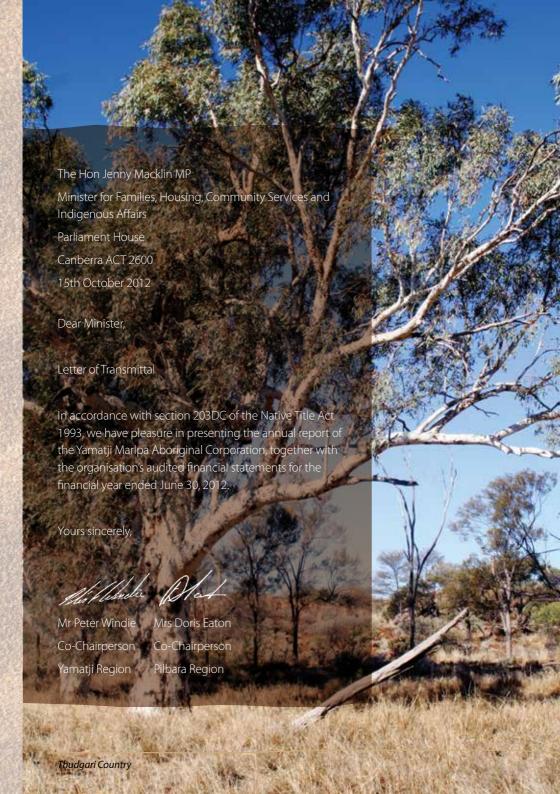


2012

YAMATJI MARLPA ABORIGINAL CORPORATION ANNUAL REPORT





## Introduction and Overview

Yamatji Marlpa Aboriginal Corporation (YMAC) is the native title representative body for the Traditional Owners of the Murchison, Gascoyne and Pilbara regions of Western Australia.

YMAC represents 24 native title claim groups, all with their own culture, language and traditions. YMAC's representative area covers over one million square kilometres, with offices in Perth, Geraldton, Karratha, South Hedland and Tom Price.

YMAC is run by an Aboriginal Board of Directors to protect Yamatji and Marlpa country. We do this by providing a range of professional services to Traditional Owner groups.

#### Our work includes:

Legal representation and research to assist with native title claims



# Our Mission, Vision and Values



## Our Vision

## "Country"

Country is our mother, our provider and keeper of our cultural belongings.

Culture and Country go together. You can't have one without the other.

### Our Mission

To work with Yamatji and Pilbara Aboriginal people to pursue:

- Recognition and acceptance of Yamatji and Pilbara culture in Country
- A strong future for Yamatji and Pilbara people and Country

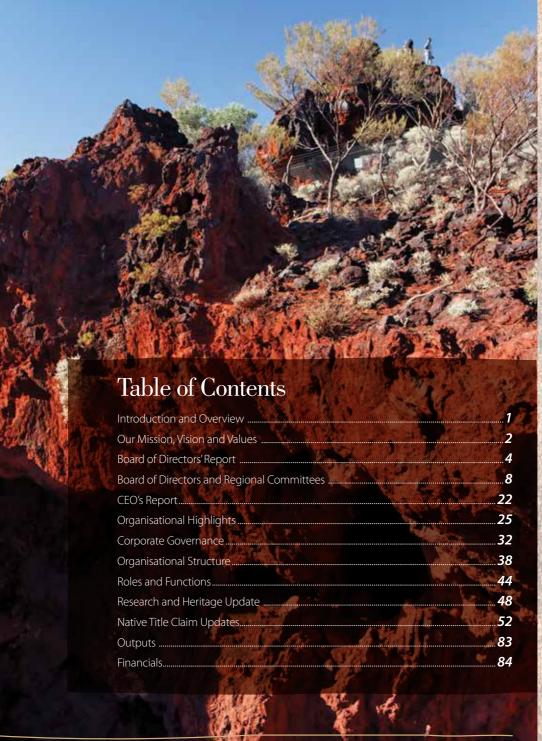
### **Our Aims**

- Ensure an enduring heritage and culture
- Resolve native title claims
- Seek outcomes that provide a strong legacy for Yamatji and Pilbara people

### Our Values

- Respect
- Professionalism
- Integrity
- Honesty
- Loyalty
- Innovation

Wajarri Yamatji Country





# Board of Directors Report

## Proposed WA Aboriginal Heritage Act Reforms

In May 2012, the WA State Government released a Discussion Paper putting forward seven proposals to reform the Aboriginal Heritage protection regime.

YMAC lodged a formal submission proposing alternative reforms to improve the protection of Aboriginal cultural heritage, detailing our concerns with the proposals, and the process that led up to them. The Government has now acknowledged in the Discussion Paper that there was no formal consultation on the proposed changes, including with Aboriginal people.

As this important issue develops, YMAC is coordinating information sharing with our Committees, Board, members and other Western Australian NTRBs and is seeking to work with DIA to ensure that any reforms to the AHA address the longterm concerns held by Traditional Owners to ensure the appropriate protection of Aboriginal Cultural Heritage.

## Support for Prescribed Bodies Corporate

In June, Co-Chairperson Peter Windie and YMAC staff members presented at the National Native Title Conference in Canberra on the challenges facing Prescribed Bodies Corporate and the future needs of native title holders.

Over the coming years NTRBs will require a clear statutory role and adequate resources to support groups during their first years of determination. While some native title groups receive implementation funding through industry, this is rapidly absorbed by preliminary processes such as registration and appointment of directors. With bolstered support and recognition of our unique capacity, NTRBs could more efficiently translate our relationships on the ground and expertise in native title into real opportunities for culture, employment and community investment.

## Yamatji Region Highlights

- In August, Baiyungu Traditional Owners signed an agreement with Rio Tinto's Dampier Salt to protect Indigenous heritage in WA's Midwest.
- In September, The National Native Title Tribunal (NNTT) ruled that four mining tenements in the Weld Range cannot be granted because of the cultural significance of the area to the Wajarri Yamatji people. This was only the second time that the NNTT had made such a decision, and it comes after parts

# Board of Directors Report (cont...)

- of the Weld Range were accepted on to the National Heritage List earlier in 2011.
- In December 2011, Badimia representatives participated in Asia Iron Australia's ground breaking ceremony for their magnetite operations on Badimia country.
- In May YMAC was announced as a finalist in the WA Government's Department for Communities, Community Services Excellence Awards: Media and Promotions Category. The nomination is in recognition of our community awareness raising strategies for our Uranium and Native Title communications program.

## Pilbara Region Highlights

- In July 2011, the Kariyarra Mugarinya Joint Venture, a corporation run by the Kariyarra native title claim group and Mugarinya Community Association, commenced of a joint property venture with the Department of Regional Development and Lands. The Kariyarra people and the WA State Government also signed a native title agreement which will pave the way for much needed residential and commercial development of land in the Town of Port Hedland.
- In January 2012, The Njamal community and Fortescue Metals Group (FMG)

Thank you to staff who are part of our Yamatji and Marlpa family, working together towards our achievements. I want to make sure all staff get the cultural training to work with Aboriginal people, to learn our culture. Then you will have the knowledge so you can speak with our voice. -

Mrs Eaton, Co-Chairperson

- announced a new joint venture for the Northern Star tenements project on the Niamal people's traditional country. This arrangement was proposed by the Niamal people as an alternative to a best-practice native title compensation agreement after negotiations reached an impasse in the second half of 2010.
- In January 2012, Kurama and Marthudunera (K&M) people celebrated a legal win over Mineralogy Pty Ltd in the Warden's Court The Warden recommended to the Minister that a group of tenements applied for by Mineralogy Pty Ltd in the K&M people's native title claim be refused
- In April 2012, The Ngarlawangga people of the Pilbara region announced an agreement with Rico Resources over their Wonmunna project within the Ngarlawangga native title claim.

- In May 2012, the Federal Court handed down a native title determination to the Nyangumarta and Karajarri communities across shared country near 80 Mile Beach in Western Australia
- We also congratulate YMAC's Senior Community Liaison Officer, Nyaparu Rose, won the 'Leighton Holdings Indigenous Award' at the 2011 WA Landcare Awards

On behalf of the Board of Directors we thank the Yamatji and Pilbara Committees, our members, management and staff on another strong year for our people, country and culture

# 2011/12 Quick Facts

Working group and community meetings: 269 meetings

Agreements signed: 216 agreements

Number of heritage surveys: 241 surveys

Heritage survey days: 2,107 days

## **Board of Directors**





#### Doris Eaton

#### YMAC Co-Chairperson

Doris is a Njamal woman from the eastern Pilbara region and in 2009 was named NAIDOC's female elder of the year. An inspirational leader who has committed herself to both her extended families and the Aboriginal community, Doris has been involved in many worthy causes throughout Western Australia.

Her position as a long-term resident of remote Aboriginal communities and a fluent speaker of several Indigenous languages means that Doris has a strong capacity within the region to act as a voice for those whose voices may otherwise go unheard.

### Peter Windie

#### YMAC Co-Chairperson

Peter is a Thudgari man who played an integral leadership role in his people's native title determination in 2009. Peter lives in Gascovne Junction and is a well respected community leader is the region.

He is chairman of the Windi Maya Aboriginal Corporation, which is currently pursuing possible tourism and pastoral ventures in the Yamatii region. Peter is passionate about country and how deeply Aboriginal people are spiritually connected to the land.





## Roy Bellotti

#### **YMAC Deputy Chairperson**

Roy is a Malgana man who has lived and worked in the Gascoyne region all his life. Roy has deep connections to the worldheritage listed Shark Bay area, where his grandmother and father were both born.

He enjoys the outdoors and regularly camps, hunts and fishes on his country. Roy is well known in the community for his leadership capacity and ability to unite people.

### Natalie Parker

#### **YMAC Deputy Chairperson**

Natalie is a Nyiyaparli woman from the central Pilbara region who is well known in the community for her leadership capacity.

Natalie enjoys camping on country and spending quality time with her grandchildren. Her aspirations for the future include improvements in health, education and economic opportunities for Aboriginal people, and to see recognition of culture and a strong future for all.

# Board of Directors (cont...)





## **Toby Smirke**

#### Director

Toby is a Jurruru man who speaks the Banjima language of the central Pilbara. Toby is an expert horseman who has worked and run several large stations throughout the region, including Kooline and Strelley Pastoral Stations.

Toby has extensive bush skills and is an expert on the flora, fauna and cultural knowledge of his country. He would like to see his country preserved for future generations and significant sites within it, such as the Kenneth Range, protected and jointly managed.

### Nora Cooke

#### Director

Nora is a Ngarla woman who played a key role in her people's native title determination in 2007. Nora enjoys the bush life in the Pilbara, including fishing, camping, cooking and hunting.

She also practices her culture by teaching several Aboriginal languages and running cultural awareness training at the Wangka Maya Language Centre. To Nora, country means to live freely on the land, gathering food and hunting.





## Darren Injie

#### Director

Darren is an Innawonga man from the central Pilbara and Hamersley Ranges. Darren has been involved in Aboriginal advocacy since childhood, attending his first Land Rights protests while in high school.

Darren works to ensure Traditional Owners benefit from wealth generated through mining on traditional country in the Pilbara. His vision is to see his people gain economic prosperity through participation in the mainstream economy.

## David Wright

#### Director

David is a Nyangumarta man who resides in Broome and was instrumental in assisting his community have their native title recognised in June 2009. Nyangumarta people have now established an Aboriginal Corporation called, 'Nyiyamarri Pukurl', of which David is currently a board member.

David's aspirations for the future include going back home to country and continuing to enjoy fishing and hunting on his traditional lands with his family. During the reporting period, David stepped down from the Board of Directors and the Pilbara Regional Committee.

# Board of Directors (cont...)





### Paul Baron

#### Director

Paul is a Baiyungu man and a member of the Gnulli native title claim. He is the general manager of the Baiyungu Aboriginal Corporation, which is involved in development and land holdings in the Coral Bay area.

Paul lives in Carnaryon and is a keen fisherman, but also enjoys hunting and camping in his spare time. Being on the board at YMAC is important to him because he believes that full recognition of traditional ownership provides Aboriginal people a base for building strong communities and enterprises.

## Susan Oakley

#### Director

Susan is a Malgana woman who is very active in Carnarvon community life. Country means everything to Susan.

She wants Aboriginal people to be able to be free on country, to hunt and fish and look after the land and the environment. This and her desire for justice for Aboriginal people motivate her native title work with YMAC.





#### Ben Roberts

#### Director

Ben is a Thudgari man who lives in the coastal town of Carnaryon.

Ben was instrumental in assisting his community have their native title recognised in November 2009.

Thudgari people have now established an Aboriginal Corporation called 'Wyamba' to administer their business, with which Ben is currently involved. Ben enjoys fishing, camping and visiting country with his children and grandchildren.

### Nora Mallard

#### Director

Nora is a Yamatji woman who lives in Carnarvon. Nora is passionate about her Aboriginal heritage and culture and enjoys sharing her knowledge with the younger generation.

Nora's vision is for all Australians to respect and appreciate Aboriginal heritage and to teach people about her culture.

# **Board of Directors** (cont...)



# Pilbara Regional Committee



### Selina Stewart

#### Director

Selina is a Puutu Kunti Kurrama and Pinikura (PKKP) Traditional Owner and a devoted mother and grandmother.

Selina grew up in Carnarvon and Port Hedland and currently resides in Perth. She has spent ten years working to gain native title recognition for her community and has fond memories of learning about her country from her father and grandmother.

Her drive to serve her community is inspired by her father, who was actively involved in native title and made sure his daughters could continue in his footsteps.

## **Neil Finlay**

#### Pilbara Committee

Neil is an applicant for the Kurama and Marthudunera native title claim, and is also a member of the Working Group.

He was re-elected to the Pilbara Regional Committee in February 2010, and was since replaced on the Committee by Matthew Sampi in August 2012, outside of the reporting period. He lives in Onslow.

### Les Stevens

#### Pilbara Committee

Les is a member of the Kariyarra native title claim, and a member of the Working Group. He has been on the Pilbara Regional Committee since October 2004, and was replaced by Jeanie Snowball in July 2012, outside of the reporting period.





### Robyne Churnside

#### Pilbara Committee

Robyne is a Ngarluma woman and has been on the Pilbara Regional Committee since November 2005. She lives in Roebourne.

### Diane Stewart

#### Pilbara Committee

Diane is a Nyangumarta woman and a member of the Working Group.

She was elected to the Pilbara Regional Committee in February 2012, and to the Board of Directors in August 2012, after the reporting period. She lives in South Hedland

## Albert Pianta

#### Pilbara Committee

Albert is a member of the Ngarlawangga native title claim and the Working Group. He was elected to the Pilbara Regional Committee on 8 March 2012.

He lives in Roebourne.

## Karen Tommy

#### Pilbara Committee

Karen is a member of the Banjima native title claim. She has been a member of the Pilbara Regional Committee since August 2010. She lives in Tom Price.

# Pilbara Regional Committee (cont...)



### Peter Limerick

#### Pilbara Committee

Peter is a member of the Ngarlawangga native title claim, and was elected to the Pilbara Regional Committee in November 2007. On 8 March 2012 he was replaced on the Committee by Albert Pianta.

Peter lives in Wakathuni.

# Yamatji Regional Committee



## Douglas Ryder

#### Yamatji Committee

Doug is a member of the Nanda, Naaguja and the Hutt River native title claims, and he is a member of the Naaguja and Hutt River Working Groups.

He has been on the Yamatji Regional Committee since October 2008. He lives in Carnaryon

## Ron Simpson

### Yamatji Committee

Ron is an applicant for the Wajarri Yamatji native title claim. He was elected to the Yamatji Regional Committee on 19 November 2011

He lives in Meekatharra





## Kathleen Musulin

#### Yamatji Committee

Kathleen is a Malgana woman and a member of the Working Group. She served on the Yamatji Regional Committee from 2004-2010, and was re-elected on 19 November 2011.

She lives in Carnaryon.

## Cecily Dowden

#### Yamatji Committee

Cecily is a Wajarri woman who lives in Carnarvon. She was elected to the Yamatii Regional Committee in November 2010.

### Laurence Hodder

### Yamatji Committee

Laurence has served on the Yamatji Regional Committee since March 2006. He was not re-elected to the Committee when his latest term expired at the Annual Regional Meeting in November 2011.

He lives in Yalgoo.

# Yamatji Regional Committee (cont...)





## Rodney Ryan Snr.

#### Yamatji Committee

Rodney is a member of the Nanda and the Wajarri Yamatji native title claims. He was elected to the Yamatji Regional Committee in November 2010.

He lives in Carnarvon.

## Gloria Fogarty

#### Yamatji Committee

Gloria is an applicant for the Badimia native title claim and sits on the Working Group. She has been a member of the Yamatji Regional Committee since November 2009. She lives in Cue.





## Pam Mongoo

### Yamatji Committee

Pam is an applicant for the Wajarri Yamatji native title claim. She was elected to the Yamatji Regional Committee in November 2011. She lives in Meekatharra.

## Victor Mourambine

### Yamatji Committee

Victor is a member of the Wajarri Yamatji native title claim group. He has been on the Yamatji Regional Committee since November 2009.

He lives in Northampton.





# CEO's Report

The 2011/2012 reporting year has seen several trends emerge for Yamatji and Marlpa Traditional Owners as we shift towards a post-determination and post-agreement environment for many of the groups we represent.



## WA State Government's Approach to Native Title

Despite progress made with industry over recent years to fast-track connection research, improve heritage protection processes and finalise major mining agreements, we are seeing a significant slow-down in the WA State Government's approach to resolving issues of recognition and protection of country and culture with Traditional Owner groups.

During the reporting period research was completed for the Pilbara Connection Project and significant progress made with Yamatii research (see Connection Research Update). However, the State is no longer providing a position paper on connection, leaving Traditional Owners and third parties with uncertainty on likely timing

and the status of consent determinations

This in turn impacts on the speed of the resolution claims, effectiveness of Federal Court case management, litigation funding and connection research. The lack of feedback does not allow us to target further research and these delays have increased the need for preservation evidence, which is labour intensive and expensive and distressing for those involved. In the coming years we will continue to dedicate significant time and effort in preserving the evidence of elders.

## WA State Government's Indigenous Land Use Agreement Template

It is YMAC's view that the State Government's ILUA template reduces Traditional Owners current rights and interests through negotiated agreements with individual Government agencies and third parties. We have also seen State representatives intervening in the negotiation of best-practice agreements, insisting all future interests are addressed in the State II UA.

Litigation is likely to increase in coming years as a result of uncertainty and the

desire of Traditional Owners to resolve native title.

## Proposed Changes to the Native Title Act

In June 2012, YMAC welcomed the announcement by the Attorney-General that the Government will introduce a set of long awaited reforms to the Native Title Act, which will clarify the meaning of good faith' and strengthen the 'right to negotiate'.

Following the Fortescue Metals Group (FMG) Full Federal Court Case in 2009. YMAC has recommended these amendments to clarify the meaning of 'good faith' so that all parties are made to negotiate on substantive issues within the six-month period, rather than stalling on preliminary matters such as negotiation protocols and timetables.

We believe the amendments proposed by the Attorney will help to achieve this. Based on the provisions in the Fair Work Act, all parties will have early guidance and reasonable expectations as to what constitutes good faith negotiations. This clarification will facilitate faster, more effective negotiations, reducing costs and the potential for disputes.

### Consumer Protection for Traditional Owners

We support the National Native Title Council's push for regulatory changes to support consumer protection for Traditional Owners. The effective governance of the various corporate entities that arise out of native title

determinations and commercial agreements will require the use of professional, high quality, ethical advisors.

Because native title rights and interests are collective, rather than individual, it is vital that decision-making processes regarding native title claim business and future act negotiations are clearly understood and endorsed by the broader native title group.

## Housing and regional development

YMAC has worked effectively with the WA Department of Regional Development and Lands to develop new comprehensive agreements that will create opportunities for Traditional Owners to become directly involved in housing and property development, while also facilitating affordable housing for Pilbara towns.

## Indigenous employment and economic development

Throughout the reporting period, YMAC has worked with the Pilbara Regional Coordinator on the MoU on Indigenous **Employment and Enterprise Development** to identify gaps in skills and training for Traditional Owners looking to take up opportunities provided in mining agreements.

## Staffing and Operations

YMAC has seen our ninth consecutive clear external audit. The capability of the organisation has grown significantly and we have seen a 20% increase in Revenue over the previous financial year. We

# CEO's Report (cont...)

have also seen increased funding from the Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA) as well as an increase in funding from other sources. YMAC welcomes the level of ongoing support from FaHCSIA. I'm also pleased to report that this year has seen low staff turnover with a better than average retention rate.

I thank YMAC's Board of Directors for their continued guidance and support and acknowledge staff for their dedication and professionalism in our work for Yamatji and Marlpa Traditional Owners.

# Government Engagement and Advocacy

During the reporting period, YMAC was actively involved in advocacy for Traditional Owners through the following avenues:

#### Submissions

- Department of Indigenous Affairs, Pilbara regional governance and heritage issues
- WA Alliance of Aboriginal Land Councils' submission to WA Premier.
- Submission on Constitutional Recognition of Aboriginal and Torres Strait Islanders
- Conservation Legislation Reform Amendment Regulations
- Review of Regional Development Commissions, Department of Regional Development and Lands
- WA Aboriginal Heritage Act Review

### Presentations

- Indigenous Community Development Corporation Workshop, Melbourne
- Professional Trustee Seminar,
   Presentation, 12 August 2011
- WA Alliance of Aboriginal Land Councils Meeting, Hosted and Chaired – 8-9

December 2011

- Centre for Social Impact, UWA Indigenous Business, Enterprise and Corporations Conference, Panel Presentation, 15 December 2011
- Aligning Indigenous Land Management Conference – Presentation, 21 March 2012
- Native Title Consultative Forum –
   15 May 2012

### Representation

- Chamber of Minerals and Energy, Native Title and Aboriginal Heritage Working Group
- WA Reference Group for the Memorandum of Understanding on Indigenous Employment and Enterprise Development
- National Indigenous Carbon Farming Roundtable/National Indigenous Climate Change Committee
- Minerals Council of Australia, Gender, Mining and Communities Dialogue
- National Native Title Council
- WA Alliance of Aboriginal Land Councils



# Organisational Highlights

### Kariyarra Land Development Deal

In July, the Kariyarra Mugarinya Joint Venture, a corporation run by the Kariyarra native title claim group and Mugarinya Community Association, commenced of a joint property venture with the Department of Regional Development and Lands.



The deal provided funds to develop 12ha of residential land in Port Hedland that was allotted to the Kariyarra Maugarinya Joint Venture in 2007 YMAC assisted the Kariyarra people to set up the Joint Venture and receive the land allotment. and the development deal will help develop housing and security for the community into the future.

## YMAC Wins National Landcare Award



In August, YMAC's Senior Community Liaison Officer, Nyaparu Rose, won the 'Leighton Holdings Indigenous Award' at the 2011 WA Landcare Awards The awards were part of a conference being held in conjunction with the 7th International Symposium on Digital Earth (ISDE7) at the Perth Convention and Exhibition Centre. Nyaparu Rose was nominated by YMAC for her work with Traditional Owners on the Pilbara Sea Country Plan project.

## Kariyarra Agreement for Port **Hedland Development**

In August, the Kariyarra people and the WA State Government signed a native title agreement which will pave the way for much needed residential and commercial development of land in the Town of Port Hedland

Under the agreement, a total of around 5.000 hectares of land will be transferred to the Kariyarra people in exchange for their consent to the release of land within the South Hedland townsite and port of Port Hedland. The Kariyarra people will also gain management of several extensive reserves, which include important cultural sites.

## Agreement to Protect Indigenous Heritage

Also in August, Baiyungu Traditional Owners signed an agreement with Rio Tinto's Dampier Salt to protect Indigenous heritage in WA's Midwest. The signing ceremony between the Gnulli native title claim group and Rio Tinto took place at Dampier Salts Lake Macleod operation, some 100 kilometres north of Carnaryon.

The agreement establishes guidelines on the protection of Indigenous culture, and importantly, the consultation of Traditional Owners on all heritage matters in the area. Lake Macleod is of special cultural significance to the Gnulli people and Lake Macleod is recognised as a wetland of national importance due to the abundance of birdlife and the fact that the lake is periodically inundated by freshwater.

## Tribunal Ruling for Wajarri Heritage

In September, The National Native Title Tribunal (NNTT) ruled that four mining tenements in the Weld Range could not be granted due to the cultural significance of the area to the Wajarri Yamatji people. This was only the second time the NNTT had ever made such a decision, and came after parts of the Weld Range were accepted on to the National Heritage List earlier in 2011.



Deputy President Sumner of the NNTT came to the conclusion that, "The Weld Range area is of such significance to the [Wajarri Yamatji people] in accordance with their traditions that mining on it should only be permitted with their agreement."

# Organisational Highlights (cont...)

## Eighty Mile Beach Management Plan



In October, the WA Minister for Environment Bill Marmion released the Indicative Management Plan for the proposed Eighty Mile Beach Marine Park. Nyanguamrta people had a significant involvement in the development of the Plan

In a statement, Minister Marmion said, "The proposed Eighty Mile Beach marine park will provide protection for a unique and spectacular part of the lower west Kimberley coastline, while providing for sustainable tourism use and enjoyment of the area and the maintenance of Aboriginal culture and heritage."

Eighty Mile Beach is an area rich in biodiversity and cultural heritage, and it is very important to the Nyangumarta people to use their vast traditional knowledge to manage the area responsibly.

## Badimia and Asia Iron Australia Agreement

In December, Asia Iron Australia held a ground breaking ceremony for their magnetite operations involving Badimia representatives, Chinese officials, and over 100 invited guests. The first stage of the magnetite operations will include the construction of a base camp, called "Little Gunduwa Village" in early 2012. Beverley Slater, chairperson of the Badimia working



Gloria Fogarty

group said of the event, "I look forward to seeing the Badimia people benefit from this project through a variety of opportunities and employment, and that our culture and heritage be respected."

## Njamal Joint Venture with FMC



Tony Taylor and Alice Mitchell

In January, The Njamal community and Fortescue Metals Group (FMG) announced a joint venture for the Northern Star tenements project on Njamal people's traditional country.

The Njamal people brought the idea for the joint venture to FMG to reach agreement over the project. It forms part of a native title agreement over the mining project area, and comes at the end of nearly two years of negotiations. Under the agreement, Njamal will mine the ore on that tenement, and FMG will purchase it at an agreed price. This arrangement was proposed by the Njamal people as an alternative to a best-practice native title compensation agreement, after negotiations reached an impasse in the second half of 2010.

## Kurama and Marthudunera Legal Win

In January, Kurama and Marthudunera (K&M) people celebrated a legal win in the Karratha Warden's Court. The Warden recommended to the Minister that a group of tenements applied for by Mineralogy Pty Ltd in the K&M people's native title claim be refused. The K&M. people argued that it would not be in the public interest for the tenements to be granted because of the negative impact it could have on their native title rights, cultural heritage and lifestyle, as well as the environmental values of the area

# Organisational Highlights (cont...)

## Ngarlawangga and Rico Resources Agreement



In April, The Ngarlawangga people announced an agreement with Rico Resources over their Wonmunna project within the Ngarlawangga native title claim. The agreement focuses on building a relationship between the parties and is based on shared objectives of employment and contracts for Ngarlawangga people on Rico Resources projects.

To this end, a skills audit of the Ngarlawangga community is being undertaken to help community members identify and access opportunities for training, employment, and business ventures. The agreement includes financial compensation to the Ngarlawangga people, and recognises the importance of Aboriginal culture and the Ngarlawangga people's responsibility to care for their heritage sites.

## Recognition for Nyangumarta and Karajarri

In May 2012, the Federal Court handed down a native title determination to the Nyangumarta and Karajarri communities across shared country near 80 Mile Beach in Western Australia.

The Nyangumarta/Karajarri joint determination resolved two overlapping claims of the Nyangumarta and Karajarri peoples, two different tribal groups who share traditional laws and cultural connection to the area.



Nyangumarta boys on Country

The Kimberley Land Council and the Yamatji Marlpa Aboriginal Corporation acted on behalf of the Karajarri and Nyangumarta claimants to negotiate native title across 2000 square kilometres of land and sea country across Anna Plains Station, in the East Pilbara and West Kimberley regions of WA.

## Finalists in Community Services Awards



YMAC Co-Chairperson, Mrs Eaton

In May YMAC was announced as a finalist in the WA Government's Department for Communities, Community Services Excellence Awards The nomination was in recognition of our community awareness raising strategies for our Uranium and Native Title communications program.

The Community Services Excellence Awards recognise the important role the community sector and individuals play in making a positive difference to people, families and communities through their innovative and creative services.

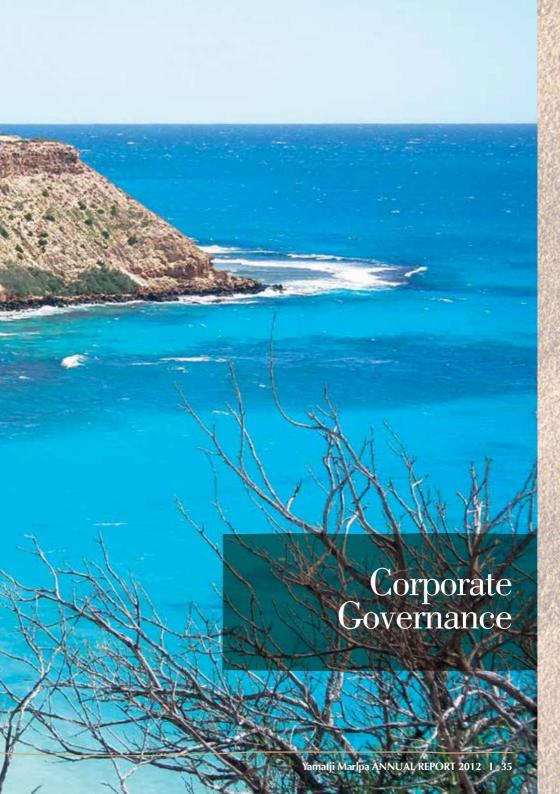
## All Staff Training

In February, staff travelled to Perth to participate in YMAC's All Staff Training, a three-day event incorporating cultural awareness training, technical workshops and strategic planning for the year ahead. The event topics are driven by staff and allows colleagues, management and Board representatives to meet face-to-face, build relationships and share experiences to assist with YMAC's services



Clarrie Cameron





# Corporate Governance

YMAC is governed by complementary frameworks to ensure the organisation is effective, delivers quality outcomes, and is efficient in its use of its resources to deliver services. Staff are employed to deliver outputs that align with Operational Plans and comply with all relevant statutory and regulatory requirements.

Regular reporting to the Board, committees, stakeholders, management and funders ensures that the strategic direction is maintained. The YMAC constitution is strengthened by sound and clear policies and procedures which are consistently applied.

YMAC has an effective and efficient financial management system and framework which is robust and transparent. Regular reporting within the organisation adheres to all applicable statutory requirements including the Native Title Act, all tax Acts and relevant State Acts

The organisation also adheres to Australian Accounting Standards, with the two senior finance personnel suitably qualified with continuing professional development obligations.

YMAC acknowledges support from FaHCSIA and the receipt of additional targeted funding for priority areas to counter the significant increase in input costs and to be able to meet the demands of progressing native title outcomes.

However, in view of the continuing high level of activity, the organisation continues to wrestle to maintain or reduce cost levels in regions where the Consumer Price Index is well above the Australian average. Facilities and services such as accommodation, housing and travel have become more difficult to procure at a reasonable cost, particularly in the Pilbara region.

### Planning

Both divisions of YMAC conduct planning sessions, which begin in February and culminate in May, when an annual operational planning document forms the main part of a submission to the Commonwealth for funding and approval of native title activities in the following financial year.

Reviews are performed in December, April and August and are submitted to FaHCSIA. Internal planning and operational reviews take place at the same time to ensure that our activities continue to be aligned to the Operational Plan. The Operational Plan is linked to the YMAC Strategic Plan, which is reviewed and updated every three years.

## Reporting

Regular reporting on multiple levels, both externally and internally, ensures that the organisation is well managed, and that risks are identified and managed appropriately. A Policy and Procedure Manual, endorsed by the Board of Directors, provides a framework for effective governance including appropriate and conservative delegations.

External auditors are appointed to give assurance to the Board that financial matters are performed to the requisite standard.

#### Risk Assessment

YMAC has monthly financial and operational meetings with relevant staff and managers to assess current performance and operations. From these meetings, possible risks are identified and action plans are made to mitigate against, or to eliminate, risk. These meetings are held at different levels, ranging from operational staff to the Executive Management Team, with strategic risks taken to a Board level.

## Complaints

The principal mechanism for dealing with complaints about the services provided by YMAC are the native title claim working groups, which act as a clearing house for most issues. On the occasions when a complaint cannot be dealt with at a working group, or the complainant is not a current client of YMAC, then a formal complaint can be made to the organisation pursuant to current policies and procedures. Specific procedures exist in relation to clients or constituents seeking review of decisions made by YMAC, which are designed to ensure that the complainant is dealt with fairly and impartially. A two page document entitled "If you have a complaint / Application for Internal Review" is available at all offices for clients'use

YMAC received no formal complaints in the 2011/12 reporting period.

## Corporate Governance (cont...)

### Staffing Levels

The organisation has long-serving core staff with service of five to thirteen years. The lack of infrastructure and increased cost of living means it continues to be costly and difficult to source staff for the Pilbara region.

Despite these challenges, YMAC has been able to attract qualified and experienced legal, anthropological and other professionals throughout the reporting period.

Workforce planning takes account of YMAC's strategic, business, operational plans and its organisational structure.

During this reporting period, YMAC has employed additional staff in order to meet the increasing workload in claims, future acts and heritage. At the end of the reporting period, YMAC had a total of 128 staff, with the following breakdown:

Full-time	99
Part-time	7
Casual	12
Male	33
Female	91
Indigenous	26
Non-Indigenous	102

## Staff Education and Training

YMAC works to provide staff with appropriate training and educational opportunities, adding to the skills-base from which the organisation can draw.

Staff training included attendance at the 2012 National Native Title Conference by selected staff, the YMAC All-Staff training in February 2012, and individual staff training and professional development to assist staff in the performance of their duties.

A significant number of staff also participated in cross-cultural training held in the Yamatji region. Legal staff are required to obtain Continuous Professional Development (CDP) points to renew their practice certificates each year.

YMAC continues to have Quality Assurance status as a recognised provider of CDP training.

## Board of Directors' and **Committee Training**

Providing training opportunities for Board and Committee members continues to be a priority for YMAC. In the reporting period, Board members and Regional Committee members attended governance training.

Selected Board members also attended the 2012 National Native Title Conference held in Townsville in June

### Salary levels

The salary structure of YMAC staff is based on the YMAC Enterprise Agreement 2012, with the exception of some senior staff who are on negotiated salaries.

### Salary awards

The organisation has successfully negotiated a new Enterprise Agreement which has succeeded the 2005 Certified Agreement. YMAC remains under constant pressure to offer competitive salary levels in order to secure experienced and qualified staff.

## Occupational Health and Safety

There were no reported issues during the reporting period.

4WD and first aid training for new staff continues to be provided, with refreshers for existing staff. Individual training in Occupational Health and Safety was provided in this financial year.

Policies and procedures continue to be reviewed to ensure compliance.

### Codes of Conduct

The organisation has a code of conduct, signed by each member of staff as well as a Policy and Procedures manual, which contains YMAC's code of ethics

## Consultancy Services

YMAC actively pursues value for money for the provision of all its services and always seeks to obtain at least three quotes for services where possible. Many corporate services are outsourced, enabling YMAC to reduce risk and to access specialist services.

In the 2011/12 reporting period YMAC engaged 93 consultants to undertake consultancy work at a cost of \$8,158,037.67. Consultants are used when there is a requirement for specialised services which cannot be met by YMAC staff due to insufficient in-house resources. or where independent advice is required.

## Organisational Structure

#### Members

YMAC membership is open to all adult Yamatji and Marlpa people, including people who live in other areas but who have a traditional connection to country.

Members are entitled to vote at Annual Regional Meetings and Special General Meetings.

## **Working Groups**

Each native title claim represented by YMAC has an elected representative body called a working group. A working group is composed of Aboriginal people with the cultural knowledge, and recognised status to have authority in matters affecting country. Working groups are a powerful voice for Traditional Owners to participate in decisions that affect their country and communities. A working group provides a delegated authority group of representatives to further negotiations to a point where recommendations can be taken back to the broader Traditional Owner community. The working group structure also provides government and industry with established frameworks and opportunities for effective engagement with Aboriginal communities.

## Regional Committees

The policy direction for YMAC on native title matters that are specific to either the Yamatji and Pilbara regions are provided by the two Regional Committees. Yamatji Regional Committee members are voted in at the Yamatji Annual

Regional Meeting. Each native title claim represented by YMAC in the Pilbara nominates a representative to its Pilbara Regional Committee at native title claim group community meetings. The Yamatii Regional Committee held five meetings during this reporting period; four ordinary meetings and one joint meeting with the Pilbara Regional Committee. The Pilbara Regional Committee held three regular meetings during this reporting period. One regular meeting was called but did not proceed due to lack of quorum. 1 joint meeting with the Yamatji Regional Committee was held to discuss YMAC business.

#### **Board of Directors**

YMAC's overall policy direction is provided by its Board of Directors. The Board acts as an advocate for Traditional Owners in the Pilbara and Yamatji regions, particularly in relation to government activities affecting country, as well as mining and development issues.

Ultimately responsible for the performance of the organisation's statutory functions, the Board of Directors is also accountable to the members of the organisation.

The Board of Directors is made up of members of the organisation's two Regional Committees. Six members from each committee join to form the twelve member Board of Directors, providing equal representation of both the Yamatji and Pilbara regions.

Pilbara Regional Committee Attendance July 2011 to June 2012		Yamatji Regional Committee attendance July 2011 to June 2012	
During the reporting period the m of the Pilbara Regional Committee		During the reporting period the m of the Yamatji Regional Committee	
Committee Member Meetings attended (out of five)	;	Committee Member Meetings attended (out of five)	
Eaton (Chairperson) Neil Finlay Robyne Churnside Nora Cooke Darren Injie Natalie Parker David Wright * Dianne Stewart * Toby Smirke Les Stevens Peter Limerick * Albert Pianta * Selina Stewart Karen Tommy * This committee member has not part of the Pilbara Regional Commfor all of the reporting period		Peter Windie Chairperson Roy Bellotti Douglas Ryder Susan Oakley Ron Simpson * Laurence Hodder Paul Baron Kathleen Musulin * Cecily Dowden Nora Mallard Deceased Person * Rodney Ryan Snr Ben Roberts Gloria Fogarty Pam Mongoo * Victor Mourambine  Elected at November Annual Regional Meeting 19/11/11  Ron Simpson * Deceased Person * Kathleen Musulin * Pam Mongoo *	5 3 5 5 0 1 2 3 5 5 0 5 4 1 3
		* This committee member has not been part of the Pilbara Regional Committee for all of the reporting period.	

## Organisational Structure (cont...)

## Executive Management Team (EMT)

Organisational performance management is the function of the Executive Management Team (EMT), which consists of six senior officers:

#### Chief Executive Officer



Simon Hawkins

As Chief Executive Officer (CEO), Simon Hawkins is responsible for the overall management of the organisation on behalf of the Board of Directors, and acts as Company Secretary. The CEO is accountable for the responsibilities of the organisation. He ensures that the policies and decisions of the Board of Directors and the Regional Committees are implemented, that the organisation

#### **Board of Directors'**

During the reporting period the Board of Directors' members were:

Yamatji member	meetings attended (out of five)
Peter Windie (Co-Chair from Nov 10)	5
Roy Bellotti	5
Nora Mallard	5
Susan Oakley	5
Ben Roberts	4
Paul Baron	4

Pilbara member	Meetings attended (out of five)
Doris Eaton (Co-Chair from Apr 08)	5
Natalie Parker	5
Toby Smirke	3
Darren Injie	0
Nora Cooke	5
Selina Stewart*	3
David Wright*	1

<sup>\*</sup>This Board member has not been part of the Board of Directors for all of the reporting period and therefore was not required to attend all meetings. The Board of Directors held five meetings during the reporting period; four ordinary meetings and one special meeting.

observes its legal responsibilities, and that it meets its obligations under agreements entered into with other parties.

In promoting the interests of YMAC and its clients, the CEO lobbies government and industry for policy change, as well as negotiating funding for existing and new projects. This includes making presentations and promoting the organisation on a range of topics affecting YMAC's clients

## Regional Managers





Donna Murdock

Peter Jeffries

YMAC has two discrete regional divisions, the Yamatji (Murchison and Gascoyne) and Marlpa (Pilbara) regions, under the direction of Regional Managers.

The Regional Managers are responsible for developing and maintaining strategic alliances across all sectors, managing special projects, advocating and representing the native title rights and interests of Traditional Owners, and overseeing regional operations, including managing regional offices and staff.

The Yamatji Regional Manager position was held by Donna Murdock for the reporting period.

The Pilbara Regional Manager position was held by Peter Jeffries for the reporting period.

## Principal Legal Officer



Michael Meeaan

The Principal Legal Officer (PLO) is responsible for managing the legal operations of the organisation in accordance with the

NTA. The PLO advises on matters related to the NTA and associated legislation, as well as other Commonwealth and State laws and statutes affecting the interests of native title holders in the Murchison, Gascoyne and Pilbara regions.

The position involves coordinating relationships between the organisation and claimant groups, intra-Indigenous mediation in relation to the claims process, preparation and lodgement of native title claims, progress and resolution of native title claims and future act processes.

The PLO position was held by Michael Meegan for the reporting period.

## Organisational Structure (cont...)

## Director of Research and Heritage



Melissa Moore

The Director of Research and Heritage is responsible for managing the organisation's research and heritage programs. The research program

provides anthropological and other specialised research on behalf of native title claimants to establish connection to land and waters under traditional law and custom

Research is also prepared for the purposes of resolving boundary overlaps, group membership, litigation and other purposes related to establishing native title. The heritage program is responsible for cultural heritage protection. YMAC has one of the largest cultural heritage survey programs in Australia, which involves arranging heritage surveys for native title groups whose heritage protection interests are represented by the organisation.

The Director of Research and Heritage position was held by Melissa Moore for the reporting period.

## Chief Financial Officer (CFO)



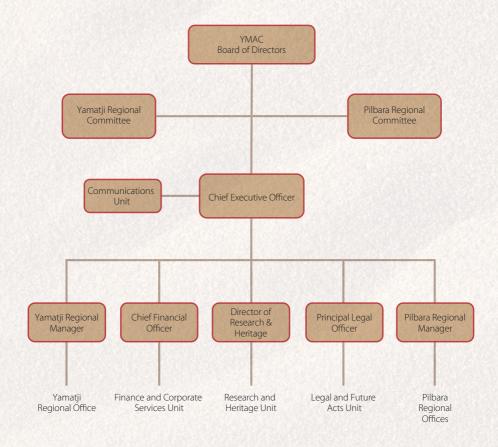
Nicholas Kimber

The Chief Financial Officer (CFO) is responsible for overseeing the financial reporting requirements of the organisation. The CFO provides

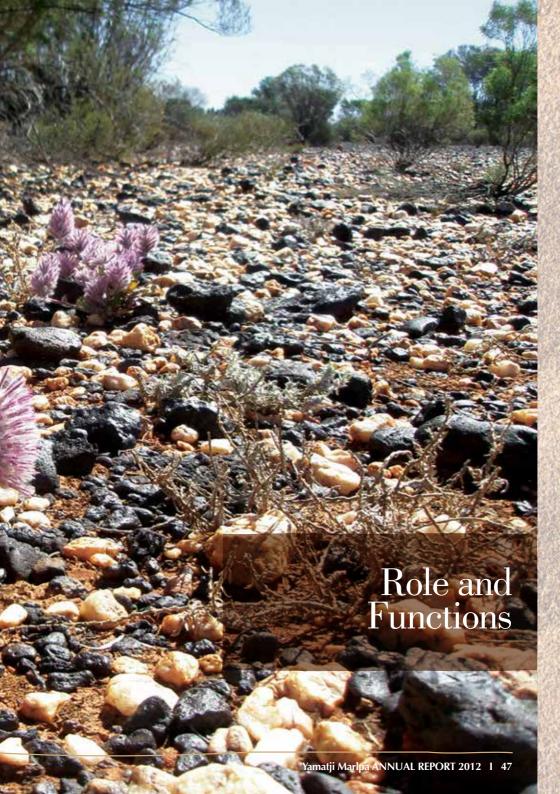
timely and accurate information to the CEO, Board and Committees for strategic decision making and to ensure efficient and effective use of resources to meet the dynamic and challenging conditions of the economy.

The Chief Financial Officer (CFO) position was held by Nicholas Kimber for the reporting period.

## YMAC Organisational Chart







## **Roles and Functions**

#### Facilitation and Assistance

YMAC strives to provide Traditional Owners with best practice standards for representation of their native title claims and beyond. In doing this, it meets and exceeds its requirements as a native title representative body to:

- Research and prepare native title applications.
- Assist native title claimants in consultations, mediations, negotiations, and proceedings relating to recognition of native title.

During the reporting period YMAC focused on undertaking comprehensive anthropological research and completing connection reports with appropriate anthropological and legal review and taking two claims to trial, YMAC is committed to providing the best possible outcome for the Traditional Owners it represents by the resolution of native title claims in a certain and comprehensive manner.

In relation to overlapping claims, where appropriate, YMAC participates in mediation with the native title groups it represents. Where necessary, YMAC has taken action to strike out or list matters. for trial where it considers this is the most appropriate course of action to resolve outstanding native title claims.

## **Providing Assistance**

During the reporting period, YMAC

provided legal, research and mediation assistance to the 24 claim groups within the Pilbara and Yamatji region.

YMAC will not provide assistance to a new claim that overlaps with an existing assisted claim without the consent of the existing claim. Once assistance is approved, YMAC will assess its priorities which will, in turn, determine the direction of its activities. A number of new claims have been authorised by groups on areas where overlaps do not exist.

The type and level of assistance provided will be reviewed on an ongoing basis and will depend on a number of factors including:

- The need to comply with relevant Federal Court orders
- The overall level of resources available to the organisation.
- The ranking assigned to each claim through the claim appraisal and review process.

#### Certification

As part of its role as a native title representative body, YMAC continues to provide assistance with certification of native title claim determinations and Indigenous Land Use Agreement (ILUA) registrations. Specifically, its functions include.

 to certify, in writing, applications for determination of native title

- relating to areas of land or waters, which are wholly or partly within the representative area and;
- to apply for the registration of an ILUA which certifies that all the persons identified as having native title interests in the area have authorised the II UA's making.

YMAC has adopted a certification procedure in compliance with s202BE (2) of the NTA

## Dispute Resolution

The processes of gaining recognition of native title and negotiating future act and heritage matters all affect Traditional Owners deeply because of their relationship to country. These processes often raise difficult issues for native title claimants to consider and make decisions about. Very often these matters involve contestation and dispute and YMAC staff are called upon to assist with these matters.

During the reporting period, YMAC has been committed to honouring each person involved in the native title process, while at the same time fulfilling its functions under the NTA to assist those persons who may hold native title.

## **Mediation Programs**

During the reporting period YMAC has actively participated in mediation as part of its commitment to resolving native title claims. These mediations have occurred with staff, consultants and also with the assistance of the National Native Title Tribunal (NNTT).

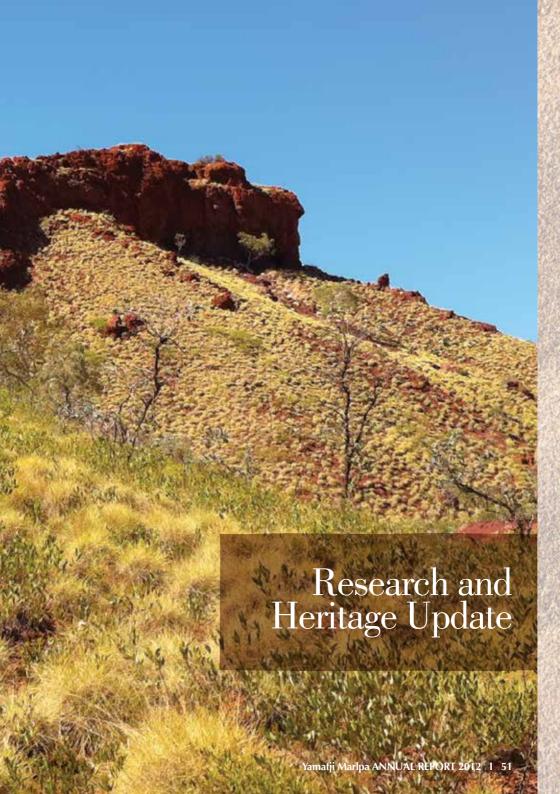
Native Title mediation is a discrete form of alternative dispute resolution which draws on the specific skills of Native Title practitioners with legal, anthropological and alternative dispute resolution skills.

The process of mediation involves many participants. YMAC team members develop a range of strategies to assist the parties resolve Native Title and other related issues. This includes meeting separately with individuals and families at their homes or on country, setting up meetings in a culturally appropriate way, and recognising the importance of showing respect for elders. YMAC uses internal and external chairpersons to help run meetings.

## Prescribed Bodies Corporate

YMAC continues to provide assistance to Prescribed Bodies Corporate from time to time in accordance with its NTA functions.





## Research and Heritage Update



Yugunga-Nya heritage survey

# Connection Research Progress (please refer to claim updates for additional detail)

#### Yamatji Region

- Intensive research preparation was undertaken by the Research and Heritage Team for the Badimia trial.
- Supplementary Wajarri Yamatji connection material was submitted to the State Government.
- Research into Budina, Gnulli, Malgana and Nanda claims was significantly progressed.
- Research was progressed for all Alternative Settlement Area (ASA) claims, to resolve membership and boundary issues to assist the ASA process.
- Boundary Research Workshops were held to progress the resolution of overlap issues.
- Anthropological and archaeological input was provided to support the successful NNTT Weld Range/Wilgie Mia Inquiry in the Wajarri Yamatji Native Title Claim Area.

#### Pilbara Region

· The Nyiyiparli, Yinhawangka and

- Ngarlawangga Connection Reports and Supplementary DVDs were submitted to the State Government.
- Significant anthropological expertise and support was provided for the Banjima trial.
- Palyku Connection research was progressed.
- KM/YM overlap research was completed and the claim groups are working to resolve the overlap.
- A joint Njamal/Palyku and regional elders trip to the Nullagine overlap area was held in March.

# Heritage and Environmental Protection



Yugunga-Nya heritage survey

- A YMAC Heritage Policy Statement was developed and endorsed by the Board in May 2012.
- A YMAC Environmental Protection Policy Statement was developed and endorsed by the Board in May 2012.
- Developed cultural mapping proposals, seeking to more comprehensively and

- holistically map Aboriginal cultural heritage areas within claims.
- Significant anthropological advice and assistance was provided for the identification of Heritage Exclusion Zones and Rights Reserved Areas, to ensure the protection of highly significant cultural heritage areas.
- Successful Lotterywest grant application for K&M Traditional Ecological Knowledge Project.
- Provided assistance to the Nvangumarta Native Title Holders in the Indigenous Protected Area Consultation Project.
- Provision of advice on environmental issues and impacts to Traditional Owners.
- Made a number of presentations to Claim Groups in relation to Heritage Protection and Heritage Services.

## Review of WA Aboriginal Heritage Act

- YMAC was actively involved in the review of the WA Aboriginal Heritage Act 1972.
- YMAC wrote to all claim groups informing them of State Government's Discussion Paper and of YMAC's concerns about the review process and the discussion paper proposals.
- The Chairs wrote to a large number of stakeholders expressing their concerns and seeking support, and their letter was published in the Koori Mail on 13 June 2012

- YMAC brought a delegation of Board members and other Traditional Owners to a meeting with Senior Department of Indigenous Affairs Officials and the Reviewer, Dr John Avery
- YMAC provided its Submission to the Review Discussion Paper on 26 June 2012 which is also posted on the YMAC Website.

## Heritage Services Program



Yugunga-Nya heritage survey

Successful delivery of YMAC's Heritage Services Program as the Heritage Services Provider for a number of claim groups, including the delivery of an unprecedented number of heritage surveys given exploration, mining, infrastructure and development pressures in the representative regions YMAC delivered:

2011-12 241 surveys comprising 2107 survey days.

2010-11 229 surveys comprising 1617 survey days.





## Native Title Claim Updates

### **AMANGU**

#### **Claim Location and Background**

The Amangu native title claim covers approximately 27,388 kilometres of land and sea in the Yamatji region. It lies in the City of Greater Geraldton and the Shires of Carnamah, Chapman Valley, Irwin, Mingenew, Morawa, Northampton, Perenjori, Three Springs and Yalgoo.

#### **Native Title Claim Progress**

During the reporting period YMAC continued to progress the native title claim through regular Working Group Meetings and further connection and genealogical research

YMAC convened joint Working Group Meetings between the YMAC represented Amangu, Naaguja and Hutt River claim groups, and the separately represented Mullewa Wadjari claim group.

The meetings were successful with the three YMAC represented groups and Mullewa Wadjari committing to principles of mutual respect and cooperation in progressing aspirations for the region. A joint negotiating sub-committee, comprised of representatives from each of the three YMAC represented claims and the Mullewa Wadjari claim, has been formed to facilitate discussions with the State and each other.

Later in the reporting period the Widi Mob native title claimants were invited to participate. They were not able to attend the meeting they were invited to but they indicated an intention to participate.

#### **Future Act developments**

There is a moderate level of future act activity in the Amangu claim area. A number of agreements were finalised during the reporting period and have been awaiting execution by the Amangu applicants, including one with respect to an infrastructure project in the Amangu claim area

During the reporting period, the Amangu working group reviewed their instructions to YMAC in relation to heritage and trust matters. A Trust Project Committee was established to liaise with a proposed Trustee on trust policy and models to present to the community for consideration.

Negotiations in relation to the Oakajee Port and Rail development recommenced in August 2011, but then stalled again when Murchison Metals Pty Ltd advised in late 2011 that it would sell its interests in Crosslands Resources Ltd and the Oakajee Port and Rail project. Amangu claimants did however participate in heritage work for the project in the Chapman Valley, west Mullewa and Oakajee River areas during the reporting period.

#### **FaHCSIA funded Meetings**

9 August 2011 Working Group Meeting 13 December 2011 Joint Working Group Meeting 22 March 2012 Working Group Meeting 14 June 2012 Joint Geraldton Region Subcommittee Meeting 28 June 2012 Working Group Meeting

#### **Additional Meetings**

18 August 2011 Negotiation Meeting 5 December 2011 Negotiation Meeting



### **BADIMIA**

#### Claim Location and Background

The Badimia native title claim covers approximately 36,129 square kilometres of land in the Yamatji region. It lies in the Shires of Cue, Dalwallinu, Menzies, Mount Magnet, Mount Marshall, Perenjori, Sandstone, Yalgoo and Yilgarn.

#### Native title claim progress

During the reporting period YMAC represented the Badimia claim in trial proceedings in the Federal Court. YMAC successfully applied to FaHCSIA in October 2011 for contested litigation funding and then complied with Federal Court programming orders for the trial. Evidence was taken from the Badimia witnesses. throughout March and April, and the witness statements were finalised and signed in May and filed in the Federal Court in June. The on-country hearing of

Badimia Cour

the Badimia witness evidence was held from 23-27 July, outside of the reporting period, at the locations of Warriedar and Kerber Pool

#### **Future Act Developments**

The Badimia claim continues to experience a moderate level of future act activity. During the reporting period the Badimia claimants progressed negotiations with a number of parties seeking mining tenements and heritage agreements. A number of negotiations have concluded with parties reaching an in-principle agreement with instructions for YMAC to finalise drafting. The Badimia community continues to be engaged with various companies with respect to implementation of existing agreements.

#### **FaHCSIA funded Meetings**

31 August 2011 Working Group Meeting 23 May 2012 Working Group Meeting

#### Additional meetings

1 September 2011 Negotiation Meeting 6 October 2011 Negotiation Meeting 20 October 2011 Negotiation Meeting 16 February 2012 Negotiation Meeting 17 February 2012 Negotiation Meeting 22 May 2012 Negotiation Meeting

### BUDINA

#### Claim Location and Background

The Budina native title claim covers approximately 4.096 square kilometres of land in the Yamatji region. It lies in the Shires of Ashburton, Carnarvon and Upper Gascoyne.

#### **Native Title Claim Progress**

During the reporting period, YMAC continued connection research into the Budina claim. Negotiations with the pastoralists continued, and by the end of the reporting period the Budina claimants and local pastoralists made significant progress toward agreeing the terms of an Indigenous Land Use Agreement. The negotiations are expected to come to a conclusion early in the next reporting period.

YMAC attended multi-party mediations with the NNTT and respondent parties during the reporting period, and a mediation program was filed in the Federal Court confirming outcomes.

#### **Future Act Developments**

YMAC continued to provide notification and agreement making assistance to the Budina claim group in relation to future acts.

#### **FaHCSIA funded Meetings**

17 May 2012 Working Group Meeting

#### Additional meetings

None convened



### **GNULLI**

#### **Claim Location and Background**

The Gnulli native title claim covers approximately 87,876 square kilometres of land and sea in the Yamatji region. It lies in the Shires of Ashburton, Carnarvon, Exmouth, Shark Bay and Upper Gascoyne.

#### **Native Title Claim Progress**

Connection research into the Gnulli claim continued during the reporting period and a draft report was completed with an outline of further work required.

The Gnulli community gave YMAC instructions in relation to a section 66B application to replace persons comprising the Applicant for the claim. Due to a number of reasons, including the sad passing of one member of the proposed applicant, new instructions will need to be sought from the Community before a

*Gnulli Country* 

section 66B application can be lodged.

YMAC attended a mediation conference on behalf of the Gnulli people with the NNTT and respondent parties and a mediation program has been filed in the Federal Court. YMAC has had regional discussions with the local pastoralists, Pastoralists and Graziers Association and their legal representatives. When the connection research for the claim is completed, YMAC will seek to progress discussions specific to the Gnulli claim with these parties.

#### **Future Act Developments**

There is a high level of future act activity in the Gnulli claim area. Five 'right to negotiate' mining agreements were negotiated and finalised during the reporting period, with negotiations continuing in other future act matters. YMAC has assisted the group to progress the establishment of a trust to hold the financial benefits from native title agreements.

#### FaHCSIA funded Meetings

13 September 2011 Working Group Meeting7 December 2011 Working Group Meeting

#### **Additional Meetings**

14 September 2011 Negotiation Meeting 8 December 2011 Negotiation Meeting 7 March 2012 Negotiation Meeting 8 March 2012 Negotiation Meeting 20 March Negotiation Meeting 3 May 2012 Negotiation Meeting

#### **HUTT RIVER**

#### Claim Location and Background

The Hutt River claim covers approximately 5,893 square kilometres of land and sea the Yamatji region. It lies in the Shires of Chapman Valley and Northampton.

#### **Native Title Claim Progress**

YMAC convened joint Working Group Meetings between the YMAC represented Amangu, Naaguja and Hutt River claim groups, and the separately represented Mullewa Wadjari claim group.

The meetings were successful with the three YMAC represented groups and Mullewa Wadjari committing to principles of mutual respect and cooperation in progressing aspirations for the region. A joint negotiating sub-committee, comprised of representatives from each of the three YMAC represented claims and the Mullewa Wadjari claim, has been formed to facilitate discussions with the State and each other

Later in the reporting period the Widi Mob native title claimants were invited to participate. They were not able to attend the meeting they were invited to but they indicated an intention to participate.

Connection research continued during the reporting period. This included conducting research into the genealogies of claim group families in the region.

#### **Future Act Developments**

YMAC continued to provide assistance to the Hutt River claim group in relation to future acts and heritage.

#### **FaHCSIA funded Meetings**

14 November 2011 Working Group Meeting 13 December 2011 Joint Working Group Meeting 14 June 2012 Joint Geraldton Region Subcommittee Meeting

#### **Additional Meetings**

None convened



### MALGANA

#### **Claim Location and Background**

The Malgana claim covers approximately 36,072 square kilometres of land and sea in the Yamatji region. It lies in the Shires of Carnarvon, Murchison, Shark Bay and Upper Gascoyne.

#### **Native Title Claim Progress**

During the reporting period, a new consultant anthropologist was engaged and connection research continued. A preliminary analysis report was prepared on the basis of ethno-historical research and fieldwork. Research will continue in the 2012/13 financial year.

During the reporting period, YMAC attended a multi-party mediation conference with the National Native Title Tribunal, State government and other respondent parties. A mediation program has been filed in the Federal Court

confirming outcomes. Further regional discussions with pastoral respondents took place during the reporting period.

At a Community Meeting in December 2011 the Malgana claimants gave instructions authorising a change to the applicant of the Malgana native title claim.

#### **Future Act Developments**

YMAC continues to provide assistance to the Malgana native title claimants in relation to future acts and heritage. At a Malgana Community Meeting in December 2011, the Malgana claimants confirmed their instructions in relation to heritage matters.

During the reporting period, YMAC received instructions from the Malgana people to brief the Department of Indigenous Affairs in relation to a heritage matter, and YMAC liaised with the Department of Environment and Conservation and Denham Shire in relation to local issues

#### **FaHCSIA funded Meetings**

19 July 2011 Working Group Meeting 9 December 2011 Community Meeting 13 March 2012 Working Group Meeting

#### **Additional Meetings**

None convened



### NANDA

#### Claim Location and Background

The Nanda native title claim covers approximately 23,110 square kilometres of land and sea in the Yamatji region. It lies in the Shires of Chapman Valley, Murchison, Northampton and Shark Bay and the City of Greater Geraldton.

#### **Native Title Claim Progress**

A draft Nanda connection report was completed during the reporting period, and an outline of further work required has been compiled. YMAC's in house anthropologists are reviewing the draft report, preparing a site register, map and claim genealogy as well as conducting

additional research in conjunction with adjoining claim areas.

#### **Future act developments**

YMAC continues to assist the Nanda claimants with future acts and heritage matters. At the Nanda Working Group Meeting on 7 September 2011, the Working Group elected a heritage subcommittee to make decisions regarding heritage surveys and provided YMAC with future act instructions.

#### **FaHCSIA** funded Meetings

7 September 2011 Working Group Meeting

#### Additional Meetings

15 March 2012 Negotiation Meeting 16 March 2012 Negotiation Meeting



## NAAGUJA

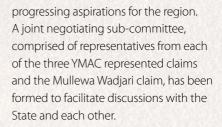
#### **Claim Location and Background**

The Naaguja claim covers approximately 5,581 square kilometres of land and water in the Yamatii region. It lies in the City of Greater Geraldton and the Shires of Chapman Valley, Irwin and Northampton. It includes the town site of Geraldton.

#### **Native Title Claim Progress**

YMAC convened joint Working Group Meetings between the YMAC represented Amangu, Naaguja and Hutt River claim groups, and the separately represented Mullewa Wadjari claim group.

The meetings were successful with the three YMAC represented groups and Mullewa Wadjari committing to principles of mutual respect and cooperation in



Later in the reporting period the Widi Mob native title claimants were invited to participate. They were not able to attend the meeting they were invited to but they indicated an intention to participate.

Connection and genealogical research continued during the reporting period.

#### **Future Act Developments**

YMAC continues to provide assistance to the Naaquja people in relation to future acts, heritage and agreement implementation and compliance.

#### **FaHCSIA funded Meetings**

14 July 2011 Working Group Meeting 13 December 2011 Joint Working Group Meeting 27 January 2012 Community Meeting 26 March 2012 Working Group Meeting 14 June 2012 Joint Geraldton Region Subcommittee Meeting

#### Additional Meetings

None convened.



### THUDGARI

#### Claim Location and Background

The Thudgari native title determination covers approximately 11,280 square kilometres of land in the Yamatji region. It lies in the Shires of Ashburton, Carnaryon and the Upper Gascoyne.

#### **Native Title Claim Progress**

YMAC has been retained by the Thudgari community to file additional Thudgari claims. YMAC has been exercising its facilitation, assistance and dispute resolution functions in response to the Thudgari people's requests for assistance.

#### **Future Act Developments**

Wyamba Aboriginal Corporation, the registered Prescribed Body Corporate for the determined Thudgari area, has engaged independent legal representation in relation to future act and heritage matters

#### **FaHCSIA funded Meetings**

None convened

### **Additional Meetings**

None convened



### WAJARRI YAMATJI

#### **Claim Location and Background**

The Wajarri Yamatji native title claim covers approximately 100,701 square kilometres of land in the Yamatji region. It lies in the City of Greater Geraldton and the Shires of Chapman Valley, Cue, Meekatharra, Mount Magnet, Murchison, Northampton, Shark Bay, Upper Gascoyne and Yalgoo. This claim combines the former Wajarri Elders and the Ngoonooru Wadjari claims.

#### **Native Title Claim Progress**

YMAC provided the Wajarri Yamatji Connection Report to the State Government in late 2010. In late 2011 the State provided YMAC with some information about its assessment of the report. In response to this information, YMAC carried out further work during the reporting period.

During the reporting period, YMAC had further discussions with the Mullewa Wadjari claimants' legal representative regarding the existing overlap.



#### **Future Act Developments**

The Wajarri Yamatji claim continued to experience a high volume of future act activity in relation to mining and exploration, particularly of iron ore. YMAC continues to represent the Wajarri Yamatji people in their negotiations with various mining and infrastructure companies in the region.

YMAC successfully represented the Wajarri Yamatji claim group in National Native Title Tribunal proceedings relating to a future act determination application in the Weld Range. In that matter, the National Native Title Tribunal determined that the relevant mining tenements could not be granted due to the particular significance of the Weld Range area. The State and the proponent lodged an appeal to the Federal Court against the Tribunal's determination.

YMAC assisted the Wajarri Yamatji claimants in assessing mining companies' compliance under existing native title agreements.

#### **FaHCSIA funded Meetings**

12 August 2011 Working Group Meeting 11 February 2012 Community Meeting 2 April 2012 Working Group Meeting 18 June 2012 Working Group Meeting

#### **Additional Meetings**

17 October 2011 Negotiation Meeting 30 November 2011 Negotiation Meeting 28 February 2012 Negotiation Meeting 12 March 2012 Negotiation Meeting 3 April 2012 Negotiation Meeting 28 May 2012 Negotiation Meeting 29 May 2012 Negotiation Meeting

## YUGUNGA-NYA

#### Claim Location and Background

The Yugunga-Nya native title claim covers approximately 30,335 square kilometres of land in the Yamatji region. It lies in the Shires of Cue. Meekatharra, Mount Magnet, Sandstone and Wiluna.

#### **Native Title Claim Progress**

The Yugunga-Nya native title claim is overlapped by the Wutha claim. During the reporting period the Federal Court advised that it will convene case management conferences with a view to resolving this issue.

YMAC continues to gather connection evidence where possible.

#### **Future Act Developments**

YMAC continues to assist the Yugunga-Nya claim in relation to a large number of heritage agreements, as well as a

number of comprehensive mining and infrastructure agreements.

During the reporting period, YMAC lodged an Indigenous Land Use Agreement reflecting an existing mining agreement between the Yugunga-Nya people and a resource company. At the end of the reporting period, the National Native Title Tribunal was assessing the Indigenous Land Use Agreement for registration under the Native Title Act 1993.

YMAC continues to assist the Yugunga-Nya community with respect to agreement implementation and compliance.

#### FaHCSIA funded Meetings

26 July 2011 Working Group Meeting 27 July 2011 Working Group Meeting 8 February 2012 Working Group Meeting

#### Additional meetings

9 February 2012 Negotiation Meeting 27 March 2012 Negotiation Meeting





### **BANJIMA**

#### **Claim Location and Background**

The Banjima native title claim lies in the East Pilbara region. It lies in the Shires of Ashburton and Fast Pilbara

#### **Native Title Claim Progress**

An on-country Federal Court trial for the Banjima claim took place during the reporting period, with the hearing of witness evidence from 4 to 14 July and expert evidence from 19 to 21 December 2011. YMAC provided assistance to Banjima claimants who gave evidence, enabling them to travel to attend the hearings. Final submissions in relation to connection were heard in Perth from 16 to 20 January 2012. With all of the evidence and submissions now heard, the Federal Court has reserved its decision.

YMAC convened a Prescribed Bodies Corporate seminar in May 2012, and assisted the Banjima to develop the rules

for a Prescribed Body Corporate to hold native title in trust from when the claim is determined

#### **Future Act Developments**

During the reporting period, YMAC assisted the Banjima people in negotiations with various large mining companies, as well as a number of minor future acts. YMAC also provided assistance with agreement implementation and compliance.

#### FaHCSIA funded Meetings

15 March 2012 Community Meeting 15 May 2012 Community Meeting

#### **Additional Meetings**

-4-14 July 2011 Banjima Trial (litigation fund)

10 August 2011 Negotiation Meeting

11 August 2011 Negotiation Meeting

28 September 2011 Negotiation Meeting

8 November 2011 Negotiation Meeting

9 November 2011 Negotiation Meeting 11 May 2012 Negotiation Meeting

### JURRURU

#### Claim Location and Background

The Jurruru native title claim covers approximately 9,825 square kilometres of land in the South West Pilbara region. It lies in the Shires of Ashburton and Upper Gascoyne.

#### **Native Title Claim Progress**

The Jurruru native title claimants are in discussions with the State in relation to a resolution of the un-overlapped portion of the Jurruru claim. State government representatives have attended meetings with YMAC and the Jurruru claimants to progress these discussions. The State provided the Jurruru people with a draft ILUA setting out the State's land management aspirations and YMAC has provided the Jurruru claimants with legal advice in relation to the draft II UA. The Jurruru claimants have indicated to the State some of the matters they would like included in a consent determination Discussions with the State are continuing.

Research workshops between Jurruru people and their southern neighbours were held during the reporting period to decide on how the unclaimed areas between the claims should be incorporated into existing claims. Some of the issues were successfully resolved and discussions will continue around the remaining issues.

The NNTT mediations between the Jurruru and Gobawarrah Minduarra Yinhawanga (GMY) native title claimants were terminated following research by an independent anthropologist in the previous reporting period. The Jurruru proceedings, including the overlap with GMY, are now being case managed by the Federal Court

#### **Future Act Developments**

Future act activity within the Jurruru claim area is low, but YMAC continued to assist the Jurruru people with advice and negotiations where future act notices were received. The Jurruru people continue to seek protection of their heritage and native title rights and interests in their country.

#### **FaHCSIA funded Meetings**

26 October 2011 Community meeting 16-18 April 2012 Community meeting

#### **Additional Meetings**

28 May 2012 Negotiation meeting



## PILBARA REGION

## KARIYARRA

#### **Claim Location and Background**

The Kariyarra native title claim covers approximately 16,686 square kilometres of land and sea in the Pilbara region. It lies in the Shires of Ashburton, East Pilbara, Roebourne and the Town of Port Hedland

#### **Native Title Claim Progress**

During the reporting period YMAC provided logistical support to the expert anthropologist who was directed by the Federal Court to look into issues surrounding the Kariyarra claim description. YMAC has continued discussions on behalf of the Kariyarra people with the State and relevant pastoralists, towards a resolution of the claim.

YMAC also convened a series of meetings with the Kariyarra claimants to discuss a possible consent determination and assisted with the development of rules for a Prescribed Body Corporate.



#### **Future Act Developments**

YMAC continues to assist the Kariyarra people with future act, agreement implementation and compliance. The Kariyarra claim has a high level of future act activity, including negotiations with the State Government about commercial and residential land development in Port Hedland. For more information about this agreement, see "Organisational highlights".

#### FaHCSIA funded Meetings

8 August 2011 Working Group and Applicants meeting 14 March 2012 Working Group Meeting (part negotiation funded)

11 April 2012 Community Meeting

8 May 2012 Working Group Meeting

21 May 2012 Working Group Meeting (part negotiation funded)

22 May 2012 Working Group Meeting (part negotiation funded)

#### **Additional Meetings**

31 August 2011 Negotiation Meeting

20 September 2011 Negotiation Meeting

21 September 2011 Negotiation Meeting

17-18 October 2011 Negotiation Meeting

16 November 2011 Negotiation Meeting

23 November 2011 Negotiation Meeting

24 November 2011 Negotiation Meeting

5-6 December 2011 Negotiation Meeting

13-14 February 2012 Negotiation Meeting

13 March 2012 Negotiation Meeting

12 April 2012 Negotiation Meeting

16-17 May 2012 Negotiation Meeting

## KURAMA & **MARTHUDUNERA**

### **Claim Location and Background**

The Kurama and Marthudunera native title claim covers approximately 15,717 square kilometres of land in the Pilbara region. It lies in the Shires of Ashburton and Roebourne

#### **Native Title Claim Progress**

YMAC continued to assist the Kurama and Marthudunera claim group in discussions with the State in relation to the connection. report and the overlap with Yaburara Mardudhunera native title claim. A joint Kurama and Marthudunera/Yaburara Mardudhunera Overlap Report was prepared by the expert anthropologists for each claim Mediation within the National Native Title Tribunal is continuing in

relation to the overlap.

YMAC continued to assist the Kurama and Marthudunera claimants with the implementation of a corporate governance structure and trust. During the reporting period YMAC facilitated corporate governance and directors' training for some claimants.

#### **Future Act Developments**

YMAC continued to assist the Kurama and Marthudunera people with a high level of future acts and associated heritage protection work. In some circumstances, the Kurama and Marthudunera claimants instructed YMAC to object to proposed mining applications in the Warden's Court. In one matter, YMAC objected to various mining lease applications on behalf of the Kurama and Marthudunera people on the basis that it was not in the public interest



# PILBARA REGION

for the Mining Warden to recommend the grant of the applications to the Minister. On 23 January 2012, the Mining Warden agreed with YMAC and recommended to the Minister that the applications be refused.

# **FaHCSIA funded Meetings**

5 July 2011 Community Meeting 3-4 October 2011 Community Meeting 21-22 March 2012 Community Meeting 2 May 2012 Community Meeting 3 May 2012 Site Visit

## **Additional Meetings**

8 July 2011 Negotiation Meeting 13-14 July 2011 Negotiation Meeting 20 July 2011 Negotiation Meeting 12 August 2011 Negotiation Meeting 17 August 2011 Negotiation Meeting 23 August 2011 Negotiation Meeting 24 August 2011 Negotiation Meeting 6 September 2011 Negotiation Meeting 13 September 2011 Negotiation Meeting 20 September 2011 Negotiation Meeting 21 September 2011 Negotiation Meeting 30 September 2011 Negotiation Meeting 12 October 2011 Negotiation Meeting 20 October 2011 Negotiation Meeting 8 November 2011 Board of Directors Meeting 23 November 2011 Negotiation Meeting 22 February 2012 Negotiation Meeting 27 February 2012 Site Visit 13 March 2012 Negotiation Meeting 27 March 2012 Negotiation Meeting 12 April 2012 Negotiation Meeting 16 April 2012 Negotiation Meeting 1 May 2012 Negotiation Meeting 7 May 2012 Negotiation Meeting 10 May 2012 Negotiation Meeting 23 May 2012 Negotiation Meeting 24 May 2012 Negotiation Meeting 29 May 2012 Negotiation Meeting



# Native Title Claim Updates (cont...)

# **NGARLA**

# **Claim Location and Background**

The Ngarla native title claim covers approximately 176 square kilometres of land in the South West Pilbara region. It lies in the Shire of Fast Pilbara and the town of Port Hedland

## **Native Title Claim Progress**

A consent determination was made by the Federal Court on 30 May 2007 over the majority of the claim area.

On 6 August 2010, the Federal Court made a determination in relation to the Mt Goldsworthy Lease proceedings in which native title was found to exist over about two-thirds of the lease areas. The judgment concerning extinguishment over remaining area was the subject of an appeal by YMAC and was heard in February 2011 before the Full Court of the Federal Court. The Court has reserved its decision.

The remainder of Ngarla and Ngarla #2 are the subject of the Ngarla Overlap proceedings with the Warran native title claim. The Ngarla / Warran trial has been completed in the Federal Court and all written submissions have been filed The Federal Court has reserved its decision.

During the reporting period, YMAC assisted the Ngarla Prescribed Body Corporate with funding applications, corporate governance and administrative issues.

# **Future Act Developments**

The Wanparta Aboriginal Corporation, the Ngarla people's Prescribed Body Corporate, has engaged a third party to act on their behalf for most of their future act matters. YMAC continues to assist with specific future act negotiations through an external consultant

# FaHCSIA funded Meetings

19 October 2011 Working Group and PBC directors meeting

7 December 2011 PBC Annual General Meeting

# **Additional Meetings**

21 October 2011 Negotiation Meeting 25 October 2011 Negotiation Meeting



# PILBARA REGION

# NGARLAWANGGA

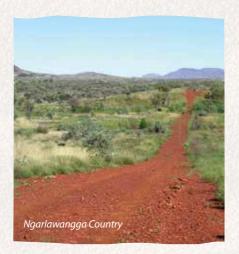
# Claim Location and Background

The Ngarlawangga native title claim covers approximately 6,901 square kilometres of land in the Central Pilbara region. It lies in the Shires of Fast Pilbara and Meekatharra.

# **Native Title Claim Progress**

The Ngarlawangga connection report was submitted to the State Government in April 2012. The State had provided the Ngarlawangga claimants with a draft Indigenous Land Use Agreement in relation to its land management aspirations, and YMAC assisted the claim group with legal advice and representation to further progress discussions with the State.

During the reporting period, the Ngarlawangga claim group elected directors for a corporate structure that will also potentially act as a Prescribed Body



Corporate when the claim is determined. YMAC assisted the Ngarlawangga with directors' training and a skills audit for claim group members.

# **Future Act Developments**

YMAC continued to assist the Ngarlawangga people with a moderate level of future act activity and heritage matters, and with agreements implementation and compliance. A number of positive outcomes were achieved, including an agreement with Rico Resources. For more information on this agreement refer to the "Organisational Highlights" section of this report.

# FaHCSIA funded Meetings

7 March 2012 Community Meeting

# **Additional Meetings**

12 August 2011 Negotiation Meeting 15 September 2011 Negotiation Meeting 3 November 2011 Negotiation Meeting 27 February 2012 Negotiation Meeting 8 March 2012 Negotiation Meeting 19 March 2012 Negotiation Meeting 23 March 2012 Negotiation Meeting 2 April 2012 Negotiation Meeting 19 April 2012 Negotiation Meeting 20 April 2012 Negotiation Meeting

# Native Title Claim Updates (cont...)

# NJAMAL and NJAMAL #10

# **Claim Location and Background**

The Njamal and Njamal #10 native title claims cover approximately 33,612 square kilometres of land and sea in the Pilbara region. They lie in the Shire of East Pilbara and the town of Port Hedland.

# **Native Title Claim Progress**

At the directions hearing on 2 August 2010, the State informed the Court that it has agreed to enter into consent determination negotiations with the Njamal native title claimants. The State has provided the Njamal people with a draft Indigenous Land Use Agreement in relation to its land management aspirations and the State met with the Njamal people in October 2011. YMAC has assisted the Njamal claimants with legal advice and representation to progress discussions with the State.

The remainder of the Niamal #10 claim is overlapped by the Warran native title claim, and the outcome of the Ngarla Warran trial will affect the resolution of this overlap. A mediation conference between the Ngarla and Warran legal representatives, and the State Government was convened by the National Native Title Tribunal in October 2011.

YMAC convened an on country meeting with Njamal and Palyku elders and each claim group's anthropologist, in an effort to resolve the overlap between the two

claims. Further anthropological research is now required. The National Native Title Tribunal convened mediation over this overlap during the reporting period.

Significant progress toward agreement between the Njamal claimants and relevant pastoral interests has been made through mediation.

# **Future Act Developments**

YMAC continued to assist the Njamal people with numerous future act and heritage matters, as well as agreement implementation and compliance issues.

The Njamal community and Fortescue Metals Group announced a new joint venture project in December 2011. For more on this agreement, refer to the "Organisational Highlights" section of this report.

# FaHCSIA funded Meetings

28 July 2011 Community Meeting

17 October 2011 Working Group Meeting

19 October 2011 Working Group and PBC Directors Meetina

2-3 April 2012 Working Group Meeting

15 May 2012 Working Group Meeting (part negotiation funded)

19 June 2012 Working Group Meeting

# PILBARA REGION

## **Additional Meetings**

13-14 July 2011 Negotiation Meeting

15 July 2011 Negotiation Meeting

12 August 2011 Negotiation Meeting

31 August 2011 Negotiation Meeting

5 September 2011 Negotiation Meeting

8-9 September 2011 Negotiation Meeting

22 September 2011 Negotiation Meeting

26 September 2011 Negotiation Meeting

13 October 2011 Negotiation Meeting

20 October 2011 Negotiation Meeting

7 November 2011 Negotiation Meeting

19-20 December 2011 Negotiation Meeting

16 February 2012 Negotiation Meeting 2 March 2012 Negotiation Meeting 3 May 2012 Negotiation Meeting 16 May 2012 Negotiation Meeting 18 June 2012 Negotiation Meeting



# Native Title Claim Updates (cont...)

# NYANGUMARTA

## Claim Location and Background

The Nyangumarta native title determination covers approximately 34,000 square kilometres of land in the Pilbara region. It lies in the Shires of Broome and Fast Pilbara.

# **Native Title Claim Progress**

Nyangumarta Part A was determined by the Federal Court in July 2009.

On Friday May 25, the Federal Court handed down a native title determination to the Nyangumarta and Karajarri communities across shared country near 80 Mile Beach in Western Australia The Nyangumarta/Karajarri joint determination resolves an overlap of the Nyangumarta and Karajarri claims. The Kimberley Land Council and YMAC acted on behalf of the Karajarri and Nyangumarta claimants respectively to negotiate native title over 2000 square Kilometres of land and sea country encompassing Anna Plains Station, a portion of Mandora Station and 80 Mile Beach. For more information, refer to the "Organisational Highlights" section of this report.

YMAC continues to assist the Nyangumarta people with the Indigenous Protection Area application and negotiations with Department of Environment & Conservation (DEC) on the proposed joint management partnership over 80mile beach Marine Park

# **Future Act Developments**

YMAC continues to assist the Nyangumarta with future act processes and agreement implementation, heritage protection and compliance issues.

# **FaHCSIA funded Meetings**

1 September 2011 Directors Meeting 13-14 September 2011 Community Meeting 28-30 November 2011 Directors and Applicants Meeting (part negotiation funded) 7 March 2012 Directors Meeting (part negotiation funded) 20-21 June 2012 Community Meeting

# **Additional Meetings**

21 May 2012 Negotiation Meeting 22 May 2112 Negotiation Meeting 18-19 June 2012 Negotiation Meeting



# PILBARA REGION

# NYIYAPARLI

## Claim Location and Background

The Nyiyaparli native title claim covers approximately 36,684 square kilometres of land in the Pilbara region. It lies in the Shires of Ashburton, Fast Pilbara. Meekatharra and Wiluna

### **Native Title Claim Progress**

During the reporting period further work was done to finalise the connection report, and YMAC submitted the first installment of connection research to the State Government. The State has provided the Nyiyaparli people with a draft Indigenous Land Use Agreement in relation to land management issues. YMAC has assisted the Nyiyaparli claimants with legal advice and representation in progressing discussions with the State

During the reporting period, YMAC prepared witness statements for some Nyiyaparli elders, with a view to preserving their evidence in the Federal Court.

# **Future Act Developments**

YMAC continued to provide assistance to Nyiyaparli in relation to a high volume of future acts and with agreement implementation and compliance issues.

The Nyiyaparli made significant progress during the reporting period negotiating a comprehensive agreement with BHP Billiton Iron Ore. Coming after four years of negotiations, the agreement covers

BHP Billiton Iron Ore's current and future operations within the Nyiyaparli native title claim area.

The negotiations focused on achieving cultural, social and economic outcomes for the Nyiyaparli in the form of financial and non-financial benefits and strong heritage protection for significant sites.

## **FaHCSIA funded Meetings**

9 August 2011 Working Group Meeting 28 September 2011 Working Group Meeting 8 November 2011 Community Meeting 22 May 2012 Working Group Meeting

## **Additional Meetings**

2 August 2011 Negotiation Meeting 10 August 2011 Negotiation Meeting 5 September 2011 Negotiation Meeting 12 September 2011 Negotiation Meeting 13 September 2011 Negotiation Meeting 26-27 September 2011 Negotiation Meeting 14 October 2011 Negotiation Meeting 18 October 2011 Negotiation Meeting 24-25 October 2011 Negotiation Meeting 31 October 2011 Negotiation Meeting 7 November 2011 Negotiation Meeting 24 November 2011 Negotiation Meeting 28 November 2011 Negotiation Meeting 29 November 2011 Negotiation Meeting 14 February 2012 Negotiation Meeting 15 February 2012 Negotiation Meeting 1 March 2012 Negotiation Meeting 22 March 2012 Negotiation Meeting 15 May 2012 Negotiation Meeting 16 May 2012 Negotiation Meeting 17 May 2012 Negotiation Meeting 23-24 May 2012 Negotiation Meeting 18 June 2012 Negotiation Meeting 25 June 2012 Negotiation Meeting

# Native Title Claim Updates (cont...)

# **PALYKU**

# **Claim Location and Background**

The Palyku native title claim covers approximately 9,521 square kilometres of land in the Pilbara region. It lies in the Shires of Ashburton and Fast Pilbara.

# **Native Title Claim Progress**

Connection research recommenced during the reporting period and is nearing completion.

YMAC convened an on country meeting with Njamal and Palyku elders and each claim group's anthropologist, in an effort to mediate and resolve the overlap at

Nullagine between the two claims. Further anthropological and connection research will be conducted into the overlap area and into boundary issues with adjoining claims.

## **Future Act Developments**

YMAC continues to assist Palyku in relation to future acts.

# **FaHCSIA funded Meetings**

21 July 2011 Working Group Meeting 22 August 2011 Community Meeting

# **Additional Meetings**

13 February 2012 Negotiation Meeting



# PILBARA REGION

# PUUTU KUNTI KURRAMA & PINIKURA (PKKP)

# **Claim Location and Background**

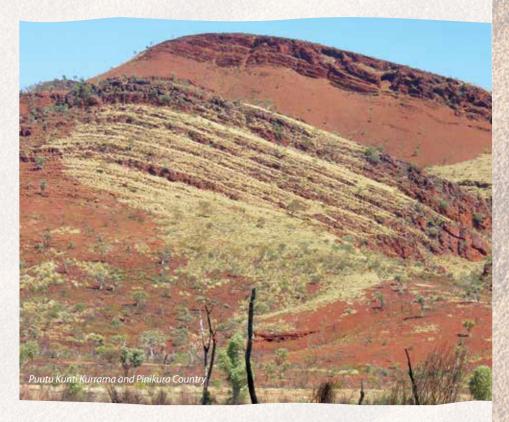
The Puutu Kunti Kurrama and Pinikura (PKKP) native title claim covers approximately 6,567 square kilometres of land in the Pilbara region. It lies in the Shire of Ashburton.

# **Native Title Claim Progress**

The connection report was submitted to the State for assessment in 2009 and YMAC provided supplementary connection information during the reporting period.

To guide the group in relation to heritage matters, the PKKP community developed and authorised a Heritage Protocol and elected representatives to a Heritage Sub-Committee

During the reporting period, the PKKP people decided to engage a professional trustee to take advice from a Traditional Owners' Council comprised of nominated PKKP community members.



# Native Title Claim Updates (cont...)

## **Future Act Developments**

YMAC continues to provide assistance to the PKKP claimants in relation to a high volume of future act and heritage matters. YMAC assisted the PKKP to establish various corporate structures for agreements implementation and compliance, including a representative Aboriginal Corporation. The PKKP renewed their retainer with YMAC during the reporting period.

# **FaHCSIA funded Meetings**

1 July 2011 Community Meeting 7 July 2011 Working Group Meeting 27 October 2011 Community Meeting 22 March 2012 Working Group Meeting (part negotiation funded) 24 April 2012 Working Group Meeting 22-25 May 2012 Community Meeting

# **Additional Meetings**

26 July 2011 Negotiation Meeting 11 August 2011 Negotiation Meeting 19 August 2011 Negotiation Meeting 20 August 2011 Negotiation Meeting 22 August 2011 Negotiation Meeting 12 September 2011 Negotiation Meeting 29 September 2011 Negotiation Meeting 12 October 2011 Negotiation Meeting 20 October 2011 Negotiation Meeting 24 October 2011 Negotiation Meeting

2 November 2011 Negotiation Meeting 8 November 2011 Negotiation Meeting 21 November 2011 Negotiation Meeting 29 November 2011 Negotiation Meeting 2 December 2011 Negotiation Meeting 23-24 January 2012 Negotiation Meeting 11 February 2012 Negotiation Meeting 16 February 2012 Negotiation Meeting 17 February 2012 Negotiation Meeting 20 March 2012 Negotiation Meeting 26 March 2012 Negotiation Meeting 30-31 March 2012 Negotiation Meeting 23 April 2012 Negotiation Meeting 30 April 2012 Negotiation Meeting 9 May 2012 Negotiation Meeting 12 June 2012 Negotiation Meeting 26 June 2012 Negotiation Meeting

# PILBARA REGION

# **NGARLUMA**

# Claim Location and Background

The Ngarluma native title claim covers approximately 21.5 square kilometres of land in the Pilbara region. It lies in the Shire of Roebourne.

## **Native Title Claim Progress**

Most of Ngarluma country was subject to a determination of native title in 2005. The Ngarluma people are continuing with a claim over any unextinguished portions of the town sites of Karratha, Wickham, Point Samson and Dampier.

YMAC is assisting the Ngarluma in relation to their town sites claim. Discussions have taken place with the State and a new Ngarluma anthropologist has been engaged to assist towards a determination.

YMAC represented both the Ngarluma and the Kurama and Marthudunera people in the High Court on 9 December 2011 to successfully oppose the application by the former Wong-goo-Tt-Oo claimants for special leave to appeal to the High Court against the Full Federal Court's decision in Dale v State of Western Australia. This has cleared the way for a resolution of the Ngarluma and Kurama and Marthudunera claims.

# **Future Act Developments**

YMAC does not represent the Ngarluma people in future act matters but has carried out its function as a representative body in notifying the Ngarluma people of future acts and communicating in relation to Indigenous Land Use Agreements.

## FaHCSIA funded Meetings

6 January 2012 PBC Board Meeting

# EASTERN GURUMA

YMAC does not represent the Eastern Guruma people but has continued to monitor the progress of this claim and has attended Federal Court directions hearings and mediation in the National Native Title Tribunal in the event that YMAC's assistance can be provided.

Most of the Eastern Guruma claim is subject to a determination of native title. There remains an outstanding claim over the area in and around Tom Price.

YMAC but has carried out its function as a representative body in notifying the Eastern Guruma people of future acts and communicating in relation to Indigenous Land Use Agreements.

# Native Title Claim Updates (cont...)

# YINHAWANGKA

# **Claim Location and Background**

The Yinhawangka native title claim is located in the Pilbara region. It lies in the Shires of Ashburton and Meekatharra.

# **Native Title Claim Progress**

The Yinhawangka connection report was finalised during the reporting period and provided to the State Government in November 2011

Preliminary interviews with some witnesses were conducted during the reporting period with a view to preserving the evidence of these witnesses in the Federal Court

YMAC advised the Yinhawangka claimants and took instructions in relation to the development of a benefits management structure, and assisted the claim group to develop the rules for a potential Prescribed Body Corporate to hold native title in trust when the claim is determined. During the reporting period, YMAC also assisted the Yinhawangka claimants to select and appoint a Professional Trustee company.

# **Future Act Developments**

The Yinhawangka claim area has a high volume of future acts and YMAC has continued to provide assistance in negotiating future act and heritage matters. YMAC also continues to assist the Yinhawangka people in relation

to agreement implementation and compliance issues.

## **FaHCSIA funded Meetings**

23 November 2011 Community Meeting 6 February 2012 Working Group Meeting (part negotiation funded) 7 February 2012 Community Meeting 31 May 2012 Community Meeting

## Additional Meetings

1 September 2011 Negotiation Meeting 8-9 September 2011 Negotiation Meeting 20 September 2011 Negotiation Meeting 21 September 2011 Negotiation Meeting 29 September 2011 Negotiation Meeting 10-11 October 2011 Negotiation Meeting 21-22 October 2011 Negotiation Meeting 6 January 2012 Negotiation Meeting 28-29 February 2012 Negotiation Meeting 27-28 March 2012 Negotiation Meeting 29 March 2012 Negotiation Meeting 6 June 2012 Negotiation Meeting 19-20 June 2012 Negotiation Meeting



# Outputs

Facilitation and assistance:	Number
1. The Claims Experience	
Claimant Applications	
Active claims represented at 1 July 2011	27
Plus Claims Filed this year by NTRB	1
Less Claims Determined 2011-12	1
Less Claims Dismissed 2011-12	0
Less Claims Withdrawn 2011-12	0
+ or - Other disposition (describe)	0
Active Claims represented at 30 June 2012	27
- Number of these registered by NNTT	26
Claims in Development	10
2. The Agreements Experience	
Agreements Concluded	460
ILUAs concluded and registered	6
Future Act Notices received	718
Objections to s29 notices	453
Complaints and Disputes	
Complaints	0
- Received	0
- Resolved	0
- Pending	0
Requests for Review of decisions not to assist	
- Requests Received	0
- Reviews Completed	0



# Financials for the Year Ended 30 June 2012

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# Deloitte.

Deloitte Touche Tohmatsu ABN 74 490 121 060

Woodside Plaza 240 St Georges Terrace GPO Box A46 Perth WA 6837 Australia

Tel: +61 8 9365 7000 Fax: +61 8 9365 7001 www.deloitte.com.au

# **Independent Auditor's Report** to the members of Yamatji Marlpa **Aboriginal Corporation**

We have audited the accompanying financial report of Yamatji Marlpa Aboriginal Corporation ("YMAC"), which comprises the statement of financial position as at 30 June 2012, statement of comprehensive income, the statement of cash flows and the statement of changes in equity for the year then ended, notes comprising a summary of significant accounting policies and other explanatory information, and statement by the Directors, Chief Executive Officer and Chief Financial Officer.

The Responsibility of the Chief Executive Officer, Chief Financial Officer and Directors for the Financial Report

YMAC's Chief Executive Officer, Chief Financial Officer and Directors of the entity are responsible for the preparation of the financial report in accordance with Australian Accounting Standards and the requirements of the Finance Minister's orders made under the Corporations (Aboriginal & Torres Strait Islander) Act 2006 ("CATSI"), and for such internal control as the Chief Executive Officer, Chief Financial Officer and Directors determined is necessary to enable the preparation of the financial report that is free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on the financial report based on our audit. We conducted our audit in accordance with Australian Auditing Standards. Those standards require that we comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance whether the financial report is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial report. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial report, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial report in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the Chief Executive Officer Chief Financial Officer and Directors, as well as evaluating the overall presentation of the financial report.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit

Liability limited by a scheme approved under Professional Standards Legislation. Member of Deloitte Touche Tohmatsu Limited

# Deloitte.

### Opinion

In our opinion, the financial report of YMAC has been prepared in accordance with Australian Accounting Standards and the Finance Minister's Orders made under the Corporations (Aboriginal and Torres Strait Islander) Act 2006 (CATSI).

Deloitte Touche Tohmatsu DELOITTE TOUCHE TOHMATSU

Chor Rivoloff

Chris Nicoloff Partner Chartered Accountants Perth, 4 October 2012

# Statement by Directors, Chief Executive Officer and Chief Financial Officer

In our opinion, at the date of this statement, the attached financial statements for the year ended 30 June 2012:

- (a) are in accordance with the Corporations (Aboriginal and Torres Strait Islander) Act 2006, including:
  - giving a true and fair view of the corporation's position as at 30 June 2012 and of its performance, for the financial year ended on that date; and
  - complying with Australian Accounting Standards (including the Australian Accounting Interpretations) and Corporations (Aboriginal and Torres Strait Islander) Regulations 2007.
- (b) there are reasonable grounds to believe that Yamatji Marlpa Aboriginal Corporation will be able to pay its debts as and when they become due and payable.

This Statement is made in accordance with a resolution of the Board of Directors.

**Doris Eaton** 

Co-Chairperson

YMAC

4 October 2012

Peter Windie

Co-Chairperson

YMAC

4 October 2012

Simon Hawkins

Chief Executive Officer

YMAC

4 October 2012

Nick Kimber

Chief Financial Officer

YMAC

4 October 2012

# Statement of Comprehensive Income for the year ended 30 June 2012

		Entire Op	erations	Native	e Title
		2012 \$	2011 \$	2012 \$	2011 \$
REVENUE					
Revenues from ordinary activities					
Revenue from Commonwealth Government - Operational		11,043,059	10,717,673	11,043,059	10,717,673
Revenue from Services	5A	16,541,688	11,570,701	3,189,102	2,872,617
Interest	5B	548,422	359,388	767	5,889
Revenue from sale of assets	5C	99,577	-	99,577	
Other	5D	5,404,293	5,402,121	4,076,749	4,800,215
Revenues from ordinary activities		33,637,040	28,049,883	18,409,254	18,396,394
EXPENSE					
Expenses from ordinary activities					
Employees	6A	9,950,235	8,707,216	8,547,029	8,040,28
Insurance expense		60,678	65,966	54,526	62,62
Office Supplies expense		376,205	320,733	372,557	313,01
Travel & Meeting costs		2,434,310	2,766,367	2,223,593	2,678,89
Motor vehicle expenses		349,949	345,954	320,922	326,87
Contractors and consultant fees		13,648,127	11,198,396	3,409,695	3,737,99
Lease expenses		1,098,335	1,153,023	1,097,109	1,139,39
Long Service Leave expense	6A	183,167	121,576	171,388	107,66
Depreciation and amortisation	6B	762,163	803,664	715,871	733,02
Value of assets sold	5C	28,594	-	28,594	-
Cost Recovery expenses		1,235,517	1,041,480	1,006,199	857,64
Payroll and support Costs		583,564	461,536	546,959	458,50
Telephone		385,364	390,656	372,822	380,81
Ancillary costs, fees & provisions		823,062	218,769	414,842	222,419
Expenses from ordinary activities		31,919,268	27,595,338	19,282,105	19,059,147
Operating surplus/(deficit) from ordinary					/
activities	1.14B	1,717,772	454,545	(872,851)	(662,753
Changes to asset revaluation reserve	8		20,038		
Total revenues, expenses and valuation adjustments recognised directly in equity		-	20,038	-	20,038
Total changes in equity other than those resulting from transactions with owners as owners attributable to the members of YMAC	13	1,717,772	474,583	(872,851)	(642,715

The above statement should be read in conjunction with the accompanying notes.

# Statement of Financial Position as at 30 June 2012

		Entire Op	erations	Native	Title
	Notes	2012 \$	2011 \$	2012 \$	2011 \$
ASSETS					
Financial Assets					
Cash & Cash Equivalents	7A	8,537,970	5,868,602	2,647,414	2,423,660
Trade & Other Receivables	7B	5,773,926	5,222,001	886,234	811,985
Other Investment	7C	383,967	383,967	383,967	383,967
Total financial assets		14,695,863	11,474,570	3,917,614	3,619,613
Non-financial assets	Salah Garagara Salah da			444-4669-70-01-0	
Land and buildings	8A	1,112,470	1,224,871	1,112,470	1,223,516
Plant and equipment	8B	1,225,127	1,009,094	902,360	983,18
Other	8D	7,260	48,266	7,260	48,266
Total Non-financial assets		2,344,857	2,282,231	2,022,090	2,254,963
Total Assets		17,040,720	13,756,801	5,939,704	5,874,57
LIABILITIES					
Provisions					
Employees	9A	1,481,261	1,296,306	1,293,657	1,176,010
Other provisions	9B	31,800	28,800	31,800	28,800
Total provisions		1,513,061	1,325,106	1,325,457	1,204,810
Payables					
Suppliers	10	1,164,957	966,118	233,805	186,00
Unexpended grants	11	2,503,983	1,768,026	2,442,243	1,665,34
Income received in advance		2,792,091	3,324,411	875,974	1,859,062
Accruals	12	3,041,262	2,065,545	3,041,262	2,065,545
Other payables					
Total payables		9,502,292	8,124,100	6,593,284	5,775,950
Total liabilities		11,015,353	9,449,206	7,918,741	6,980,760
Net Assets		6,025,367	4,307,595	(1,979,037)	(1,106,185
EQUITY					
Revaluation reserve		671,519	671,519	671,519	671,519
Retained surplus		5,353,849	3,636,077	(2,650,555)	(1,777,704
Total equity	13	6,025,367	4,307,595	(1,979,037)	(1,106,185
Current assets		14,703,122	11,522,836	3,924,874	3,667,878
Non-current assets		2,337,598	2,233,965	2,014,830	2,206,697
Current liabilities		10,769,868	9,168,241	7,672,662	6,734,682
Non-current liabilities		245,485	280,965	246,079	246,079

The above statement should be read in conjunction with the accompanying notes.

# Statement Of Cash Flows for the year ended 30 June 2012

		Entire Op	erations	Native	e Title
	Notes	2012 \$	2011 \$	2012 \$	2011 \$
OPERATING ACTIVITIES					
Cash Received					
Receipts from government		11,973,551	11,187,950	11,973,551	11,187,950
Goods and services		24,045,854	15,244,789	7,972,349	7,960,202
Interest		548,422	359,388	767	5,889
Total Cash Received		36,567,827	26,792,127	19,946,666	19,154,041
Cash Used					
Suppliers		20,904,267	17,342,690	9,164,188	9,557,736
Employees		9,890,388	8,738,881	8,542,710	8,211,134
GST paid to ATO	- Year	2,183,415	1,753,663	1,476,134	1,667,404
Total Cash Used		32,978,070	27,835,234	19,183,032	19,436,274
Net cash from operating activities	14	3,589,757	(1,043,107)	763,635	(282,233)
Cash Received	ENGINE AND A				STATE OF THE STATE
Proceeds from sales of property, plant and equipment		140,988	-	140,988	
Total Cash Received		140,988	100	140,988	-
Cash Used					
Purchase of property, plant and equipment		1,061,377	485,206	680,869	485,206
Total Cash Used		1,061,377	485,206	680,869	485,206
Net cash used by investing activities		(920,389)	(485,206)	(539,881)	(485,206)
Net Increase (Decrease) in cash held		2,669,368	(1,528,314)	223,754	(767,439)
Cash and cash equivalents at the beginning of the reporting period		6,252,569	7,780,883	2,807,627	3,575,066
Cash and cash equivalents at the end of the reporting period	14B	8,921,937	6,252,569	3,031,381	2,807,627

The above statement should be read in conjunction with the accompanying notes.

# Statement of Changes in Equity for the year ended 30 June 2012

	Retained Earnings Entire Operations		Asset Revaluation Reserve Entire Operations		Total Equity Entire Operations	
	2012 \$	2011 \$	2012 \$	2011 \$	2012 \$	2011 \$
Opening Balance						
Balance brought forward from previous period	3,636,077	3,181,532	671,519	651,481	4,307,596	3,833,013
Comprehensive Income						
Surplus/(deficit) for the period	1,717,772	454,545			1,717,772	454,545
Net revaluation increment				20,038	10 p= 77	20,038
Closing balance as at 30 June	5,353,849	3,636,077	671,519	671,519	6,025,368	4,307,596

# **Schedule of Commitments** as at 30 June 2012

	Entire Op	erations	Native	Native Title	
	2012 \$	2011 \$	2012 \$	2011 \$	
BYTYPE					
Commitments Payable					
Infrastructure, plant and equipment	532,030	521,822		370,19	
Total commitments payable	532,030	521,822		370,19	
Other Commitments					
Operating leases	4,498,000	4,410,288	4,083,981	4,410,288	
Total Other Commitments	4,498,000	4,410,288	4,083,981	4,410,288	
Net Commitments by Type	5,030,030	4,932,110	4,083,981	4,780,479	
BY MATURITY					
Operating Lease Commitments					
One year or less	1,799,083	1,418,182	1,799,083	1,418,182	
From one to five years	2,698,918	2,992,106	2,284,898	2,992,106	
Total Operating Lease Commitments	4,498,000	4,410,288	4,083,981	4,410,288	
Capital Commitments					
One year or less	532,030	521,822		370,19	
Total Capital Commitments	532,030	521,822	<u> </u>	370,19	
Net Commitments by Maturity	5,030,030	4,932,110	4,083,981	4,780,47	

NB: Commitments are GST inclusive where relevant

# Schedule of Asset Additions

for the period ended 30 June 2012

The following non-financial non-current assets were added in 2011-12	Heritage & Cultural	Plant & Equipment	Total
Notes	2012 \$	2012 \$	2012 \$
By Purchase - Government Funding	-	599,528	599,528
By Purchase - Other	-	365,361	365,361
Total Additions		964,888	964,888

The financial statements cover Yamatji Marlpa Aboriginal Corporation (YMAC) as an individual entity. YMAC is an association incorporated under the Corporations (Aboriginal and Torres Strait Islander) Act 2006 (CATSI) with its principal place of business and registered address at Level 2, 16 St Georges Tce, Perth WA 6000.

## **Note 1 Summary of Significant Accounting Policies**

#### 1.1 **Basis of Preparation of the Financial Statements**

The financial statements are required by clause 1(b) of Schedule 1 to the Commonwealth Authorities and Companies Act general purpose financial statements.

The statements have been prepared in accordance with:

- Finance Minister's Orders (or FMO) for reporting periods ending on or after 1 July 2011; and
- Australian Accounting Standards and interpretations issued by the Australian Accounting Standards Board (AASB) that apply for the reporting period.

The financial statements have been prepared on an accrual basis and in accordance with historical cost convention, except for certain assets at fair value. Except where stated, no allowance is made for the effect of changing prices on the results or the financial position.

Assets and liabilities are recognised in the Balance Sheet when and only when it is probable that future economic benefits will flow to the entity or a future sacrifice of economic benefits will be required and the amounts of the assets or liabilities can be reliably measured. However, assets and liabilities arising under Agreements Equally Proportionately Unperformed are not recognised unless required by an accounting standard. Liabilities and assets that are unrecognised are reported in the Schedule of Commitments

Unless alternative treatment is specifically required by an accounting standard, income and expenses are recognised in the statement of comprehensive income when, and only when, the flow, consumption or loss of economic benefits has occurred and can be reliably measured.

# Notes to the financial Statements

as at 30 June 2012

### 1.2 Statement of Compliance

### Adoption of New Australian Accounting Standard requirements

No accounting standard has been adopted earlier than the application date as stated in the standard.

Other new accounting standards and interpretations that were issued prior to the signing of the statement by the chief executive and chief financial officer and are applicable to the current reporting period did not have a financial impact, and are not expected to have a future financial impact on the entity.

#### 1.3 Revenue

Revenue from rendering of services is recognised by reference to the stage of completion of contracts at the reporting date. The revenue is recognised when:

- The amount of revenue, stage of completion and transaction costs incurred can be reliably measured; and
- The probable economic benefits associated with the transaction will flow to the entity.

The stage of completion of contracts at the reporting date is determined by reference to the proportion that costs incurred to date bear to the estimated total costs of the transaction

Receivables for services are recognised at the nominal amounts due less any provision for bad and doubtful debts. Collectability of debts is reviewed at balance date. Provisions are made when collectability of the debt is no longer probable.

Revenue from disposal of non-current assets is recognised when control of the asset has passed to the buyer.

Interest revenue is recognised on a time proportionate basis that takes into account the effective yield on the relevant asset.

Revenue from grants received from government funding organisations is recognised when received, and is deferred as a liability to the extent that unspent grants are required to be repaid to the funding organisation.

### 1.4 **Employee Benefits**

### **Benefits**

Liabilities for services rendered by employees are recognised at the reporting date to the extent that they have not been settled.

Liabilities for short term employee benefits (as defined in AASB 119) and termination benefits due within 12 months of the end of reporting period are measured at their nominal amounts. The nominal amount is calculated with regard to the rates expected to be paid on settlement of the liability.

Other long-term employee benefits are measured as net total of the present value of the future cash outflows to be made in respect of services provided by employees up to the reporting date.

### Leave

The liability for employee benefits includes provision for annual leave and long service leave. No provision has been made for sick leave as all sick leave is non-vesting and the average sick leave taken in future years by employees of YMAC is estimated to be less than the annual entitlement for sick leave

The leave liabilities are calculated on the basis of employees' remuneration at the estimated salary rates that will be applied at the time the leave is taken, including YMAC's employer superannuation contribution rates to the extent that the leave is likely to be taken during service rather than paid out on termination.

The liability for long service leave has been determined by reference to the work of an actuary as at 30 June 2012. The estimate of the present value of the liability takes into account attrition rates and pay increases through promotion and inflation.

### Superannuation

Contributions are made to employee superannuation fund of their choice and charged as expenses when incurred.

The liability for superannuation recognised as at 30 June represents outstanding contributions for the final fortnight of the year.

# Notes to the financial Statements

as at 30 June 2012

### 1.5 Grants

Most grant agreements require YMAC to perform services, provide facilities or meet eligibility criteria. In these cases, YMAC recognises grant liabilities only to the extent that the services required have not been performed or the eligibility criteria have not been satisfied by YMAC.

In cases where grant agreements are made without conditions to be monitored, liabilities are recognised on signing the agreement.

Grants relating to the purchase of property plant and equipment would be recognized at its fair value and treated as an asset and as income when the Corporation gains control of the contribution. This is in accordance with the treatment of grants under AASB 1004 of the Australian Accounting Standards. Not for profit entities are still required to comply with AASB under IFRS and, therefore, there is no change on the treatment of Grants on adoption of IFRS.

### 1.6 Leases

YMAC has entered into commercial leases on certain motor vehicles where it is not in the best interest of the Corporation to purchase these assets. Leases where the lessor effectively retains substantially all the risks and rewards incidental to ownership of assets are classified as operating leases.

Operating lease payments are expensed on a straight line basis over the lease term which is representative of the pattern of benefits derived from the leased assets.

### 1.7 Cash

Cash and cash equivalents includes cash on hand and demand deposits in bank accounts with an original maturity of 3 months or less that are readily convertible to known amounts of cash and subject to insignificant risk of changes in value. Cash is recognised at its nominal amount. Interest is credited to revenue as it accrues

### 1.8 Other Financial Assets

Term deposits are recognised at cost.

#### 1.9 **Financial Risk Management**

YMAC's activities expose it to normal commercial financial risk. As a result of the nature of YMAC's business and internal and Australian Government policies, dealing with the management of financial risk, YMAC's exposure to market, credit, liquidity and cash flow and fair value interest rate risk is considered to be low.

#### 1.10 **Derecognition of Financial Assets and Liabilities**

Financial assets are derecognized when the contractual rights to the cash flows from the financial assets expire or the asset is transferred to another Entity. In the case of a transfer to another Entity, it is necessary that the risks and rewards of ownership are also transferred. Financial liabilities are derecognized when the obligation under the contract is discharged or cancelled or expired.

#### 1.11 **Impairment of Financial Assets**

If there is objective evidence that impairment has been incurred for receivables, the amount of the loss is measured as the difference between the asset's carrying amount and the present value of estimated future cash flows discounted at the asset's original effective interest rate. The carrying amount is reduced by way of an allowance account. The loss is recognized in the statement of comprehensive income.

#### Other Financial Liabilities 1.12

Trade creditors and accruals are recognised at their nominal amounts, being the amounts at which the liabilities will be settled. Liabilities are recognised to the extent that the goods or services have been received (and irrespective of having been invoiced).

### 1.13 **Acquisition of Assets**

Assets are recorded at cost on acquisition except as stated below. The cost of acquisition includes the fair value of assets transferred in exchange and liabilities undertaken. Financial assets are initially measured at their fair value plus transaction costs where appropriate.

# Notes to the financial Statements

as at 30 June 2012

## 1.14A Property, Plant and Equipment

### Revaluations

### Basis

Land, buildings and infrastructure are carried at valuation, being revalued with sufficient frequency such that the carrying amount of each asset class is not materially different, as at reporting date, from its fair value. Valuations undertaken in any year are as at 30 June.

Fair values for each class of asset are determined as shown below

Asset class Fair value measured at: Land Market selling price Buildings Market selling price

Leasehold improvements Depreciated replacement cost

Plant and equipment Market selling price

Land and building assets are subject to a formal valuation every three years. Formal valuations are carried out by an independent qualified valuer. Land and buildings are measured at fair cost less accumulated depreciation.

Plant and equipment is stated at cost less accumulated depreciation and any impairment in value.

Revaluation adjustments are made on a class basis. Any revaluation increment is credited to equity under the heading of asset revaluation except to the extent that it reverses a previous revaluation decrement of the same asset class that was previously recognised in the surplus/deficit. Revaluation decrements for a class of assets are recognised directly in the surplus/deficit except to the extent that they reverse a previous revaluation increment for that class.

Any accumulated depreciation as at the revaluation date is eliminated against the gross carrying amount of the asset and the asset restated to the revalued amount.

## Depreciation

Depreciable property plant and equipment assets are written-off to their estimated residual values over their estimated useful lives to YMAC using, in all cases, the straight-line method of depreciation.

Depreciation rates (useful lives) and methods are reviewed at each reporting date and necessary adjustments are recognised in the current, or current and future reporting

# Notes to the financial Statements as at 30 June 2012

periods, as appropriate. Residual values are re-estimated for a change in prices only when assets are revalued

Depreciation rates applying to each class of depreciable asset are based on the following useful lives

Buildings on freehold land	2%
Leasehold improvements	25%
Plant and equipment	25%
IT equipment	33.3%
Motor Vehicles	25%

The aggregate amount of depreciation allocated for each class of asset during the reporting period is disclosed in Note 6B.

### **Impairment**

All assets were assessed for impairment at 30 June 2012. Where indications of impairment exists, the asset's recoverable amount is estimated and an impairment adjustment made if the asset's recoverable amount is less than its carrying amount.

The recoverable amount of an asset is the higher of its fair value less costs to sell and its value in use. Value in use is the present value of the future cash flows expected to be derived from the asset. Where the future economic benefit of an asset is not primarily dependant on the asset's ability to generate cash flows, and the asset would be replaced if the YMAC were deprived of the asset; its value in use is taken to be its depreciated replacement cost.

### Decommissioning, Restoration and Make-good

When assessing accommodation leases for the preparation of the opening balance sheet, no obligations under the leases for make-good were determined.

In relation to non-financial assets, YMAC has assessed at the reporting date that there is no obligation for decommissioning, restoration or make good.

# Notes to the financial Statements

as at 30 June 2012

## 1.14B Treatment of Capital Grants

Grants relating to the purchase of property, plant and equipment would be recognised at its fair value and treated as an asset and as income when the Corporation gains control of the contribution. This is in accordance with the treatment of grants under AASB 1004 of the Australian accounting standards. Not for profit entities are still required to comply with AASB 1004 under AEIFRS and, therefore, there is no change to the treatment of Grants on the adoption of AEIFRS.

### 1.15 Taxation

YMAC is exempt from all forms of taxation except fringe benefits tax and the goods and services tax (GST).

Revenues, expenses and assets are recognised net of GST except:

- where the amount of GST incurred is not recoverable from the Australian Taxation
   Office: and
- · for receivables and payables.

# 1.16 Comparatives

Where necessary, the prior year comparatives have been amended to facilitate comparison with the current year presentation of financial information.

# 1.17 Critical accounting judgements and key sources of estimation uncertainty

In the application of the Corporation's accounting policies, the directors are required to make judgements, estimates and assumptions about the carrying amounts of assets and liabilities that are not readily apparent from other sources. The estimates and associated assumptions are based on historical experience and other factors that are considered to be relevant. Actual results may differ from these estimates. The estimates and underlying assumptions are reviewed on an ongoing basis. Revisions to accounting estimates are recognised in the period in which the estimate is revised if the revision affects only that period, or in the period of the revision and future periods if the revision affects both current and future periods.

# 1.18 Standards and interpretations in issue not yet adopted

At the date of authorisation of the financial statements, the Standards and Interpretations listed below were in issue but not yet effective.

Standard/Interpretation	Effective for annual reporting periods beginning on or after	Expected to be initially applied in the financial year ending
AASB 9'Financial Instruments', AASB 2009 - 11 'Amendments to Australian Accounting Standards arising from AASB 9' and AASB 2010-7' Amendments to Australian Accounting Standards arising from AASB 9 (December 2010)'	1 January 2013	30 June 2014
AASB 2010-8'Amendments to Australian Accounting Standards – Deferred Tax: Recovery of Underlying Assets'	1 January 2012	30 June 2013

# Note 2 Operating Leases

Operating leases included are effectively non – cancellable and comprise:

Nature of lease	General Description of leasing arrangements		
Leases for office accommodation.	Lease payments are subject to annual increases in accordance with upwards movements in the Consumer Price Index. Six premises'initial leases are still current and two may be renewed from one to two years at YMAC's option. Two of the premises are on a periodic basis.		
Leases for staff accommodation	Lease payments are subject to annual increases in accordance with upwards movements in the Consumer Price Index. Eleven premises' initial leases are still current and all may be renewed for 12 months at YMAC's option.		
Agreements for the provision of motor vehicles to senior officers.	No contingent rentals exist.		

# Note 3 Economic Dependency

Yamatji Marlpa Aboriginal Corporation is an association incorporated under the Corporations (Aboriginal and Torres Strait Islander) Act 2006 (CATSI)

YMAC is dependent on funding from the Commonwealth of Australia for its continued existence and ability to carry on its normal activities.

# Note 4 Subsequent Events

YMAC have received confirmation from the Commonwealth of Australia of the provision of funding for the 2012/13 financial year. Subsequent events have been evaluated through to October 5, 2012 which is the date of this financial report. There have been no significant events subsequent to the balance sheet date.

# Notes to the financial Statements

as at 30 June 2012

	Entire Op	erations	Native Title	
	2012 \$	2011 \$	2012 \$	2011 \$
Note 5 Income				
Note 5A Rendering of Services				
Rendering of services to:			and the best blood of the	4.000.001.000.000.000.000.000.000.000.00
External entities	16,541,688	11,570,701	3,189,102	2,872,61
Total rendering of services	16,541,688	11,570,701	3,189,102	2,872,61
Note 5B Interest				
Deposits	548,422	359,388	767	5,88
Total finance income	548,422	359,388	767	5,88
Note 5C Sales of Assets				
Plant and equipment:				
Proceeds from disposal	99,577		99,577	-
Net book value of assets disposed	(28,594)		(28,594)	-
Total net profit from disposal of plant and equipment	70,984	_	70,984	-
Note 5D Other Gains Other grants:				
Staffing	2,365,231	4,640,775	1,316,028	4,077,31
Expenses and capital	3,039,062	760,521	2,760,721	722,17
Other income	-	826	-	72
Total Other	5,404,293	5,402,121	4,076,749	4,800,21
NOTE 6 Expenses				
Note 6A Employee Benefits				
Wages and Salaries	8,560,638	7,453,975	7,303,098	6,860,51
Superannuation	743,128	643,464	639,312	595,09
Other employee benefits	646,468	609,777	604,619	584,67
Leave and other entitlements	183,167	121,576	171,388	107,66
Total Employee Expenses	10,133,402	8,828,792	8,718,416	8,147,94
Note 6B Depreciation and Amortisation				
Depreciation of property, plant and equipment	1,110,783	740,637	1,060,291	670,29
Amortisation of leased assets	(348,620)	63,027	(344,420)	62,73
7 in fortisación of reasea assets				

	Entire Operations		Native Title	
	2012 \$	2011 \$	2012 \$	2011 \$
Note 7 Financial Assets				
Note 7A Cash and cash equivalents				
Cash on hand	1,000	1,000	1,000	1,000
Cash on deposit	8,536,970	5,867,602	2,646,414	2,422,660
Total cash and cash equivalents	8,537,970	5,868,602	2,647,414	2,423,660

Cash at bank earns interest at tiered interest rates determined by the bank.

### Note 7B Trade and Other Receivables

Trade receivables	2,619,714	2,186,161	525,773	420,891
Less: Provision for doubtful debts	(483,155)	(38,346)	(72,905)	(38,346)
	2,136,559	2,147,814	452,868	382,545
GST receivable	55,205	44,500	55,205	44,500
Income receivable	3,435,242	2,926,141	250,896	284,911
Other receivables	146,921	103,546	127,265	100,030
Total Trade and other receivables (net)	5,773,926	5,222,001	886,234	811,985

All receivables are current assets.

# Receivables are aged as follows:

Overdue by:				
Less than 30 days	1,713,969	974,862	381,402	255,004
30 to 60 days	668,442	631,518	53,083	60,315
60 to 90 days	80,319	119,145	25,748	54,805
More than 90 days	156,985	460,635	65,539	50,768
Total Trade receivables (gross)	2,619,714	2,186,161	525,773	420,891

### Allowance for Doubtful Debts is aged as follows:

Overdue by:				
Less than 30 days		-	T	
30 to 60 days				
60 to 90 days		<u> </u>		
More than 90 days	483,155	38,346	72,905	38,346
Total Allowance for Doubtful Debts	483,155	38,346	72,905	38,346

# Notes to the financial Statements

as at 30 June 2012

	Entire Operations		Native Title	
	2012 \$	2011 \$	2012 \$	2011 \$
Note 7C Other Investments				
Deposits	383,967	383,967	383,967	383,967

Short term deposits are made with varying periods of between six and nine months depending on the immediate cash requirements of the Association, and earn interest at the respective short term deposit rates.

### Note 8 Non Financial Assets

## Note 8A Land and Buildings

Freehold land				
At valuation 30 June 2011	770,000	770,000	770,000	770,000
Total freehold land	770,000	770,000	770,000	770,000
Buildings on freehold land				
At valuation 30 June 2011	330,000	330,000	330,000	330,000
Accumulated Depreciation	(6,600)	=	(6,600)	=
Total buildings on freehold land	323,400	330,000	323,400	330,000
Leasehold improvements				
At fair value	69,527	523,949	69,527	518,393
Accumulated Depreciation	(50,457)	(399,077)	(50,457)	(394,877)
Total leasehold improvements	19,070	124,872	19,070	123,516
Total land and buildings (non-current)	1,112,470	1,224,871	1,112,470	1,223,516

# Note 8B Property, Plant and Equipment

Plant and equipment				
At cost	3,466,795	3,498,206	3,005,928	3,215,938
Accumulated depreciation	(2,241,668)	(2,458,345)	(2,103,568)	(2,201,990)
Write Downs	<u>-</u>	(30,768)	-	(30,768)
Total Plant and Equipment (non-current)	1,225,127	1,009,094	902,360	983,181

All revaluations are independent and are conducted in accordance with the revaluation policy stated at Note 1.14A. In 2011, the revaluations were conducted by an independent valuer B Luscombe (Midwest Valuations). The valuation was determined by reference to market rent and recent market transactions on an arm length basis.

	Entire Ope	erations	Native	Title
	2012 \$	2011 \$	2012 \$	2011 \$
Historical cost				
Freehold Land	820,000	820,000	820,000	820,000
Buildings on freehold land	259,962	259,962	259,962	259,962

No indicators of impairment were found for infrastructure, plant and equipment.

Movement in asset revaluation reserve				
Opening Balance	671,519	651,481	671,519	651,481
Decrement for land		(50,000)		(50,000)
Increment for buildings	-	70,038		70,038
Closing Balance	671,519	671,519	671,519	671,519

### Note 8C Reconciliation of the opening and closing balances of property, plant and equipment

	Er	ntire Operatio	ns		Native Title	
Item	Land & Buildings \$	Plant & Equipment \$	Total \$	Land & Buildings \$	Plant & Equipment \$	Total \$
As at 1 July 2011						
Gross value	1,623,949	3,498,206	5,122,155	1,618,393	3,215,938	4,834,331
Accumulated depreciation and impairment	(399,077)	(2,489,112)	(2,888,190)	(394,877)	(2,232,757)	(2,627,635)
Closing Net Book Value	1,224,872	1,009,094	2,233,965	1,223,516	983,181	2,206,697
Additions						
By purchase	-	964,888	964,888	÷	618,972	618,972
Reclassification	(43,585)	(26,914)	(70,499)	(43,585)	(26,914)	(70,499)
Depreciation/Amortisation expense	(68,150)	(694,013)	(762,163)	(66,794)	(644,951)	(711,745)
Disposals						
Other Disposals	(666)	(27,927)	(28,594)	(666)	(27,927)	(28,594)
As at 30 June 2012						
Gross book value	1,169,527	3,466,795	4,636,323	1,169,527	3,005,928	4,175,455
Accumulated depreciation/ impairment	(57,057)	(2,241,668)	(2,298,725)	(57,057)	(2,103,568)	(2,160,625)
Closing Net Book Value	1,112,470	1,225,127	2,337,598	1,112,470	902,360	2,014,830

as at 30 June 2012

#### Assets at valuation

	Er	ntire Operatio	ns		Native Title	
Item	Land & Buildings	Plant & Equipment	Total	Land & Buildings	Plant & Equipment	Total
As at 30 June 2012	\$	\$	\$	\$	\$	\$
Gross value	1,169,527	3,466,795	4,636,323	1,169,527	3,005,928	4,175,455
Accumulated depreciation/ amortization	(57,057)	(2,241,668)	(2,298,725)	(57,057)	(2,103,568)	(2,160,625)
Closing Net Book Value	1,112,470	1,225,127	2,337,598	1,112,470	902,360	2,014,830
As at 30 June 2011						
Gross value	1,623,949	3,498,206	5,122,155	1,618,393	3,215,938	4,834,331
Accumulated depreciation/ amortization	(399,077)	(2,489,112)	(2,888,190)	(394,877)	(2,232,757)	(2,627,635)
Closing Net Book Value	1,224,872	1,009,094	2,233,965	1,223,516	983,181	2,206,697

#### Note 8D Other Non-Financial Assets

		Entire Op	erations	Native	Title
	Notes	2012 \$	2011 \$	2012 \$	2011 \$
Prepayments		7,260	48,266	7,260	48,266

All other non-financial assets are current assets.

## Note 9 Provisions

### Note 9A Employee Provisions

Leave	1,481,261	1,296,306	1,293,657	1,176,010
Total employee provisions	1,481,261	1,296,306	1,293,657	1,176,010
No more than 12 months	1,235,776	1,015,341	1,047,578	929,931
More than 12 months	245,485	280,965	246,079	246,079
	1,481,261	1,296,306	1,293,657	1,176,010

	Entire Ope	erations	Native '	Title
	2012 \$	2011 \$	2012 \$	2011 \$
Note 9B Other Provisions				
Provision for Audit Fees	31,800	28,800	31,800	28,800
Note 10 Payables				
Trade creditors and accruals	1,153,105	958,616	221,953	178,500
Operating Lease Rentals	11,852	7,502	11,852	7,502
Total Supplier Payables	1,164,957	966,118	233,805	186,002

All suppliers are current and settlement is usually made net 30 days.

#### **Note 11 Unexpended Grant**

Unexpended grant carried forward	2,503,983	1 768 026	2,442,243	1,665,342
oriexperiaca grant carried forward	2,303,303	1,700,020	2,772,273	1,000,042

Unexpended grant carried forward represents grant funds received specifically for approved budget items and which are repayable to the funding organisation to the extent the funds are unspent.

#### Note 12 Other Payables

Total Other Payables	3,041,262	2,065,545	3,041,262	2,065,545
Assets/benefits held for return/distribution	227,205	133,749	227,205	133,749
General accruals	2,543,413	1,719,211	2,543,413	1,719,211
Accrued Wages/Superannuation	270,644	212,585	270,644	212,585

## Note 13 Equity

Analysis of equity		The second second	CONTROL OF THE STATE OF THE STA	CONTROL FOR SECURIOR S
Accumulated surplus as at 1 July	3,636,077	3,181,532	(1,777,704)	(1,114,951)
Surplus from ordinary activities	1,717,772	454,545	(872,851)	(662,753)
Accumulated surplus as at 30 June	5,353,849	3,636,077	(2,650,555)	(1,777,704)
Net revaluation increment	671,519	671,519	671,519	671,518
Total equity as at 30 June	6,025,367	4,307,595	(1,979,037)	(1,106,186)

as at 30 June 2012

	Entire Op	erations	Native	Title
	2012 \$	2011 \$	2012 \$	2011 \$
Note 14 Cash Flow Reconciliation				
Note 14a Reconciliation of operating su operating activities	ırplus to ne	t cash fron	n	
Operating surplus before extraordinary items	1,717,772	474,583	(872,851)	(642,715
Non- Cash Items				
Depreciation and amortisation	762,163	803,664	715,871	733,027
Net write down of non-financial assets	(70,984)		(70,984)	-
Revaluation (Increment)/Decrement		(20,038)		(20,038
Changes in assets and liabilities				
(Increase) / decrease in receivables	(551,925)	(3,680,699)	(74,248)	(107,211
(Increase) / decrease in prepayments	(7,260)	(48,266)	(7,260)	(48,266
Increase / (decrease) in employee provisions	189,960	93,256	122,652	(108,016
Increase / (decrease) in payables	1,538,472	1,578,310	1,021,515	793,030
Increase / (decrease) in unexpended grants	735,957	119,600	776,901	94,297
Increase / (decrease) in income in advance	(532,320)	(105,391)	(983,088)	(986,631
Increase / (decrease) in GST payable	(192,078)	(258,127)	135,126	10,291
Net cash from / (used by) operating activities	3,589,757	(1,043,107)	763,635	(282,233
Note 14B Reconciliation of cash  Reconciliation of cash at the end of the financial year (as shown in the Statement of Cash flow) to the related item in the financial report is as follows:				
Total cash and cash equivalents	8,537,969	5,868,601	2,647,413	2,423,660
Deposits	383,967	383,967	383,967	383,967
	8,921,937	6,252,569	3,031,381	2,807,627
Note 15 Remuneration of Key Executive  The number of key management executive	Managem 2012	<b>ent</b> 2011	2012	2011
management personnel	6	6	6	6
Total	1,034,517	902,372	1,034,517	902,372

The aggregate amount of total remuneration of officers shown above.

Executive remuneration includes salary, superannuation and associated costs paid to officers employed for the full financial year.

## Note 16: Financial Instruments Note 16A: Interest Rate Risk

	Floating Interest Rate		Fixed Interest Rate Maturing in 1 Year or less	est Rate Year or less	Non-Interest Bearing	st Bearing	Total	<u> </u>	Weight	Weighted Average
	2012 \$	2011 \$	2012 \$	2011 \$	2012 \$	2011 \$	2012 \$	2011 \$	2012	2011
Financial Assets										
Cash on hand			-		1,000	1,000	1,000	1,000		
Deposits at call	536,971	1,571,515					536,971	1,571,515 <b>5.40%</b>	5.40%	5.70%
Receivables for services										
(gross)					2,619,714	2,186,161	2,619,714	2,186,161		
Other		•			3,637,367	3,074,187	3,637,367	3,074,187		
Term deposit		ı	8,383,966	4,680,053	•		8,383,966	4,680,053 <b>5.40%</b>	5.40%	2.70%
Total	536,971	1,571,515	8,383,966	4,680,053	6,258,082	5,261,347	5,261,347 15,179,018 11,512,916	11,512,916		
Total Assets							<b>17,040,720</b> 13,756,801	13,756,801		
Financial Liabilities										
Trade creditors		-			1,164,957	966,118	966,118 1,164,957	966,118	n/a	n/a
Grants payable		r		1	2,503,983	1,768,026	<b>2,503,983</b> 1,768,026 <b>2,503,983</b> 1,768,026	1,768,026	n/a	n/a
Other payables					5,833,353	2,389,956	5,833,353	5,389,956	n/a	n/a
Total					9,502,292		8,124,100 9,502,292	8,124,100		
Total Liabilities							11,015,353	9,449,206		

# Financial Assets

The net fair values of the term deposits are based on discounted cash flows using current interest rates for assets with similar risk profiles. The net fair values of cash, deposits on call and non-interest-bearing monetary financial assets approximate their carrying amounts.

## Financial Liabilities

The net fair values for trade creditors and grant liabilities, all of which are short-term in nature, are approximated by their carrying amounts.

as at 30 June 2012

#### Note 17 Risk Exposures and Responses

#### Note 17A Credit Risk

The maximum exposures to credit risk at reporting date in relation to each class of recognised financial assets is the carrying amount of those assets as indicated in the Statement of Financial Position.

The Corporation has no significant exposures to any concentrations of credit risk.

#### Credit risk of financial instruments not past due or individually determined as impaired:

	Not Past Due nor Impaired	Not Past Due nor Impaired	Past due or impaired	Past due or impaired
	2012	2011	2012	2011
Cash at Bank	8,537,970	5,868,602	•	-
Receivables for goods and services	1,713,969	974,862	905,746	1,211,298
Total	10,251,938	6,843,464	905,746	1,211,298

Ageing of financial assets that are past due but not impaired for 2012				
	31 to 60 days	61 to 90 days	90+ days	Total
Receivables for goods and services	668 442	80 319	156 985	905 746

Ageing of financial assets that are past due but not impaired for 2011				
	31 to 60 days	61 to 90 days	90+ days	Total
Receivables for goods and services	631,518	119,145	460,635	1,211,298

#### Note 17B Liquidity Risk

This is highly unlikely due to government funding and mechanisms available to YMAC and internal policies and procedures put in place to ensure there are appropriate resources to meet its financial obligations. YMAC manages its budgeted grant funds to ensure it has adequate funds to meet payments as they fall due. In addition, YMAC has policies in place to ensure timely payments are made when due and has no past experience of default.

#### Note 17C Interest rate risk

		Surplus Higher/(Lower)		Equity Higher/(Lower)	
	2012 \$	2011 \$	2012 \$	2011 \$	
Full Operations					
+1% increase in interest rate	5,370	15,715	5,370	15,715	
-1% decrease in interest rate	(5,370)	(15,715)	(5,370)	(15,715)	
Note 18 Remuneration of Aug	ditors				
			2012 \$	2011 \$	
The fair value of services provided was:					
Audit services			41,580	28,755	
			41,580	28,755	
The average staffing levels for the entity du			118	102	
The number of directors of the Corporation below in the relevant remuneration bands:	n included in these figures are	shown			
\$ Nil - \$ 149,999			13	12	
\$ 150,000 - \$ 224,999			-	-	
\$ 225,000 - \$ 239,999			- 10	-	
Total number of directors of the Corporation	on		13	12	
Directors					
Remuneration			37,901	38,583	
Expenses			86,414	62,255	
	MASSES AND AND SAFE		124,315	100,838	

Remuneration for attending Board of Directors meetings including 9% super and tax withheld

Expenses include travel, accommodation and flights paid to Directors to attend Board of Directors meetings

as at 30 June 2012

## Note 21 Related Party Disclosures

	2012 \$	2011 \$
Loans to Directors:		
These comprise overpayments of travel allowances to attend meetings.		
Most of these overpayments have since been recovered. The balance will be recovered from future travel allowance payments made.		
Loans to directors outstanding at year-end:	2,203	3,119
Payment to Directors-related Consultant Entities:	2010002000	
Payment was made to a consultant entity related to Mr. Darren Injie on arms length commercial terms.		
Payments to director-related entities during the year:	14,000	22,527
Consultant payments to Directors		
These include payments made to directors on arms length commercial terms for attendance at meetings or participation in survey related activities.		
Consultant payments to Directors during the year:	68,700	76,750

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#### **GERALDTON**

171 Marine Tce Geraldton WA PO Box 2119 Geraldton WA 6531 T: (08) 9965 6222 F: (08) 9964 5646

#### KARRATHA

Unit 4/5, 26-32 DeGrey Place Karratha WA PO Box 825 Karratha WA 6714 T: (08) 9144 2866 F: (08) 9144 2795

#### PERTH

Level 2, 16 St Georges Terrace, Perth WA PO Box 3072, 249 Hay St, East Perth WA 6892 T: (08) 9268 7000 F: (08) 9225 4633

#### SOUTH HEDLAND

3 Brand Street South Hedland WA PO Box 2252 South Hedland WA 6722 T: (08) 9172 5433 F: (08) 9140 1277

#### TOM PRICE

Shop 2, 973 Central Road Tom Price WA PO Box 27 Tom Price WA 6751 T: (08) 9188 1722 F: (08) 9188 1996

www.ymac.org.au FREECALL: 1300 7 12345

ICN 2001

