

Contact & Timeline

Kura Nyungar Wadjella Koorl Nyinniny ... A long time ago the Nyungars and the Wadjellas sat down together

Whadjuk Nyungar have lived for over 40,000 years in the vicinity of Derbal Nara or Cockburn Sound. In recent centuries, Wadjella began to arrive from different countries and eventually sat down with Whadjuk Nyungar.

Traditional owner Dorothy Winmar recalls a story from initial contact.

*D W: When the wedjelas first came here, the Nyungars lived on the top of Kings Park and they saw the ship coming in. Grandmother said they thought it was the spirit of their people coming back and they were scared of what was coming back, that they were ghosts. But then they learnt that they were another sort of people, white people and then they got used to seeing them and talking to them. Another time, another little ship came in with a barge on it and the barge came out with a horse on it. The Aborigines had never seen a horse before. My grandmother [*maybe great grandmother?] was a little girl and she ran and climbed up the tree. She was scared because she thought the monster was coming to eat her up.*

L C: What did the Nyungar call those horses?

D W: They called those horses gnoorts.

L C: And they thought it was a big jennark?

D W: Yes, they thought it was a jennark because they used to tell stories about the jimbars in those days. The jimbar had a big mouth and used to bite the black people and eat them up.

L C: And the jimbar is a spirit?

D W: The jimbar was like a dinosaur, as big as a dinosaur.

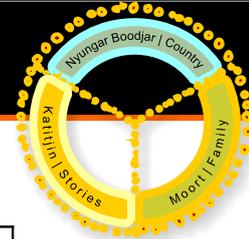
The timeline below represents the key events in the immediate area of Derbal Nara or Cockburn Sound. It also includes events in the broader context that impacted on the area and its residents. The timeline complements that produced by City of Cockburn¹, which emphasises the local development of the Cockburn area.

<i>Nyitting - A long time ago</i>	
40,000 years ago – to more contemporary times	Archaeological evidence exists and extends back many thousands of years. Flood describes a site in the Upper Swan area that whose date of 38,000 years old is generally accepted ² . Artefacts have also been located on Garden and Rottnest Islands, all finds preceding islands formation with some dating back more than 7,000 years before present time ³ . Dreamtime stories describe the times when the islands were linked to the mainland.
5-10,000 years ago	The Nyungar cultural memories and oral stories account for the end of the last ice-age and the creation of Derbal Nara or Cockburn Sound and associated islands.
<i>Nyungar Jenaning Wadjella, Yorl Koorling, Wort Koorling The Nyungars are watching the Wadjella's coming and going</i>	

¹ City of Cockburn, *History of Cockburn Thematic Framework*, 26.

² Flood, *Archaeology of the Dreamtime*, 93.

³ Western Australian Planning Commission, *Indigenous Heritage*, 31.



1656	Shipwreck: Boat from de Goede Hoop, near Moore River mouth ⁴
1656	Shipwreck: Vergulde Draecke, Ledge Point, north of Fremantle ⁵
1658	Shipwreck: Boat from Waeckende Boey, Near Moore River mouth ⁶
1658	Volkerson explored the area in search of survivors from the Vergulde Draeck, and lost crew from Goede Hoop. Volkerson charted the Rottnest area ⁷ .
1696 - 1697	On Christmas Day, 1696, the Dutch expedition led by Willem De Vlamingh on the Geelvinck with two other vessels sighted land and a few days later anchored off a large island. As explained by Battye ⁸ "on exploring it (the island) they were struck with the large number of rats' (wallabies) nests to be seen, and gave it the name of Rottenest Island". Vlamingh landed on shore at Cottesloe, 5 January 1697. 9 January, 1697, anchored off mouth of the river, explored the river, which they named 'Swaane' after the discovery of Black Swans.
1801	Baudin and French Scientists on the Geographe and Naturaliste had been instructed to explore all parts of the continent ⁹ . The Naturaliste remained at Rottnest for two weeks. They explored Berthelot, or Island of Seals, and further south another island as large as Rottnest, which they named Ile Buache (Garden Island). They also explored the Swan after difficult entry into the river over the bar after 3 unsuccessful attempts ¹⁰ .
Nyungar Wadjella Ngulluck Nyinning All together here	
1827	Captain James Stirling reached Rottnest on the Success. Moored for night. Next day the Success was brought to within a kilometre of the entrance to Swan River before relocating and dropping anchor further to the west-south-west. Explored Swan River on small boat (gig). Also explored Garden Island by gig. During these explorations, had no difficulty crossing the bar at the river's mouth. Stirling wrote that 'The entrance...is flanked by two natural Piers or Heads.' The southern head he named Arthur Head, after the governor of Van Dieman's Land ¹¹ .
1831	Roundhouse built in Fremantle to hold prisoners. Utilised under this purpose until 1890's.
1832	Yagan exiled to Carnac Island accompanied by Robert Lyon ¹²

⁴ Western Australian Museum, "Shipwreck Databases."

⁵ Western Australian Museum, "Shipwreck Databases."

⁶ Western Australian Museum, "Shipwreck Databases."

⁷ Appleyard & Manford, *The Beginning*, 62.

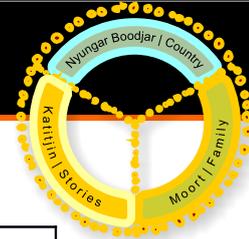
⁸ Battye, *Western Australia: A History*, 40.

⁹ Appleyard & Manford, *The Beginning*, 87.

¹⁰ Appleyard & Manford, *The Beginning*, 87.

¹¹ Appleyard & Manford, *The Beginning*, 46.

¹² Green, *Broken Spears*, 80.



1833	In April 1833 Yagan's brother, Domjun was shot as he tried to steal flour from a Fremantle store, and later died in custody from his wounds ¹³ . The Department of Indigenous Affairs compiled the following ¹⁴ : The next day in what was considered a revenge attack, Yagan, Midgegooroo and another Whadjuk leader, Munday, were implicated in the deaths of two settlers. They were declared outlaws, with a reward of £30 posted for the capture of Yagan. On 22 May Midgegooroo was apprehended, and executed without trial. Munday successfully appealed his charge. Yagan remained elusive until 11 July when he and a group of Aboriginals approached Bull's farm in Upper Swan looking for some flour. They were met by brothers William (18-years-old) and James (13) Keates, who had been friends with Yagan, and accompanied them for the rest of the morning. The brothers had reportedly wanted the reward for a passage back to England. At the Swan River, Yagan declined to go any further with the group and William took this opportunity to shoot Yagan through the head. In the fight that ensued William Keates was killed and another Aboriginal, Heegan, was mortally wounded.
1834	Battle of Pinjarra; the battle party went through the Cockburn Sound area ¹⁵ .
1838	Commenced use of Rottnest Island as a prison for Aboriginal offenders. In July, 10 Aboriginals prisoners were transported to Rottnest Island ¹⁶ The Island was used as a prison until the 1920's, in 1903 convict transportation to Rottnest ceased ¹⁷
1840	Under Governor Hutt, a system of Protectorships was established, Charles Symmons was stationed in Perth under role of Protector. ¹⁸
1849	The title Protector of Aborigines was changed to Guardian of Aborigines and Protector of Settlers (lapsed in 1857). ¹⁹
1880's	In the 1880s a small group of Pensioner Guards from Fremantle built a compact village around Lake Coogee. To eke out their military pensions, they established small vegetable gardens and orchards. During the late 1890s two further settlements were established, although one failed to take root ²⁰ .
1886	Aborigines Protection Act of 1886 was provided for "better protection and management" of Aborigines ²¹ .
1899	Shipwreck: City of York, Rottnest Island ²²

13 MacFaull, "A Native Shot" *The Perth Gazette*, 4 May 1833, 71.

14 Derbarl Yerrigan Committee, "Yagan Memorial Park Newsletter."

15 Pinjarra Massacre Site, "Planned Attack."

16 Green, *Broken Spears*, 167.

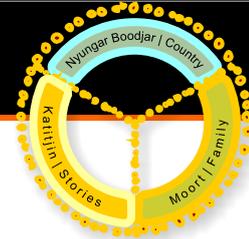
17 Green, *Broken Spears*, 172.

18 SWALSC, *An Introduction to Noongar History and Culture*, 2.

19 SWALSC, *An Introduction to Noongar History and Culture*, 3.

20 City of Cockburn, *History of Cockburn Thematic Framework*, 1.

21 SWALSC, *An Introduction to Noongar History and Culture*, 3.



1905	The Aborigines Act (W.A.) 1905, established the position of Chief Protector who was the legal guardian of 'every aboriginal and half-caste child' to the age of 16 years ²³ .
1920('s)	Rottneest Island prisoners continued sentences until this era ²⁴
1927 - 1954	Prohibited Area: City of Perth was a prohibited area for Aboriginal people.
1944	The Natives (Citizen Rights) Act 1944. This Act allowed Aboriginal ex-service personnel, and some other Aboriginals to qualify for Australian citizenship ²⁵ .
1947	Founding of the Coolbaroo League
1954	The Native Welfare Act (W.A.) passed. The Commissioner and Department of Native Affairs changed to the Commissioner and Department of Native Welfare. The Commissioner remains the legal guardian of 'native' children except where the child has been made a ward under the Child Welfare Act 1947. 'The Commissioner may from time to time direct what person is to have the custody of a native child of whom he is the legal guardian, and his direction shall have effect according to its tenor'. The Native Welfare Act 1954 was repealed by the Native Welfare Act 1963 ²⁶ .
1967	Federal referendum that asked two questions of the Australian public... The second question sought to amend the constitution as it related to Aboriginal Australians by amending two sections of the constitution ²⁷ The first amendment was to Section 51 paragraph xxvi that stated, "The Parliament shall, subject to this Constitution, have power to make laws for the peace, order, and good government of the Commonwealth with respect to: ... (xxvi) The people of any race, other than the aboriginal race in any state, for whom it is deemed necessary to make special laws." The referendum proposed deleting the reference to 'the aboriginal race' as it was deemed discriminatory and denied the Commonwealth Parliament the opportunity to make special laws for Aboriginal people even if they were of an affirmative nature. ²⁸ The second amendment proposed repealing section 127 of the Constitution, "In reckoning the numbers of the people of the Commonwealth, or of a state or other part of the Commonwealth, aboriginal natives shall not be counted." It had been claimed that section 127 had been included in the Constitution because Aboriginal people in the late 19 th century lived a mainly tribal and nomadic lifestyle creating "practical difficulties ... in satisfactorily enumerating the Aboriginal population". [Sir Robert Menzies, 11 November 1965, page 2638] Introducing the Constitution Alteration (Aboriginals) Bill 1967, Prime Minister Harold Holt, said, "The simple truth is that section 127

22 Western Australian Museum, "Shipwreck Databases."

23 Australian Government, "Aborigines Act 1905".

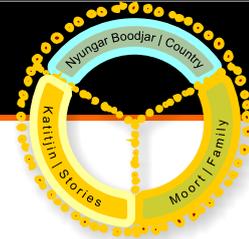
24 Green, *Broken Spears*, 172.

25 SWALSC, *An Introduction to Noongar History and Culture*, 6.

26 Australian Government, "Native Welfare Act 1954."

27 Government of South Australia, "1967 Referendum: Citizenship."

28 Government of South Australia, "1967 Referendum: Citizenship."



	<p>is completely out of harmony with our national attitudes and modern thinking. It has no place in our Constitution in this age." [1 March 1967, page 263]²⁹</p> <p>90.77% of Australians voted to change the Constitution to allow the Commonwealth to make laws for Aborigines and to include them in the census³⁰</p>
1972	<p>Aboriginal Heritage Act (AHA) introduced in Western Australia to protect Aboriginal heritage. The AHA recognises Aboriginal peoples' strong relationships to the land, which may go back many thousands of years. This Act provides automatic protection for all places and objects in Western Australia that are important to Aboriginal people because of connections to their culture. These places and objects are referred to as Aboriginal sites³¹.</p>
1993	<p>Native Title Act was the Commonwealth Government's response to the High Court decision relating to the Mabo Case.</p> <p>The Native Title Act does five things³²:</p> <ul style="list-style-type: none"> • It recognises and protects native title, • It provides for the validation of any past grants of land that may otherwise have been invalid because of the existence of native title, • It provides a regime to enable future dealings in native title lands and imposes conditions on those dealings, • It establishes a regime to ascertain where native title exists, who holds it and what it is, and to determine compensation for acts affecting it, and • It creates a land acquisition fund to meet the needs of dispossessed Aboriginal and Torres Strait Islander peoples who would not be able to claim native title.
2006	<p>Bennell vs. the State of Western Australia³³;</p> <p>Decision:</p> <p>The question before the Court dealt only with an area encompassing Perth and surrounding non-urban areas ('Part A').</p> <p>The full claim boundary (which includes Part A) begins on the west coast of Western Australia, at a point north of Jurien Bay, to a point approximately north of Moora and a point on the southern coast between Bremer Bay and Esperance (Wilcox J, Preceding Statement, 19 September 2006).</p> <p>Subject to principles of extinguishment of native title (which were not considered by the Court on this occasion), <u>the Court held that native title exists in all of the claim area 'but the off-shore islands and any other area below the low-water mark from the mainland'</u>. (NNTT)</p> <p>The Court found that the Noongar people held native title as a single, communal title.</p> <p>The native title rights and interests which were recognised by the Court remains subject to the wording of the determination and the principles of</p>

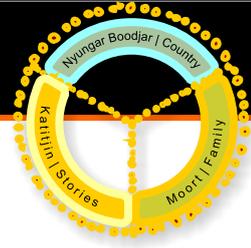
29 Government of South Australia, "1967 Referendum: Citizenship."

30 Australian Electoral Commission, "Indigenous Australians and the vote."

31 Government of Western Australia, "Aboriginal Heritage Act 1972."

32 Australian Bureau of Statistics, "1301.0 – Year Book Australia, 1995."

33 Agreements, treaties and negotiated settlements project, "Bennell v State of Western Australia [2006] FCA 1243."



	<p>extinguishment. However, the Court found that the Noongar people held rights to occupy, use and enjoy lands and waters (see below for specific rights and interests): [832 - 841].</p> <p>Due to both the complexity and resource limitations presented by the question, the Court did not resolve whether the right to exclusive possession existed: [838 - 840].</p>
--	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Ongoing Relations

Ongoing relations are demonstrated through ABS data, native title claims, Welcome to Country protocols, NAIDOC week, and a wide variety of festivals (such as the Cockburn Spring Fair and the Fremantle Festival). Further research will add to public understanding of Nyungar- Boodjar-Wadjella relations.

Kura yeye boorda...

...from the past, today and into the future...