



YMAC News

News from Yamatji Marlpa Aboriginal Corporation

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Above: Nyangumarta dancers with Justice North. Image courtesy of Tobias Titz.

Nyangumarta Celebrate recognition of Country

On the 11th of June, the Nyangumarta People celebrated the Federal Court's recognition of their culture and country in Western Australia's Pilbara region.

Over 100 Nyangumarta community members celebrated the event with traditional ceremony, dance and storytelling.

Nyaparu Rose, Nyangumarta Elder said, "We come from Nyangumarta country and we speak for the land. Native title is very important to us because it has allowed us to get our country back, to protect our spirits and sites, to go camping, hunting and fishing.

Before native title we never had any recognition as Traditional Owners, we

had no rights in our own country. Now we feel empowered."

Janet Stewart, Nyangumarta Elder said, "Before native title we knew that we owned our Country, but nobody else recognised that. As part of the native title process we've developed a good relationship with the pastoralists so that in the future we can both look after the country together."

Indigenous Land Use Agreements (ILUAs) were registered immediately after the determination to deal with the practical

issue of co-existence between native title holders and pastoral stations.

Plans are now in effect to establish a community at on Wallal Downs and the Nyangumarta people have established an Aboriginal Corporation called, 'Niyamarri Pukurl' to administer their business.

YMAC has been proud to represent the Nyangumarta People and look forward to continuing a close relationship with the community.

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

Yamatji Regional Manager - **Russell Simpson**
Pilbara Regional Manager - **Nyaparu Jeffries**



Above: Pilbara Regional Manager,
Nyaparu Jeffries



Above: Yamatji Regional Manager, Russell Simpson

“

Welcome to YMAC News!

We hope everyone enjoyed a celebratory NAIDOC Week 2009. Its been a busy and successful few months for YMAC with the Nyangumarta people's recognition of country and positive progress for native title groups in mining negotiations.

With uranium mining becoming a new industry in WA we encourage all of our members in Geraldton, Carnarvon and Karratha to attend the upcoming uranium education workshops. If you can't make it to the events we will also produce a DVD of the workshops which will be free to all members.

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

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Yamatji Marlpa

ABORIGINAL CORPORATION

YMAC Uranium Workshops

Yamatji Marlpa Aboriginal Corporation (YMAC) members are invited to attend one of the following workshops to receive independent information on how uranium mining might affect their country and community.

The workshops will be facilitated by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA). ARPANSA is a Federal Government agency responsible for protecting the health and safety of people, and the environment, from the effects of radiation. The workshops are designed as an information sharing session and will not constitute as legal advice.

For those who can't attend a workshop, YMAC will be producing an information package, including a DVD of the workshops. The information package will be available from late August.

YMAC Uranium Workshops:

Carnarvon

Date: **Tuesday, 28 July**

Venue: Carnarvon Civic Centre, Woolshed Centre
Robinson Street & Camel Lane, Carnarvon

Time: 10.30am - 1.30pm

Geraldton

Date: **Wednesday, 29 July**

Venue: Conversations by Indigo
65 Bayly Street, Geraldton

Time: 11am - 2.00pm

Karratha

Date: **Thursday, 30 July**

Venue: All Seasons Karratha, Searipple room
3 Searipple Road, Karratha

Time: 12.00pm - 3.00pm

Please note, YMAC is not funded to pay travel allowance for the attendance of members at the workshops, although morning tea and lunch will be provided.

For catering purposes please contact Billie Parfitt on(08) 9268 7000 to confirm your attendance.



Above: Greg Young (YMAC), Bill Mackenzie and Peter Jones (MGMP) with Naaguja representatives Ross Councillor, Lindsay Councillor, (seated) Keith Councillor and Yvonne Radcliffe.

Naaguja People sign mid west pipelines deal

This May, the Naaguja People announced a native title commercial agreement with MGM Pipelines Pty Ltd (MGMP).

Naaguja country covers approximately 5,581 square kilometres of land and water in the Gascoyne/Murchison region and includes the town site of Geraldton. MGM Pipelines Pty Ltd (MGMP) is a member of the Asia Iron Group, seeking to develop mining operations at Extension Hill. The proposed mine would require MGMP to own and operate underground pipelines through Naaguja Country to transport ore from the mine to Geraldton and for the transport of gas, water and any other materials to the mine.

The Naaguja working group and MGMP negotiated the agreement in relation to the development of the pipelines which was signed at a Naaguja community meeting, followed by a ceremony and BBQ lunch on Jooldarnoo Farm.

Compensation and benefits to the Naaguja people under the agreement include financial benefits, employment and

contracting opportunities and Aboriginal cultural awareness training for MGMP employees.

Yvonne Radcliffe, Naaguja Elder said, "Naaguja people are of the land that meets the sea. Our agreement signing with MGMP not only signified economic benefits, it also brought families back to our traditional lands, Jooldarnoo Farm in Chapman Valley. We thank MGMP for their good spirit and respect for Naaguja peoples and our ancestral lands. It was a pleasure to see the goodwill and patience taken by our guests to walk with us and see the Naaguja People's vision for our future generations."

Russell Simpson, Yamatji Regional Manager, Yamatji Marlpa Aboriginal Corporation said, "We have been proud to represent the Naaguja people in these negotiations and extend our congratulations to both parties on reaching a successful agreement."



Above: Kuruma Marthudunera representatives L-R: Joan Evans, Naomi Bobby, Matthew Sampi, Georgina Bobby, Neil Finlay, Jean Lockyer, Elaine James and Valerie Alexander.

Mining deal signed over **cultural land**

In March, the Kuruma Marthudunera (KM) native title group announced the finalisation of its commercial agreement with CITIC Pacific Mining (CPM).

The commercial agreement with CPM provides financial compensation to the native title group by way of milestone and annual payments. The agreement also includes positions for a minimum of 10 full time employees with the company, and business and training opportunities.

Clear processes are being developed to carefully manage heritage in the area. To make sure the agreement works in practice, the KM and CPM have formed a Relationship Committee, to meet regularly and review progress.

KM Elder, Elaine James, said, "This benefits the whole group and will let us look after our old people. It's good that we've come to an agreement, but also sad that many of our old people are no longer around to see this. The most important part is that companies have started to recognise the importance of working with our Elders."

Simon Hawkins, Chief Executive Officer, Yamatji Marlpa Aboriginal Corporation said, "CITIC Pacific Mining approached negotiations with sensitivity and respect. The Kuruma Marthudunera people appreciated the company's willingness to sit down and negotiate with the group. The next step is to build on this relationship and see the agreement successfully implemented."

MINERALOGY 'FAILS TO NEGOTIATE IN GOOD FAITH'

The National Native Title Tribunal (NNTT) has found that mining giant Mineralogy Pty Ltd failed to negotiate in good faith with Kuruma Marthudunera (KM) native title group regarding an exploration license applied for within the groups' registered claim area.

NNTT's Deputy President Sosso handed down his decision on 17 April - only the third time the NNTT has found that a mining company has failed to negotiate in good faith.

"There were 'never any real negotiations", said Member Sosso.



Above: Mount Bruce, Bunjima Country

Innawonga and Bunjima sign Land Access Deed

In June, the Innawonga & Bunjima People (IB) announced an agreement with Iron Ore Holdings Ltd (IOH), allowing the company to take another step toward the granting of mining tenements over their project area on Bunjima country.

The Innawonga and Bunjima People native title claim covers approximately 19,567 square kilometres of land in the central Pilbara region, and includes part of the iconic Karijini National Park. The Bunjima name for the Hamersley Ranges is Karijini, and evidence of early occupation in the area dates back more than 20,000 years.

The full agreement outlines details for compensation in the form of up-front payments and royalties on ore mined from the area. There are also inclusions for future exploration on IB Country and agreed heritage protection processes. IOH will

also work with IB representatives to develop an employee Cross Cultural Awareness program and workshop.

To ensure the agreement works in practice, IB and IOH have formed an Implementation Committee to meet at least twice per year to discuss project progress, employment, contracting, education, training and any other matters related to the Land Access Deed.

Alec Tucker, Innawonga and Bunjima representative said, “It’s good that this agreement will provide benefits to look after our country and people.”

Simon Hawkins, CEO, Yamatji Marlpa Aboriginal Corporation said, “We have been proud to represent the Innawonga Bunjima People and hope the relationship between Traditional Owners and Iron Ore Holdings continues to strengthen. Ongoing, respectful relationships between parties are essential to ensure the benefits flowing from native title agreements are fully realised.”



Above: Torres Strait Indigenous Culture Group *Eipe Karem Beizam* perform at the 10th Native Title Conference in Melbourne. Image courtesy of Gerald Preiss, AIATSIS.

Native Title Conference: **Spirit of Country**

In June, the 10th Annual Native Title Conference, was held in Melbourne on the traditional lands of the Wurundjeri People.

Through workshops, speeches and discussions, participants explored the theme Spirit of Country, Land, Water, Life. The conference allowed people involved in every aspect of native title to come together to exchange ideas, develop better practice and learn from the experiences of others.

This important national event provided YMAC board members and staff with the opportunity to have new conversations, make new connections and strengthen old friendships. Attendees included native title holders and claimants, Traditional Owners, native title representative bodies and government.

Over 650 people and 150 speakers attended the conference, including three presenters from Yamatji Marlpa Aboriginal Corporation.

Claim Lawyer Sarah Burnside discussed issues around negotiating in good faith and what this means for Traditional Owners and mining companies.

CEO, Simon Hawkins and Deputy Principal Legal Officer, Shaz Rind, spoke about sustainable agreements and the impact of uranium mining on Traditional Owners in WA.

Other topics discussed at the conference included agreement implementation, alternative settlements, water management and Prescribed Bodies Corporate.



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YMAC staff visit **Malgana Country**

In May, YMAC staff members visited Gutharraguda (Shark Bay) to experience Malgana Country and culture.

Darren 'Capes' Capewell from Wula Guda Nyinda Tours (www.wulaguda.com.au) took the YMAC team on a four day journey to learn about local plants, animals, bush tucker, medicine, language and history.

Yamatji Regional Manager, Russell Simpson said, "Being on Country is the best way to learn. It's important for our non-Indigenous staff to experience the depth and diversity of the cultures we represent."



Above: YMAC team visit Malgana Country.

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, Mid-West 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 Yamatji and Pilbara people. Our membership also includes people who live in other areas but who have a traditional connection to Yamatji or Marlpa (Pilbara) 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

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