should be.

- I. The process and criteria for declaring weeds at the State level is narrower than many stakeholders, including traditional owners, consider appropriate. The current process focuses on threats to agricultural production to the exclusion of cultural, social, ecological, or even broader economic values (such as tourism or traditional economic livelihoods).

New legislation obliges DEC to consider cultural heritage in conservation planning,<sup>16</sup> but legal obligations and funding for other landholders are attached not to DEC planning but to DAF's list of declared weeds.

- II. Further work is needed on identifying Aboriginal cultural values that may be threatened by weeds — mapping cultural sites and developing ways of explaining or 'measuring' the cost of different weeds in different places, so that cultural values can compete for priority on the agenda.
- III. Systemic change may be needed to make resources available for dealing with weeds *before* they become established pests. Control is likely to be more successful and cost-effective on new outbreaks rather than large entrenched infestations.
- IV. Many stakeholders disagree with a policy of removing weeds from the State list when they are considered too well-established and difficult to eradicate. Where the cultural, ecological and broader economic cost of infestation is very high, it may be worth considering increasing rather than decreasing the resources committed to controlling the weed.

#### (d) Proper resourcing

Many of the issues raised in the workshop came down to issues of the resources available for weeds management.

- I. There is insufficient funding for managing declared weeds on native title lands outside the DEC or Main Roads WA estates, and insufficient funding for managing non-declared weeds across the board. Resourcing needs to cover:
  - Planning, scoping, follow-up and monitoring.
  - *Ongoing* operational costs — chemicals, equipment, travel, training, wages.
- II. A key weakness in weeds management is the need for better resourcing for PBCs' administrative and organisational capacity.
  - Governance and engagement with partners — capacity is required for finding funding, administering and acquitting grants, reporting, project managing. Transparency in spending taxpayers' money requires transparency, which requires paperwork, skills, familiarity with the system and jargon, time, and office equipment.
  - Contact point — better collaboration with other stakeholders requires a stable contact point, a home base where external parties can communicate with rangers and traditional owners.
  - Decision-making — where community consultation and approval is required, meetings need to be held, and these can be costly to organise.

Part of weeds projects' budgets could be dedicated to increasing PBC capacity.

---

<sup>16</sup> Sections 56, 57A *Conservation and Land Management Act 1984* (WA).

- III. Unevenness in resources — some PBCs have resources from ILUAs, some do not. The Yawuru example shows what is possible with resources and a place at the table. But even ILUAs may not provide *ongoing* funds and longer-term solutions are required.
- IV. Government agencies need to be able to justify their expenditure of taxpayers' money, and to show that their priorities are consistent with policy and legislation. Policy shifts and even legislative change may be required.
- V. Strategic partnerships may help to fill the resource gaps. Getting the community actively involved through school groups, Clean Up Australia, Aboriginal community members, environmental NGO and community group volunteers. The linkages between weeds, employment, education, mental health and suicide prevention can be highlighted to source additional resources.
- VI. The existing funding structures tend to be piecemeal rather than integrated:
  - Short-term funding is not well-suited to the nature of the problem.
  - Funding encourages a species-specific rather than holistic 'root-cause' approach.
  - Funds are split across different priorities, different tenures, different levels of government — this can lead to disjointed efforts.
- VII. Better resourcing may require more active promotion to Ministers and high-level bureaucrats of the issues, the current activities, and benefits of ranger work in weeds management. Raising awareness among the people who can make the important decisions.

### **(e) Integrated, holistic, and coordinated efforts**

The idea of dealing with weeds in an integrated, holistic and coordinated way captures many of the other issues raised, such as priorities and resourcing. This idea emerged from the workshop as a critique of the disparate and sometimes uncoordinated efforts previously taken to manage weeds issues.

- I. Holistic Aboriginal approaches to country can bring a useful new focus to weeds management, and align with the science supporting integrated management techniques.
- II. Weeds can best be managed at a regional landscape scale — 'country' — rather than by splitting management across:
  - Different tenures;
  - Different levels of government and government departments;
  - Particular species; and
  - Short-term projects.
- III. Weeds sit within a complex web of interconnected issues, and recognising these interconnections can help with better management of all of those issues: weeds, land-use, water-use, vehicle and pedestrian access, animals, drainage and flooding, town planning, gardens, fire regimes, employment, native title, education, mental health and suicide prevention.



IV. A proactive approach to weeds management, involving measures to prevent the introduction of new species, and the early identification and control of potential pests, is required.

- Education will play a key role in this, raising awareness of weeds issues among communities, young people, neighbours, volunteer groups, industry, tourists and other visitors.
- Yawuru's involvement in town planning and sustainable design principles is a good example of how a proactive approach can work.
- Another area for exploration is controlling what is sold through nurseries, in order to prevent garden escapees from establishing themselves as weeds.

V. Coordination and cooperation between different stakeholders and different structures or systems is crucial. Partnerships are necessary because no single actor has all of the money, resources, knowledge or authority to get the job done.

For weeds management on native title lands, the PBC should ideally be the central contact point for other actors to communicate with. Well-resourced PBCs can make it easier for government people to find the right people to talk to.

Until the capacity of ranger groups and PBCs improves, there are options for partnering with government or other organisations to share resources, skills and expertise, such as project management, budgeting, sourcing funding, reporting. Joint management is also supported through new amendments to the *Conservation and Land Management Act 1984*.

Better coordination is required across the range of different structures and schemes that affect weeds management: State declared weeds, Weeds of National Significance, DEC conservation plans, NRM regional plans, IPA plans, Working on Country, Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* listings, ranger work plans.

The best way to achieve better coordination between actors is for everyone to meet together rather than piecemeal at different times. PBCs and rangers; NTRBs; government departments and agencies from local, State and Federal level; non-government organisations; researchers and scientists; pastoralists and other industry. One practical initiative that may assist is the creation and maintenance of a Kimberley weeds contact list.

## 6. Appendices

Appendix 1 —Meeting agenda

Appendix 2 —List of participants

Appendix 3 —Abbreviations and terms

Appendix 4 —National Native Title Tribunal map showing native title applications and determination areas in the Kimberley

Appendix 5 —National Native Title Tribunal map showing Prescribed Bodies Corporate across Australia

Appendix 6 —Presentation by Yawuru Rangers, Yawuru Vision, Mission and Values, Yawuru Language Greetings

Appendix 7 — Presentation by Wungurr (Wilinggin) Rangers

Appendix 8 — Photos presented by BardiJawi Women Rangers

Appendix 9 — Karajarri Rangers brochure

Appendix 10 — Presentation by Environs Kimberley

Appendix 11 — Presentation by SEWPaC

Appendix 12 — Presentation by DEC



# Managing Weeds on Native Title Lands Broome Workshop

Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS)  
Nulungu Centre for Indigenous Studies, the University of Notre Dame (NDU), Broome

Wed-Thurs, 26-27 October 2011

**Wednesday, 26 October 2011**

**Workshop Fieldtrip & BBQ hosted by Yawuru Rangers**

*Held in the morning to avoid the hottest part of the day*

8.15am	'Oaks Resort' hotel guests meet in Foyer to share car rides
8.30am	Workshop participants meet at Multipurpose Hall, Notre Dame University, 88 Guy St, Broome
8.45am	Participant Introductions
9:30am	Travel to Minyirr Park Dress: covered shoes, hats and sunscreen
9.45am	Yawuru Welcome to Country, Minyirr Park
10:00-12noon	Weeds Fieldtrip, hosted by Yawuru Rangers, Minyirr Park
12.30pm	BBQ at Notre Dame
2.00-4.00pm	AIATSIS Weeds Research Project discussion with ranger groups. <b>Spare time for all other workshop participants.</b>
6.00pm	Dinner, Town Beach Café. Hotel guests to meet in Foyer at 5:45pm to walk to Town Beach



AIATSIS gratefully acknowledges the funding and support of the Rural Industries Research and Development Corporation (RIRDC). RIRDC is not liable for this activity.

# Managing Weeds on Native Title Lands

**Thursday, 27 October 2011**

**Workshop Agenda**

8.15am	Hotel guests meet in Foyer to share car rides
8.30am	Tea and coffee available in the Multipurpose hall, Notre Dame
8.45am	<b>Workshop Begins, Acknowledgement of Country</b>
8.50am	Workshop goals Bruce Gorring, Nulungu and Jessica Weir, AIATSIS Workshop agenda Paul Mitchell, Facilitator
9.00am	<b>Weeds &amp; native title – context setting</b> Introductory remarks – Thomas ‘Dooli’ King, KTLA
9.10am	RNTBC weeds presentations <ul style="list-style-type: none"> <li>• Wilinggin RNTBC</li> <li>• Bardi Jawi RNTBC</li> <li>• Yawuru RNTBC</li> </ul>
9.50am	<b>What does native title mean for weeds management?</b> Facilitated by Paul Mitchell
10.30am	Morning tea
11.00am	<b>Weeds collaborations - what’s working, what’s not?</b>
11.05am	<ul style="list-style-type: none"> <li>• Presentation by Louise Beames, Environs Kimberley</li> <li>• Presentation by Fiona Peek, Federal Dept of Environment (SEWPaC)</li> </ul>
11.30am	<b>What needs to be done to manage weeds on native title lands?</b>
12.00noon	<b>Weeds policy, law, programs: opportunities for RNTBCs</b> <ul style="list-style-type: none"> <li>• Presentation by Bel Catcheside, WA Dept of Environment &amp; Conservation</li> <li>• Presentation by David Collard, WA Dept of Agriculture</li> </ul>
12.30pm	Lunch
1.30pm	Re-cap by Paul Mitchell
1.40pm	<b>Implications for project design</b> <ul style="list-style-type: none"> <li>• Design a collaborative weed project on native title lands.</li> </ul>
2.30pm	Group report back on project design
3.00pm	Afternoon Tea
3.30pm	Key Issues & summing up, and what happens next – by Paul Mitchell
3.45pm	<b>Weeds Relationships</b> – Alan “Doody” Lawford, Kurungal



# Managing Weeds on Native Title Lands

## Participant List

Person attending	Affiliation
Irene Davey	Aboriginal Land Trust, Kimberley Board Member
Jessica Weir	Australian Institute of Aboriginal and Torres Strait Islander Studies
Kara Youngentob	Australian Institute of Aboriginal and Torres Strait Islander Studies
Nick Duff	Australian Institute of Aboriginal and Torres Strait Islander Studies
Tran Tran	Australian Institute of Aboriginal and Torres Strait Islander Studies
John Westaway	Australian Quarantine and Inspection Service
Todd Quartermaine	Ranger coordinator, Bardi Jawi Rangers
Dwayne George	Bardi Jawi Rangers
Kevin George	Bardi Jawi Rangers
Cynthia Coyne	Kimberley Land Council
Bernadette Angus	Bardi Jawi Women Rangers
Gemma Chaquabor	Bardi Jawi Women Rangers
Sue Guilfoyle	Batchelor Institute
Fiona Peek	Indigenous Policy Branch, SEWPaC, Commonwealth Government
David Collard	Department of Agriculture and Food, WA
Noel Wilson	Department of Agriculture and Food, WA
Bel Catcheside	Department of Environment and Conservation, WA
Marni Baetge	Main Roads Western Australia
Louise Beames	Environs Kimberley
Drew Shugg	Greening Australia
Thomas "Dooli" King	Ranger coordinator, Karajarri Traditional Lands Association (Aboriginal Corporation) RNTBC
John Hopiga	Head Karajarri Ranger
Gerard Bennett	Karajarri Ranger
Philip Matsumoto	Karajarri Ranger
Ari Gorring	Kimberley Land Council
Dave Cockshott	Kimberley Shire

Alan Lawford "Doody"	Kurungal, pastoralist
Natalie Moore	Landcare
Anna Dwyer	Nulungu, University of Notre Dame
Bruce Goring	Nulungu, University of Notre Dame
John Silver	Rangelands NRM WA
Roy Benning	Wunggurr (Wilinggin) Ranger
Lloyd Nulgit	Wunggurr (Wilinggin) Ranger
Dean Smith	Wunggurr (Wilinggin) Ranger
Dean Mathews	Project Manager, Yawuru Native Title Holders Aboriginal Corporation RNTBC
Julie Melbourne	Yawuru Native Title Holders Aboriginal Corporation RNTBC
Paul Mitchell	Workshop facilitator

### **Additional participants at Minyirr Park field trip, Day 1**

Michael 'Micklo' Corpus	Yawuru RNTBC
Anthony Richardson	Yawuru/ Department of Environment and Conservation Joint Management
Luke Puertollano	Yawuru Trainee Supervisor
Jason Fong	Yawuru Trainee Conservation Officer
Curtis Robinson	Yawuru Trainee Conservation Officer

## Abbreviations and terms

**ALT** Aboriginal Lands Trust. Established by the *Aboriginal Affairs Planning Authority Act 1972* (WA). The ALT became responsible for the administration of lands previously held by the Native Welfare Department and a number of other State government agencies. There are also lands that remain registered in the name of the Aboriginal Affairs Planning Authority. ALT undertakes strategic land acquisitions as part of the management of the estate. The ALT provides advice to the Minister for Indigenous Affairs on ALT land issues. The ALT is a significant landholder with responsibility for approximately 27 million hectares or 11% of the State's land mass. This land comprises different tenures including reserves, leases and freehold properties. A significant proportion of this land comprises reserves that have Management Orders with the ALT (generally having the power to lease), with their purposes mostly being for 'the use and benefit of Aboriginal inhabitants'.

**AQIS** Australian Quarantine and Inspection Service

**AWC** Australian Weed Committee. Intergovernmental mechanism for identifying and resolving weed issues at a national level, oversees administration of Australian Weed Strategy.

**AWS** Australian Weed Strategy. Originally developed in 1997 as the 'National Weeds Strategy', this Commonwealth government policy document 'identifies priorities for weed management across the nation with the aim of minimising the impact of weeds on Australia's environmental, economic and social assets'.<sup>17</sup>

### Caring for Country

Caring for country can be understood as 'Indigenous peoples' approaches to land and water management, although with some central distinctions'.<sup>18</sup> Caring for country is not simply an activity with environmental and landscape management outcomes — it has socio-political, cultural, and economic elements. It has implications for the physical and emotional wellbeing, cultural life, autonomy, identity, and health of Indigenous people.<sup>19</sup>

'Caring for country' has also been used as an umbrella term covering a range of programs linking Indigenous Australians and environmental issues, including Working on Country, Indigenous Protected Areas, Indigenous Heritage Program, Indigenous Land Management Facilitators, Indigenous Advisory Committee, and opportunities under Caring for Our Country.

### Caring For Our Country

Caring for Our Country is a Commonwealth government initiative addressing environmental issues. It supports regional natural resource management groups, local, state and territory governments, Indigenous

<sup>17</sup> Australia, 'Australian Weeds Strategy', available online at <<http://www.weeds.gov.au/publications/strategies/weed-strategy.html>>.

<sup>18</sup> J Weir, C Stacey and K Youngentob, *The Benefits Associated with Caring for Country: Literature Review*, Australian Institute of Aboriginal and Torres Strait Islander Studies, Canberra, June 2011, p.1.

<sup>19</sup> Ibid.



groups, industry bodies, land managers, farmers, Landcare groups and communities. It integrates the Commonwealth government's previous natural resource management initiatives, including the Natural Heritage Trust, the National Landcare Program, the Environmental Stewardship Program, Indigenous Protected Areas and the Working on Country Indigenous land and sea ranger programs.

- CDEP** Community Development Employment Projects program. In this Commonwealth-administered scheme, Aboriginal and Torres Strait Islander community councils receive grants that are approximately equal in value to community members' social security entitlements. These grants are paid out in wages to community members doing jobs under the CDEP scheme.
- CSIRO** Commonwealth Scientific and Industrial Research Organisation. Australia's national science agency, conducting research in agribusiness, energy and transport, environment and natural resources, health, information technology, telecommunications, manufacturing and mineral resources.
- DAF** Department of Agriculture and Food, Western Australia.
- DEC** Department of Environment and Conservation, Western Australia.
- FaHCSIA** Department of Families, Housing, Community Services and Indigenous Affairs, Commonwealth.
- ILUA** Indigenous Land Use Agreement. This is an agreement entered into between traditional owners and other parties (such as private industry companies or governments) about the use and management of land and waters. It does not necessarily depend on the existence of a native title determination over the land.
- IPA** Indigenous Protected Area. See explanation in SEWPaC presentation in body of workshop report, above.
- Kartiya** A term used by Aboriginal people in the Kimberley to mean 'non-Aboriginal'.
- KLC** Kimberley Land Council. The NTRB for the Kimberley region.
- NEALW** National Environmental Alert List Weeds. Twenty-eight weeds identified in the Australian Weed Strategy as non-native plant species that are in the early stages of establishment and have the potential to become a significant threat to biodiversity if they are not managed.
- NTRB** Native Title Representative Body. There are 15 native title representative bodies or native title service providers across Australia, each prescribed for a particular region. These organisations are recognised and funded by the Commonwealth government to perform a wide variety of functions under the *Native Title Act 1993* (Cth), including assisting and facilitating native title holders to access and exercise their rights under the *Native Title Act*, certifying native title applications and ILUAs, resolving intra-indigenous disputes, agreement making and ensuring that notices given under the *Native Title Act* are brought to the attention of the relevant people.

- NRM** Natural Resource Management is a term used to describe a land and water management which considers nature within an economic context. The term NRM is heavily influenced by cultural traditions that separate humans from nature, and identify nature as a resource for human management and consumption.
- PBC** Prescribed Body Corporate (see RNTBC). This is the old name for what are now called RNTBCs, but still used interchangeably with RNTBC.
- RNTBC** Registered Native Title Body Corporate. Where there is a positive determination of native title, the *Native Title Act 1993* (Cth) requires a native title group to nominate a body corporate to hold (as trustee) or manage (as agent) their native title rights and interests. After the determination, this body corporate must be registered at the National Native Title Tribunal.
- TO** Traditional owner

### Rangelands

- NRM WA** A non-government organisation representing one of the 56 NRM regions prescribed by the Commonwealth government in association with State and Territory governments. Rangelands NRM WA is one of six regional NRM groups established in Western Australia in accordance with an agreement between the Commonwealth and Western Australian governments. That agreement was for the delivery of the Natural Heritage Trust program, the National Action Plan for Salinity and Water Quality program, and the National Landcare Program (NLP), all of which now come under the banner of Caring for Our Country.
- SEWPaC** Department of Sustainability, Environment, Water, Population and Communities, Commonwealth.
- UCL** 'Unallocated Crown Land'. This term, mostly obsolete but still used in some government agencies, refers to land that has not been granted to private owners or lessees, or claimed for public uses. In the post-*Mabo* era, 'Crown radical title' is a more accurate term for this.

Before native title was first recognised in the 1992 *Mabo* case,<sup>20</sup> land that had not been granted to private owners or lessees, or appropriated for public purposes, was referred to as 'vacant Crown land' or 'unallocated Crown land'. This reflected the assumption that all land was fully owned by the Crown unless and until it was specifically vested in a private or public owner. After the *Mabo* case, this view is no longer accurate. Where Aboriginal people have rights in relation to land under their traditional laws and customs, those rights continue to exist and are recognised by the non-Aboriginal legal system unless they are specifically extinguished by legislation or by land grants that are inconsistent those rights. In this sense, native title is a 'burden on the Crown's radical title' — meaning that any claim that the Crown has to an area of land is *subject to* the pre-existing native title rights of the traditional owners. That means that the only 'unallocated Crown land' is land that is not subject to any native title rights, where the traditional

---

<sup>20</sup> *Mabo v Queensland (No 2)* (1992) 175 CLR 1.

owner society has ceased to exist or ceased to observe and acknowledge its traditional laws and customs.

**WOC** Working on Country. The Working on Country Indigenous ranger program funds the employment of more than 600 rangers across Australia, with the aims of achieving environmental outcomes and addressing Indigenous disadvantage. Environmental issues cover fire management, feral animals, invasive weeds, threatened species and coastal and marine systems.

**WONS** Weeds of National Significance. Twenty weeds identified in the Australian Weed Strategy as the worst weeds in Australia because of their invasiveness, potential for spread and economic and environmental impacts.



# Kimberley

## Native Title Applications and Determination Areas

As per the Federal Court (30 September 2011)

**Native Title Determination Areas (NTDA)**

Native Title Determination Areas (NTDA) are areas where the Federal Court has determined that native title rights and interests exist. These areas are shown in green on this map.

Native Title Applications (NTA) are areas where a native title claim has been made but not yet determined. These areas are shown in yellow on this map.

Native Title Exclusion Areas (NTEA) are areas where native title rights and interests have been extinguished. These areas are shown in blue on this map.

**Land Tenure**

Freehold or unclassified

Aboriginal Freehold

Conservation Lease

Other Lease

Federal Lease

Reservoir/Can

Unallocated Crown Land



**Water Bodies**

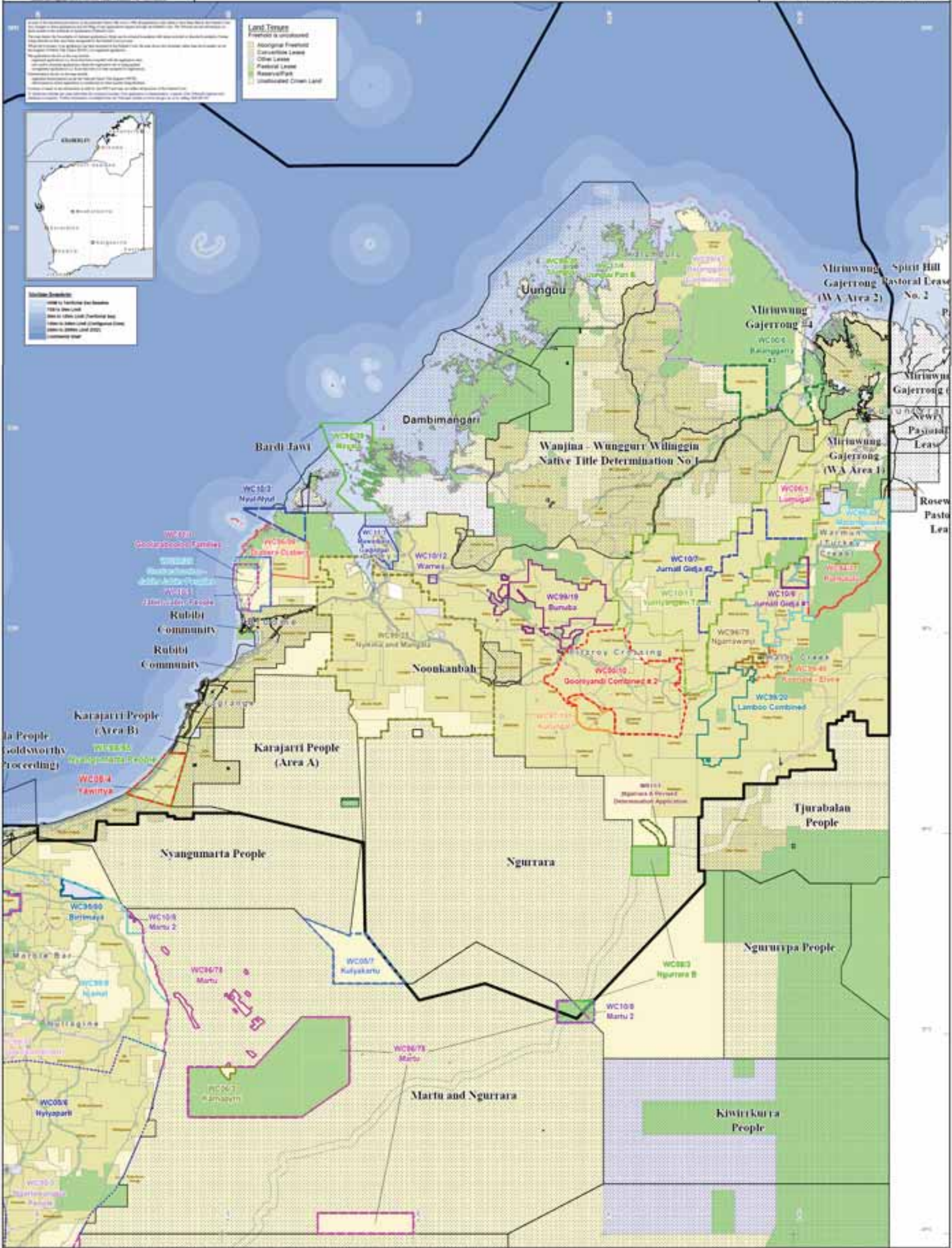
Water in National Park Reserves

Water in State Land

Water in Other Land (Unallocated State)

Water in Other Land (Unallocated Other)

Water in Other Land (Other)





# Determinations and Native Title Prescribed Bodies Corporate

As at 30 June 2011

© Commonwealth of Australia 2011

- **Registered Prescribed Bodies Corporate in place**
- **Prescribed Bodies Corporate yet to be established**

- Note:**
1. Areas shown represent the geographic extent of the population of those parts of an application determined. Areas excluded from determinations are not necessarily depicted.
  2. Some or parts of some determinations may not yet be in effect or on the National Native Title Register.
  3. Some determinations are subject to appeal or in the appeal process.
  4. Small areas are symbolised.
  5. Conditional determination.
  6. AC = Aboriginal Corporation.
  7. T.SIC = Torres Strait Islander Corporation.

- List A**
- Killarney Pastoral Lease
  - Montejinni West Pastoral Lease
  - Camfield Pastoral Lease
  - Birimba Pastoral Lease
  - Dungowan Pastoral Lease
  - Newcastle Waters - Murrumbidgee Determination

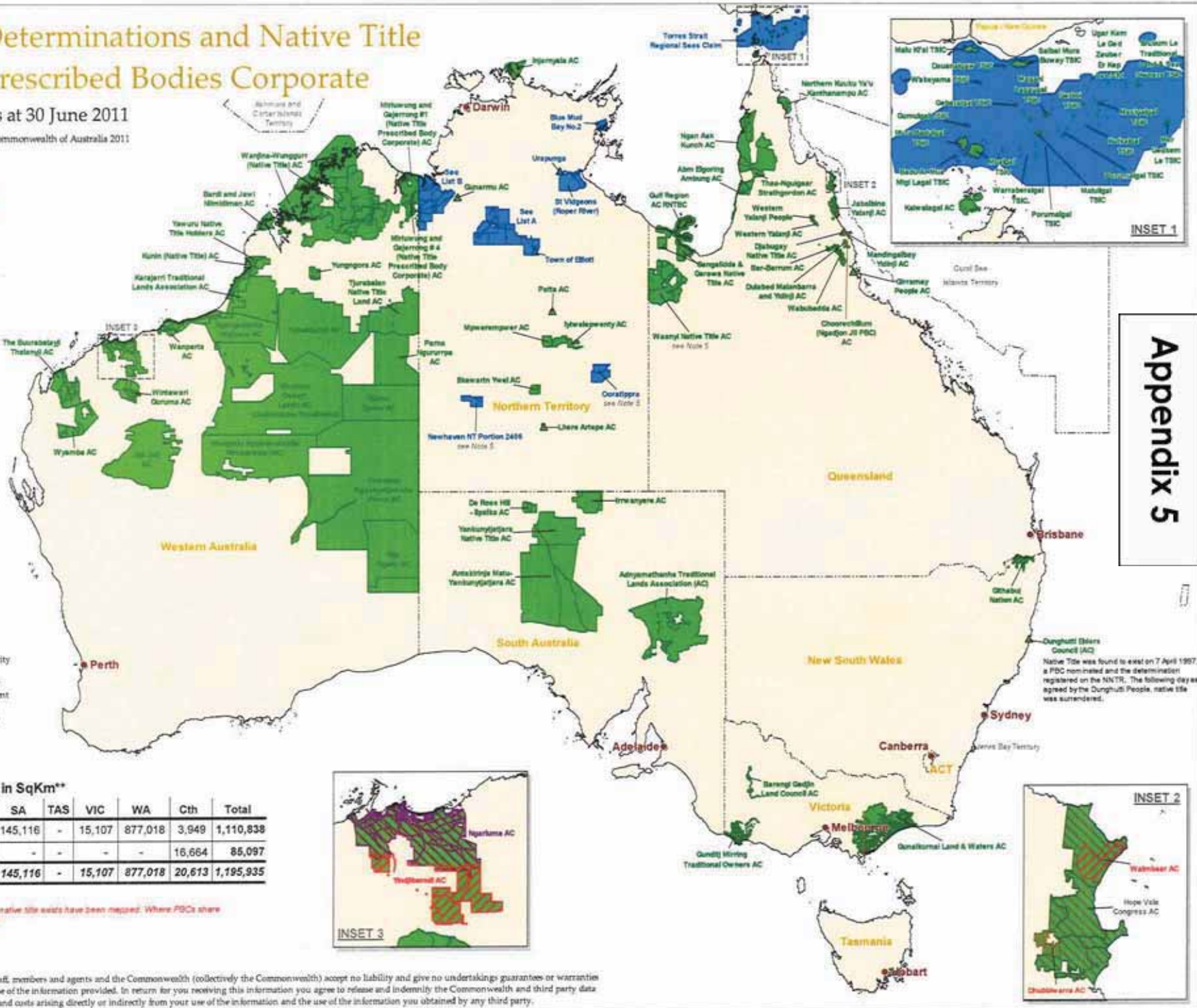
- List B**
- Legume Pastoral Lease
  - Spirit Hill Pastoral Lease No. 2
  - Bullo River Pastoral Lease
  - Avyergne Pastoral Lease
  - Newry Pastoral Lease
  - Mirikung-Gajerrong (NT)
  - Rosewood Pastoral Lease

Special data sourced from and used with permission of Landgate (WA), Dept of the Environment & Resource Management (Qld), Land & Property Management Authority (NSW), Dept of Lands & Planning (NT), Dept for Environment & Heritage (SA), Dept for Transport, Energy & Infrastructure (SA), Dept of Sustainability & Environment (Vic) and Geoscience Australia, Australian Gov't. © The State of Queensland (DERM) for that portion where their data has been used.

## Summary Determination Geometrics in SqKm\*\*

Category***	ACT	NSW	NT	QLD	SA	TAS	VIC	WA	Cth	Total
<span style="color: green;">■</span> ▲	-	1,120	8,131	60,396	145,116	-	15,107	877,018	3,949	1,110,838
<span style="color: blue;">■</span> ▲	-	-	56,318	12,115	-	-	-	-	16,664	85,097
	-	1,120	64,449	72,511	145,116	-	15,107	877,018	20,613	1,195,935

**Note:** \*\* Where possible determination outcomes where native title exists have been requested. Where PBCs share the same area - that area is only counted once.  
\*\*\* As shown in legend



Appendix 5

Native Title was found to exist on 7 April 1997, a PBC nominated and the determination registered on the NNTTR. The following day as agreed by the Durruthi People, native title was surrendered.

The Registrar, the National Native Title Tribunal and its staff, members and agents and the Commonwealth (collectively the Commonwealth) accept no liability and give no undertakings, guarantees or warranties concerning the accuracy, completeness or fitness for purpose of the information provided. In return for receiving this information you agree to release and indemnify the Commonwealth and third party data suppliers in respect of all claims, expenses, losses, damages and costs arising directly or indirectly from your use of the information and the use of the information you obtained by any third party.



Department of  
Environment and  
Conservation



*Our environment, our future*

Hello we are the Yawuru Rangers, we are jointly managed rangers between three parties's they are Yawuru prescribed body corporate, Department of Environment and Conservation and Broome Shire council. Our structure allows for 4 rangers and 5 other operational staff. Recently we have just finished out cert II in Conservation and Land management

Because our lands we are managing are Native title lands and "A" class conservation reserve we have a legal obligation to eradicate or control weeds on our estates. As part of our Cert II in Conservation and Land Management we have studied

- LVL 1 Fire fighters
- LVL 1 Chainsaw (Operate & Maintain)
- Prepare & Apply Chemicals
- Transport, Handle & Store Chemicals
- Weed Control
- Senior First AID

Now we completed some of our training we are comfortable to start controlling the weeds on our estates and other related tasks.

With controlling weeds we also need to prioritize which weeds to control first. As an example we have a 2 small Calatropis infestation 15km east of Broome that can be eradicated and we also have a large infestation between Blue Haze and 1 mile community. The more appropriate approach to our problem is to control or locally eradicate the isolated populations first before it becomes an uncontrollable problem then start controlling the spread of the larger infestation.





Broome has a Monsoonal Vine Thicket (MVT) which is under attack from foreign weeds and plants. The MVT is a remnant of an old ancient rainforest which starts here in Broome in the south and heads north along the Dampier Peninsula coast.

The MVT has cultural significance to Yawuru people because

- From Bugarregarre (Dreamtime) Three song cycles were created here and traveled across the continent
- Location of creation of Yawuru people
- Provided shelter
- Certain bush food only grow in them
- Certain plant life have medicinal or nutritional value
- Etc;



As a Department we recognized Minyirr Park for its cultural significance and recreational uses for our people of all ages. That's why it's important to educate people to have knowledge but also enjoy yourselves and have fun identifying plants from weeds.

#### **Tasks That Have Been Carried Out Already**

- Neem basal barking, cut stump and paint
- Belly Ache Foliage spraying, hand pulling
- Rehabilitation South of Youth Camp
- Slashing along walk trails, around Minyirr Park

#### **Some Issues in our Reserves and Native Title Lands**

- Conflicting work priorities Eg other works required Eg; (Fire, Weeds, Study, Signage)
- Topography ( Minyirr Park is lower than surrounding urban area therefore drains lead straight into park)
- Spreading weeds accidentally with walk trail machinery (Trail Maintenance Eg: Slashing )
- Local bird life spreading weeds with droppings
- People making own access trails across Monsoonal Vine Thickets
- Broome's Population of approximately 18,000 people surrounded by our native title lands and conservation reserves
- Non-Native gardens containing invasive species of plants
- People need to be educated on what to plant in their gardens and what not to

### **Results & follow up actions**

We know it will take ongoing effort to control our weed infestation in Minyirr Park and our surrounding native title lands and reserves but we know consistent weed works and maintenance we will get on top of our priority species. We also have resources and people from our 2 larger parties DEC and Broome Shire that have people that are professionally trained and work permanently to treat weeds.

Thank you



# Yawuru Language Greetings

## Ngaji mingan?

*Hi, how are you?*

## ***Gala ngangan mabu.***

*I'm good thanks.*

## Ngaji gurrjin?

*Hi, how are you all? (group greeting)*

## ***Gala mabu yangarrjin.***

*We are all good thanks.*

## ***Galiya*** – goodbye

If you would like to join in on the fun and learn the Yawuru language  
Why not come along to one of our classes, everyone is welcome.  
Weekly evening classes will be held at St Mary's Primary School Dakas St  
for more details contact the Yawuru Office

***Nyamba Buru Yawuru Ltd PO Box 425 Broome WA 6725. PH 08-9192 5155***





# Yawuru

## Vision Mission & Values

January 2011

### **BUSINESS NAME**

Yawuru Native Title  
Holders Aboriginal  
Corporation

Murra Mala Yawuru  
Pty Ltd

Nyamba Buru Yawuru  
Limited

### Address:

6A Coghlan Street

### Postal:

PO Box 425

Broome WA 6725

### Phone:

08 9192 5155

### Fax:

08 9192 5166

### Email:

yawuru@yawuru.org.au



### The Vision

The Yawuru community supports individual and family aspirations while being firmly rooted in the Bugarrigarra so that customary law and practice is a living part of family life and celebration.

The Yawuru community is an inclusive community that incorporates and enhances traditional Broome values of inclusiveness, hospitality and friendship. The Yawuru community believes that benefits flowing from the Native Title determination, while allowing rewards for personal endeavour, should always flow to the benefit of the community as a whole.

The Yawuru corporations invest to work for these aspirations and to create a Yawuru economy where families seek and have ongoing opportunities for employment and business.



### The Mission

The Yawuru PBC holds the Yawuru Native Title rights and the corporate group carries out tasks to provide for the long term well-being of Yawuru people.


The Yawuru corporations do this through respect and active maintenance of Language, Law and Culture; through prudent investment in land development and businesses; and through investment in health, housing and education.

The work of the Yawuru corporations to create and grow Yawuru Equity will enable Yawuru people to be active participants and contributors, as well as beneficiaries, of sustainable economic, cultural and social practices so that they can care for and enjoy their land, values and culture in perpetuity, while enhancing families and the community in which they live.






## Corporate Values:-




**Clear Liyan** – that business is conducted with a clear heart, and an open and honest but respectful behaviour, incorporating integrity and transparency; that issues outside the Yawuru sphere are dealt with outside and not brought in to affect Yawuru business.

**Country as Foundation** – recognition in business, policy and strategy that country is the foundation; that proper respect for land will be recognised and maintained; that if you look after Country it will look after you.


**Culture is knowledge** – that from the Bugarrigarra comes knowledge of right and wrong, transparency, accountability, acceptance of responsibility, and the depth of knowledge as to how business is conducted in culturally appropriate ways.



**Build for the Future** – that all business, policy, practice and direction should be conducted for the sustainability of Yawuru society and culture in perpetuity and the building of Yawuru Equity and to create Yawuru wellbeing; that short term gain is only appropriate if they actually build long term outcome.



**Together, not individually** – in accordance with the values upheld during the struggle to obtain Native Title determination, recognition that the Yawuru corporate group is about the whole, that while recognition of individuals and families is important all decisions are taken for the benefit of all and not for individual segments of Yawuru society.



**Individual and corporate responsibility and accountability** – that while the corporations are accountable to Yawuru people, Yawuru individuals are also aware of their responsibility, commitment and avoidance of self-interest in working for the benefit of the Yawuru.

# Wanjina Wunggurr Willinggin WEEDS



## Willinggin PBC

- Unfunded
- Large Area
- No mines
- Work together with Wunggurr Rangers to develop work plan which includes weeds work
- Weeds themselves are not a priority
- Important sites are a priority
- If weeds threaten a site they need to be managed

## Wunggurr Rangers

- Work under the Willinggin PBC



- Provide information to the PBC about weeds on country
- Completes weed work Willinggin PBC has requested on work plan
- Does FFS work for DEC managing weeds on Willinggin Country
- Develops weed management plans for Communities eg. Gibb River later this year.

## **Weed planning on Willinggin?**

- No strategic mapping done
- No real weed management plans
- Wungurr Rangers monitor weeds when they can
- Calotropis spreading from Main Road gravel pits ... Should they put money in for ongoing weed management for weeds that spread due to Main Road work!?

## **Some weeds on Willinggin**

- Calotropis (Rubber Bush)
- Rubber Vine
- Mossman river grass
- Grader grass
- Blue Butterfly Creeper
- Passionfruit vine
- Mesquite
- Mimosa Bush
- Noogoora Burr
- Parkinsonia
- Many more...





*WE WISH TO ADVISE ALL VISITORS THAT THIS PROPERTY IS A PASTORAL LEASE WHICH IS OWNED BY THE KARAJARRI TRADITIONAL LANDS ASSOCIATION. ALTHOUGH WE WELCOME VISITORS TO ACCESS AND ENJOY THE AREA FOR RECREATIONAL PURPOSES WE DO URGE PEOPLE TO EXERCISE COMMON SENSE CONCERNING THEIR SAFETY AND THE SAFETY OF OTHER VISITORS.*

*WHILE PEOPLE ARE ON THE PROPERTY, THE ASSOCIATION WILL NOT ACCEPT RESPONSIBILITY NOR BE LIABLE FOR ANY INJURY, ACCIDENTS, LOSS OR DAMAGES TO PERSONAL PROPERTY AND PERSONS.*

*WE ALSO ASK THAT PEOPLE RESPECT OTHERS PRIVACY AND RIGHTS TO ENJOYMENT.*

**Have a safe and enjoyable day!**



**YOUR SAFETY IS YOUR RESPONSIBILITY**



**FURTHER INFORMATION ON THE KARAJARRI RANGER PROGRAM CONTACT:**

**KLC: (08) 91940100**

**T. KING (KARAJARRI COORDINATOR): 0417526800  
EMAIL: THOMAS.KING@KLC.ORG.AU**

**KTLA OFFICE: (08) 9192 4680**



*Are made up of men & woman  
from the 5 language groups  
who live in the Community of Bidyadangi*

*On behalf of the Karajarri Traditional Owners we would like to welcome visitors to Country, to appreciate it's attractions and enjoy the unique ecological diversity it has to offer. We kindly ask visitors to assist the local indigenous people to protect and preserve all of the country's valuable environmental and cultural assets, for the benefit of all people and future generations.*



## ROLE OF RANGERS

The role of the Ranger is to work under the direction of the Head Ranger and Coordinator to protect and look after country.

A Ranger is required to work within a team environment and with other partners and agencies. A Ranger is also required to undertake training and skills development in Conservation and Land Management as well as perform a wide range of tasks and duties relating to the protection and preservation of cultural and heritage sites, threatened species, biodiversity, water sources and environmentally sensitive sites.

A Ranger must also guard against contamination and potential risks and threats to country and the general public.

## RANGER DUTIES ARE TO:

1. Protect and maintain cultural and heritage sites.
2. Conduct regular patrols on country.
3. Identify and manage areas of weed infestation.
4. Monitor and manage impact of people and animals within environmentally sensitive areas.
5. Conduct, manage and monitor all burning operations on country.
6. Assist all partners and agencies with research, surveys, data and specimen collections.
7. Conduct regular community and public awareness programs.
8. Undertake and complete training in Conservation and Land Management.
9. Clean, maintain and secure all Ranger Tools, equipment and vehicles.
10. Undertake other skills development training as directed.
11. Attend regular staff and planning meetings as required.
12. Manage and control feral animals.
13. Maintain rubbish bins and signage.

## MISSION STATEMENT:

To protect and look after Karajarri Country against invasive species contamination and environmental threats, and risks to biodiversity, water sources and heritage protection.

### FUNDING

The Kimberley Ranger initiative is funded through the Working On Country (WOC) program by the Department for Environment, Water, Heritage and Arts.

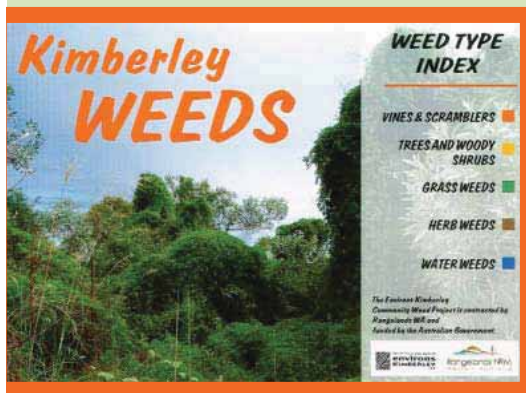
This funding is managed by the Kimberley Land Council on behalf of all Kimberley Ranger Groups.

# Who we are

Appendix 10

NGO – Environment group

Working with and supporting Kimberley Ranger groups since 2007



Identifying Weeds  
Understanding impact  
How to treat  
Integrating management



**environs**  
**KIMBERLEY**

SAVING THE NATURE OF THE KIMBERLEY

[www.environskimberley.org.au](http://www.environskimberley.org.au)





## What is the cost of weeds?

Weeds cost agriculture \$4 Billion a year

Weeds are one of the biggest threats to  
Endangered ecological communities and species –  
No \$ cost

Costs to cultural heritage = ????



# CHALLENGES

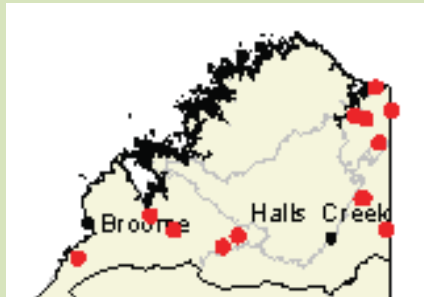
## Short term funding

Species specific projects ignore the science of an integrated approach



# Federal funding

# WONS



RAMSAR



Threatened species habitat



Threatened Ecological Community





State - DAF  
Declared to be  
eradicated from state



DEC List

270 weeds  
evaluated for impact and prioritised

And

21 Weeds  
Alert to Kimberley region

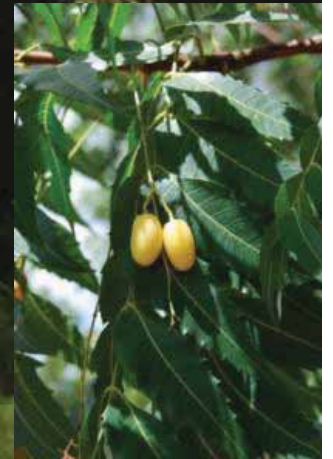
# AQIS – Finds and maps new weeds



# Threatening process under EPBC Act - Grasses







## There are a lot of lists – Not a lot of supported ACTION

Many weeds are falling through the gaps.

How could government departments coordinate their activities better?

How could government funding priorities be improved to ensure that Kimberley people have more opportunities to address weeds that threaten Cultural Heritage and the environment?

How do you assess or rate the threat of a weed to cultural heritage?

Given that dedicated Indigenous Ranger groups and their communities with invaluable knowledge and understanding of their country, are working on country with the resources, skills and commitment– what opportunities are there for Departments to better support and collaborate on weed management?



Australian Government

Department of Sustainability, Environment,  
Water, Population and Communities



CARING  
FOR  
OUR  
COUNTRY

Appendix 11

# Weed Management on Native Title Lands in the Kimberley

## An overview of Caring for our Country programs

Fiona Peek

Department of Sustainability, Environment, Water,  
Population and Communities

October 2011





# Presentation structure

## Overview of:

- Indigenous Protected Area and Working on Country programs
- Other Caring for our Country funding
- What's needed for weed control to work







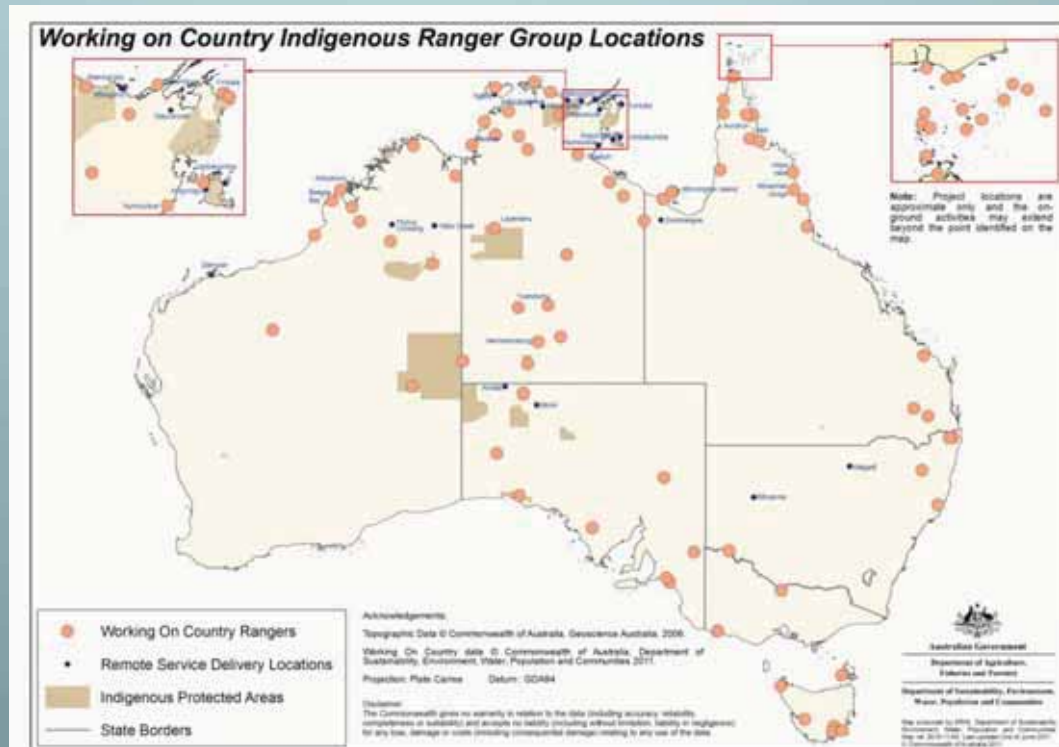
# Indigenous Protected Areas

- Projects in the Kimberley:
  - Three declared IPA's (Paruku, Warlu Jilajaa Jumu, Unguu Stage One)
  - Seven IPA consultation projects
- Funding - \$5.1 m between 2008/09 and 2012/13
- Complements Working on Country – rangers manage the IPA's in accordance with IPA management plans



# Working on Country

- Commenced 2008: \$243.1 million (\$56 million p.a) to June 2013 to support up to 680 Indigenous rangers
- 90 ranger groups supported (managing 1.5 million km<sup>2</sup>)
- Funding for wages, training, equipment, operational, admin and consultations (including support for PBC meetings)
- Indigenous ecological knowledge valued and incorporated



# Working on Country funded rangers in the Kimberley Region

- 9 groups supported (8 managed by the KLC on the behalf of native title groups)
- Work plans developed in consultation with traditional owners and require endorsement from the PBC's
- Rangers manage WONS (e.g. Parkinsonia, Rubbervine) and other high priority weeds across a range of tenures
- Also supported through Rangelands NRM projects funded through Caring for our Country



# What's needed

- Alignment between Indigenous aspirations & government needs
- Resourcing – consultation and planning, realistic goals, equipment, training, advice
- Shared knowledge of weed locations, impacts, ways to control them, community education
- Partnerships – working with neighbours, across tenures, getting good advice and support





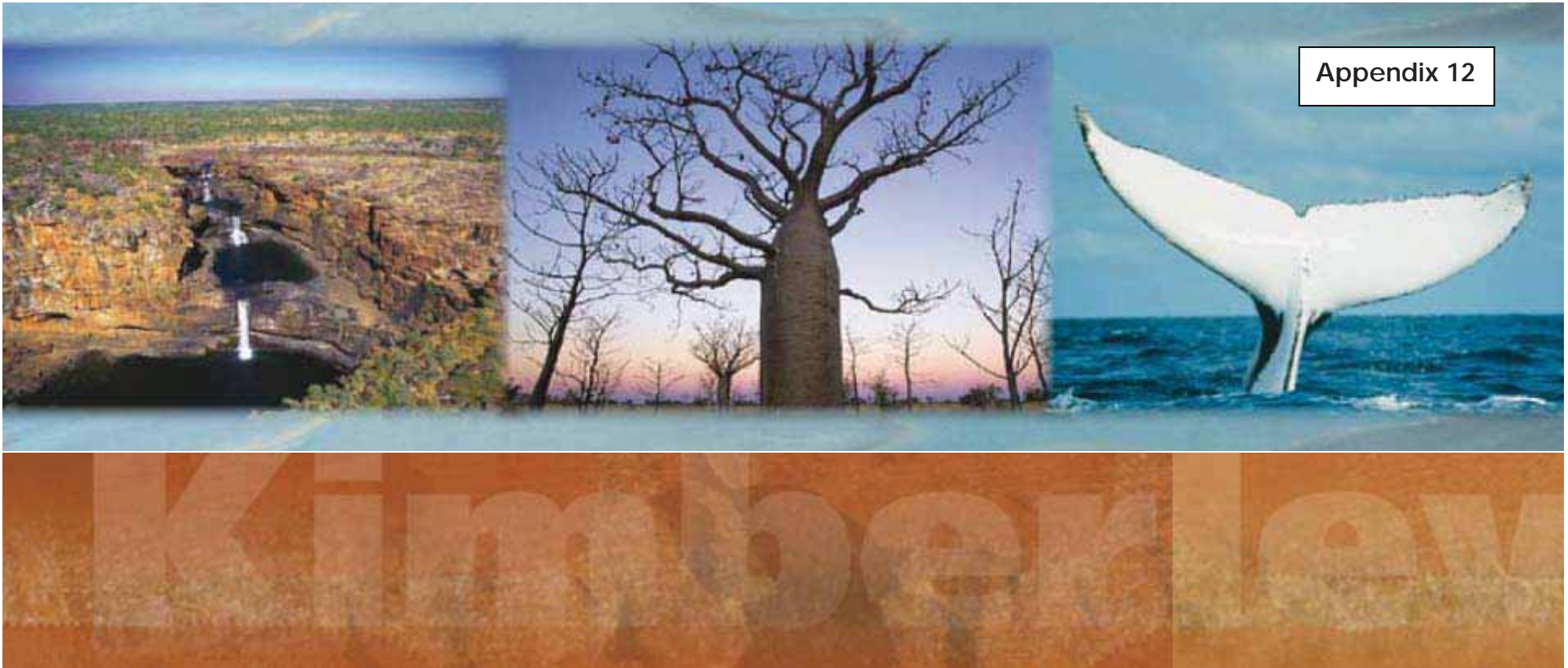
## Further information

Indigenous Protected Areas and the Working on Country Programs [www.environment.gov.au/indigenous](http://www.environment.gov.au/indigenous)

Caring for our Country Business Plan  
[www.nrm.gov.au](http://www.nrm.gov.au)

Community Information Unit: 1800 803772





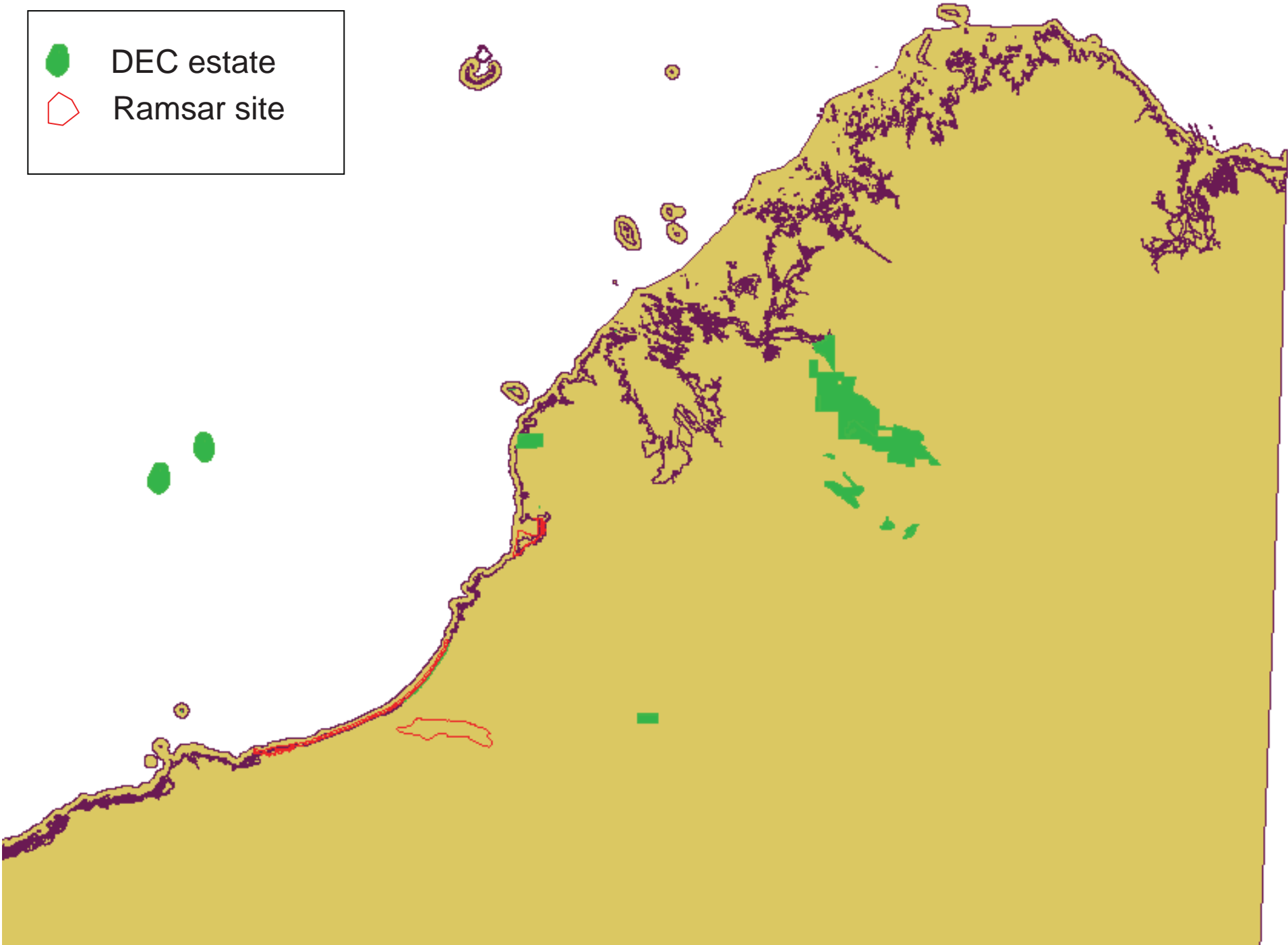
# Weed Control

Bel Catcheside

A/ District Nature Conservation Coordinator, West Kimberley  
Department of Environment and Conservation



- DEC estate
- Ramsar site







DEC staff and volunteers





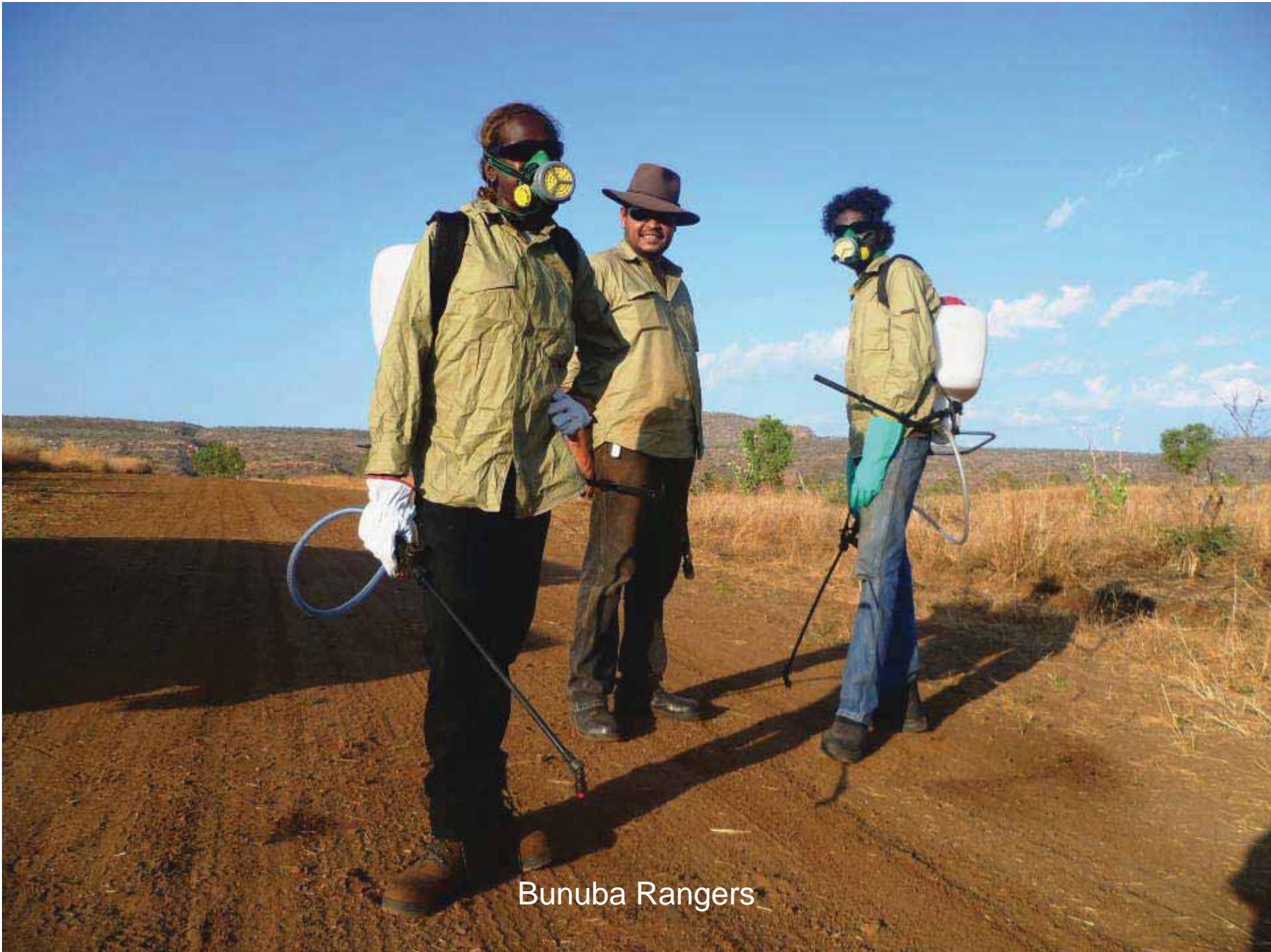


Yawuru Rangers





Miriuwung Gajerrong Rangers



Bunuba Rangers



# Setting Priorities

Table 1: Species with a ranking

Scientific Name	Common Name	Step 4
Megathyrsus maximus	Guinea Grass	H (G,H,I)
Praxelis clematidea	Praxelis	H (H,I)
Acacia nilotica subsp. Indica	Prickly Acacia	M (D,E,F)
Andropogon gayanus	Gamba Grass	M (D,E,F)
Arundo donax	Giant Reed	M (D,E,F)
Chloris barbata	Purpletop Chloris	M (D,E,F)
Cryptostegia grandiflora	Rubbervine	M (D,E,F,G)
Merremia aegyptia		M (D,E,F)
Verbesina encelioides	Crownbeard	M (D,E,F)
Aerva javanica	Kapok Bush	L (B,C)
Albizia lebbek	Raintree	L (C)
Alternanthera brasiliana	Brazilian Joyweed	L (B,C,D)
Alternanthera pungens	Khaki Weed	L (D)
Amaranthus hybridus	Slim Amaranth	L (B,C,D)
Amaranthus retroflexus	Redroot Amaranth	L (B,C,D)
Amaranthus tricolor	Joseph's Coat	L (B,C,D)
Amaranthus viridis	Green Amaranth	L (B,C,D)
Antigonon leptopus	Coral Vine	L (C)
Asystasia gangetica		L (B,C,D)
Axonopus affinis	Narrow-leaved Carpet Grass	L (B,C,D)
Axonopus fissifolius		L (B,C,D)
Azadirachta indica	Neem	L (D)
Barleria lupulina	Barleria	L (C)
Barleria prionitis	Barleria, Porcupine Flower	L (C)
Bidens bipinnata	Bipinnate Begger's Tick	L (B,C)
Bidens pilosa	Cobbler's Pegs	L (B,C)
Bothriochloa pertusa	Indian Blugrass	L (C)
Cardiospermum halicacabum var. halicacabum	Small Balloon Creeper	L (B,C,D)
Celiba nectandra	Kapok Tree	L (B,C,D)

Table 2: Species ranked as further assessment required

Scientific Name	Common Name	Step 4
Aeschynomene americana		FAR
Aeschynomene villosa		FAR
Ageratum conyzoides		FAR
Allamanda cathartica	Yellow Allamanda	FAR
Annona squamosa	Sugar Apple, Sweetsop	FAR
Cascabela thevetia	Yellow Oleander	FAR
Chamaecrista nigricans		FAR
Chamaecrista rotundifolia	Round-leafed Cassia	FAR
Crotalaria prostrata		FAR
Cucumis anguria		FAR
Cynodon nlemfuensis		FAR
Cyperus compressus		FAR
Cyperus involucratus		FAR
Cyperus polystachyos	Bunchy Sedge	FAR
Echinochloa esculenta	Japanese Millet	FAR
Ipomoea cairica	Coast Morning Glory	FAR
Ipomoea hederifolia		FAR
Khaya senegalensis	African Mahogany	FAR
Melinis repens	Natal Red Top	FAR
Operculina turpethum		FAR
Panicum antidotale	Giant Panic	FAR
Panicum coloratum	Coolah Grass	FAR
Pennisetum purpureum	Elephant Grass	FAR
Senna obtusifolia	Java Bean	FAR
Sida rhombifolia	Paddy's Lucerne	FAR
Sida subcordata		FAR
Sporobolus jacquemontii		FAR
Stachytarpheta jamaicensis		FAR
Tecoma stans	Yellow Tecoma	FAR

Table 3: Species with no ranking as one or more factors were not given a rating (excluding species that had a rating of FAR in assessment)

Scientific Name	Common Name
Achyranthes aspera	Chaff Flower
Ammannia auriculata	
Annona reticulata	
Argemone ochroleuca	Mexican Poppy
Bacopa monnieri	
Brassica juncea	Indian Mustard
Cabomba caroliniana	Cabomba
Cajanus cajan	Pigeon Pea
Calotropis procera	Rubber Tree, I
Canavalia ensiformis	Jack Bean
Canna x orchiodes	Canna
Cardamine sp. Jandakot (P. Luff s.n. 4/7/1969)	PN
Casuarina equisetifolia	
Celosia argentea	Chinese Cock
Cenchrus incertus	Spiny Burrgra
Centrosema molle	Centro
Centrosema pascuorum	Centro
Chrysopogon aciculatus	
Coccinia grandis	Ivy Gourd
Cocos nucifera	Coconut
Crotalaria laburnifolia	
Cucumis melo	Ulcardo Melon
Cucumis myriocarpus	Prickly Paddy I
Cynodon dactylon	Couch
Datura metel	Angel's Trump
Datura stramonium	Common Thorn
Datura wrightii	Hoary Thornaj
Desmodium scorpiurus	
Desmodium triflorum	



Thank you



The views expressed in this series are those of the author's and do not necessarily reflect the official policy or position of the Australian Institute of Aboriginal and Torres Strait Islander Studies

@ Australian Institute of Aboriginal and Torres Strait Islander Studies 2012

All rights reserved. Apart from any fair dealing for the purpose of private study, research, criticism or review, as permitted under the Australian Copyright Act 1968 (the Act), no part of this article may be reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopying, recording or by any information storage and retrieval system, without prior permission in writing from the publisher. The Act also allows a maximum of one chapter or 10 per cent of this article, whichever is the greater, to be photocopied or distributed digitally by any educational institution for its education purposes provided that the educational institution (or body that administers it) has given a remuneration notice to Copyright Agency Limited (CAL) under the Act.

Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS)

GPO Box 553, Canberra, ACT 2601

Phone: (61 2) 6246 1183

Fax: (61 2) 6261 4288

Email: [ntru@aiatsis.gov.au](mailto:ntru@aiatsis.gov.au)

Web: <http://www.aiatsis.gov.au/ntru/overview.html>

Cataloguing-in-Publication details are available from the National Library of Australia  
[www.trove.nla.gov.au](http://www.trove.nla.gov.au)

ISBN: 9780987135377

ISSN: 18346855

AIATSIS gratefully acknowledges the funding and support of the Rural Industries Research and Development Corporation (RIRDC).

