



# **Martuwarra Fitzroy River Council Newsletter**

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Vol. 1: Issue 6, November 2020

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## **WELCOME !**

The Martuwarra Fitzroy River Council wishes to acknowledge your contribution as a Newsletter subscriber which supports the protection of the Martuwarra, Fitzroy River.

- Please encourage others to visit our main website -  
<https://www.martuwarrafitzroyriver.org>

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## Editors

Dr Anne Poelina, Dr Magali McDuffie  
& Dr Alexander Hayes

## Featured Photography

*'Telegraph at Martuwarra'*, 2018 by Alexander Hayes-  
Front Cover

*'Telegraph Sundown On Martuwarra'*, 2018 by Dr Magali  
McDuffie - Rear Cover

## Contributions

*'Incremental Genocide: Chair Nganka (Talk)'* by  
Dr Anne Poelina, p.5-7

*'Martuwarra Fitzroy River Council Publications': Council  
Communications*, p.8-11

*'3CR 855 AM Community Radio to discuss plans to pump  
the Martuwarra Fitzroy River'*: Podcast, p.12.

*'Beyond Sustainability: Imagining A Regenerative  
Future'*: Event Presentation, p.13

*'Dianne Rivers'*: Profile, p.14.

*'Climate and Biodiversity Emergency'*: Webinar, p.15

*'Always Was, Always Will Be the Mardoowarra Fitzroy  
River of Life'*: Event Presentation, p.16

*'Looking After Our Spirit'*: Award, p.17-18

*'How Indigenous knowledge can help Australia build  
resilience to climate change'*: Article, p.19-20

## Design, Web & Print Production

Oethica Group Productions

# FREE COMMUNITY EVENT

FITZROY CROSSING, WESTERN AUSTRALIA



Presents

## 'WE LOVE YOU MARTUWARRA'

Gifts from the Martuwarra Fitzroy River Council

*"A spectacular cultural event showcasing the 'Serpents Tale' film by Mark Jones, short films by the Martuwarra Fitzroy River Council Youth Film Project directed by Stephanie King, stories by Martuwarra Fitzroy River Council Traditional Owners & Elders co-produced with Ngikalikarra Media. A night of cultural celebrations, dance, presentations and more. The Fitzroy River (Martuwarra) belongs to ALL of us. Come and show you love and care about the Fitzroy River!"*  
Dr Anne Poelina, Chair, Martuwarra Fitzroy River Council.

Fitzroy Valley District High School, Undercover Area,  
Fitzroy Crossing, Western Australia

**Saturday, 31<sup>st</sup> October, 2020**

**6pm - 10pm**

Bring your own torch, chairs and refreshments.



Family Friendly

COVID-19: STOP THE SPREAD



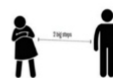
We need to always cover our cough and sneeze.



Wash hands regularly and avoid touching the face



We must keep our distance from other people, so no shaking hands and keep at least 2 big steps away.



No Alcohol



Supported by Martuwarra Fitzroy River Council Partners





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## Incremental Genocide: Chair Nganka (Talk) Dr Anne Poelina

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### *'Incremental Genocide'*

**Did we really hear these words, 'incremental genocide', from Senator Dodson at the recent Senate Inquiry into the destruction of the Juukan Gorge Caves?**

**What do these words mean?**

At the time of writing, there were several inquiries into multiple forms of legislation which directly affect the wellbeing of Indigenous peoples, in the Martuwarra. The first inquiry related to native title rights and interests of Western Australia's original Australians.



A Senate Inquiry has now moved the process towards reforming the current Commonwealth Native Title Act (1994). These amendments will result in administrative and regulatory changes to both the Native Title Tribunal (NTT) and The Office for the Registrar of Indigenous Corporations (ORIC).

The second inquiry came about through the global attention emanating in National Inquiry into the destruction of the Western Australian 46,000-year-old Juukan Gorge Cave. The initial findings reveal the politics of economics legitimise the failure to protect the destruction of the evidence of the first form of human thought, described as *'incremental genocide'* by Indigenous Senator Patrick Dodson (Michelmores, 2020).

The intent of this Inquiry is to learn how not to repeat such destruction from ever happening again. The Martuwarra Council published their submission to the Inquiry publicly with the intent to record how the Martuwarra Fitzroy River is the largest recorded Registered Aboriginal Heritage site in Western Australia. The submission makes the case the political goodwill of governments is needed to protect the River as an Aboriginal and National Heritage listed river, as a global asset, World Heritage for generations to come.

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## **Incremental Genocide: Chair Nganka (Talk) Dr Anne Poelina**

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(Cont.)

Martuwarra Council published a submission to the Inquiry on the 11<sup>th</sup> October 2020 (RiverOfLife, M. Poelina, A. & Taylor, K.S., 2020).

The Martuwarra Council along with many traditional owners, scientists, lawyers, remain concerned the Western Australian government appears to be fast tracking a Review of the Aboriginal Cultural Heritage Bill, prematurely before the Juukan Gorge Inquiry will be finalised in December 2020. The Martuwarra Council is calling for Reform not Review of the Bill. Despite calls for more time, and an overwhelming number of public submissions still to be registered with the Department of Planning, Land and Heritage, the Minister for Indigenous Affairs believes there has been sufficient time and consultation and is looking to enact the Bill prior to the next state elections in March 2021 (Michelmores, 2020).

When First Law is applied to the present and future development planning in the Kimberley region it is important to recognise that the following questions from the Martuwarra Council need to be fully explored from a social licence perspective:

- Who and what counts and is counted?
- How are values assigned?
- How do relationships between people and the 'natural' world work to produce value?
- How are existing values of the riverine system understood and measured?
- Whose laws and values matter?
- What impacts and risks are accurately predicted and deemed acceptable?
- Who gets to decide? And what kind of 'evidence' is weighed up in the decision-making process?
- How and where are decisions made?
- Whose visions of the future are being pursued?

Ultimately Traditional Owners concerns are about property rights, state power and cultural authority. There is a clash of values and ethics in regard to deeply different ontologies and epistemologies. The Martuwarra Council vision and aspirations are articulated in our heritage and conservation Plan.

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## Incremental Genocide: Chair Nganka (Talk) Dr Anne Poelina

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(Cont.)

*“Our vision is not only for Aboriginal people, rather it is a vision where 60,000 years of learning, knowledge and history teaches us that wealth accumulation, gross national produce and profit maximisation is for a few, at the expense of many, is unsustainable and unjust” (RiverOfLife, M., Poelina, A., Alexander, J., & Samnakay, N., 2020, p.17).*

The Martuwarra Council believes the Martuwarra Fitzroy River is too precious to pump. The Council has identified further inquiries are needed and recommends the Western Australian government commit to policy and better practice development in the implementation of the Fitzroy River Management Plan and a Fitzroy River Water Allocation Plan.

There is a fundamental truth concerning assets in common. The Martuwarra Council believes the Martuwarra assets in common best serve the ‘commoner’ when invested into development of these commons. To this end, it is better to invest shared assets to support a universal good rather than a private beneficiary. In this circumstance it is logical for government to invest resources into industries that have a universal benefit, particularly for local Indigenous people over external private economic wealth generation interests. There is genuine Traditional Owner interest in developing local jobs in responsible land management activities such as environmental restoration, tourism, education and sustainable pastoral and agriculture industries.

It is essential governments and future industries, including their investors, maintain the health and majesty of the **River of Life** responsible for the regions rare and exotic plant and wildlife, culture, and people. Only then can we as the original people of Western Australia and the guardians of the Martuwarra reclaim and reframe the power and authority of legal pluralism towards *Martuwarra First Law Multispecies Justice for Land, Living Waters, and Indigenous Peoples Wellbeing*.

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## Incremental Genocide: Chair Nganka (Talk) Dr Anne Poelina

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(Cont.) Post COVID 19 it is time to right size our nations and do business differently, to care and invest into families and small business, especially in the regions. **Better Not Bigger** is the call to our Nation from the Sustainable Australia Party (SAP). It is time for Just Development, it is time for truth and reconciliation amongst each other, amongst our nation state and across the planet. It is time for the ecocide and genocide of our Indigenous nations to stop. Only then will we be in control of our own destiny and can in partnership with fellow Australians send our dreams out. **“We must hold this land...We must hold it, For All of us”**, Senior Nyikina Elder Paddy Roe (1992).

**Note:** This article is an extract from a forthcoming paper. Poelina, A., Brueckner, M. & McDuffie, M. (in press). “For the greater good? Questioning the social licence of extractive-led development in Western Australia’s Martuwarra Fitzroy River Catchment”. In “Mapping mining legacies: On their problems and potential,” edited by M. Brueckner, M. Paull, R. Spencer & S. Knowles. Special Issue, The Extractive Industries and Society.]

### Article References

Michelmores, K. (2020, October 16). Rio Tinto accused of ‘incremental genocide’ after grilling at Juukan Gorge inquiry. *ABC News*. Retrieved from <https://www.abc.net.au/news/2020-10-16/rio-tinto-grilled-at-juukan-gorge-inquiry/12775866>

RiverOfLife, M., Poelina, A., Alexander, J., & Samnakay, N. (2020). *A conservation and management plan for the National Heritage listed Fitzroy River Catchment Estate (No. 1)*. (A. Hayes, K. S. Taylor, & I. Perdrisat, Eds.) Martuwarra Fitzroy River Council, Nulungu Research Institute, The University of Notre Dame Australia. <https://doi.org/10.32613/nrp/2020.4>

RiverOfLife, M., McDuffie, M., & Poelina, A., (2020). *Martuwarra Country: A historical perspective (1838-present)*. Martuwarra Fitzroy River Council; Nulungu Research Institute, The University of Notre Dame Australia. <https://doi.org/10.32613/nrp/2020.5>

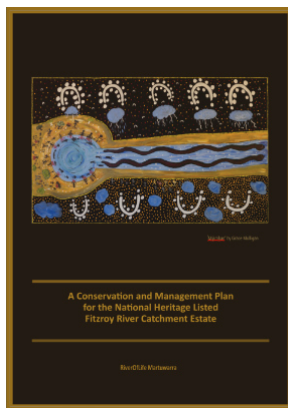
RiverOfLife, M., Poelina, A., & Taylor, A. (2020, October 17th). *Aboriginal Cultural Heritage Bill Review Submission: Reform Not Review and On Just Terms*. (A. Hayes, Ed.). Fitzroy Crossing, Western Australia: Martuwarra Fitzroy River Council. <https://doi.org/10.6084/m9.figshare.13077554> (Original work published 9 October 2020)



## Martuwarra Fitzroy River Council Publications

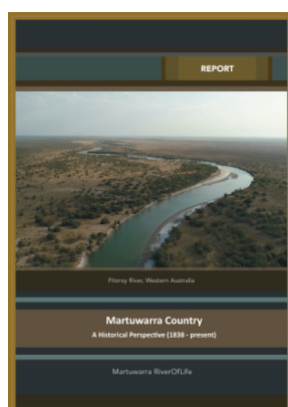
The Martuwarra Fitzroy River Council is proud to announce the launch of the 'Publications' repository for all Council reports, submissions, media releases, peer reviewed and popular press articles.

The following publications are now available to download from:  
<https://www.martuwarrafitzroyriver.org/publications>.



### CMNHP - The Plan

RiverOfLife, M., Poelina, A., Alexander, J., & Samnakay, N. (2020). *A conservation and management plan for the National Heritage listed Fitzroy River Catchment Estate (No. 1)*. Martuwarra Fitzroy River Council, Nulungu Research Institute, The University of Notre Dame Australia. <https://doi.org/10.32613/nrp/2020.4>

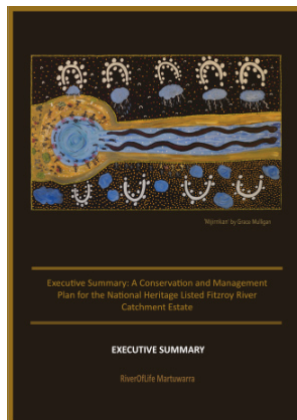


### Martuwarra Country Report

RiverOfLife, M., McDuffie, M., & Poelina, A., (2020). *Martuwarra Country: A historical perspective (1838-present)*. Martuwarra Fitzroy River Council; Nulungu Research Institute, The University of Notre Dame Australia. <https://doi.org/10.32613/nrp/2020.5>

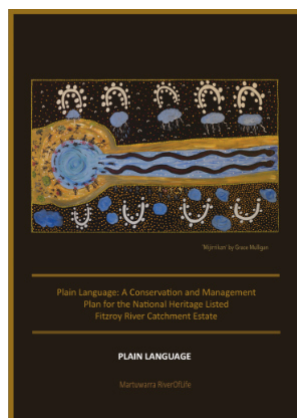
## Martuwarra Fitzroy River Council Publications

(Cont.) The following publications are now available to download from:  
<https://www.martuwarrafitzroyriver.org/publications>.



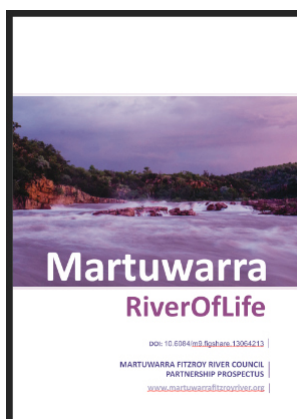
### CMNHP - Executive Summary

RiverofLife, M., Poelina, A., Alexander, J., & Samnakay, N. (2020). *Executive Summary: A Conservation and Management Plan for the National Heritage Listed Fitzroy River Catchment Estate (No. 1)*. Martuwarra Fitzroy River Council, Fitzroy Crossing, Western Australia. Figshare: Sydney, Australia. <https://doi.org/10.6084/m9.figshare.13095755>



### CMNHP - Plain Language Statement

RiverofLife, M., Poelina, A., Alexander, J., & Samnakay, N. (2020). *Plain Language: A Conservation and Management Plan for the National Heritage Listed Fitzroy River Catchment Estate (No. 1)*. Martuwarra Fitzroy River Council, Fitzroy Crossing, Western Australia. Figshare: Sydney, Australia. <https://doi.org/10.6084/m9.figshare.13102166>



### Partnership Prospectus

RiverofLife, M., Poelina, A., Samnakay, N. (2020). *Partnership Prospectus*. Martuwarra Fitzroy River Council, Fitzroy Crossing, Western Australia. (A. Hayes, Ed.). Figshare: Sydney, Australia. <https://doi.org/10.6084/m9.figshare.13064213>

## Martuwarra Fitzroy River Council Publications

(Cont.) The following three (3) submissions are now also available to download from <https://www.martuwarrafitzroyriver.org/publications>.



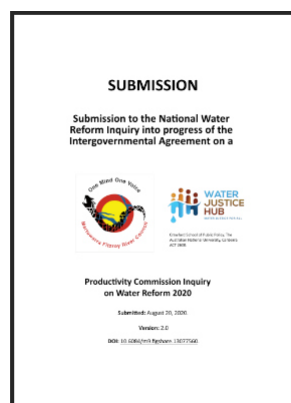
### Submission - Aboriginal Heritage Act

RiverOfLife, M., Poelina, A., & Taylor, K.S. (2020, October 11). *Submission to the Western Australian Government on the Aboriginal Cultural Heritage Bill 2020/ Aboriginal Heritage Act Review: Reform Not Review and On Just Terms*. (A. Hayes, Ed.). Fitzroy Crossing, Western Australia: Martuwarra Fitzroy River Council. <https://doi.org/10.6084/m9.figshare.13077554> (Original work published 9 October 2020).



### Submission - Juukan Gorge Inquiry

RiverOfLife, M., Poelina, A., Taylor, K., (2020, October 10). Submission 108 to the Joint Standing Committee on Northern Australia Inquiry into the destruction of 46,000 year old caves at the Juukan Gorge in the Pilbara region of Western Australia. (A. Hayes, Ed.). Fitzroy Crossing, Western Australia: Martuwarra Fitzroy River Council. <https://doi.org/10.6084/m9.figshare.13077563> (Original work published August 14, 2020).



### Submission - National Water Reform Inquiry

RiverOfLife, M., Poelina, A., Davis, M., Taylor, K., & Grafton, Q. (2020, October 11). Submission to the National Water Reform Inquiry into progress of the Intergovernmental Agreement on a National Water Initiative (NWI). (A. Hayes, Ed.). Fitzroy Crossing, Western Australia: Martuwarra Fitzroy River Council. <https://doi.org/10.6084/m9.figshare.13077560> (Original work published 20 August, 2020).



Photo: 'Martuwarra Fitzroy River' by Environs Kimberley.

*"The Martuwarra or Fitzroy River in the Kimberley, WA, is one of the last pristine rivers on Earth, but farming magnates are seeking to open up this unique ecosystem to irrigation and undermine decades of community action to protect this river system."*

Dr Anne Poelina, Chair of the Martuwarra Fitzroy River Council joined Martin Pritchard, Director of Environs Kimberley and Monique Barker, Campaign Coordinator of Kimberley - Like Nowhere Else on 3CR 855 AM Community Radio to discuss plans to pump the Martuwarra Fitzroy River.

The podcast recorded on Sunday 25<sup>th</sup> October 2020 is available at:

<https://www.3cr.org.au/earthmatters/episode-202010251100/plans-pump-fitzroy>



# Beyond Sustainability: Imagining a Regenerative Future

We're excited to announce the next online edition of the Education City Speaker Series! For this edition, we're bringing together prominent experts in the field of regenerative development to discuss how blending ancient wisdom and modern science can help to shape a brighter future for all life on our planet.



PANELIST

**IBRAHIM MOHAMED JAIDAH**

Group CEO and Chief Architect  
Arab Engineering Bureau



PANELIST

**BILL REED**

Principal, Regenesys Group, Inc. and  
General Partner, The Place Fund



PANELIST

**DR. ANNE POELINA**

Chair of the Martuwarra  
Fitzroy River Council



MODERATOR

**JASON TWILL**

Director, World Cup Master  
Program, Qatar Foundation

Date: **Tuesday, 27 October 2020**

Time: **4pm–5:30pm (Doha) | 2pm–3:30pm (London) | 9am–10:30am (New York)**

To learn more and join: [www.qf.org.qa/ecss](http://www.qf.org.qa/ecss)





## Dianne Rivers

Kija & Walmajarri Traditional Owner

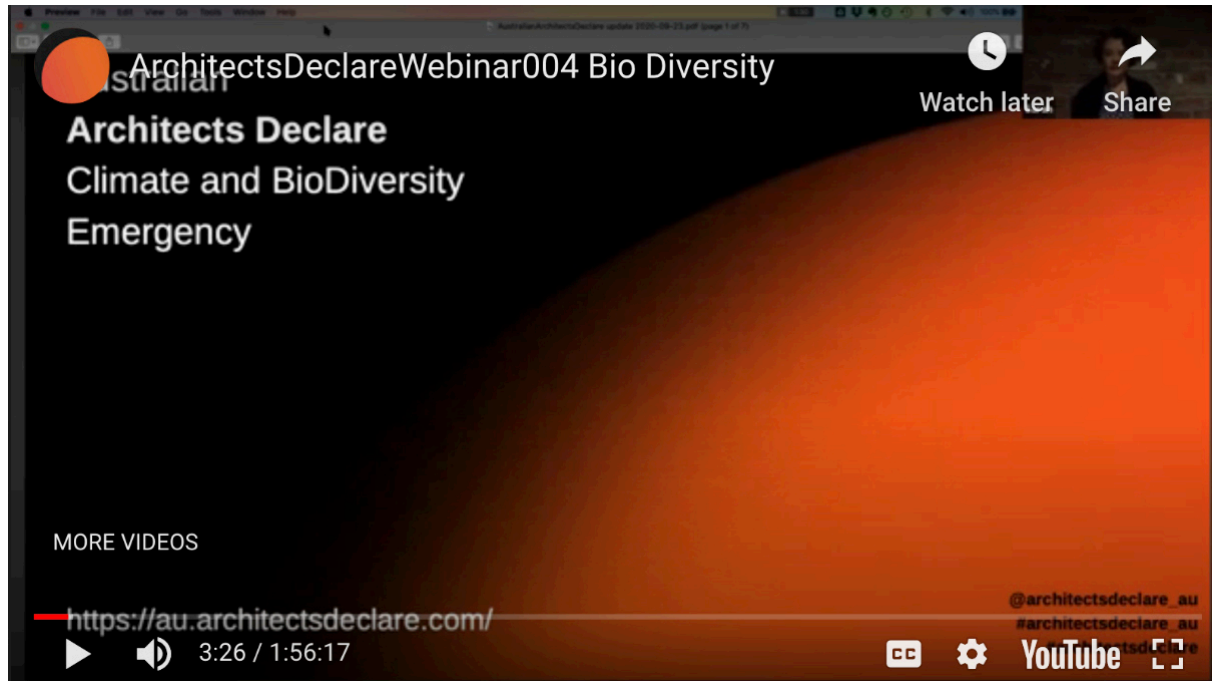
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"Part of being Kija, we know the Fitzroy starts in Kija Country. That's where my grandmother is from. A lot of places around there are very sacred. (...) It's about our future, our children, and the Law and the Culture, and what the River gives us".

(Martuwarra Fitzroy River Council Website, 2020)

View Dianne's short film at <https://vimeo.com/463709815>.

## Climate and Biodiversity Emergency



*Photo: 'Architects Declare Webinar' 2020.*

Dr Anne Poelina presented recently at the 'Architects Declare' movement online Webinar 004 - Climate and Biodiversity Emergency, speaking alongside guests Professor Sarah Bekessy and Ann McGregor.

"this is quite timely in regards to inviting a traditional owner, such as myself, to bring this conversation into this space, because what we're saying is that in a time of this global emergency, where climate change is quickly spiraling into climate chaos, what we are needing to do is bring in collective wisdom in terms of being able to one, rightsize the planet, but to look at the complexity of what we are dealing with. So in our world, we have a concept of collective wisdom, a system Allodial title, which means the absence of Law, the opportunity to bring in a wide range of different indigenous science, which a lot of people call it, 'traditional knowledge'. But as the first people of this land, who have been the first farmers, the first architects, the first engineers, all of these sorts of forms of science, I think there's a great opportunity to not only, in this time, globally, to think that Black Lives Matter, but indigenous wisdom does too." - Dr Anne Poelina

Access the online video - <https://youtu.be/C-LYZQ5a9Kg>.

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## Always Was, Always Will Be the Mardoowarra Fitzroy River of Life

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To celebrate NAIDOC Week 2020 Dr Anne Poelina's film (35mins) *'Mardoowarra River: Always Was, Always Will Be'*, and presentation will be shared with those who join her as she imparts her insights and experience as a global Indigenous water rights and environmental justice advocate.

This NAIDOC week webinar builds off the successful launch of the 'Our Knowledge Our Way in caring for Country: Indigenous-led approaches to strengthening and sharing our knowledge for land and sea management'. Dr Poelina is a co-author of these guidelines and is featured in the case study "Showing and sharing knowledge in the Fitzroy River Catchment: Codeveloped case study.



Read more about this event - <https://events.csiro.au/Events/2020/October/13/Mardoowarra-River-Always-Was-Always-Will-Be>.



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## Looking After Our Spirit

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Screenshot: 'Looking After Our Spirit' MyHero International Film Festival, 2020.

The following message was received through Facebook from Mark Pearce at Balangara Films.

'Looking After Our Spirit' starring Anne Poelina has been selected as a finalist in the 2020 MY HERO International Film Festival! Here's a comment from the judges:

*"We admire the passion and commitment displayed by Dr. Anne Poelina in your film to make the world a better place. We appreciate your efforts to bring these important stories to life through film."*

Anne continues to protect country in the magnificent Kimberley region of Western Australia. Thanks for being who you are Anne and sharing your knowledge with us. Gratitude to you and your family. The My Hero festival is part of the non-profit educational organization, The MY HERO Project, with a mission to celebrate the best of humanity. Film are accessed by teachers and students around the world who gain inspiration, hope and knowledge. The films also link to the heroic organizations that the films are about, so that our audience can learn more about the important work they are doing. Winners will be announced before the end of the year.

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(Cont.)

Thanks also to Glen Klatovsky and Maritza Schafer for making this film possible, cinematographers Nick Hayward, Christian Fletcher, Michael Fletcher Fletcher, and Magali McDuffie , colourist, Miles Bennet and all the 'Families of Broome' cast .

Congrats all!

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Read more about this event at <https://myhero.com/looking-after-my-spirit>.



*Photo: 'Telegraph Floodgum at Martuwarra' by Alexander Hayes, 2018.*



## How Indigenous knowledge can help Australia build resilience to climate change



*Photo: Courtesy of [Inkline](#)*

‘In Western Australia’s remote northern region of The Kimberley, Indigenous seasonal and ecological knowledge is playing a crucial role in building resilience to climate change.’

“In May, the barramundi used to swim upstream but now, there are none to be seen. Octopi that once turned green to announce the coming spring now remain blue. The low humdrum buzz of the dragonfly indicates the salmon will be biting. Yet every year, the dragonflies are appearing later in the seasons.”

“For Anne Dwyer, a Karrajarrri woman and traditional land owner, these occurrences are sure signs of climate change. Dwyer, who works with western scientists to combine Indigenous knowledge and customary practices, uses this combination as complimentary science to mitigate climate issues in remote areas of The Kimberley in Western Australia.”

## How Indigenous knowledge can help Australia build

(Cont.)

“In the neighbouring Indigenous nation, Dr. Anne Poelina, a woman of Martuwarra and a traditional land owner, also tirelessly advocates for the Martuwarra River Country. Together, they are ‘Caring for Country,’ a phrase used for the traditional management of land and sea by Indigenous Australians.”

Read more - <https://the-inkline.com/2020/10/12/how-indigenous-knowledge-can-help-australia-build-resilience-to-climate-change/>.



*Photo: ‘Telegraph Sundown on Martuwarra’ by Magali McDuffie, 2018*



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**Thank you for reading our newsletter.**

Please encourage others to visit the  
Martuwarra Fitzroy River Council website at  
<https://www.martuwarrafitzroyriver.org>

**This newsletter has been brought to you by the  
Martuwarra Fitzroy River Council located in  
Fitzroy Crossing in the Kimberley Region of  
Western Australia.**