

## Item 3.1

### Vale Yunupingu AM

File No: S051491

#### Minute by the Lord Mayor

To Council:

On the morning of our last Council meeting on 3 April 2023, we learned that Dr Yunupingu AM had passed away.

Yunupingu, as he was universally known, was a leader, activist, linguist, artist and musician. A member of the Gumatj clan of the Yolngu people, he was born at Melville Bay, near Yirrkala in northeast Arnhem Land, Northern Territory on 30 June 1948.

He had his first taste of politics at the Yirrkala mission school where he took on the role of "prime minister in the 'school parliament'". Yunupingu then spent two years as a teenager at Brisbane Bible College where he discovered a skill for translation, which he later put to good use.

At 16, he helped draft the Yirrkala bark petitions that asserted that the Yolngu people owned land over which the Federal Government had granted mining rights to a private company, Nabalco. In response, an Australian Government Parliamentary Select Committee recommended that the Yirrkala people should be compensated for loss of their traditional occupancy. The Northern Territory Government ignored the recommendation and unilaterally revoked part of the Yirrkala Aboriginal reserve in order to enable Nabalco to develop the mine.

In 1968, the decision was challenged in the Northern Territory Supreme Court in what became known as the "Gove land rights case". Judge Blackburn had to determine whether Aboriginal customary ownership was an enforceable proprietary right under Australian law. Yunupingu and another Bible college trainee, Wulanybama Wunungmurra, translated the Yolngu testimonies of customary law into English. Although the legal challenge was unsuccessful, Yunupingu contributed significantly to the judge's grasp of Yolngu customs. This gave Yunupingu and the Yolngu clans unprecedented credibility and led to bipartisan moves to establish Aboriginal land rights through legislation.

In 1975, Yunupingu joined the Northern Land Council which in 1976 became a representative body with statutory authority under law.

Yunupingu became Chair in 1977, a position he held until 1980 and then again from 1983 until 2004. Yunupingu led negotiations with mining and government bodies with the aim of ensuring that mining was conducted on the traditional owners' terms, including respect for the land and specific sacred sites and a fair distribution of the economic benefits. Yunupingu insisted: "We will continue to fight for the right to make our own decisions about our own land".

In 1978, he was named Australian of the Year for his Aboriginal land rights work. He saw the award as a breakthrough for Aboriginal people: "We are at last being recognised as the indigenous people of this country who must share in its future." In 1985, he was made a Member of the Order of Australia.

Yunupingu's commitment to Aboriginal self-determination continued in 1988 when he and Wenten Rubuntja presented the "Barunga Statement" - a 1.2 square metre painting which set out Aboriginal political objectives. The then Prime Minister, Bob Hawke, responded by committing his Government to a treaty between Aboriginal and other Australians by 1990, a commitment he failed to honour.

Yunupingu sometimes joined his younger brother Mungurrawuy in the band Yothu Yindi playing bilma (clapsticks) and guitar. In 1990, the group established the Yothu Yindi Foundation to promote Yolngu cultural development.

The Foundation held its first Garma Festival in 1999, with the name taken from the Yolngu word meaning "two-way learning process" and has become Australia's largest Indigenous cultural gathering, attracting over 2,500 attendees each year.

In his 2019 Garma speech, two years after the Uluru Statement of the Heart, Yunupingu called for significant constitutional reform, saying "Constitution is a right close to Aboriginal people's hearts, and mine."

Later that year, the then Minister for Indigenous Australians, Ken Wyatt announced a co-design process for an "Indigenous voice to government" and established a Senior Advisory Group with Yunupingu as a member. Yunupingu also advised the Government on the referendum as part of the Referendum Working Group.

While Yunupingu never lived to see the First Peoples recognised in Australia's Constitution, his long-term dream of a bilingual school for children was realised in his home community of Gunyangara.

Yunupingu approached his own life and place in the world with clarity. He once said:

"My inner life is that of the Yolngu song cycles, the ceremonies, the knowledge, the law and the land. This is yothu yindi. Balance. Wholeness. Completeness".

## **Recommendation**

It is resolved that:

- (A) all persons attending this meeting of Council observe one minute's silence to mark the life of Dr Yunupingu AM and his outstanding contribution to the advancement of Australia's First Peoples, Aboriginal culture, heritage, land rights and economic development and the cause of reconciliation;
- (B) Council express its condolences to Dr Yunupingu's family; and
- (C) the Lord Mayor be requested to convey Council's sincere condolences to Dr Yunupingu's family.

## **COUNCILLOR CLOVER MOORE**

Lord Mayor