ISSUE 5 | December 2008

YLSC News

News from Yamatji Land and Sea Council

CONTENTS | **02** MESSAGE FROM THE REGIONAL MANAGER | **03** AGREEMENTS NEED MINIMUM STANDARDS | **04** SEEKING EMPLOYMENT IN GERALDTON? | **05** YLSC - HELPING TO PROTECT COUNTRY | **06** MY COUNTRY, MY LANGUAGE | **07** SUPPORT FOR CHANGES TO NATIVE TITLE SYSTEM | **08** YLSC HOLIDAY OFFICE CLOSURES

Above: YLSC Chairperson, Roy Bellotti and PNTS Chairperson, Doris Eaton address the meeting in Coral Bay.

Traditional Owners come together in **Coral Bay**

On Saturday, 8 November, Yamatji Land and Sea Council, together with Pilbara Native Title Service, held its first joint meeting at Cardabia Station in Coral Bay.

Over 50 Traditional Owners travelled from as far as Geraldton, Meekatharra and Carnarvon to attend the meeting.

The joint meeting was for members to vote on changes to the organisation's constitution. This has come about as a result of the Federal Government's Corporations *(Aboriginal and Torres Strait Islander) Act 2006* (CATSI Act). The proposed changes to the land council's constitution will bring the rules for Indigenous corporations in line with mainstream corporations.

At the meeting members voted on the changes which include; stronger governance structures, greater transparency and specific clauses to recognise the unique cultures of both regions.

Members also voted on changing the corporation's name from Yamatji Marlpa Barna Baba Maaja Aboriginal Corporation - to Yamatji Marlpa Aboriginal Corporation.

These changes will be given to the Federal Government, who have to approve the new constitution. The full outcomes will be announced and implemented in early 2009.

YLSC Chairperson, Mr Roy Bellotti, was proud to see so many Traditional Owners from both the Yamatji and Pilbara regions at the meeting.

"I know people have travelled a long way to be here today, and it's great that everyone came along to vote on these changes to their land council.

It's important that we have our say on the way our organisation is run and it's been fantastic to meet up with other Traditional Owners from the regions."

While we have made every effort to ensure this publication does not contain any culturally sensitive material, there may be references to, and images of, people who have since passed away. If you have any concerns please contact us.

Message from the Yamatji Regional Manager **Russell Simpson**

Welcome to the fifth edition of YLSC News.

This edition talks about the special general meeting in Coral Bay; native title agreements needing minimum standards; the recent Indigenous job seeking seminar; YLSC helping to protect country; our support for changes to the native title system; and YLSC office closures over the upcoming festive season.

I would also like to welcome Stephen Hegedus as Deputy Principal Legal Officer for the Yamatji region. Stephen has worked for two years as a Senior Legal Officer at Pilbara Native Title Service and comes to YLSC with a wealth of knowledge and expertise in native title.

Enjoy reading our newsletter and please pass it on to friends and family, or call our office to get a copy delivered to your door.

Above: Work on an iron-ore mine.

Agreements need **minimum standards**

Yamatji Marlpa Barna Baba Maaja Aboriginal Corporation (YMBBMAC) has called for minimum levels of compensation in native title commercial agreements.

Current, negotiation practices do not have set compensation levels, which results in uncertainty for native title groups and mining companies. Native title compensation has been estimated to average at less than one quarter of a percent (0.25%) of overall mining profits from iron ore in WA.

Simon Hawkins, Chief Executive Officer, said standard minimum royalties would benefit all parties by reducing the amount of time spent in lengthy negotiations, allowing for accelerated development and improved land access protocols.

Mr Hawkins said, "For native title groups, minimum levels of payment would streamline the agreement process and reduce the emotional toll of negotiations. For industry and government it will mean increased certainty in negotiations and land access agreements.

Potential benefits of minimum percentages for native title commercial agreements can include;

- Increased certainty over compensation
- Accelerating exploration and engagement
- Increased access to land, project development opportunities and subsequent royalty streams
- Traditional Owners becoming direct participants in the current and future resource booms
- Increased regional social infrastructure and employment opportunities

Mr Hawkins said, "Current proposals include for industry to guarantee a minimum percentage, matched by a State Government contribution. This is something we would wholly support."

During 2009, YMBBMAC will continue to work with government and industry to support native title commercial agreements having a minimum level of compensation.

Above: Seminar coordinators; Caroline Williams, Melissa Bonney, Susan Fallows, Rodney Southall and Coby Baigent.

Seeking employment in **Geraldton?**

In November, Yamatji Land and Sea Council and the Salvation Army Employment Plus held a training seminar for Indigenous job seekers in Geraldton.

The seminar gave information on employment opportunities and discussed the long-term effects on Geraldton if the current labour shortage continues.

A focus of the seminar was to address job seekers' issues with finding employment. The seminar also provided attendees with professional advice through a number of inspirational Indigenous speakers.

Simon Hawkins, Chief Executive Officer of Yamatji Land and Sea Council, made an opening address to attendees at the seminar.

"As an organisation that represents Indigenous people in the Gascoyne and Murchison regions, Yamatji Land and Sea Council has five main areas of focus, those being; a knowledge foundation, sustainability, partnerships, leadership and finally a healthy workforce.

We work to create a strong future for Yamatji people and I am proud to be here, together with the Salvation Army Employment Plus, to bring about change and create a opportunity for people to realise their goals".

More seminars are already being planned for 2009. For more information contact Caroline Williams at YLSC on 9965 6222.

Yamatji Land and Sea Council would like to thank our partners, the Salvation Army Employment Plus for assisting with this initiative, as well as seminar coordinators and Yamatji Land and Sea Council's Economic Development partners - the Indigenous Land Corporation, Mt Gibson Iron, Arc Energy, Water Corporation, Harmony Gold, Giralia Resources and the Shires of Shark Bay, Geraldton and Greenough.

Above: Amangu country with wildflowers on display on a recent survey.

YLSC - helping to protect **Country**

In Western Australia, sites of heritage and cultural significance are protected by the *Aboriginal Heritage Act (1972)*.

Section 17 of the *Act* states it is "an offence for any person to excavate, destroy, damage, conceal or in any way alter any Aboriginal site without authorisation from the Registrar of Aboriginal Sites or the consent of the Minister for Aboriginal Affairs".

When a company wants to access Country for development or mining they must first undertake a survey to find out if there are any Aboriginal heritage sites in the area. Native title claim groups make the decision on heritage survey teams and who represents a particular area of country.

Yamatji Marlpa Barna Baba Maaja Aboriginal Corporation (YMBBMAC) undertakes one of the largest heritage survey programs in Australia. We work with Aboriginal people to provide professional and culturally appropriate heritage surveys for companies wanting to do business on Country.

Our services include organising archaeological and ethnographic surveys, salvage of sites and monitors for earth disturbing works in sensitive areas.

Russell Simpson, Regional Manager of Yamatji Land and Sea Council, a division of YMBBMAC, said that it's important companies needing to conduct any proposed mining or development 'on country' contact YLSC.

"In the Mid-West, YLSC is best positioned to advise mining and development companies on heritage matters in the region.

By working with YLSC and conducting surveys with the recognised Aboriginal people from the area it not only complies with legislation, but minimises important sites being destroyed.

Working together we can assist companies in their land-access, while identifying and protecting Aboriginal heritage and significant sites," said Mr Simpson.

Above: The base of Burringurrah, Mount Augustus, in Wajarri Yamatji country.

My Country, **My Language**

The Wajarri language, spoken by Aboriginal people throughout the Mid-West, is one of the last surviving languages in the region.

The Wajarri Yamatji people are Traditional Owners of approximately 100 square kilometres of land in the Gascoyne and Murchison regions. Their traditional country lies in the Shires of Chapman Valley, Cue, Meekatharra, Mount Magnet, Mullewa, Murchison, Northampton, Shark Bay, Upper Gascoyne and Yalgoo.

Preserving language is important for Traditional Owners as it keeps their culture strong and ensures that the next generation have a strong sense of identity.

Wajarri Talking:

Wajarri word or phrase	English
Nhanha	this
Wirbiri	thin
Wirnda	green
Barndi ngarnagu	it's good to eat/drink
Warany	food
Manda	leaves
Gulburnmanha	to find
Barnangga	in the ground
Windagula	under a tree

To find out more about the region's Aboriginal languages contact the Yamatji Language Centre: (08) 9964 3550.

Above: Shell Beach, Malgana country.

Support for changes to **Native Title system**

Yamatji Marlpa Barna Baba Maaja Aboriginal Corporation (YMBBMAC) has supported Attorney-General Robert McClelland's announcement that the Federal Court will have a more central role in the management of native title claims.

The new system, which will be introduced to Parliament in 2009, aims to encourage more negotiated settlements. It will see the court determining which native title claims should be referred for mediation, when mediation should occur, and which body, whether the Court or the National Native Title Tribunal, should mediate.

YMBBMAC's Chief Executive Officer, Simon Hawkins said, "Many claims have now been in the system for up to fifteen years and YMBBMAC supports any initiative that will see native title resolved more efficiently.

We hope the Federal Court's new role in meditating claims will encourage the State and other respondents to move towards consent determinations at a faster rate. YMBBMAC's policy has always been to encourage negotiated settlements over litigation and it is hoped that all parties will continue to support this process."

YMBBMAC will keep Yamatji Land and Sea Council members informed of any changes that occur in the native title system during 2009.

YLSC News
News from Yamatji Land and Sea Council

YLSC **Holiday Office Closures**

Yamatji Land and Sea Council's Geraldton and Perth office will be closed for the festive season from Wednesday 24 December, re-opening on Monday 5 January 2009.

The YLSC Regional Committee, Board of Directors and staff would like to wish all YLSC members a happy and safe festive season.

"This year has been a very busy one for YLSC and its members, and we look forward to strong progress on native title claim work and the protection of 'country' in 2009," said YLSC Chairperson, Roy Bellotti.

Above: Yamatji country.

ABOUT US

YLSC News is produced by the Yamatji Marlpa Barna Baba Maaja Aboriginal Corporation.

We are the native title representative body for native title claims in the Murchison, Gascoyne, Mid-West and Pilbara regions of Western Australia.

We work with Yamatji Aboriginal people to pursue:

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

MEMBERSHIP

YLSC membership is open to all adult Yamatji people. Our membership also includes people who live in other areas but who have a traditional connection to Yamatji country.

SERVICES

Our work includes:

- Providing legal representation and research to assist with native title claims
- Negotiating land use agreements
- Heritage protection services
- Community, economic and environmental projects

SUBSCRIBE

Get YLSC News delivered to you!

To join our mailing list, visit:

www.yamatji.org.au

or contact the YLSC office.

Please note that the information contained in this newsletter does not constitute legal advice.

CONTACT US

FREECALL: 1300 7 12345

GERALDTON (Head Office)
171 Marine Tce Geraldton WA
PO Box 2119 Geraldton WA 6531
Tel: 08 9965 6222
Fax: 08 9964 5646
Freecall: 1300 7 12345

PERTH
5th Floor Septimus Roe Building
256 Adelaide Terrace Perth WA 6000
PO Box 3072 Adelaide Tce Perth WA 6832
Tel: (08) 9268 7000
Fax: (08) 9225 4633

www.yamatji.org.au

ICN 2001