

news

country
culture
people
future

Yamatji Marlpa
ABORIGINAL CORPORATION

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Caution: Readers please be advised this publication may contain the names, images, and words of deceased persons. We apologise for any distress this may cause.

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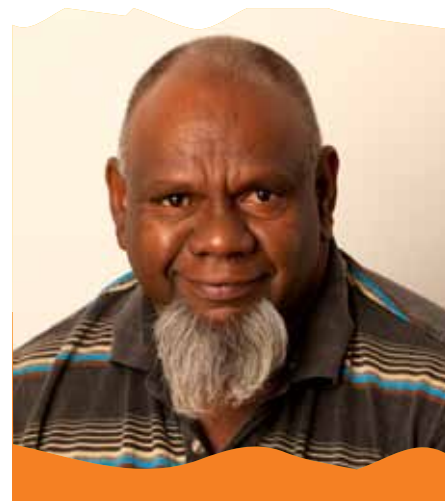
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Pilbara Chairperson, Mrs. Eaton



Yamatji Chairperson, Peter Windie

Hello and welcome to issue 17 of YMAC News, Yamatji Marlpa Aboriginal Corporation's quarterly newsletter.

We have some exciting news to share about new developments in the Midwest and Pilbara regions that will involve Traditional Owners and bring benefits to their communities. You can read about the opening of Asia Iron Australia's operations on page 3, and about the Njamal people's joint venture with FMG on pages 4 and 5.

The Kurama and Marthudunera people have won another legal battle with Mineralogy, which they fought to protect their heritage sites.

We have been busy ourselves, among other things attending a course on governance and leadership for not-for-profit Chairpersons. We are both glad to

be putting our new skills to good use in our work with YMAC.

Starting in this issue are some new features, including a column from YMAC's policy officer, and a profile on two respected elders, Stephen Stewart and Charlie Coppin. This section, "Respect for elders", will also become a regular feature of YMAC News.

Another new feature is the "frequently asked questions". Our editors have chosen some questions that our members often ask, but in the future we hope that our readers will send in their own questions. We also invite all of our readers to send in your questions, letters, and ideas to editor@ymac.org.au or PO box 3072, 249 Hay Street, East Perth WA 6892 (attn: editor)

Ground breaking ceremony recognises **Badimia Culture**

On 2 December 2011, Asia Iron Australia held a ground breaking ceremony for their magnetite operations involving Badimia representatives, Chinese officials, and over 100 invited guests.

The Badimia working group played a key role in the event. Working group member Frank Walsh Jr. gave a Welcome to Country to the assembled guests, working group member Victor T. Little exchanged symbolic gifts with the Vice Mayor of Chongqing, People's Republic of China, and Gloria Fogarty, also of the Badimia working group, unveiled a commemorative plaque that recognises Badimia people as the traditional owners of the country.

The first stage of the magnetite operations will include the construction

of a base camp, called "Little Gunduwa Village" in early 2012.

It is estimated that the project will yield around 10 million tonnes of magnetite per year, and create about 500 full time jobs.

Beverley Slater, chairperson of the Badimia working 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."



Badimia Working Group member Victor J. Little



Members of the Badimia Working Group

Njamal people enter a unique mining agreement

The Njamal community and Fortescue Metals Group (Fortescue) have entered into a new joint venture for the Northern Star tenements project on the Njamal people's traditional country.

The agreement was finalised at a ceremony in Port Hedland on Tuesday, 20 December 2011.

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.

Instead of providing royalties or other ongoing payments for iron ore extracted from their native title claim,

Fortescue has agreed to enter into a 50:50 joint venture with the Njamal people's corporation for a mine on one of Fortescue's tenements.

Under the agreement, the Njamal people will act as the mine manager for a project producing 100 million tonnes of iron ore.

The agreement represents a new direction for the Njamal people in their approach to native title negotiations.

As well as providing commercial opportunities and a base for economic self determination, the agreement puts in place exclusion zones to protect sites of cultural importance to the Njamal community.



Njamal elders Tony Taylor and Alice Mitchell

“ The old Njamal people who have left us who worked so hard to get us here would be proud. ”

-Njamal elder and YMAC Co-Chair, Mrs. Eaton



Njamal community members with YMAC and FMG staff

"Culture comes first for us. The old Njamal people who have left us who worked hard to get us here would be proud of this agreement. This agreement is our future for the next generation," said Njamal elder, Mrs. Eaton.



Njamal elder Mrs. Eaton with her granddaughter Jillisa Miller and her daughter

K&M legal win: consultation is essential



Karlarrinya (Queen's Table), Kurama and Marthudunera country

The Kurama and Marthudunera (K&M) people are celebrating a recent legal win in the Karratha Warden's Court. In January 2012 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.

K&M elders Neil Finlay and Matthew Sampi gave evidence in the hearing, and the Warden acknowledged that "both of these gentlemen are respected, senior, and knowledgeable men within the KM people". Mr. Finlay and Mr.

Sampi both gave evidence about the importance of several very important sacred sites and waterways in the tenement areas, including the Cane River. The area is also important for gathering bush tucker and medicines and hunting, as well as being a place that K&M people often go camping. There are also some burial sites and an engraving within the tenement applications.

Neil Finlay said, "Mineralogy need to come and talk with us. They never came to see us. They need to be there, on our country with us. It is my responsibility to look after that country."

The lack of consultation with the K&M people was also a factor in the Warden's decision, in this and other matters in the past.

"The past conduct of Mineralogy as disclosed in previous case law as well as its approach in this matter gives rise to serious and genuine concerns about heritage protection within the leases as well as compliance with legislation," the Warden said in his decision.

Simon Hawkins, YMAC CEO, said, "The Mining Warden is more than just a rubber stamp for approving mining applications. Companies wanting to mine have to address the community's concerns, and that means consulting with the traditional owners about the cultural and heritage values of a place. It means meaningful, respectful engagement. Many mining companies in the Pilbara do this well, and it is my hope that in the future they all will."

YMAC Co-Chairs

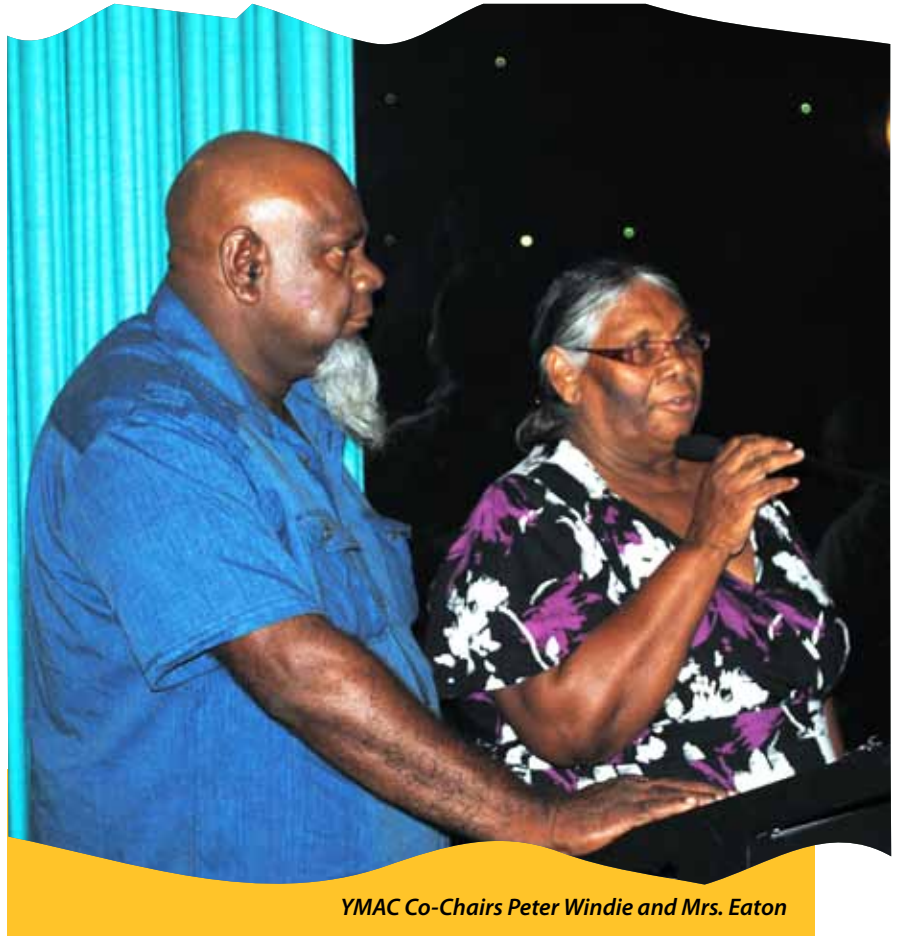
focus on governance and leadership

In February 2012, YMAC Co-Chairpersons Peter Windie and Mrs. Eaton attended a course for not-for-profit chairpersons. Through the Australian Scholarship Foundation, they both received scholarships to attend supported by the Perpetual Foundation and JS Love Trust.

The Not-For-Profit Chairman Course, run by the Australian Institute of Company Directors, offered an opportunity for chairpersons of not-for-profit organisations to fine-tune their leadership and governance skills, as well as the chance to connect with other chairpersons facing issues in common.

The course focused on the leadership role of a chairperson inside and outside the boardroom, and at critical times for an organisation. It also examined different strategies to work effectively with people on difficult issues.

Mrs. Eaton and Mr. Windie now bring their enhanced skills back to YMAC, where the rest of the organisation will benefit from their leadership.



YMAC Co-Chairs Peter Windie and Mrs. Eaton

Memberships: now is the time to join

Becoming a member of YMAC is a great way to become involved in your land council. Membership allows you to attend and vote at Annual Regional Meetings, and only members are eligible to stand for the Regional Committees. Many people are part of a native title claim represented by YMAC but are not YMAC members.

The Regional Committees, which are responsible for approving and confirming all membership applications, will be meeting, in Exmouth in May. Membership applications should be sent in **by the end of April** to make sure they can be considered at the next Board of Directors Meeting.

Membership is open to all Yamatji and Marlpa people over the age of 18. Anyone who can prove their connection to country in one of these two regions can be a member, even if they live somewhere else. Membership is free, all you have to do is fill in a membership form. Membership forms can be requested from any of our offices or can be downloaded from www.ymac.org.au.

Policy Matters

with YMAC Policy Officer
Christina Colegate



While politicians in Canberra have been arguing amongst themselves, YMAC staff have been busy speaking up in industry and government forums and providing sub-

missions that push for better legislation and outcomes for Traditional Owners across our region.

One of the biggest changes we are going to see this year is a move to a single regulator for all charities and not-for-profit organisations in Australia. At the moment, the rules for charities differ across all the States and Territories. The Federal Government wants to bring these into line and administer them under the new Australian Charities and Not-for-Profit Commission (ACNC). You can find information about the ACNC online at www.acnctaskforce.treasury.gov.au.

Simon Hawkins, YMAC CEO, recently attended workshops in Melbourne with the National Title Native Council, resource industry leaders and the Federal Government to discuss how these changes will impact on native title agreements, the benefits that flow from them and the trusts and corporations set up to manage implementation. We are pushing to make sure that compensation paid to Traditional Owners is free from tax and that any new laws recognise the unique challenges and interests of Prescribed Bodies Corporate.

If you would like further information about this or other government reforms, please contact me on (08) 9268 7074 or ccolegate@ymac.org.au.

Frequently asked questions

What responsibilities does the Board of Directors have, and do the Directors receive pay for their work?

The Board of Directors, which is made up of 12 members (six from the Yamatji Regional Committee and six from the Pilbara Regional Committee), sets the direction for YMAC and makes important policy decisions.

The Board meets several times a year, and is ultimately responsible for YMAC's performance in carrying out the functions required under the Native Title Act.

YMAC Directors have significant responsibilities for reporting and compliance under the Corporations (Aboriginal and Torres Strait Islander) Act 2006, and could face fines and imprisonment for offences. It is considered reasonable that they receive some form of remuneration for their time and responsibilities.

The matter of payment of directors' fees is voted on at the Annual Regional Meetings. Directors currently receive

a fee of about \$545 per meeting day (for about 4-6 meetings per year), as decided by the members who attended and voted at the 2011 Annual Regional Meetings.

How is the money from heritage surveys used?

In the 2010/11 financial year, 87% of revenue received for organising and conducting heritage surveys went to external consultant and traditional owners who participated in surveys. The remaining 13% was used for YMAC staffing and administration for all the necessary aspects of organising surveys.

Any surplus from heritage surveys is used for YMAC's services that aren't funded by the government, including extra working group and community meetings, heritage protection, environmental protection, and other services for the protection of culture and country.

Section 66B applications

What they mean to you

A "Section 66B" application is made to remove or replace applicants from a native title claim. A "Section 66B" application is made if someone is not following the decisions of the community or is deceased.

Because applicants get their authority from the wider group, the wider group can decide to remove them as an applicant. The group can also replace that person with someone who will follow the instructions of the community.

If someone is removed under an s66B application they can still stay as a member of the native title holding group and part of the community.

For more information on making a Section 66B application, please talk to your YMAC claim lawyer.

Respect for elders:

Charlie Coppin and Stephen Stewart



Charlie Coppin and Stephen Stewart at the Ngarla People's Native Title Determination

Stephen Stewart (Wiparu) and Charlie Coppin (Kurtiri) are two highly regarded Ngarla elders, acknowledged regionally as leaders in traditional law. The continued practice of law carries with it an authority and respect, in addition to a range of rights and responsibilities.

Charlie Coppin, known by his Aboriginal name of Kurtiri, was born around 1935 at Kurnkarn, the Shaw River outstation on the De Grey River in Ngarla country.

Kurtiri grew up on De Grey Station and when he was old enough to ride he worked as a station-hand; fencing, mustering, and shifting cattle and sheep. He lived at De Grey until the Pilbar strike in the late 1940s, and then travelled throughout the eastern Pilbara working

at different jobs.

Kurtiri married a Nyangumarta woman and has 5 children and lots of grandchildren, who all learn about Ngarla country and traditions from him.

When describing his country he says, "My, country, Makanykara, is around the De Grey River and Ord Ranges. It extends from Makanykara Hill to Mikurr, the Three Sisters. I got the country from my father, who got it from his father."

Stephen Stewart, known traditionally as Wiparu, was born around 1923 in Ngarla country at Kulangkulanya, which is an outcamp on De Grey Station, on the Pardoo side.

His nickname is 'Number Two,' which he

got when he was the vice-chairman in charge at Yandeyarra Station.

Number Two was known as an excellent horse trainer, jockey and stockmen and has worked at various stations throughout his lifetime.

When Number Two talks about his 5 children and grandchildren he says, "I grew all of my children up in their culture. I took them out on country. I taught them what to eat and how to catch them. We taught them about the plants and about hunting."

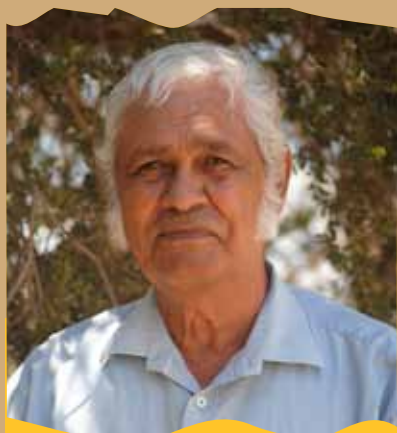
Both men are recognised across the Pilbara as having a leading role to play in law business at places like Punmu, Jigalong, Yandearra, Warralong, and Bidyadanga.

Culture is alive and strong and the resilience of Aboriginal practice and belief is held by men of such high regard as Kurtiri and Number Two.

In this series YMAC News focuses on elders from the Pilbara, Murchison and Gascoyne regions; their lives, stories and importance in the community. If there is someone you think YMAC should profile in future editions of YMAC news, let us know at editor@ymac.org.au or PO box 3072, 249 Hay Street, East Perth WA 6892 (attn: editor)

Introducing...

YMAC News profiles our staff, Committee and community members



*Yamatji Committee Member,
Rodney Ryan*

Committee Member: Rodney Ryan

Rodney Ryan is a Nanda and Wajarri man with a long history of working to strengthen his community. He is currently a Mentor Supervisor Emu Services for youth training and employment pathways in the mining industry.

Rodney has been involved in numerous community initiatives including the Compass Program to address children's school attendance, The Carnarvon Aboriginal Congress, and The Men's Shed.

Rodney has also started 'Green Team', a natural resource management program with Rangelands WA. His vision for the future is to see his community grow beyond native title, through education, environmental protection and enterprise.



*YMAC Community Liaison Officer,
Jerry Maher*

Staff Member: Jerry Maher

In his own words, "Port Hedland has been my home for the last 30 years. My first job was with the Town Council and from there I worked with the Health Department and the Police Force.

My job as Community Liaison Officer with YMAC lets me give back to the Port Hedland community and is something I've always wanted to do. I have a drive and passion to work for and with Indigenous people, and I always want to do more. I've wanted a job like this for a long time, especially since I completed FaHCSIA's Indigenous Leadership program.

I'm still learning the ropes and I continue to learn more on a daily basis. Every day is a challenge and you have to enjoy it!"



Wajarri artist, Dawn Hamlett

Community Member: Dawn Hamlett

Dawn was born in Mullewa, in the Yamatji region of WA. Her native language is Wadjarri and she currently resides in Morawa. Dawn started painting 11 years ago at the insistence of her family, and now is one of the most accomplished artists in the Mid West.

Drawing her inspiration from her Murchison culture, Dawn's paintings mainly focus on stories from her Indigenous roots, although she also reads extensively and has been known to draw on non-Aboriginal history as well. Dawn is involved in local community issues and is considered a leader within her community. She loves to teach others how to appreciate and create art and supports many fellow artists in her community.



YMAC wants to hear from you.

YMAC wants to hear your stories, questions, comments and suggestions. If there are any stories you think YMAC News should include, elders who should be profiled, or community members who should be recognised, let us know. YMAC News is now calling for “letters to editor”, and any questions you think should be addressed in our “frequently asked questions”.

Send your letters, questions and ideas to editor@ymac.org.au or PO box 3072, 249 Hay Street, East Perth WA 6892 (attn: editor).

We look forward to hearing from you!

Malgana country

country culture people future

ABOUT US

YMAC News is produced by the Yamatji Marlpa Aboriginal Corporation (YMAC).

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

We work with Yamatji and Marlpa (Pilbara) Aboriginal people to pursue:

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



MEMBERSHIP

YMAC membership is open to all adult (18+ years) Yamatji and Marlpa people. Our membership also includes people who live in other areas but who have a traditional connection to Yamatji or Marlpa country.

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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

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