



Influencing Change

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Kapi Palya Kanyintjaku Protecting Significant Water Places in our Country

Karina Lester and Tjaruwa Mary Anderson

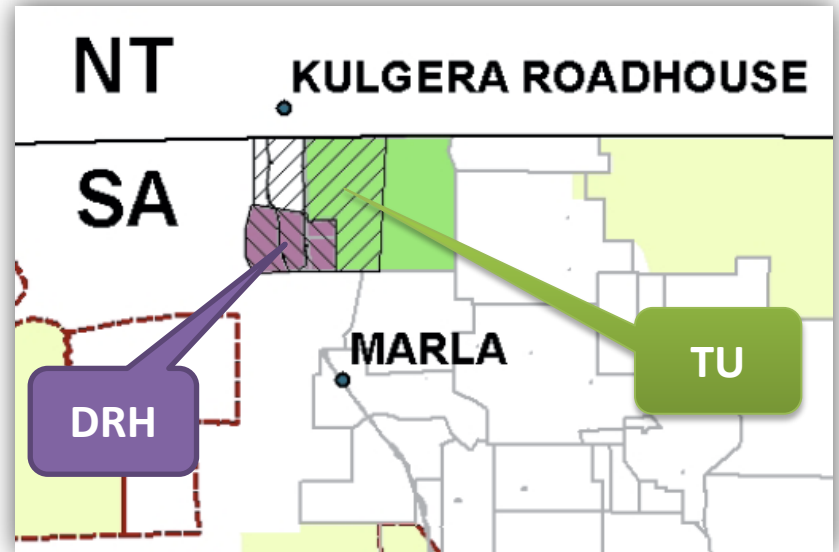
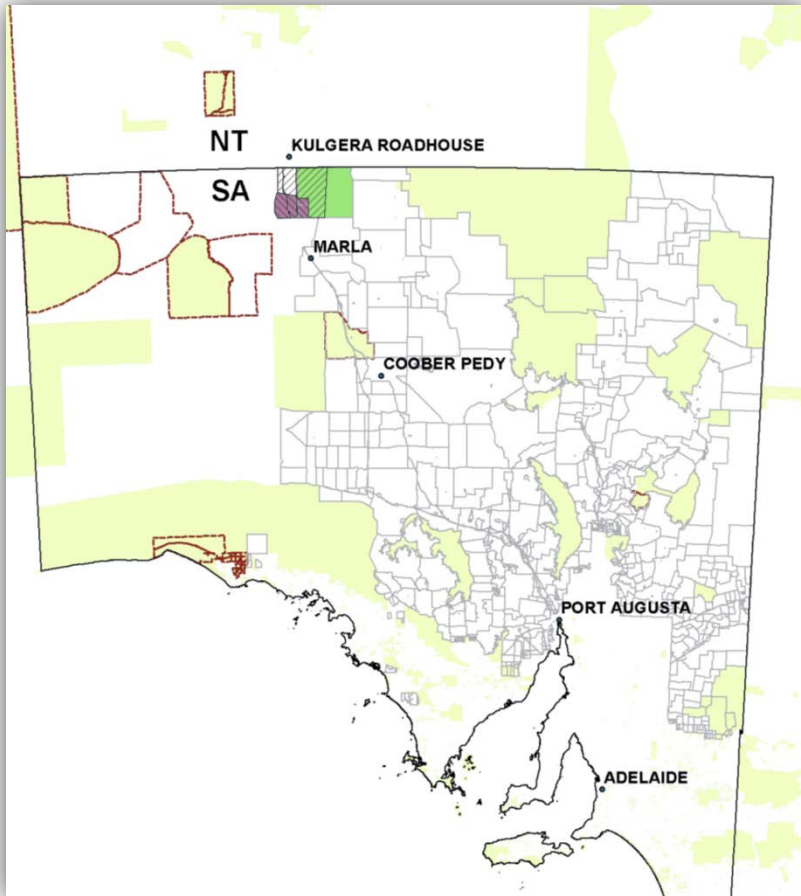
**De Rose Hill – Ilpalka and Tjayiwara Unmurru
RNTBC Aboriginal Corporations**

Outline

- Our Country, Our People
- Native Title history
- Challenges in native title
- Opportunities through caring for country
- NRM projects and activities (KPK Project)
- Challenges and the future



Our Country, Our People



DRH Determination over De Rose Hill Station, covering some 1,900 square kilometres

TU Determination over Tieyon and Mt Cavanagh Stations, covering some 4,500 square kilometres



De Rose Hill - Native Title

- De Rose Hill native title determination was a long struggle
 - In November 1996, native title application was made to the Federal Court
 - From June 2001 to February 2002, the case went to trial with 68 days of hearings, most held on-country
 - In November 2002, the judgement found that we had not maintained connection
 - In May 2003, DRH appeal was heard and overturned by the full court of the Federal Court
 - In June 2005, full court of the Federal Court found native title to exist as held by Nguraritja
 - In February 2006, High Court refused application to appeal by the pastoralists



De Rose Hill - Native Title

- DRH determination is over pastoral lease and is subject to the rights of the pastoralists
 - DRHIAC currently looking a negotiating an ILUA over DRH station
- Relationships with the pastoralists are important:
 - For De Rose Hill, up until recently, Anangu were actively prevented from accessing country by the pastoralist.
 - This was a key question in the case, with Anangu leaving the station since the late 1970s
 - With new owners, relationships have greatly improved.



De Rose Hill - Native Title Compensation

- De Rose Hill compensation application
 - In 2009 and 2010 undertook research and engagement with State Government
 - In 2010 drafted application and field work (collection of evidence)
 - In March 2011, the compensation application was authorised
 - In July 2010, the application was filed in the Federal Court
 - In 2012, the claim was mediated by Federal Court appointed mediator (between advisors and with claimants on-country)
 - In February and March 2013 a second application was authorised and filed
 - On 1st Oct 2013, court by consent dismissed first application and made a successful determination for the second claim
- DRH was the first successful compensation determination in Australia



Our Country, Our People



Our Country, Our People



Tjayiwara Unmuru - Native Title

- Tjayiwara Unmuru:
 - Native title claim registered in December 2010
 - Commenced a consent determination process with the State Government
 - Native title was recognised in July 2013, after a relatively short and co-operative process
 - Currently looking at a compensation claim
- Determination is over pastoral leases (Tieyon and Mt Cavanagh), and is subject to the rights of the pastoralists
 - Tjayiwara Unmuru has two pastoral ILUAs which were finalised at the time of Consent Determination
- Relationships with the pastoralists are important for us:
 - For Tieyon, some Anangu have enjoyed a positive relationship with the pastoralist



Our Country, Our People

Tjayiwara Unmuru Consent Determination



Challenges for building on Native Title

- We have access rights, but had them before
- We don't own any of our country
- We have little money, no office and no staff
- We must continue to share our country, and pastoral rights override ours
- We don't have control of how land and waters are looked after
- We have a right to negotiate, but native title must be more than negotiating with mining companies – there is also little activity on our country
- For us, native title is most importantly about the maintenance of our language, law and culture and living and operating with a foot in two worlds



Opportunities and benefits through caring for country

- We all wish to look after country – the land and waters, plants and animals and important places
- Looking after country is part of our Anangu wapar and our native title rights and interests
- It is important in teaching young people, for our well-being and for maintaining culture
- Can bring in resources and provide training and employment opportunities
- It may also be a shared interest for pastoralists
- Caring for country provides us an opportunity to build on the native title determinations



Building our engagement in NRM

- In the last few years, we have looked at ways in which we can be more involved in looking after country.
- This has included:
 - Negotiating a **cultural site mapping** project on DRH station as part of a telecommunications development (Visionstream)
 - **Fencing** off 5 cultural heritage sites on De Rose Hill to exclude cattle (Indigenous Land Corporation)
 - **Assessing and managing water places** on De Rose Hill and Tjayiwara Unmuru (KPK project – CfoC)
- These initiatives have required:
 - building relationships with pastoralists
 - securing funding
 - Engaging with our Anangu community



KPK Project Background

- Project developed to look after Kapi (water) sites on De Rose Hill and Tieyon Stations
- Project commenced in early 2012, with funding through Commonwealth (CfoC)
- SANTS facilitated project with De Rose Hill and Tjayiwara Unmuru
- Main components were:
 - Assess sites - cultural and environmental values and threats
 - Develop action plan to address threats and establish priorities
 - Undertake On-ground works (rock-hole cleaning, weeds, fencing)
 - Manage information by establishing a safe keeping place – ‘database’
 - Develop regional management plan



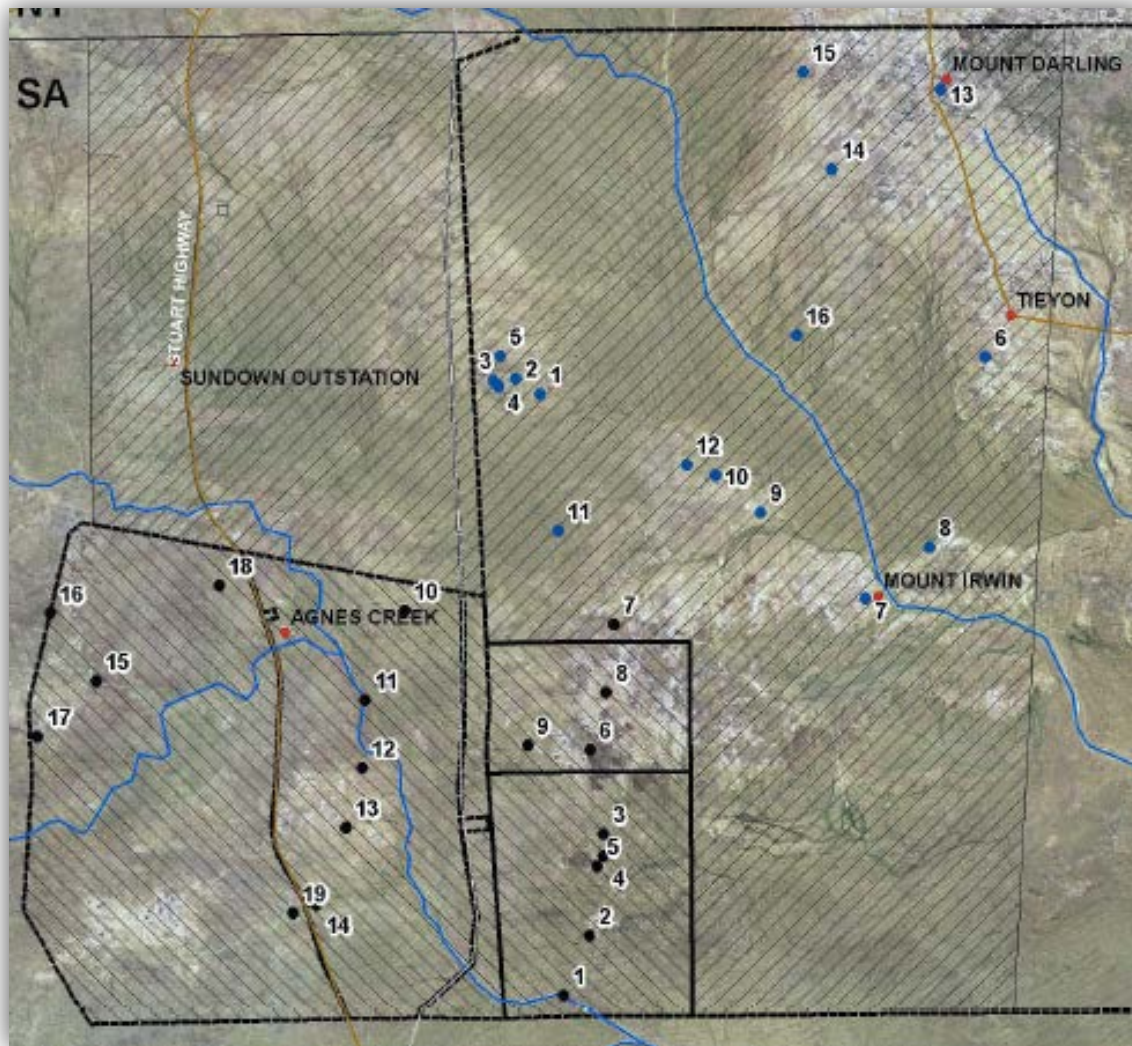
KPK Project Activities

Activities undertaken:

- DRH and Teyon Assessment and Planning field trip undertaken with Consultant (August – October 2012)
- 35 sites were visited and assessed on Teyon and De Rose Hill stations:
 - Taking photo points
 - Recording vegetation
 - Identifying cultural values
 - Assessing impacts
- Main issues were impacts from:
 - Feral animals and cattle
 - Weeds (buffel grass)
 - Soil erosion/sedimentation (rock-holes being filled in)



Site Assessments



- 35 sites assessed
- Claypans
- Rockholes
- Soaks

Site Assessments



Site Assessments



Sharing Knowledge



Photo: Peter De Rose and the De Rose Hill group sharing knowledge at Urtjanjara Swamp.

Working with consultant ecologist
Michael Durant, Greening Australia



Walking country



Identifying Impacts



Photo: Cattle tracks across the claypan at Urtjantjara Swamp

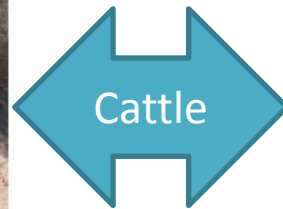


Photo: Grazing impacts adjacent to the Urtjantjara swamp



Photo: Dense Buffel Grass infestation impacting stream morphology and threatening native plant species at Alalyitja (note the large Beefwoods in the background)

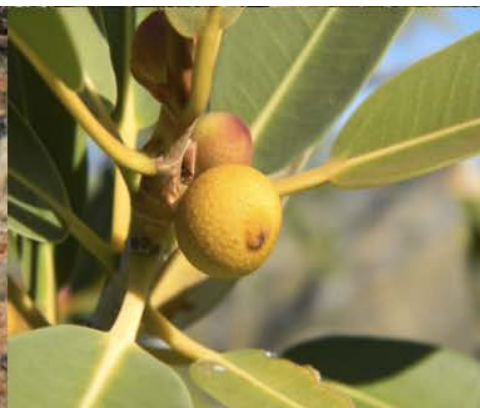


Photo: Buffel Grass established at Ulupitja

Time for cultural activities



Photo: Peter De Rose preparing Urtjan (Spear Tree) to take back to the community for spear-making



Undertaking On-ground Works

Tieyon Station - June to September 2013

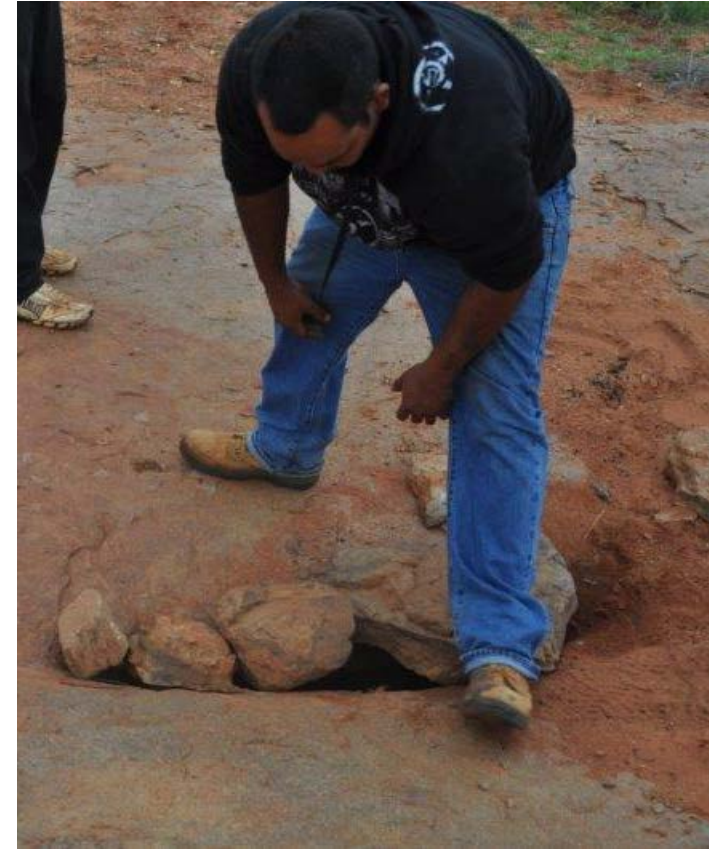
- 5 Rock-holes cleaned (sediment removed, capped)
- Buffel grass removed
- Fenced off two sites with Anangu engaged to undertake some of the fencing



Tieyon - On-ground Works



Tieyon - On-ground Works



De Rose Hill - On-ground Works

DRH Station - September 2013

- Ilpalka Rock-hole cleaned and sediment removed (more than 10 tonnes removed)
- Buffel grass removed from fenced area around Ilpalka



DRH – Ilpalka – Cleaning out the rock-hole



DRH – Ilpalka – Cleaning out the rock-hole



DRH – Ilpalka



Before



After



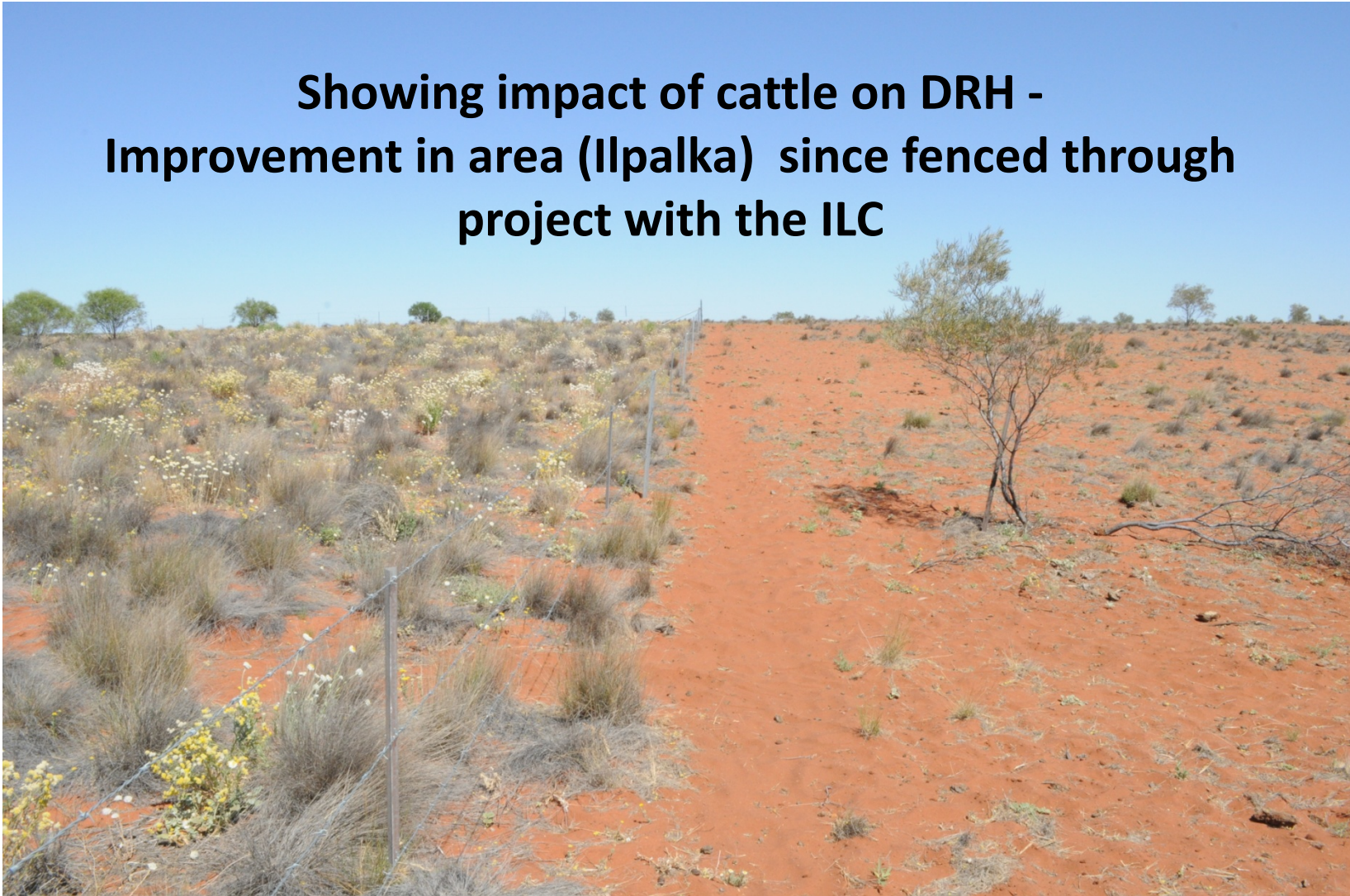
DRH – Ilpalka

Buffel Grass Control



DRH – Ilpalka

**Showing impact of cattle on DRH -
Improvement in area (Ilpalka) since fenced through
project with the ILC**



KPK Project Outcomes

- Getting Anangu back on country
- Sharing knowledge
- Identifying impacts and work needed to care for important places
- Restoration of some sites
- Removal of some weeds
- Fencing off of some sites
- Experience in NRM project
- Building relationships with pastoralists



Challenges in caring for our country

- These initiatives have been positive, but they are not for the long term, sustainable or secure
- Everything is project based, and dependent on funding
- No employment, no ongoing funding
- Need to work in with pastoral needs – we can't do everything that we would like to do
- Our members live right across the state
- Lack of regional base on country and physical presence (office, storage, living or homeland)
- SANTS based in Adelaide with travel, communication, cost, and coordination issues



Future - Where to now?

How can we build on these projects for long term outcomes?

- Get support to deliver our regional management plan
- Promote the work that we have done – locally, regionally and nationally
- Build partnerships and networks
 - PBCs working together
 - State Government NRM (SAAL/DEWNR) and NGOs (Conservation Council etc)
 - Pastoralists
- Build a land management team as part of the PBC
 - Develop business model
 - Training and employment
 - Contracting
 - Build capacity of youth



Thank you and any questions?



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