



Yamatji Marlpa ABORIGINAL CORPORATION ANNUAL REPORT 2014







Yamatji Coastline



**Yamatji Marlpa**  
ABORIGINAL CORPORATION

## 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 over 20 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, 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
- Negotiating land use and native title agreements
- Cultural heritage protection services
- Community, economic and environmental projects

YMAC operates under the *Native Title Act 1993* (NTA) and the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (CATSI Act).





# 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

country  
culture  
people  
future

Ngarluma country

# TABLE OF CONTENTS

Introduction and Overview. ....	1
Our Mission, Vision and Values. ....	2
Co-Chairpersons’ Report. ....	4
Board of Directors. ....	6
Chief Executive Officer’s Report . ....	14
Government Engagement and Advocacy . ....	18
2013/14 Highlights. ....	21
Corporate Governance. ....	25
Organisational Structure . ....	28
Roles and Functions. ....	35
Outputs. ....	37
Research and Heritage Update . ....	38
Native Title Claim Updates. ....	48
Financials . ....	73





Nanda Country

## CO-CHAIRPERSONS' REPORT

This year marks the 20<sup>th</sup> year of YMAC, and we were very glad to see the Banjima people's native title recognised on-Country in March. However too many native title claim groups are waiting too long for their recognition. As Federal Court Justice Jagot reminded us in her recent judgment in favour of the Gumbaynggirr people's native title claim in New South Wales, justice delayed is justice denied. Too many of our old people are passing away while waiting for their native title. We once again urge the State Government to move forward with equitable negotiations for native title by consent, rather than dragging out costly litigations.

### Leadership

This has been another busy year for the Board of Directors, with meetings across the country and the state and to develop our strategic alliances and relationships. During the reporting period we have attended workshops in Sydney and the Kimberley, a conference in Coffs Harbour, meetings with stakeholders in Perth and of course our regular schedule of YMAC Committee and Board meetings. It has been important for us to form relationships with other Indigenous peoples and organisations, because this makes us all stronger.

Developing leadership skills for Aboriginal people

has been a real focus of the Board and of the organisation, so we were very pleased to be recognised for this work at the Pinnacle Awards in November. Throughout the financial year YMAC facilitated various training opportunities for leadership and skill training for the Board of Directors, Regional Committees, Claimants and Aboriginal staff members.

### Heritage

We are very concerned at the State Government's proposed changes to the *Aboriginal Heritage Act* that will make the Act even weaker than it is now when it comes to protecting our heritage. We are angry that this opportunity to overhaul the Act

and to bring it in line with standards set in other States and for non-Aboriginal heritage, will only further benefit mining and development interests.

Protecting our heritage is vitally important to us and our communities as Australia's first peoples and the guardians of our ancient culture. The State's proposed legislation undermines our native title rights to look after our heritage by giving all the power over our heritage to the CEO of the Department or the Minister for Aboriginal Affairs. We will be doing everything we can in the coming year to see that the Government addresses our concerns.

### Biodiversity and Culture Projects

Natural Resource Management is another important area of work for the organisation. During the reporting period a number of important projects were progressed, including a carbon farming initiative at Jooldarnoo Farm, an Indigenous Land Use Agreement and Joint Management Agreement over Eighty Mile Beach, and flora and fauna surveys along the Kidson Track as part of a larger project of conservation with the Nyangumarta people's corporation. .

### Return of materials to PBCs

With more native title groups moving into the

post-determination phase, YMAC has been working to improve our services to Prescribed Bodies Corporate. Part of this is in the way that we return research materials after they are no longer needed for trial. YMAC has been pioneering new systems for information security, guidelines and protocols. During the reporting period YMAC received a grant to further this work, and held workshops with two PBCs to facilitate this process.

On behalf of the Board of Directors we thank YMAC's members, committees, management and staff for their ongoing commitment to culture and country in the Yamatji and Pilbara.



# BOARD OF DIRECTORS



**Victor Mourambine**

**YMAC Co-Chairperson**

Victor is a Wajarri man from Northampton who has very deep ties to the region. He gained his citizenship from the Australian Government in 1967. He has a long history of working with the Aboriginal community, on the Commission of Elders at state and regional level, and through the Department of Justice helping prisoners. His work with Aboriginal prisoners earned him the Order of Australia. He is grateful for the opportunities he has had to help his community. His work in native title is motivated by a desire to gain recognition for traditional owners. He wants to carry on the fight of elders who have passed before they were able to gain legal recognition of their country and culture.



**Doris Eaton**

**YMAC Co-Chairperson**

Mrs Eaton is a Njamal woman from the eastern Pilbara region and in 2009 was named NAIDOC's Female Elder of the Year. She has been involved in health programs for Aboriginal women and children, care for the elderly and has completed studies at the Batchelor Institute of Indigenous Tertiary Education in Darwin. Mrs Eaton's driving force is to ensure that younger generations learn strong culture and law from their elders.



**Kathleen Musulin**

**YMAC Deputy Co-Chairperson**

Kathleen is a Malgana woman who lives in Carnarvon. She has extensive knowledge of the health needs of her community and is currently employed as an Indigenous Diversion Program Officer for the Department of Health. She has played a significant role in the assistance of planning and implementation, as well as the service delivery, for Aboriginal groups affected by alcohol and drug use, and family violence. Working with Indigenous and culturally diverse people, Kathleen provides support through mentoring and networking with other service providers including Government and non-government departments. Kathleen has a strong passion for her community, claimants and Traditional Owners, and aims to use her position as Deputy Chairperson to achieve a positive outcome for all Aboriginal people.



**Natalie Parker**

**YMAC Deputy Co-Chairperson**

Natalie is a Niyiyaparli woman from the central Pilbara region who is well known in the community for her leadership capacity. She represents her community on the board of the Gumula Aboriginal Corporation, Gumula Enterprises Pty Ltd, and Meta Maya Aboriginal Corporation. She was also the first female co-chair of YMAC. 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...)



**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, including Cardabia pastoral lease. Paul lives in Carnarvon and is a keen fisherman, but also enjoys hunting and camping in his spare time. Being on the board of 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.



**Helen Capewell**

**Director**

Helen is a Nanda woman who lives in Carnarvon. She is an enrolled nurse at the Aboriginal Medical Centre in Carnarvon, and is currently studying to be a Registered Nurse. She enjoys fishing, camping and keeping fit and healthy. Her hope for the future is to see equality for all Aboriginal people and recognition of their native title rights.



**Nora Cooke**

**Director**

Nora is a Ngarla woman who played an integral role in her people's native title determination in 2007. She enjoys the bush life in the Pilbara, including fishing, camping, cooking and hunting. Nora has an in-depth understanding of bush medicine and provides advice to people seeking bush medicine treatments. She also practices her culture by teaching several Aboriginal languages and running cultural awareness training at mine sites and the Wangka Maya Language Centre. To Nora, country means to live freely on the land, gathering food and hunting.



**Beverley Ladyman**

**Director**

Beverley is a Malgana woman who lives in Carnarvon. She is an Aboriginal health worker and health professional who has worked at the Aboriginal Medical Service and the Carnarvon Hospital. She hopes to bring fresh ideas to the YMAC Board of Directors to help bring about positive change for recognition and equality for Aboriginal people. Beverly loves camping, football, basketball and tennis, and she hopes in the future all Aboriginal people will be able continue with their traditional hunting, camping and fishing.

## BOARD OF DIRECTORS (CONT...)



**Toby Smirke**

**Director**

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

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.



**Diane Stewart**

**Director**

Diane is a Nyangumarta woman who has been actively involved in the Nyangumarta Warrarn Aboriginal Corporation (Prescribed Body Corporate) after being inspired by elders who worked towards the 2009 Nyangumarta determination.

Born in Port Hedland, Diane continues to live there today, and is proud that her family of five generations continues to have such a strong connection to country. She feels a great sense of belonging when she spends time on country with her family, learning hunting and gathering.

Diane works as an Aboriginal and Islander Education Officer working with students, parents and the community for better outcomes for Indigenous students.



**Selina Stewart**

**Director**

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

She grew up in Carnarvon and Port Hedland and currently lives in Perth. She has spent 10 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.



**Peter Windie**

**Director**

Peter is a Thudgari man who played an integral leadership role in his people's native title determination in 2009.

He lives in Gascoyne Junction and is a well respected community leader in the region. He is chairman of the Windi Mia Aboriginal Corporation, which is currently pursuing possible tourism and pastoral ventures in the Yamatji region.

Peter is passionate about country and how deeply Aboriginal people are spiritually connected to the land.

## PILBARA REGIONAL COMMITTEE



**Robyne Churnside**

**Pilbara Regional Committee**

Robyne is a Ngarluma Yindjibarndi woman who is well known in her community for her passion and commitment to Aboriginal affairs.

She represents her community as a board member on several organisations, including Ngarluma Yindjibarndi Foundation, Murujuga Aboriginal Corporation and Marnda Mia.

She has inherited her Elder's knowledge and incorporates this in her work for current and future generations. Robyne is an active campaigner for the protection of the Burrup Peninsula and her passions include politics, cultural activities, the environment and basketball.

Robyne's term on the Pilbara Regional Committee ended on 21 February 2014.



**Darren Injie**

**Pilbara Regional Committee**

Darren is an Yinhawangka man from the central Pilbara and Hamersley Ranges.

He has been involved in Aboriginal advocacy since childhood, attending his first Land Rights protests while in high school. In addition to his work for YMAC and the Innawonga Native Title Group, Darren is involved in Gumula Corporation and is a Director of Ngarda Foundation. 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.

Darren's term on the Pilbara Regional Committee ended on 21 February 2014.



**Terry Jaffrey**

**Pilbara Regional Committee**

Terry is from the Western Shaw River and is a member of the Palyku claim group. He has a long relationship with YMAC and has been an active supporter of native title since 2006. After 6 years of being a committee member, he took a short break to fulfil professional obligations as Terry liaises with mining proponents and advises on the best interests for his group. He was re-elected to the Pilbara Regional Committee in 2012.

It is Terry's dream to have the Woodstock/Abydos area nationally recognised and eventually World Heritage listed.



**Albert Pianta**

**Pilbara Regional Committee**

Albert is a member of the Ngarlawangga native title claim and the Working Group. He was elected to the Pilbara Regional Committee in 2012. Albert is an active member of the Ngarlawangga and Njamal communities. He has worked in education and continues to focus on getting strong education and training outcomes for the whole community.



PILBARA REGIONAL COMMITTEE (CONT...)

Mathew Sampi

Photo not included for cultural reasons

Pilbara Regional Committee

Matthew very sadly passed away during this reporting period. Mathew was a member of the Kurama and Marthudunera native title claim, and was elected to the Pilbara Regional Committee in August 2012. His contributions to the Regional Committee and to his native title claim were invaluable and he will be greatly missed.

Jeanie Snowball

Photo not available

Pilbara Regional Committee

Jeanie is a member of the Kariyarra native title claim and a member of the working group. She has been a member of the Pilbara Regional Committee since 2012. She lives in South Hedland.

Karen Tommy

Photo not available

Pilbara Regional Committee

Karen has been a member of the Pilbara Regional Committee since August 2010. She lives in Wickham.

Karen’s term on the Pilbara Regional Committee ended on 21 February 2014.

YAMATJI REGIONAL COMMITTEE



Merle Dann

Yamatji Regional Committee

Merle is a Thudgari woman who lives in Carnarvon. She worked as a registered nurse for 35 years before retiring in 2000 to spend more time with her family.

Inspired by her mother to work for the good of the community, Merle is passionate about a number of issues affecting Aboriginal communities including mental health, education, housing and social justice.

The thing Merle enjoys most is spending time with her grandchildren and great-grandchildren.



Cecily Dowden

Yamatji Regional Committee

Cecily is a Wajarri woman and a resident of Carnarvon. She works as a transport officer for the Carnarvon Medical Service Aboriginal Corporation and is a dedicated mother and grandmother.

Cecily is pleased to be a member of the Yamatji Committee so she can work towards her vision for the future: for Aboriginal children to know their culture, language and heritage.

She looks forward to seeing her grandchildren learning their languages from both sides of her family.

In her spare time, Cecily loves gardening and learning about Wajarri Country.



Gloria Fogarty

Yamatji Regional Committee

Gloria is a Badimia woman who has dedicated 12 years to her native title claim. She is strongly attached to her country and strives for recognition and ownership. Gloria is a cook and often works with events such as NAIDOC and traditional bush tucker cook-ups. Gloria was also involved in the making of a mini movie called ‘Badimia Girl’ which was made in her home town, Mt Magnet.

Gloria’s term on the Yamatji Regional Committte expired at the Annual Regional Committee in November 2013.



Charlie Laphorne Sr.

Yamatji Regional Committee

Charlie is a Thudgari man who owns and runs a cattle property on Ullawarra country.

He is passionate about passing on Aboriginal language and culture to younger generations. He is pleased to be a member of the Yamatji regional committee and be voice for Aboriginality and culture. When he’s not working for the committee Charlie spends his time growing and improving his cattle station.

YAMATJI REGIONAL COMMITTEE (CONT...)



Pam Mongoo

Yamatji Regional Committee

Pam was born and raised around Mileura Station and is an applicant for the Wajarri Yamatji native title claim. She was elected to the Yamatji Regional Committee in November 2011. Pam lives in Meekatharra and in her spare time enjoys fishing and going bush with her grandkids, teaching them their culture. She would like to see more youth training and employment opportunities throughout the Murchison.

Pam’s term on the Yamatji Regional Committee ended at the 2013 Annual Regional Meeting.



Davina Mourambine

Yamatji Regional Committee

Davina is a Wajarri woman who lives in Northhampton with her family. She was elected to the Yamatji Committee in November 2013 and has been a member of YMAC since she was 18.

Davina has been working with Aboriginal children for 15 years to ensure they are safe and can look forward to a positive future.



Deborah Oakley

Yamatji Regional Committee

Deborah is a Malgana woman. She currently works with the Carnarvon Aboriginal Medical Service and looks forward to using her skills and cultural knowledge during her work for the committee.

Country is very precious to Deborah’s heart. For her, country goes way back ancestors long gone and now it’s up to those who are here to respect what is left.

Deborah is very active. In her spare time she enjoys singing and dancing as well as playing basketball, football, softball and darts, and going fishing and swimming.



Susan Oakley

Yamatji Regional Committee

Susan is a Malgana woman who is very active in Carnarvon community life. She is the acting Chair of the Carnarvon Aboriginal Congress, a body set up to address the needs of the community, and is part of the Carnarvon Medical Service Aboriginal Corporation. She also gets involved as an umpire for local sports teams.

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.

YAMATJI REGIONAL COMMITTEE (CONT...)



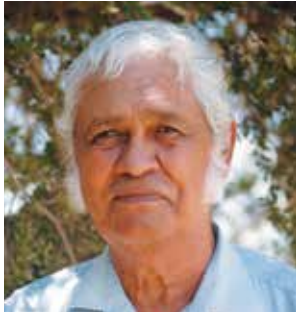
Ben Roberts

Yamatji Regional Committee

Ben is a Thudgari man who lives in Carnarvon. He was instrumental in assisting his community to have their native title recognised in 2009. He is involved in the Thudgari people’s Prescribed Body Corporate Wyamba.

Ben enjoys fishing, camping and visiting Country with his children and grandchildren.

Ben was recently elected to the Yamatji Regional Committee at the 2013 Annual Regional Meeting and has previously served on the Yamatji Regional Committee and the Board of Director.



Rodney Ryan

Yamatji Regional Committee

Rodney 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.

He 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.

Ron Simpson

Photo not available

Yamatji Regional Committee

Ron is a Wajarri man and a member of the applicant for the Wajarri Yamatji native title claim. He served on the Yamatji Regional Committee from 2006 to 2008 and was elected again in 2011. Ron lives in Meekatharra.

Ron’s term on the Yamatji Regional Committee ended at the 2013 Annual Regional Meeting.



Karla Tittums

Yamatji Regional Committee

Karla is a Baiyungu woman and a member of the Gnulli claim group. She was elected to the Yamatji Regional Committee in 2013 and is a long time member of YMAC.

Karla lives in Carnarvon and has worked in child protection and drug and alcohol services for nearly 20 years.

She looks forward to learning more about YMACs work as a Committee Member.





Kariyarra Country

# CHIEF EXECUTIVE OFFICER’S REPORT



## 20 years of YMAC

This year has marked 20 years since the founding of what would become Yamatji Marlpa Aboriginal Corporation. A milestone like this provides a good opportunity for reflection. The last 20 years have seen profound changes in the Yamatji and Pilbara regions. The mining boom has changed landscapes and communities and introduced new economic realities for many Traditional Owners. I am proud of the way YMAC has come through the mining boom, with groundbreaking agreements that will bring intergenerational change for Aboriginal communities. These

agreements have been negotiated in an environment of intense pressure from mining and development companies, while at the same time YMAC has continued to progress native title claims in the Federal Court. A huge amount of research has been conducted toward reaching native title determinations, in a time of constant demand from companies to put our resources toward heritage surveys and agreement negotiations.

The opportunities for communities are huge, and so are the risks. YMAC shares the goals of our clients to achieve a strong future for country

and culture, and we continually strive to provide the highest level of advice and service on a not-for-profit basis. However there are always service providers in this area who operate in ways that could only be considered reasonable in a commercial environment. Native title agreements are to benefit whole communities and are not the place for corporate fees. YMAC continues to push for consumer protections to be put in place for Aboriginal communities.

Now that the mining industry is heading into a new phase, YMAC is also moving into a new stage of assisting native title holders to achieve

their community aspirations post-native title. This provides new challenges that YMAC has been actively adapting to take on.

This year YMAC has undergone yet another external audit, this time by the Department of Social Services. This follows on from an audit by the Office of the Registrar of Indigenous Corporations last year. I am very pleased that we have again come through with a clean record of good governance and oversight, showing our accountability and responsible management.

## Litigation successes

The Banjima people achieved their native title



## CHIEF EXECUTIVE OFFICER’S REPORT (CONT...)

determination at an on-Country hearing in Karijini National Park on 11 March 2014. This very significant day was the end of a long process of contested litigation with the State Government, and a very proud day for the Banjima people.

We had another big win in March, this time on behalf of the Ngarla people, when the High Court made a landmark decision that 50-year-old mining leases do not extinguish native title. While I am pleased at the outcome, it is a shame that the State forced the matter into expensive litigation in an attempt to further reduce Traditional Owners’ limited rights.

YMAC considers that both of these trials should have been unnecessary, that positive outcomes could have been achieved through negotiation and the money spent on them could have been better used elsewhere.

Even with our record of successful litigation, negotiated outcomes are always preferred. It is important to remember the human element in native title trials. They can be extremely stressful for communities and distressing for elders, many of whom are among the most vulnerable people in our society, as they are required to give evidence and withstand cross examination about their cultural practices and knowledge. In order to avoid these trials that are costly in so many

ways, YMAC looks to maintain dialogue with the State Government wherever possible in the best interest of our clients.

### Preservation evidence

Preservation evidence is the holding of early evidence of elderly or ill native title claimants. Unfortunately, with the claims process getting longer and more complex, it is becoming urgent for some native title groups to participate in such hearings. During the reporting period, YMAC facilitated preservation evidence hearings for the Nyiyaparli and Jurruru native title claim groups, with Yinhawangka preservation evidence falling just days after this reporting period. This process takes a lot of time and can be stressful for some participants. YMAC acknowledges the great effort of all those involved, and we regret that these proceedings are necessary given the attitude of the State to take native title claims to trial.

### Changes to heritage legislation

We were disappointed not to be consulted by the Department of Aboriginal Affairs before it released its draft Aboriginal Heritage Amendment Bill in June. However we were even more disappointed on reading the content of the draft Amendment Bill, which does little to improve heritage protection or empower Traditional Owners. We sincerely hope that

the Department of Aboriginal Affairs takes notice of the nearly 150 submissions from Aboriginal people and organisations, academics, and law and heritage professionals that are overwhelmingly critical of the proposals.

Failing that, we hope that the Department consults with YMAC and other Aboriginal organisations when drafting the Regulations to accompany the Act.

The inequity of the Act in both its current and proposed form is a source of deep frustration for our members, as it prevents Traditional Owners from participating in the most important decisions about their own heritage sites and leaves them virtually powerless, in the tradition of the worst of Australian Governments.

### Geraldton Settlement Area (GSA) (Formally ASA)

YMAC continues to seek a negotiated settlement for the Geraldton Area Claims. Representatives from all five claim groups of the GSA have been meeting to progress the GSA through a Joint Working Group. A significant amount of research on the GSA claims was carried out during the reporting period.

YMAC welcomes news of the Noongar Settlement in the Southwest region, and we

## CHIEF EXECUTIVE OFFICER’S REPORT (CONT...)

continue to hope that the State will pursue a similar course with the Geraldton Area Claims, consistent with its own policies and the principle of fairness.

### Yamatji Connection Project

The Yamatji Connection Project focuses our research activity on the Yamatji region. Substantial progress was made during the reporting period, with several Research Reports presented to the relevant communities and a full Connection Report presented to the State. One result of this intensive research phase has been significant progress toward resolving overlaps in the region.

### Pilbara Research

In the Pilbara region, the final Connection Report for the Pilbara was submitted to the State, and further work was undertaken in unclaimed areas to resolve remaining overlaps. For more information, please refer to the Research and Heritage update.

### Staffing and Operations

In corporate and financial matters, YMAC has achieved its eleventh consecutive clear external audit.

The frenetic pace of native title activity coupled with a reduction in mining exploration has

resulted in a challenging financial period for the organisation. We have had to institute a series of cost-saving measures across the organisation, which has meant, among other things, a reduction in staffing levels and the closure of our Karratha office. I am confident that the organisation’s financial position is sustainable in the medium term.

Despite these measures, we continue to provide a high level of service to our clients. This would not be possible without the commitment and hard work of our dedicated staff. Even though we have had to reduce our staffing levels, YMAC has continued to enjoy a low staff turnover rate.

YMAC acknowledges the Federal Government funding which has been vital in ensuring that the organisation continues to provide essential services to our clients.

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.





Malgana Country

## GOVERNMENT ENGAGEMENT AND ADVOCACY

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

### Submissions/Representations

- YMAC CEO letter to Minister Collier - Lack of procedural fairness in WA Aboriginal Heritage Regime - August 2013
- YMAC letter to Aboriginal and Torres Strait Islander Social Justice Commissioner - input to the 2013 Social Justice and Native Title Report - August 2013

- Brief by YMAC Executive, Co-Chairs and Deputy Co-Chairs to Deloitte Access Economics for the Commonwealth Government's Review of Native Title Organisations - August 2013
- YMAC submission to the Commonwealth Government's Review of Native Title Organisations - September 2013
- Submission to the Department of Water's Securing WA's Water Future process - December 2013
- YMAC brief to the Australian Law Reform

Commission Review Team on Native Title in WA - May 2014

### Stakeholder Engagement and Advocacy

- Chamber of Minerals and Energy Native Title and Aboriginal Heritage Working Group
- WA Alliance of Land Councils Meeting with Attorney-General and Minister for Aboriginal Affairs - August 2013
- CEO and Co-Chairs Meetings with Department of Prime Minister and Cabinet - December 2013

- Board Member, National Native Title Council
- Member of the Chamber of Minerals and Energy WA, Native Title and Heritage Working Group
- Meeting in Canberra with CEOs and Chairs of all NTRBs and the new land branch team at Department of Prime Minister and Cabinet, including Minister for Indigenous Affairs Nigel Scullion - May 2014
- Member, AIATSIS PBC Support Officer Network

### Presentations at Conferences and Events

- Aurora training courses in January 2014 and April 2014, presentations on research methods and "Innovative methods to achieve group engagement"
- The Aspiration Initiative presentations on native title - January 2014
- Future Act Workshop - NNTT and King & Wood Mallesons presentation on future act and cultural heritage processes from a native title point of view - March 2014

- WACOSS Conference presented paper titled "A Cultural Focus for Resilient Native Title Organisations" - May 2014
- National Native Title Conference, Coffs Harbour several presentations on various topics - June 2014 including a presentation of Life Giving Corporations to Support Community.





Banjima Country

## 2013/14 HIGHLIGHTS

### Banjima people celebrate win after 15 years



Banjima Determination

On 11 March 2014, the Federal Court recognised the native title rights of the Banjima People at their on-Country determination held in Karijini National Park in the Central Pilbara.

Over 150 people attended the Determination celebrations which marked the culmination of a 15 year battle to achieve recognition. The Determination means the culture, heritage and connection to country of the Banjima People are formally recognised under Australian law.

Alec Tucker, Banjima Elder said, “This is a joyful day for us. We’ve been looking forward to this for a long time. We’ve been waiting for so long. We know it’s Banjima country, it’s my grandfather’s country, my father’s country - I think the old people would be happy about today.”

Maitland Parker, Banjima Elder, said “We have fought for this for a long time, so to

be recognised as traditional owners is very rewarding. Our elders have taught us all of the things we needed to get our determination. They have taught us our law, language and culture, which we will pass on our young people.”

Banjima country extends west towards Tom Price, and east towards the town of Newman. It includes areas around Karijini National Park and the asbestos mining town of Wittenoom. The area is home to many sacred sites including ancient stone engravings and the gorges, including Wittenoom Gorge, have spiritual significance, forming part of the Banjima Peoples’ cultural storylines.

### Badimia and Minjar Gold

In October, the Badimia People announced an agreement with Minjar Gold for their proposed mining operations and future expansions at a site approximately 400kms north-north east of Perth. The Badimia People will benefit from employment targets and contracting opportunities as well as payments based on production. There are also a series of protocols in place to protect Badimia heritage. An Aboriginal Liaison Officer will be employed, and a monitoring Liaison Committee will also be established to ensure the agreement works successfully over the coming years.

### Pastoral Agreements a major step forward for Budina

In December 2013, the Budina People entered in to a series of Indigenous Land Use Agreements (ILUAs), which define how Traditional Owners and pastoralists will co-exist on the land. ILUAs for Lyndon, Towera, Emu Creek and Middalya Stations have been registered and cover approximately 80% of the Budina peoples’ native title claim. This is a major step forward for the Budina people in achieving a native title determination.

### WA business community recognises leadership excellence

In November 2013 the Western Australian business community recognised YMAC in the area of Aboriginal Leadership Development Excellence at the inaugural AIM WA / West Business Pinnacle Awards.

The Pinnacle Award demonstrates YMACs ongoing commitment to excellence not only in the area of native title but through developing Traditional Owners as leaders and supporting whole communities.

### Compliance and Implementation

YMAC staff undertook great work in relation to maximising recovery of financial and non-financial benefits during the reporting period. This resulted in a range of business, cultural, and employment opportunities for Aboriginal people





YMAC Co-Chairs Mr Victor Mourambine and Mrs Doris Eaton with His Excellency Malcolm McCusker

including cultural awareness training for Gnulli and Yugunga-Nya and schools based training program for Aboriginal youth.

YMAC compliance has also provided support to the Yugunga-Nya Liaison Committee in their implementation of a scholarship program. On one occasion, YMAC assisted Committee members to select three Yugunga-Nya students to receive laptops.

To assist proponents recruit native title claim group job seekers, YMAC also devised an Employment and Skills Expressions of Interest Form and distributed it to Yamatji Claim Groups in the region.

### Kurama and Marthudunera and Red Hill Iron

In April, the Kurama and Marthudunera People announced an agreement with Iron Ore miners Red Hill Iron Ltd (RHI). The agreement covers RHI's Pannawonica project, about 120 km south of Cape Preston.

Negotiations were completed in approximately six months, with the resulting agreement giving RHI native title approvals for its project. The agreement includes provisions for protecting Kurama and Marthudunera heritage throughout the life of the mining project. A monitoring and liaison committee, made up of representatives of both parties, will meet regularly to develop long term relationships and provide ongoing information. The Kurama and Marthudunera people will receive financial benefits and compensation from the company, which reflects the importance to the Kurama and Marthudunera people of minimising the impact of mining projects on their traditional country.

### The Miners

During the reporting period, CEO Simon Hawkins was featured in the book *The Miners – stories from the industry that drives modern Australia*. The chapter featuring Mr Hawkins looked at the way native title has interacted with the mining industry over the past two decades. Throughout the chapter Mr Hawkins acknowledges the work that has already



The Miners

been done by industry and advocates towards greater engagement with Traditional Owners.

### YMAC staff headed to Oxford



Tamara Murdock

YMAC staff members Tamara Murdock and Jessyca Hutchens have both been awarded the Charlie Perkins Scholarship to Oxford University.

Jessyca is a descendant of the Palyku people and has been working in YMAC's Perth office as a Compliance Officer. Jessyca will be studying a DPhil in Fine Arts at the Ruskin School of Art at Oxford.

Tamara is descendent of the Noongar and

Yindjibarndi people, and was born and raised in Geraldton. She has been working as the Project Coordinator (Research, Environment and Heritage Protection) and is passionate about promoting leadership within the Aboriginal Community and building the capacity of Traditional Owners to manage their own environmental projects. Tamara will pursue a Master's of Science in Biodiversity, Conservation and Management at Oxford University.

### Ngarla High Court Appeal

In March the Ngarla people celebrated a High Court win confirming that their native title rights were not extinguished by mining leases. The landmark ruling by the High Court dismissed arguments by the Western Australian Government that 50 year-old mining leases, granted over areas 150km east of Port Hedland, permanently extinguished native title right to that land.

The decision means that native title continues but the mining rights prevail and the native title rights give way. After mining has finished, the Ngarla people can fully exercise all their native title rights through the whole area again.

The win comes after the WA Government appealed the decision of the full Federal Court which states that under common law, the mining leases prevail but do not extinguish native title rights. The decision overrides the *De Rose v South Australia* decision of the Federal Court in 2005

which found pastoral improvements extinguish native title at the location of those improvements.

### Nyangumarta 80 Mile Beach ILUA

The Nyangumarta people have executed a Joint Management Agreement and Indigenous Land Use Agreement (ILUA) to create marine and terrestrial reserves. The agreements are subject to the non-extinguishment principle such that native title is not extinguished as it normally would be when National Parks and reserves are created.

This is a significant step forward to the Nyangumarta people in their goal of maintaining environmental sustainability of the area.



The Aspiration Initiative

### The Aspiration Initiative

In January, staff in YMAC's Perth office hosted students from The Aspiration Initiative (TAI) which is part of the Aurora project. YMAC has a long standing partnership with the Aurora Project. Their Indigenous education programs are known

collectively as The Aspiration Initiative. TAI aims to increase opportunities and support for Aboriginal and Torres Strait Islander students, helping to ensure they realise their potential at school, university and beyond. TAI projects include an academic enrichment program for high school students, Indigenous scholarship guidebooks, the Aurora Indigenous Scholars International Study Tour and international scholarships. Students spent the day at the YMAC Perth office exploring careers in native title.

### Return of WJY remains

In July, YMAC provided assistance to the Wajarri people to facilitate the return of the remains of Wajarri ancestors. The remains were collected from Germany by Wajarri Elders. A decision has yet to be made as to where the remains will be laid to rest.

### Gnulli and Deep Blue Enterprises

In November, the Gnulli native title claimants announced an agreement with Deep Blue Enterprises for a mookaite project approximately 120km south-east of Carnarvon.

The Gnulli people will benefit from preferential employment opportunities and financial compensation. The agreement also includes several provisions to protect and promote Gnulli culture and heritage including Gnulli cultural awareness training for Deep Blue Enterprises staff.





Nyangumarta Country

## 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 the CATSI Act and Australian Accounting Standards, with the two senior finance personnel suitably qualified with continuing professional development obligations.

YMAC acknowledges support from the Federal

Government 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 are difficult to procure at a reasonable cost, particularly in the Pilbara region.

### Planning

Both regions 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 reports are submitted to the Department of Prime Minister and Cabinet. Internal planning and operational reviews take place at the same time to ensure that

our activities continue to be aligned with 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 one formal complaint in the 2013/14 reporting period.

Staffing Levels

The organisation has long-serving core staff with service of five to 15 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, and operational plans and its organisational structure. During this reporting period, YMAC has reviewed its staffing levels in order to meet funding and workload for claims, future acts and heritage. At the end of the reporting period, YMAC had a total of 87 staff, with the following breakdown:

Full-time	72
Part-time	10
Casual	5
Male	24
Female	63
Indigenous	15
Non-Indigenous	72

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 2014 Australian Anthropology / Archaeology Conferences, 2014 National Native Title

Conference by selected staff, and individual staff training and professional development to assist staff in the performance of their duties.

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

YMAC continues to have Quality Assurance status as a recognised provider of CPD 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 2014 National Native Title Conference held in Coffs Harbour.

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 YMAC Enterprise Agreement was ratified in January 2012 for a three year term which will finish in January 2015. 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 2013/2014 reporting period YMAC engaged 59 Consultants (excluding Traditional Owners) to undertake consultancy work at a cost of \$5,599,860.54

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.



Nyiyaparli Country



## 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 to a 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 or Pilbara regions are recommended 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 Yamatji Regional Committee held six meetings during this reporting period; five

ordinary meetings and one joint meeting with the Pilbara Regional Committee. The Pilbara Regional Committee held five meetings during this reporting period; four ordinary meetings and one joint meeting with the Yamatji Regional Committee to discuss YMAC business.



ORGANISATIONAL STRUCTURE (CONT...)

Pilbara Regional Committee Attendance

July 2013 to June 2014

During the reporting period the members of the Pilbara Regional Committee were:

Pilbara Committee Member	Meetings attended	Meeting eligible to attend
Doris Eaton (Chairperson)	3	5
Natalie Parker (Deputy Chairperson)	5	5
Robyne Churnside	0	3
Nora Cooke	5	5
Darren Injie	0	3
Terry Jaffrey	3	5
Albert Pianta	3	5
Matthew Sampi	0	3
Toby Smirke	4	5
Jeanie Snowball (Stevens)	0	5
Diane Stewart	4	5
Selina Stewart	3	5
Karen Tommy	0	3

Yamatji Regional Committee Attendance

July 2013 to June 2014

During the reporting period the members of the Yamatji Regional Committee were:

Yamatji Committee Member	Meetings attended	Meeting eligible to attend
Victor Mourambine (Chairperson)	6	6
Kathleen Musulin (Deputy Chairperson)	6	6
Paul Baron	6	6
Helen Capewell	5	6
Merle Dann	5	6
Cecily Dowden	6	6
Gloria Fogarty	2	2
Beverley Ladyman	6	6
Charlie Lapthorne Snr	6	6
Pam Mongoo	2	2
Davina Mourambine	3	4
Deborah Oakley	4	4
Susan Oakley	6	6
Ben Roberts	4	4
Rodney Ryan Snr	6	6
Ron Simpson	0	2
Karla Tittums	4	4
Peter Windie	6	6

ORGANISATIONAL STRUCTURE (CONT...)

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 12 member Board of Directors, providing equal representation of both the Yamatji and Pilbara regions.

Board of Directors’ Attendance

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

Yamatji Member	Meetings attended	Meeting eligible to attend
Victor Mourambine (Co-Chairperson)	5	5
Kathleen Musulin (Deputy Co-Chairperson)	5	5
Paul Baron	5	5
Helen Capewell	4	5
Beverley Ladyman	5	5
Peter Windie	5	5

Pilbara Member	Meetings attended	Meetings eligible to attend
Doris Eaton (Co-Chairperson)	5	5
Natalie Parker (Deputy Co-Chairperson)	4	5
Nora Cooke	5	5
Toby Smirke	2	5
Diane Stewart	4	5
Selina Stewart	5	5

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 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

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 Donny Wilson.



Donny Wilson

Principal Legal Officer



Michael Meegan

The Principal Legal Officer (PLO) is responsible for managing the legal operations of the organisation in accordance with the *Native Title Act* (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.

Director of Research and Heritage



Olivia Norris

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. The biodiversity and culture unit undertakes a number of community projects.

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.

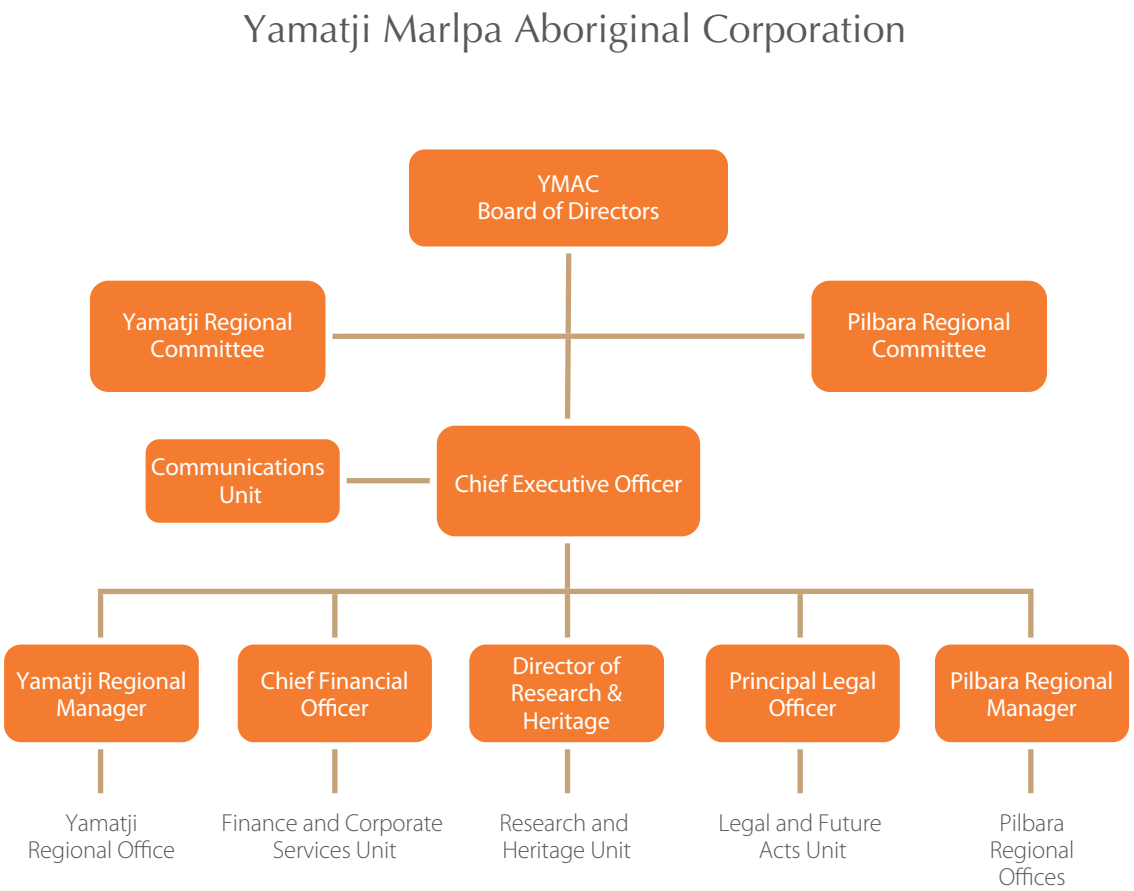
This position of Director of Research and Heritage was held by Olivia Norris for the reporting period.

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 CFO position was held by Nicholas Kimber for the reporting period.







Badimia Country

## 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. 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 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 ILUA'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 contest 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



ROLES AND FUNCTIONS (CONT...)

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.

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 parties in resolving 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 (PBC) from time to time in accordance with its NTA functions.



OUTPUTS

Facilitation and assistance:	Number
<b>The Claims Experience</b>	
Claimant applications	0
Active claims represented at 1 July 2013	28
Plus claims filed this year by NTRB	0
Less claims determined 2013-14	1 (Banjima)
Less claims dismissed 2013-14	0
Less claims withdrawn 2013-14	0
+ or - Other disposition (describe)	0
Active claims represented at 30 June 2014	28
- Number of these registered by NNTT	27 (Jur#2 not registered)
Claims in development	0
<b>The Agreements Experience</b>	
Agreements concluded	337
ILUAs concluded and registered	5
Future act notices received	896
Objections to s29 notices	852
<b>Complaints and Disputes</b>	
Complaints	1
- Received	1
- Resolved	1
- Pending	0
Requests for review of decisions not to assist	0
- Requests received	0
- Reviews completed	0



## RESEARCH AND HERITAGE UPDATE

### HERITAGE

#### Heritage Management

Beyond our role as a heritage service provider for a number of claim groups, YMAC is committed to assisting claim groups to fulfil their aspirations relating to heritage management, and projects which promote and protect the cultural values of traditional owner groups.

YMAC is here to support the transition of heritage services back to groups upon direction at the community level and to encourages capacity development and skills training of Traditional Owners. We are available to partner with, or assist in the development of robust, best practice heritage entities. Committed to advocating the rights and interests of Traditional Owners, YMAC is dedicated to the facilitation of the development of business proposals and project plans that articulate Traditional Owner's aspirations.

#### Advocating for Heritage

YMAC Heritage and Legal staff have appeared at several forums relating to Aboriginal Heritage in Western Australia, advocating for better Aboriginal heritage protection by speaking on

behalf of YMAC's Native Title Claims.

Silas Piotrowski, YMAC Heritage Project

Manager presented a course on the importance of community engagement in heritage management to an international delegation from the International Mining for Development program. YMAC staff also presented as panellists on a legal workshop on the proposed *Aboriginal Heritage Act Amendment Bill 2014*.

#### Aboriginal Heritage Act Amendment Bill 2014

In June 2014 the State Government released the much awaited amendments to the *Aboriginal Heritage Act 1972* (WA) (AHA). The Research and Heritage unit met with the Department of Aboriginal Affairs (DAA) Deputy Director (Duncan Ord) and Chief Heritage Officer (Aaron Rayner) to discuss the proposed changes to the Act. A number of issues were raised by YMAC, including the lack of consultation in preparing the Bill, the extended powers of the CEO, and lack of detail in processes without access to the regulations to the Bill. These issues were also raised in the submission YMAC made to the Department regarding the proposed changes.

#### National Heritage Listing of Woodstock Abydos-Reserve

In September 2013 the application for the Woodstock-Abydos Reserve was lodged. The Reserve contains some extremely significant rock art sites, and is of major importance to the Kariyarra, Palyku, and Njamal people. The Federal Department of Environment accepted the application in September 2013, but notified YMAC in January 2014 that no applications would be taken for during the current round. The Department indicated it may be accepted in the following round, if applications are taken at that time. The application was previously put on hold due to ongoing negotiations with several companies with interests in the area. YMAC will continue to pursue the National Heritage Listing of Woodstock-Abydos Reserve on behalf of the Kariyarra, Palyku and Njamal people.

#### The Introduction of Heritage Guidelines

During the reporting period, YMAC finalised its Heritage Guidelines, which sets out the best practice standards for heritage surveys. The Guidelines are designed to make sure that

## RESEARCH AND HERITAGE UPDATE (CONT...)

heritage surveys achieve the following outcomes:

- Best standard of heritage protection for Traditional Owners
- Principles of heritage agreements between native title groups and companies are maintained
- Companies are given certainty about their proposed works in relation to the *Aboriginal Heritage Act 1972* (WA)

YMACs *Heritage Guidelines* cover all aspects of heritage surveys including work in the field, site recording, and the role of heritage consultants engaged by YMAC to work for the claim group. YMAC has also written into those consultants' contracts that they must abide by the *Heritage Guidelines* when working for native title groups.

Some companies have begun drafting their own best practice standards, and YMAC's Heritage team has been meeting with these companies to compare standards. These meetings are ongoing.

The YMAC *Heritage Guidelines* are a pioneering step in the professionalisation of the protection of Aboriginal heritage. The guidelines are designed to be expanded and adaptable as better practices, or new ideas evolve within this

relatively new area. In keeping with this, the *Heritage Guidelines* have recently been amended in response to changes in the way the DAA administers the AHA.

#### Repatriation of Remains

During the reporting period YMAC facilitated a number of meetings between Traditional Owners, the DAA, the Museum of Western Australia, and the Federal Department of Environment on repatriation efforts throughout the Yamatji Region. Recently, representatives from the Wajarri Yamatji native title claim group travelled to Germany to return home remains held there for almost 200 years. See the Highlights section in this report for more details.

Projects are on-going with YMAC enabling groups to identify the correct people, processes and places for the repatriation of human remains and artefacts to their Country.

#### Yurlu Kankala Rockshelter

Yurlu Kankala, previously known as Ganga Maya (translated as "the house on the hill") was identified during heritage surveys conducted by Njamal Traditional Owners and Big Island

Research in March 2012. The cave is located approximately 100km south of Port Hedland.

Initial archaeological excavation and radiocarbon dating undertaken in 2013 and 2014 indicates that Aboriginal people first visited the cave 45,000 years ago and continued to visit and live in the cave up to 1,700 years ago. This makes it one of the oldest dated sites with undisturbed occupation in the Pilbara.

YMAC has worked with Big Island Research to register Yurlu Kankala as a site under the AHA.

The rockshelter falls within the footprint for Atlas Iron's Abydos Project. Njamal Traditional Owners, YMAC and Atlas Iron have been working together on protection strategies for Yurlu Kankala.

#### Biodiversity and Culture Unit

The Biodiversity and Culture Unit sits under the Research and Heritage department, and undertakes a number of Community Projects. These projects are borne from the aspirations and objectives of the Traditional Owners represented by YMAC and can include a range of education and advocacy initiatives. Community projects underway during the reporting period include:



## RESEARCH AND HERITAGE UPDATE



to record the Nyangumarta knowledge regarding the use of plants for future generations. The trip was also used as an opportunity to train the Nyangumarta Rangers in how to conduct a flora survey and capture data using the newly purchased Panasonic Toughpads.

In total, 13 Nyangumarta people participated in the field trip including four elders and nine Rangers, three YMAC Research and Heritage staff, a Ranger trainer from Greening Australia as well as a botanist and zoologist. Over the course of the field trip the Nyangumarta people worked alongside the botanist and were able to collect the indigenous and scientific information of 52 species of plants. The data collected included the scientific and traditional name, traditional uses, a description of the plant and the habitat it was found in.



### Nyangumarta Warran Indigenous Protected Area Consultation Project

From the 15 – 20 June 2014 YMAC, in partnership with the Nyangumarta Warran Aboriginal Corporation and Greening Australia conducted a flora survey along 245km of the Kidson Track in the Great Sandy Desert. The survey conducted

in the proposed Nyangumarta Indigenous Protected Area (IPA) was undertaken to address concerns raised by the Nyangumarta Traditional Owners regarding the environmental and cultural management of the area. These concerns included the current lack of available information on flora and vegetation complexes required to inform a fire management strategy, and the need

## RESEARCH AND HERITAGE UPDATE (CONT...)

The success of the trip was the result of long hours of preparation and hard work from Aboriginal staff members Nyaparu Rose and Tamara Murdock. Thanks to the Nyangumarta people for sharing their valuable traditional ecological knowledge for this survey.

A second survey is to be undertaken next year in the coastal area of the IPA to collect similar information about the flora. The information from both surveys will then be collated to inform management techniques and to produce a book for use by the Nyangumarta people.

### Planning for the Future workshops

In April 2014, a 'Planning for the Future' workshop was successfully completed. This workshop gives the Malgana Traditional Owners the opportunity to initiate identifying community aspirations, priorities and resources. The information collected over the course of the workshop was used to develop a 'roadmap' the Malgana claim group will use as a guide in the future. On the back of the success of the Malgana 'Planning for the Future' workshop, it is expected, depending on funding, that further workshops will be carried out with other claim groups.

### Bush Heritage Australia joint management arrangements

Following on from the success of the 'Planning for the Future' workshop, the Malgana claim group has been approached by Bush Heritage Australia (BHA) who are considering the purchase of the Hamelin Pool pastoral lease. BHA is a non-profit conservation organisation dedicated to protecting Australia's unique animals, plants, and their habitat. It manages lands in partnership with Indigenous communities and other stakeholders.

BHA is progressing with the purchase of the Hamelin Pool pastoral lease and has since expressed an interest to begin more intense formal discussions and negotiations regarding the interests of the Malgana people. This could include the development of a joint management arrangement between Malgana and BHA including opportunities for employment, training and social and business enterprise development.

### Carbon Farming Fund capacity building projects

In late May 2014, a carbon farming feasibility study was carried out on Jooldarnoo Farm, in partnership with the Naaguja Warangkarri Aboriginal Corporation (NWAC) as part of the Indigenous Carbon Farming project, for

which YMAC received funds. Representatives from NWAC, the Project Coordinator and GHD consultant spent the day discussing carbon farming and touring the farm to assess the suitability of implementing carbon plantings. The feasibility study will evaluate the benefits of implementing carbon farming projects, including the regulatory requirements and other business considerations. Once completed, the report will be presented to NWAC for their consideration and use. This study will provide a base line from which other groups can determine whether or not to engage in carbon farming.

### Research Update

This reporting period has been extremely intensive with research across multiple claims. YMAC has seen the submission of two Connection Reports to the State, production of two research reports and the filing of an Expert Report with the Court. There has also been intensive work undertaken on Nanda, Malgana, Gnulli, Palyku, Nyamal, Yugunga-nya, Wajarri, Puutu Kunit Kurrama and Pinkura, Kuruma Marthudunera and Geraldton Settlement Area claims.



## RESEARCH AND HERITAGE UPDATE

### YAMATJI RESEACH UPDATE

#### Amangu

Consultant anthropologist Jeff Stead's research report was presented to Amangu in a community meeting in November 2013. Amangu is part of the Geraldton Settlement Agreement (GSA) court workplan and has successfully started discussions addressing the overlaps in the GSA area. Meetings have now occurred with Widi Mob and Mullewa Wadjari.

#### Budina

The Connection Report has been finalised and it was submitted to the State in September 2013. YMAC is responding to the State's responses for supplementary material.

#### Gnulli

Dr David Martin has been contracted to finalise the Gnulli connection material. Work for Gnulli connection report has continued in-house and YMAC staff will assist Dr Martin. A large part of the connection materials is being drafted in-house through interviews and fieldtrips with Gnulli claimants.

Some progress was made at a workshop regarding the North-West Cape area was held in May 2014.

### GSA (formally known as ASA) – Amangu, Naaguja, Hutt River, Widi Mob and Mullewa Wadjari

YMAC does not represent Widi Mob or Mullewa Wadjari but is conducting research with Amangu, Naaguja and Hutt River to assist with proposals for a Geraldton Settlement Agreement (GSA) with the State, including workable heritage arrangements between all five groups in relation to areas of shared interest.

#### Hutt River

This claim has been researched from both the Naaguja and Nanda sides by the respective consultant anthropologists. This research has informed the GSA discussions aimed at addressing the overlaps in the GSA area.

#### Malgana

Intensive work has occurred over the last 12 months on the Malgana Connection Report. The next 12 months will be extremely demanding as we begin to finalise the Malgana Connection Report in order to submit it to the State.

#### Naaguja

Consultant anthropologist Jeff Stead's research report was presented to Naaguja at a community

meeting in November 2013. This research has informed the Geraldton Settlement Area (GSA) discussions aimed at addressing the overlaps in the GSA area.

#### Nanda

After an extended period of consultation with the Nanda community, Nanda has approved the Connection Report to be submitted to the State. This will occur before the end of 2014.

#### Wajarri

Supplementary connection material was supplied as requested by the State and pastoralists. No further connection material is required by the State.

#### Yugunga-Nya

The first phase of Yugunga-Nya connection research commenced in June 2014. YMAC staff are working with a consultant on this research.. Yugunga-Nya community has been informed of the research plans and YMAC staff conducted the first fieldtrip in July 2014. A preliminary consultant research report is due at the end of January 2015.

## RESEARCH AND HERITAGE UPDATE (CONT...)

### PILBARA RESEARCH UPDATE

#### Kuruma and Marthudenera (KM)

The overlap research between the Kuruma and Marthudenera and Yaburara Mardudhunera claim is completed

#### Ngarlawangga

YMAC has been involved in further discussions with the State regarding the Ngarlawangga Connection Report. The State has requested to meet directly with Ngarlawangga claimants by May 2015.

#### Nyangumarta

YMAC is working with Nyangumarta regarding the return of research materials. A workshop was held with Nyangumarta family representatives and elders on 20 March 2014 to formulate guidelines and protocols about the return and managing of native title research materials into the future. The workshop was presented by YMAC staff and consultants.

#### Palyku

The Palyku Connection Report was submitted to the State government on a without prejudice basis on 1 April 2014. Palyku representatives attended a two-day workshop with Njamal to



discuss the southern boundary in April 2014.

#### Return of Research Materials

YMAC has acted as the representative body for native title claims in the Pilbara, Murchison and Gascoyne since 1999. During this time, a significant amount of anthropological research has been conducted for the purposes of demonstrating connection to country and

continuity of tradition. This is in line with the WA's connection research guidelines. The anthropologists have been in the fortunate position to interview people who have been identified by the community as possessing a wealth of traditional knowledge about language, culture and significant places on-Country. The resulting collection of oral history, cultural information and personal and traditional stories is



## RESEARCH AND HERITAGE UPDATE

an impressive, one-of-a-kind record of Aboriginal history. This research is a valuable resource to Aboriginal families and communities as well as to future researchers.

YMAC is keen to work with groups in developing culturally appropriate guidelines and protocols around the return of native title research materials. YMAC obtained additional funds to hold two pilot workshops with Ngarla and Nyangumarta in October 2013 and March 2014 and worked with the groups to identify priority research materials to be returned, such as Connection Reports, genealogies, photos, audio and videos. These materials were then digitised. The majority of the priority materials have been returned to Ngarla, as outlined in the guidelines and protocols developed collaboratively at the return workshop.

Senior Community Liaison Officer Nyaparu Rose, Pilbara Regional Committee member Nora Cooke and Director of Research and Heritage Olivia Norris, presented a paper at the recent National Native Title Conference on the return of native title research materials workshops that were held with Nyangumarta and Ngarla. There has been a lot of interest in the presentation since the conference, including from the Federal Court, AIATSIS and other representative bodies.

### Professional Development of Anthropological staff

YMAC understands the importance of professional development and capacity building within the highly dynamic native title environment. We are committed to delivering well informed relevant training to all staff. In line with this, the YMAC Heritage and Research Unit applied to the Commonwealth Attorney-General's Department for \$200,000 in funding for the Anthropologist Professional Development Program. The application was successful and the program will deliver 12, two-day professional development workshops to Research and Heritage staff over the next three years.

Four of the twelve workshops were conducted during the reporting period. They examined a range of best practice principles and practical examples covering the following topics:

- Heritage Practice
- Translating anthropology for legal purposes
- Theory relevant to Native Title Anthropology
- Practical Instruction in Heritage and Research Based Mapping

The workshops were developed through collaboration between senior anthropologists, senior lawyers and a number of experts. Those

involved in the development and presentation of the workshops consisted of both staff and consultants, including:

- Expert anthropologists Dr Kingsley Palmer, Michael Robinson and Dr Nick Smith
- YMACs senior in-house counsel, John Southalan and Carolyn Tan
- Raelene Webb QC and Debbie Fletcher from the National Native Title Tribunal
- YMACs in-house spatial specialists, Clive Poole and John Bryant

The first four workshops were extremely successful and received positive feedback from staff. Additional workshops are planned for the next reporting period.

### Spatial Team

A number of initiatives occurred during the reporting period to consolidate the spatial team's contributions to the operation of YMAC, including:

#### Automation of spatial data updates

It is imperative for the successful analysis of native title spatial representation and future act activity to ensure that spatial datasets are up-to-date and accurate. The Spatial Unit acquired, through a grant application, automated manipulation software that has been utilised to

## RESEARCH AND HERITAGE UPDATE (CONT...)

automate previously manual downloads and processing tasks. This has provided significant time and effort savings, and allows addition time to be spent on important tasks such as analysis and map production.

#### Kidson Track (Nyangumarta Highway) and Flora Fauna Surveys

During the reporting period, YMAC provided assistance to the collection and gathering of track information, and a survey of flora with traditional bush knowledge in the Nyangumarta determination area. The Spatial Unit assisted with the development of a data collection utility on a tablet device for the flora survey, allowing the recording of important Indigenous Ecological Knowledge. A successful expedition was conducted along the old Kidson Track to determine the route for a 4WD access scheme for this part of the Nyangumarta determination area. Assistance was provided to Hema maps to ensure that their 4WD maps were updated with this new information.

#### Modelling of traditional site data for a spatial information system

A large body of work was undertaken to provide a logical model of the recording and storage of spatial information related to places of importance. Of particular importance, was

a focus on the preservation of constraints for access to this information, based on gender, and other restrictions. This ensures that in any spatial systems developed by YMAC that there is respect and awareness of the need to treat the information confidentially, and with restricted access. This body of work will allow a database to be populated and also allows for easy transference of the intellectual knowledge contained in this database, back to traditional owners when required.

### Mapping work

A large number of maps were produced during the reporting period. Mapping work still continues to support vital research work within the organisation. Mapping work was undertaken to identify a number of regions within claim areas. The regions identified included language areas, identifying classes of tenure, further site identification and places of importance. These were used in a variety of ways including negotiation with the State and also for inter-Indigenous agreements. The mapping work supported the work of heritage surveys to ensure accurate identification of places within project areas. Maps were also submitted to the State as appendices to Connection Reports during the reporting period.

### Training of anthropologists

A very important function of the Spatial Unit is supporting the research efforts of the specialists who do the major research work at YMAC. The Spatial Unit developed and delivered customised training in the use of spatial information software such as QGIS and Google Earth to all anthropologists over the last year. This was supplemented by the creation of corporate spatial data access to important datasets ensuring that staff were able to function efficiently and competently when dealing with these holdings. There is now a very high level of skill among a number of the research staff as a result of these efforts.

### Development of YMAC Earth

To make it simpler for staff to access spatial information, a network file was created incorporating all essential datasets such as mining tenements, Department of Aboriginal Affairs places, topographic data and other data allowing much quicker and simpler way to access map and spatial information for all staff. This is now used regularly within Google Earth by research and future act staff.



# NATIVE TITLE CLAIM UPDATES (CONT...)

## AMANGU

### Claim Location and Background

The Amangu native title claim covers approximately 27,388 square 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

YMAC continued to progress the native title claim through working group meetings, workshops and further connection and

genealogical research. The Amangu Claim was referred to the Deputy District Registrar for case management by Justice Barker in October 2013. The Registrar requested that the Applicant submit a workplan to the Court at the Case Management Conference on 5 February 2014. A coordinated approach to research was taken in relation to the Amangu and Naaguja claims.

YMAC coordinated the process of submitting a combined work plan for the five overlapping claim groups in the Geraldton Settlement Area (GSA): Amangu, Hutt River, Mullewa Wadjari,

Naaguja and Widi Mob. The workplan was submitted on 28 May 2014. YMAC is also working with members of the Amangu claim group, representatives of the Widi and Mullewa Wadjari claims to progress the resolution of the overlaps amongst them in accordance with the workplan.

### Future Act Developments

There is an increasing level of future act activity in the Amangu claim area. Several Right to Negotiate matters are currently in negotiations. The Working Group has met with a number of companies on several occasions during the reporting period.

### DPMC Funded Meetings

- 29 July 2013 funded Working Group Meeting
- 27 August 2013 Alternative Settlement Agreement Joint Working Group Meeting
- 7 October 2013 Working Group Meeting (half day)
- 12 November 2013 Community Meeting
- 10 March 2014 partly funded Working Group meeting
- 24 March 2014 Alternative Settlement Agreement Joint Working Group meeting
- 17 June 2014 Workplan Workshop
- 18 June 2014 Workplan Workshop

### Additional Meetings

- 7 October 2013 Negotiation Meeting (half day)
- 10 March 2014 Negotiation Meeting (half day)
- 19 May 2014 Negotiation Meeting



# NATIVE TITLE CLAIM UPDATES (CONT...)

## 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, Yalgoo and Yilgarn.



### Native Title Claim Progress

The final hearing for the Badimia trial was completed in April 2013 in the Federal Court. YMAC and the Badimia people continue to await the Judge's decision.

### Future Act Developments

There is a moderate level of future act activity in the Badimia claim. YMAC is assisting the Badimia people in relation to a number of mining and infrastructure agreements and a cultural heritage management agreement. During the reporting period, YMAC assisted the Badimia claimants to enter into a number of smaller mining agreements with prospectors and small-scale mining companies.

The Badimia community continues to be engaged with various companies with respect to implementation of existing agreements.

### DPMC Funded Meetings

- 15 October 2013 Working Group Meeting
- 16 October 2013 Working Group Meeting (half day)
- 20 May 2014 Working Group Meeting

### Additional Meetings

- 16 October 2014 Negotiation Meeting (half day)



# NATIVE TITLE CLAIM UPDATES (CONT...)

## BANJIMA

### Claim Location and Background

The Banjima native title determination area covers approximately 10,200 square kilometres of land in the Pilbara region. It lies in the Shires of Ashburton and East Pilbara.

### Native Title Claim Progress

Federal Court Justice Barker handed down his decision in the Banjima native title trial in August 2013 and the determination of native title occurred on-Country in Karijini National Park on 11 March 2014. For more information on this please see the Highlights section of this report.

The State and the Banjima People have both lodged appeals to aspects of the decision. These will be heard by the full court of the Federal

Court in February 2015. YMAC will continue to represent the Banjima in these appeals and have engaged senior counsel Vance Hughston to run the appeal.

### Future Act Developments

There are significant future act developments current underway in the Banjima claim area. Negotiations are currently being finalised with both BHP Billiton Iron Ore (BHPBIO) and Rio Tinto Iron Ore (RTIO) with the aim of the associated Benefits Management Structure (BMS) and Trusts being operational towards the end of the year. These agreements will provide significant financial benefits to the Banjima People for many years to come.

Negotiations are also underway with Hancock Prospecting Pty Ltd (HPPL).



## DPMC Funded Meetings

None

### Additional Meetings

- 3 July 2013 Negotiation Meeting
- 4 July 2013 Negotiation Meeting
- 17 July 2013 Negotiation Meeting
- 6 August 2013 Community Negotiation Meeting
- 7 August 2013 Community Negotiation Meeting
- 8 August 2013 Negotiation Meeting
- 9 August 2013 Community Negotiation Meeting
- 10 August 2013 Community Negotiation Meeting
- 14 August 2013 Negotiation Meeting
- 15 August 2013 Negotiation Meeting
- 29 August 2013 Negotiation Meeting
- 11 September 2013 Negotiation Meeting
- 12 September 2013 Negotiation Meeting
- 25 September 2013 Community Negotiation Meeting
- 26 September 2013 Community Negotiation Meeting
- 1 October 2013 Negotiation Meeting
- 14 October 2013 Negotiation Meeting
- 15 October 2013 Negotiation Meeting
- 16 October 2013 Negotiation Meeting
- 17 October 2013 Negotiation Meeting
- 29 October 2013 Negotiation Meeting
- 25 November 2013 Negotiation Meeting
- 10 December 2013 Negotiation Meeting
- 11 December 2013 Negotiation Meeting
- 12 December 2013 Negotiation Meeting
- 17 December 2013 Negotiation Meeting
- 18 December 2013 Negotiation Meeting
- 12 February 2014 Negotiation Meeting
- 26 February 2014 Negotiation Meeting
- 4 February 2014 Negotiation Meeting
- 5 March 2014 Negotiation Meeting
- 6 March 2014 Negotiation Meeting
- 20 March 2014 Negotiation Meeting
- 21 March 2014 Negotiation Meeting
- 25 March 2014 Negotiation Meeting
- 28 March 2014 Negotiation Meeting
- 14 April 2014 Negotiation Meeting
- 15 April 2014 Negotiation Meeting
- 6 May 2014 Negotiation Meeting
- 19 May 2014 Negotiation Meeting
- 20 May 2014 Negotiation Meeting

# NATIVE TITLE CLAIM UPDATES (CONT...)

## 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 finalised the Budina connection report. A Connection Report

was finalised in September 2013 and has now been provided to the State for their consideration.

A number of Indigenous Land Use Agreements (ILUAs) which were negotiated during the previous reporting period have now been registered. For more information on the see the Highlights section of this report.

### Future Act Developments

YMAC continued to provide notification and

agreement making assistance to the Budina claim group in relation to future acts.

## DPMC Funded Meetings

2 August 2013 Community Meeting

### Additional Meetings

None





NATIVE TITLE CLAIM UPDATES (CONT...)

GNULLI

Claim Location and Background

The Gnulli native title claim covers approximately 82,708 square kilometres of land and sea in the Yamatji Region. It lies in the Shires of Ashburton, Carnarvon, Exmouth and Upper Gascoyne.

Native Title Claim Progress

Throughout the reporting period, YMAC worked intensively on further Gnulli research for the purpose of the Gnulli Connection Report including fieldwork and workshops. This included

an internal review of the connection material received from the consultant anthropologist. YMAC also effected the boundary reduction in the eastern part of the claim as instructed by the community at the meeting of 3 August 2013.

Future Act Developments

There is a medium level of future act activity in the Gnulli claim area. There are a number of Right to Negotiate matters currently being negotiated with the Working Group and these range from negotiations with small proponents to larger companies.

DPMC Funded Meetings:

- 16 July 2013 Working Group Meeting (half day)
- 17 September 2013 Working Group Meeting (half day)
- 3 August 2013 Community Meeting
- 11 February 2014 Working Group Meeting
- 26 May 2014 Research Workshop
- 28 May 2014 Working Group Meeting (half day)
- 29 May 2014 Working Group Meeting

Additional Meetings

- 16 July 2013 Negotiation Meeting (half day)
- 17 September 2013 Negotiation Meeting (half day)
- 18 September 2013 Negotiation Meeting
- 28 May 2014 Negotiation Meeting (half day)



NATIVE TITLE CLAIM UPDATES (CONT...)

HUTT RIVER

Claim Location and Background

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

Native Title Claim Progress

During the reporting period YMAC continued to progress the native title claim through Working Group Meetings and further connection and genealogical research. YMAC coordinated a process of submitting a combined work plan to

the Federal Court for the five overlapping claim groups in the Geraldton Settlement Area (GSA): Amangu, Hutt River, Mullewa Wadjari Naaguja and Widi Mob. The workplan was submitted on 28 May 2014. The meetings were successful with the groups continuing work they have been doing together over the previous reporting period.

Future Act Developments

YMAC continues to provide assistance to Hutt River in relation to future acts and heritage.

DPMC Funded Meetings

- 22 July 2013 Working Group Meeting
- 27 August 2013 Alternative Settlement Agreement Joint Group Meeting
- 24 March 2014 Alternative Settlement Agreement Joint Working Group Meeting
- 19 June 2014 Working Group Meeting
- 30 June 2014 Joint Naaguja Workplan Workshop

Additional Meetings

None





NATIVE TITLE CLAIM UPDATES (CONT...)

JURRURU & JURRURU #2

Claim Location and Background

The Jurruru and Jurruru #2 native title claims cover approximately 10,500 square kilometres of land in the South West Pilbara region. They lie in the Shires of Ashburton and Upper Gascoyne.

Native Title Claim Progress

In July 2013, preservation evidence was held on-Country. The Federal Court and respondents heard evidence from three Jurruru Elders. Throughout the reporting period YMAC has continued to represent Jurruru #1 and Jurruru #2 claims in the Federal Court case management process. YMAC has also been working with the Jurruru people to resolve the overlapping

Gobawarrah Minduarra Yinhawanga (GMY) claim through the case management process and a series of confidential Federal Court conferences.

The Jurruru native title claimants are engaged in discussions with the State in relation to the resolution of the un-overlapped portion of the Jurruru #1 claim, and representatives from the State government, YMAC and the Jurruru claimants have attended meetings to progress these discussions and consent determination.

Future Act Developments

There has been a low level of future act activity within the Jurruru claim area. YMAC continues to assist the Jurruru people with advice and negotiations where future act notices are

received and are assisting the Jurruru people in protecting their heritage and native title rights and interests in their country.

DPMC Funded Meetings

- 8 July 2013 Witness Preparation
- 9 July 2013 Witness Preparation
- 10 July 2013 Witness Preparation
- 11 July 2013 Witness Preparation
- 12 July 2013 Witness Preparation
- 29 October 2013 Community Meeting
- 30 October 2013 Community Meeting
- 31 October 2013 Community Meeting
- 16 December 2013 Working Group Meeting
- 11 February 2014 Working Group Meeting
- 21 March 2014 Working Group Meeting
- 16 April 2014 Community Meeting

Additional Meetings

None



NATIVE TITLE CLAIM UPDATES (CONT...)

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

In the previous reporting period YMAC commissioned an expert report by anthropologist Kingsley Palmer. The expert report has now been finalised and was submitted to the Federal Court in December 2013.

As a result of a decision by the Kariyarra community on 23 October 2013, an application

was lodged with the Federal Court to amend the claim group description listed on the Form 1. On 9 July 2014, the Federal Court notified that it had amended the Form 1 and Kariyarra claim group is now described by apical ancestors.

Future Act Developments

On 12 August 2014, the Kariyarra community authorised five mining agreements for minor future acts. These agreements, which were negotiated during the reporting period, will provide financial benefits, heritage protection, business and employment opportunities to the Kariyarra claimants.

YMAC continues to assist the Kariyarra people in relation to a large number of heritage

agreements, mining agreements, as well as negotiations of large future act matters with BHP Billiton Iron Ore and the State.

DPMC Funded Meetings

- 23 October 2013 Community Meeting

Additional Meetings

- 16 September 2013 Negotiation Meeting
- 17 September 2013 Negotiation Meeting
- 11 October 2013 Negotiation Meeting
- 24 October 2013 Negotiation Meeting
- 25 October 2013 Negotiation Meeting
- 31 October 2013 Negotiation Meeting
- 12 March 2014 Heritage Sub-Committee Meeting
- 27 May 2014 Negotiation Meeting
- 10 June 2014 Negotiation Meeting
- 11 June 2014 Negotiation Meeting





# NATIVE TITLE CLAIM UPDATES (CONT...)

## KURAMA & MARTHUDUNERA

### Claim Location and Background

The Kurama and Marthudunera (KM) native title claim covers approximately 11,926 square kilometres of land in the Pilbara region. It lies in the Shires of Ashburton and Roebourne.

### Native Title Claim Progress

During the reporting period, an overlap between KM and YM was resolved and the State offered the KM People a consent determination over approximately one-third of KM country around the Silvergrass region. Continued negotiation

with the State is occurring in an attempt to expand the consent determination area and also gain exclusive possession over significant sites in that area. YMAC is in the process of planning for trial over the balance of KM Country. This will start with preservation evidence from KM People in 2015, with a full trial approximately 12-18 months after that.

### Future Act Developments

The last 12 months has seen the culmination of some major negotiations with API, Red Hill Iron and DDG. The API negotiations were a 3 year process and will provide significant benefits to the KM People once the Project is up and

running. YMAC will continue to assist the KM People in negotiations into the future.

### DPMC Funded Meetings

None

### Additional Meetings

- 24 July 2013 Negotiation Meeting
- 30 July 2013 Negotiation Meeting
- 31 July 2013 Negotiation Meeting
- 20 August 2013 Negotiation Meeting
- 22 August 2013 Negotiation Meeting
- 3 September 2013 Negotiation Meeting
- 23 September 2013 Negotiation Meeting
- 24 October 2013 Negotiation Meeting
- 31 October 2013 Negotiation Meeting
- 6 November 2013 Negotiation Meeting
- 7 November 2013 Negotiation Meeting
- 21 November 2013 Negotiation Meeting
- 18 March 2014 Negotiation Meeting
- 25 May 2014 Community Negotiation Meeting



Kurama and Marthudunera Country

# NATIVE TITLE CLAIM UPDATES (CONT...)

## 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, YMAC worked intensely with the Malgana people and a consultant anthropologist towards the

finalisation of the Connection Report for the Malgana claim. The matter is currently under case management in the Federal Court.

### Future Act Developments

There has been minimal future act activity within the Malgana claim area during the reporting period. YMAC continues to provide Malgana with assistance in relation to future acts and heritage and during the reporting period, YMAC assisted Malgana claimants with negotiating and finalising various heritage agreements.

YMAC staff have been active in monitoring the compliance and implementation of future act agreements and a review and audit of agreements is being undertaken.

### DPMC Funded Meetings

- 24 October 2013 Working Group Meeting
- 15 April 2014 Working Group Meeting
- 16 April 2014 Research Workshop
- 17 April 2014 Research Workshop

### Additional Meetings

None



Malgana Country



# NATIVE TITLE CLAIM UPDATES (CONT...)

## NAAGUJA

### Claim Location and Background

The Naaguja claim covers approximately 5,581 square kilometres of land and water in the Yamatji 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

During the reporting period, YMAC presented

the findings of a research report to both the Naaguja Working Group members and the Naaguja Community. A coordinated approach to research was taken in relation to the Amangu and Naaguja claims and the Yamatji coastal claims generally.

YMAC coordinated a process of submitting a combined work plan to the Federal Court for the five overlapping claim groups in the Geraldton Settlement Area (GSA): Amangu, Hutt River, Mullewa Wadjari Naaguja and Widi Mob. The

workplan was submitted on 28 May 2014.

YMAC convened two joint Working Group Meetings between the YMAC represented Amangu, Naaguja and Hutt River claim groups, and the separately represented Mullewa Wadjari and Widi Mob claim groups. The meetings were successful in allowing all the groups to maintain the commitment to work together.

During the reporting period the Naaguja Applicant was amended.

### Future Act Developments

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

### DPMC Funded Meetings

- 2 July 2013 Working Group Meeting
- 16 September 2013 Working Group Meeting
- 9 November 2013 Working Group Meeting
- 28 April 2014 Working Group Meeting
- 30 June 2014 Joint Naaguja Workplan Workshop

### Additional Meetings

- 27 August 2013 GSA Working Group Meeting (includes NAA reps)
- 24 March 2013 GSA Working Group Meeting (included NAA reps)



# NATIVE TITLE CLAIM UPDATES (CONT...)

## 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.

### Native Title Claim Progress

During the reporting period, YMAC completed the

Nanda connection research. Since the completion of the connection research YMAC anthropologists and lawyers have had extensive discussions with the Nanda claim group regarding the submission of the Connection Report.

### Future Act Developments

YMAC continues to assist the Nanda native title claimants in relation to future act and heritage matters.

### DPMC Funded Meetings

- 7 September 2013 Community Meeting
- 26 May 2014 Working Group Meeting

### Additional Meetings

None





# 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 East Pilbara and the town of Port Hedland.

### Native Title Claim Progress

Although the Federal Court has made a determination that the Ngarla people have native title, YMAC continues to represent the Ngarla people in related native title proceedings. This includes any possible overlaps and any

potential future claims, such as the unclaimed area to the east of the current Ngarla boundary.

The Mt Goldsworthy mining leases were not part of the native title determination made by the Federal Court in 2007, as the court decided that Ngarla native title was extinguished over the old mine and town site.

After an appeal by YMAC, the full court of the Federal Court decided that native title was not extinguished by the Mt Goldsworthy mining leases, and in February 2013, the Court made a determination of native title over the whole of the

leases, including the old mine and town site areas.

The WA government appealed that decision and the Ngarla community instructed YMAC to argue against the State’s appeal. On 12 March 2014, the High Court decided that the native title rights and interests of the Ngarla People were not extinguished by the grant of the mineral leases Mt Goldsworthy mining leases.

### Future Act Developments

The Wanparta Aboriginal Corporation, the Ngarla people’s Prescribed Body Corporate, are represented by private lawyers for most of their future act matters with some administrative assistance from YMAC.

On behalf of the Ngarla people YMAC is seeking orders that Dampier Salt cease certain activities and pay damages to the Ngarla people. Both parties are involved in negotiations on this matter which will continue into next reporting period.

### DPMC Funded Meetings

None

### Additional Meetings

- 22 July 2013 Negotiation Meeting
- 22 October 2013 Negotiation Meeting
- 25 February 2014 Negotiation Meeting



# NATIVE TITLE CLAIM UPDATES (CONT...)

## NGARLAWANGGA Claim Location and Background

The Ngarlawangga native title claim covers approximately 6,117 square kilometres of land in the Central Pilbara region. It lies in the shires of East Pilbara and Meekatharra.

### Native Title Claim Progress

YMAC continues to represent the Ngarlawangga native title claim and with ongoing negotiations with the State Government. These negotiations will continue in the next reporting period.

In June 2013, the Ngarlawangga People filed documents in the Federal Court to amend their boundary with the Nyiyaparli People. Both groups agreed that the new boundary better reflects traditional knowledge. The changes took affect during this reporting period.

### Future Act Developments

The Ngarlawangga community authorised a Conjunctive Petroleum Exploration NT Agreement in late 2013. The group also entered into several heritage agreements throughout the year.

The change in the Ngarlawangga claim boundary has impacted upon the application of an existing mining agreement. YMAC is working with the Ngarlawangga people on these adjustments.

### DPMC Funded Meetings

None

### Additional Meetings

- 8 August 2013 Negotiation Meeting





# NATIVE TITLE CLAIM UPDATES (CONT...)

## 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

YMAC continues to represent the Ngarluma people with their claim over any unextinguished portions of the town sites of Karratha, Wickham, Point Sampson and Dampier.

During the reporting period, YMAC continued to represent the Ngarluma claim group in carrying

out research and consultations with Elders and the community in relation to the appropriate claim group description and prepared court documentation to obtain the orders to amend the description. Mediation meetings with Aboriginal respondents and case management conferences with all respondents have been undertaken during the reporting period.

Progress has also been made in relation to the registration test and instructions given in relation to a consent determination. Progress towards a consent determination will continue in the next reporting period.

### Future Act Developments

YMAC does not represent the Ngarluma people in relation to future acts or heritage matters.

### DPMC Funded Meetings

- 23 February 2013 Elders Meeting
- 9 September 2013 Mediation Meeting
- 16 September 2013 Elders Meeting
- 17 September 2013 Community Meeting
- 28 November 2013 Federal Court Mediation
- 8 February 2014 Community Meeting

### Additional Meetings

None



# 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

YMAC continues to represent the Njamal people in negotiations with the State of Western Australia toward a consent determination. Negotiations for an Indigenous Land Use Agreement also continued with pastoralists who have an interest in the Njamal claim area.

During the reporting period, research began toward a preservation evidence hearing. Research also continued on the boundary between the Njamal and Palyku claims, with a view to resolving the overlap.

The Njamal #10 claim is overlapped by the Warrarn native title claim. During the reporting period, the Warrarn native title claim was the subject to a Federal Court decision in a separate native title case that will have an effect on this overlap.

### Future Act Developments

YMAC continues to assist the Njamal People in relation to a large number of heritage

agreements, as well as comprehensive mining and infrastructure agreements.

YMAC finalised and executed one mining agreement and continued negotiations in relation to the review of the Njamal People’s existing mining agreements.

On the Njamal People’s behalf YMAC obtained evidence and made submissions to the National Native Title Tribunal opposing the grant of three mining leases in which the proponent had not met with and had not obtained the consent of the Njamal People on both good faith and substantive grounds.

YMAC continues to assist the Njamal Claim with respect to agreement implementation and compliance.

### DPMC Funded Meetings

- 7 August 2013 Working Group Meeting
- 5 September 2013 Working Group Meeting
- 6 September 2013 Working Group Meeting
- 14 November 2013 Community Meeting
- 15 November 2013 Community Meeting
- 20 February 2014 Elders Meeting
- 26 March 2014 Njamal Working Group Meeting
- 1 April 2014 Njamal-Palyku Land Summit
- 2 April 2014 Njamal-Palyku Land Summit
- 3 April 2014 Njamal-Palyku Land Summit
- 10 April 2014 Community Meeting

### Additional Meetings

- 21 October 2013 Negotiation Meeting
- 22 October 2013 FMG Committee Meeting
- 11 November 2013 Monitoring & Liaison Committee Meeting
- 12 November 2013 Negotiation Meeting and site visit
- 25 March 2014 Heritage Sub-Committee Meeting
- 26 March 2014 Negotiation Meeting
- 27 March 2014 Negotiation Meeting
- 6 May 2014 Negotiation Meeting
- 17 June 2014 Joint Working Group and Monitoring & Liaison Committee Meeting
- 18 June 2014 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 East Pilbara.

Native Title Claim Progress

During the reporting period, the Nyangumarta people continued engaging in mediation over “unclaimed” land between the Nyangumarta determined native title area, the Ngarla determined native title area, and the Njamal

native title claim. YMAC is working on this matter and have begun collecting evidence from all Traditional Owners.

Future Act Developments

There are significant future act developments and agreement negotiations currently underway in the Nyangumarta claim area. These agreements will provide significant financial benefits to the Nyangumarta people for many years to come. An agreement with Global Resources was executed during the reporting period with a number of other negotiations entering the final stages.

YMAC continues to provide significant support to the Nyangumarta Warrarn Aboriginal Corporation, particularly in relation to the establishment of the Kidson Track Permit System.

DPMC Funded Meetings

- 21 August 2013 Directors Meeting
- 7 October 2013 Directors Meeting
- 8 October 2013 Directors Meeting
- 29 October 2013 Directors Meeting
- 30 October 2013 Directors Meeting
- 19 March 2014 Directors Meeting

Additional Meetings

None



NATIVE TITLE CLAIM UPDATES (CONT...)

NYIYAPARLI and NYIYAPARLI #3

Claim Location and Background

The Nyiyaparli native title claim covers approximately 37,468 square kilometres of land in the Pilbara region. It lies in the Shires of Ashburton, East Pilbara, Meekatharra and Wiluna.

Native Title Claim Progress

On 10 October 2013 the Federal Court granted an order to reduce the north east boundary of the Ngarlawangga Native Title claim. A new Nyiyaparli #3 claim has been successfully registered over this area.

The connection report was submitted to the State Government in 2013. Since that time YMAC has represented the Nyiyaparli people at Federal Court Case Management Conferences held on 8 November 2013 and 9 April 2014, and continues to provide legal advice and representations in progressing discussions with the State.

During the reporting period YMAC facilitated the Nyiyaparli Preservation Evidence Hearing, which was held on-Country from 11 – 13 June 2014. David Stock and Bonny Tucker gave evidence under cross examination. Although YMAC continues to negotiate for a consent determination, this evidence has now been

recorded and will be on file in the event that the claim results in contested litigation.

On the instructions of the Nyiyaparli People YMAC applied for a Judicial Review of the registration of the Wunna Nyiyaparli claim by the National Native Title Tribunal. Although this application was ultimately unsuccessful, YMAC continues to oppose the registration of the Wunna Nyiyaparli claim in accordance with instructions.

Future Act Developments

The Nyiyaparli native title claim continues to experience a high level of future act activity. Nyiyaparli claimants authorised a number of mining and infrastructure agreements during the reporting period, including the only conjunctive native title agreement for oil and gas exploration in the State.



YMAC has also assisted the Nyiyaparli People with existing agreements by providing logistical support and legal advice for Implementation Committee meetings.

DPMC Funded Meetings

- 6 August 2013 Community Meeting
- 20 September 2013 Community Meeting
- 2 April 2013 Community Meeting
- 8 May 2014 Community Meeting
- 11 June 2014 Preservation Evidence Hearing

Additional Meetings

- 11 July 2013 Negotiation Meeting
- 3 October 2013 Implementation Committee Meeting;
- 10 October 2013 Implementation Committee Meeting;
- 9 December 2013 Heritage Sub Committee Meeting;
- 5 February 2014 Heritage Sub Committee Meeting;
- 19 June 2014 Heritage Sub Committee Meeting;
- 25 June 2014 Working Group 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 East Pilbara.

### Native Title Claim Progress

The Palyku connection report has been completed by the consultant anthropologist and YMAC held family meetings and a two-day community meeting to discuss the draft Connection Report in July 2013. At the

meeting, the Palyku community authorised the Connection Report to be submitted to the State government. YMAC submitted the final report to the State government in April 2014 and awaits a response from the State.

Research also continued into the boundary between the Palyku and Njamal claims, with a view to resolving the Nullagine overlap, and negotiations continue in that regard.

### Future Act Developments

YMAC continues to provide administrative assistance to the Palyku native title claimants

in relation to future acts, together with their private lawyers. YMAC continues to assist Palyku in future act negotiations with a major mining company.

### DPMC Funded Meetings

- 30 July 2013 Community Meeting
- 1 April 2014 Njamal-Palyku Land Summit
- 2 April 2014 Njamal-Palyku Land Summit
- 3 April 2014 Njamal-Palyku Land Summit

### Additional Meetings

- 9 October 2013 Negotiation Meeting
- 24 October 2013 Community Negotiation Meeting
- 25 October 2013 Community Negotiation Meeting



Palyku Country

# NATIVE TITLE CLAIM UPDATES (CONT...)

## PUUTU KUNTI KURRAMA & PINIKURA (PKKP)

### Claim Location and Background

The Puutu Kunti Kurrama and Pinikura native title claim covers approximately 9,521 square kilometres of land in the Pilbara Region. It lies in the Shire of Ashburton.

### Native Title Claim Progress

YMAC has continued to represent the PKKP people in negotiations with the State of Western Australia toward a consent determination. At a community meeting held 27 October 2013 the language group boundary was resolved marking significant progress towards a determination.

Negotiations for an Indigenous Land Use Agreement also continued with pastoralists who have an interest in the PKKP claim area.

During the reporting period, YMAC continued to support the PKKP people in the set up of their Prescribed Body Corporate.

### Future Act Developments

YMAC continues to assist the PKKP people in relation to a significant number of future act matters.

Agreements with Rio Tinto and API are currently in the final stages, further work will continue in the next reporting period.

A number of other smaller agreements are in the negotiation phase.

### DPMC Funded Meetings

- 26 October 2013 Community Meeting
- 30 January 2014 Heritage Sub-Committee Meeting
- 9 April 2014 Community Meeting
- 10 April 2014 Community Meeting
- 15 April 2014 Community Meeting

### Additional Meetings

- 12 July 2013 Monitoring and Liaison Committee Meeting
- 25 July 2013 Negotiation Meeting
- 5 September 2013 FMG Heritage Sub-Committee Meeting
- 9 September 2013 Negotiation Meeting
- 24 September 2013 Negotiation Meeting
- 1 November 2013 Community Negotiation Meeting
- 4 February 2014 FMG Heritage Sub-Committee Meeting
- 5 February 2014 FMG Heritage Sub-Committee Meeting
- 11 April 2014 Monitoring and Liaison Committee Meeting
- 23 May 2014 FMG Heritage Sub-Committee Meeting
- 6 June 2014 Community Negotiation Meeting



Puutu Kunti Kurrama Country



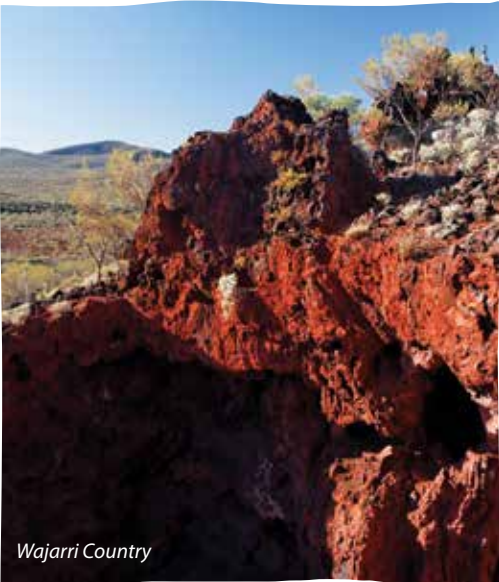
# NATIVE TITLE CLAIM UPDATES (CONT...)

## 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

The Wajarri Yamatji native title claim was referred to mediation between the Wajarri Yamatji



Wajarri Country

People and the State of Western Australia and the Pastoral Respondents represented by the Pastoralists and Graziers Association of Western Australia Inc.

During the reporting period YMAC attended seven case management conferences and four directions hearings in relation to finalising the State’s view on connection and entering into mediation over a consent determination for the area of the claim that is affected by pastoral leases. This does not include any area affected by overlapping claims or areas affected by any nature reserve or aboriginal reserve. The result of the mediations is expected to be an agreement with the Pastoralists that will significantly contribute to the positive resolution of the Wajarri Yamatji native title claim by consent.

### Future Act Developments

The Wajarri Yamatji claim has experienced a drop in future act activity in relation to mining and exploration with approximately 10 heritage agreements negotiated during the reporting period. YMAC continues to assist with negotiations in relation to various right to negotiate matters, compulsory acquisition and expedited procedure inquiry matters. YMAC

successfully resolved two s 31 mediation matters during the reporting period.

During the reporting period YMAC successfully finalised the Weld Range Metals right to negotiate matter. A further mining agreement in the Weld Range area with Sinosteel Midwest has been referred to a community meeting for the Wajarri Yamatji claim group’s decision on the project. YMAC continues to work with the parties involved to resolve this matter.

There is increasing interest in petroleum exploration within the claim area. The long term impacts of petroleum exploration is not yet fully understood in this region.

### DPMC Funded Meetings

- 22 July 2013 Working Group Meeting (half day)
- 23 July 2013 Working Group Meeting (half day)
- 14 October 2013 Working Group Meeting (half day)
- 17 March 2014 Working Group Meeting

### Additional Meetings

- 22 July 2013 Negotiation Meeting (half day)
- 23 July 2013 Negotiation Meeting (half day)
- 4 September 2013 Negotiation Meeting
- 5 September 2013 Negotiation Meeting
- 9 October 2013 Negotiation Meeting
- 14 October 2013 Negotiation Meeting (half day)

# NATIVE TITLE CLAIM UPDATES (CONT...)

## YINHAWANGKA Claim Location and Background

The Yinhawangka native title claim covers approximately 10,150 square kilometres of land in the Pilbara region. It lies in the Shires of Ashburton and Meekatharra.

### Native Title Claim Progress

During the reporting period YMAC was in communication with the State Government regarding the Yinhawangka Connection Report (submitted in 2011).

YMAC continues to liaise with the State Government on behalf of the Yinhawangka People regarding the progression of the native title claim, including attending case management conferences in the Federal Court.

On 6 May 2014, the State government requested to meet with the Yinhawangka people directly. This on-Country confidential mediation also involed the Federal Court and was a successful meeting.

During the reporting period YMAC continued to prepare for the Yinhawangka Federal Court preservation evidence hearing, which was successfully held on country at the beginning

of July 2014. David Cox gave evidence under cross examination which will now be on record in the event that the claim is resolved through contested litigation.

### Future Act Developments

YMAC continued to assist the Yinhawangka People with the negotiations with BHP Billiton for a proposed mining agreement. These negotiations are expected to conclude in the second half of 2014.

YMAC has also assisted the Yinhawangka People with protecting their heritage by negotiating a number of heritage agreements over the claim area.



Yinhawangka Country

### DPMC Funded Meetings

- 26 September 2013 Community Meeting
- 2 December 2013 Heritage Sub Committee Meeting
- 22 December 2013 Heritage Sub Committee Meeting
- 23 April 2014 Working Group Meeting (On-Country)
- 6 May 2014 Working Group Meeting (On-Country)

### Additional Meetings

- 2 July 2013 Negotiation Meeting
- 3 July 2013 Negotiation Meeting
- 4 July 2013 Heritage Sub Committee Meeting
- 30 July 2013 Negotiation Meeting
- 27 August 2013 Negotiation Meeting
- 28 August 2013 Negotiation Meeting
- 1 October 2013 Negotiation Meeting
- 2 October 2013 Negotiation Meeting
- 12 March 2014 Negotiation Meeting
- 23 April 2014 Working Group Meeting on-Country
- 6 May 2014 Confidential on-Country mediation



NATIVE TITLE CLAIM UPDATES (CONT...)

YUGUNGA-NYA

Claim Location and Background

The Yugunga-Nya native title claim covers approximately 30,341 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

During the reporting period, the Federal court held seven case management conferences and two directions hearings. Many of these related to

the Yugunga-Nya claims overlap with the Wutha claim.

A YMAC anthropologist is focusing on progressing the Yugunga-Nya research. YMAC has also engaged a consultant anthropologist to work on Yugunga-Nya connection research.

Future Act Developments

YMAC continues to assist the Yugunga-Nya people in relation to heritage, mining and infrastructure agreements.

During the reporting period YMAC assisted the

Yugunga-Nya claimants to enter into several agreements for mining and infrastructure. These agreements will help protect Yugunga-Nya country and bring financial benefits to the claim group.

DPMC Funded Meetings

- 2 October 2013 Working Group Meeting
- 3 October 2013 Working Group Meeting
- 14 June 2014 Community Meeting

Additional Meetings

None



NATIVE TITLE CLAIM UPDATES (CONT...)

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, as well as the final determination hearing.

YMAC has and will continue to carry 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.

THUDGARI

During the previous reporting period, Wyamba Aboriginal Corporation, the registered Prescribed Body Corporate for the determined Thudgari area, and the Thudgari claim group, elected to no longer use YMAC's services in relation to their additional native title claim. YMAC has ceased to act as legal representatives for the Thudgari people.

YMAC has been proactively communicating and assisting where possible and will continue to carry out its function as a representative body in notifying the Thudgari people of future acts and communicating in relation to Indigenous Land Use Agreements.





Kurama Marthudunera Country

country  
culture  
people  
future

FINANCIALS

for the year ended 30 June 2014

Table of Contents

Independent Auditor’s Report ..... 72

Statement by Directors, Chief Executive Officer and Chief Financial Officer ..... 73

Consolidated Statement of Profit or Loss and Other Comprehensive Income..... 74

Consolidated Statement of Financial Position..... 75

Consolidated Statement of Cash Flows ..... 76

Consolidated Statement of Changes in Equity ..... 77

Schedule of Commitments..... 78

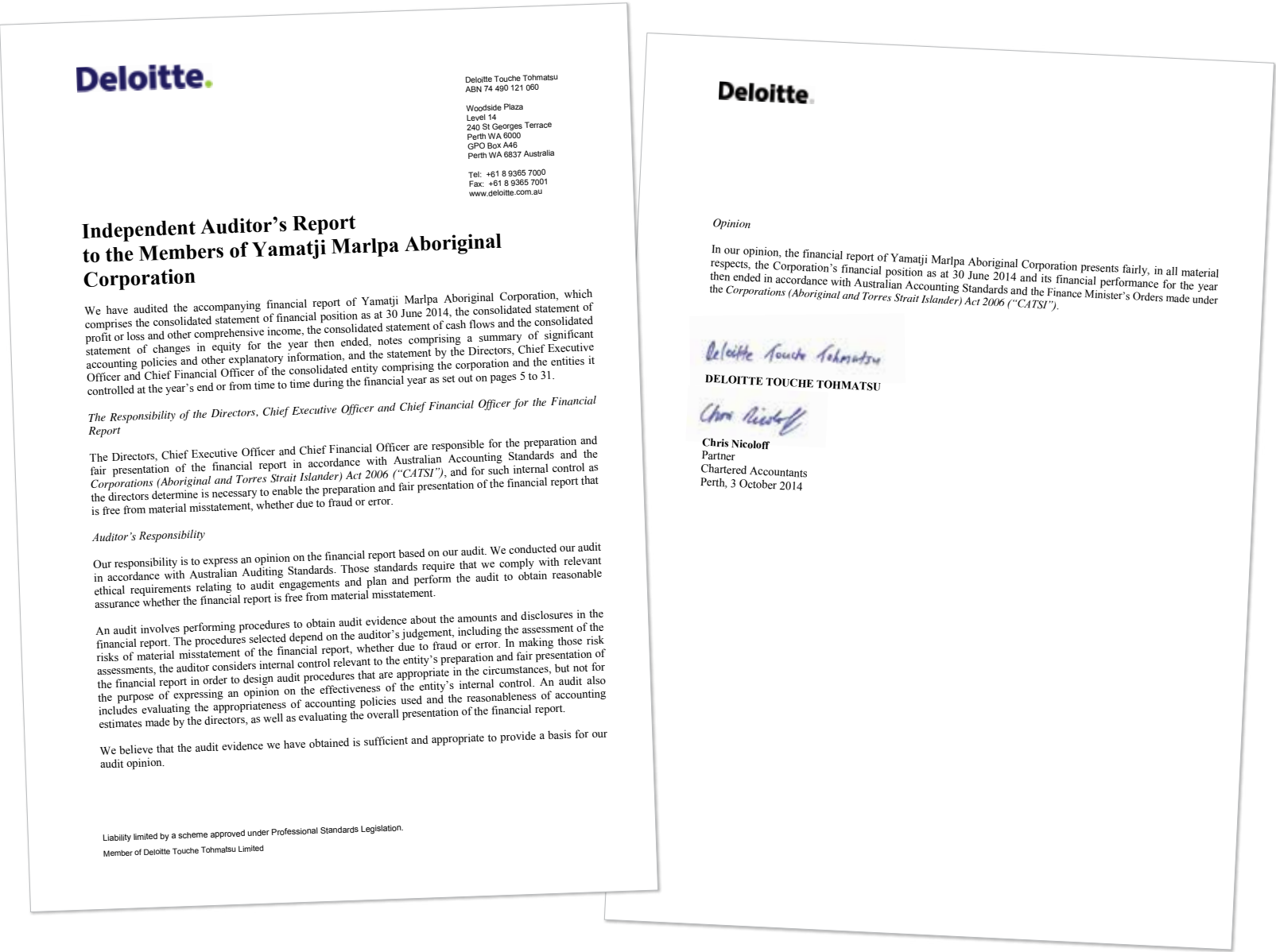
Schedule of Asset Additions..... 79

Notes to the Consolidated Financial Statements ..... 80

Auditor Independence Declaration..... 96

Amounts shown in these financial statements may not add to the correct sub-totals or totals due to rounding





In our opinion, at the date of this statement, the attached financial statements for the year ended 30 June 2014:

- (a) are in accordance with the Corporations (*Aboriginal and Torres Strait Islander*) Act 2006, including:
  - (i) giving a true and fair view of the consolidated entity's position as at 30 June 2014 and of its performance, for the financial year ended on that date; and
  - (ii) 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.

			
<b>Doris Eaton</b> Co-Chairperson YMAC 3 October 2014	<b>Victor Mourambine</b> Co-Chairperson YMAC 3 October 2014	<b>Simon Hawkins</b> Chief Executive Officer YMAC 3 October 2014	<b>Nick Kimber</b> Chief Financial Officer YMAC 3 October 2014



# CONSOLIDATED STATEMENT OF PROFIT OR LOSS AND OTHER COMPREHENSIVE INCOME

		Entire Operations		Native Title	
	Notes	2014	2013	2014	2013
		\$	\$	\$	\$
<b>REVENUE</b>					
<i>Revenues from ordinary activities</i>					
Revenue from Commonwealth Government - Operational		11,810,973	11,972,144	11,810,973	11,972,144
Revenue from Services	5A	10,367,130	12,986,497	2,506,640	2,698,587
Interest	5B	228,873	361,407	9,828	-
Revenue from sale of assets	5C	72,714	139,002	72,714	139,002
Other	5D	2,583,777	3,778,784	2,089,052	3,119,183
<i>Revenues from ordinary activities</i>		25,063,468	29,237,834	16,489,207	17,928,916
<b>EXPENSE</b>					
<i>Expenses from ordinary activities</i>					
Employees	6A	9,776,342	10,399,237	8,568,174	9,304,855
Insurance expense		83,446	83,508	82,666	80,883
Office Supplies expense		323,382	347,625	310,444	340,658
Travel & Meeting costs		2,446,658	2,500,657	2,286,619	2,409,502
Motor vehicle expenses		279,223	357,127	277,089	334,330
Contractors and consultant fees		8,746,420	11,461,250	2,608,687	2,901,883
Impairment & Write off Expenses	6B	-	322	-	322
Lease expenses		1,248,277	1,215,736	1,233,733	1,215,736
Long Service Leave expense	6A	42,489	97,147	31,146	85,011
Depreciation and amortisation		636,644	648,399	504,083	527,108
Value of assets sold	5C	-	20,071	-	20,071
Cost Recovery expenses		1,027,267	1,073,134	864,435	849,176
Payroll and support costs		582,788	638,218	480,278	573,863
Telephone		285,408	327,844	279,000	325,127
Ancillary costs, fees & provisions		70,906	230,749	268,579	362,093
<i>Expenses from ordinary activities</i>		25,549,251	29,401,025	17,794,932	19,330,619
<i>Operating deficit from ordinary activities</i>	14A	(485,784)	(163,191)	(1,305,725)	(1,401,703)
<b>Other Comprehensive income Items that will not be reclassified subsequently to profit or loss:</b>					
Gain on revaluation of property		219,800	-	-	-
Other comprehensive income for the year	8	219,800	-	-	-
<b>Total comprehensive income for the year</b>		(265,984)	(163,191)	(1,305,725)	(1,401,703)
<b>Deficit attributable to the members of YMAC</b>	14	(265,984)	(163,191)	(1,305,725)	(1,401,703)

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

# CONSOLIDATED STATEMENT OF FINANCIAL POSITION

at 30 June 2014

		Entire Operations		Native Title	
	Notes	2014	2013	2014	2013
		\$	\$	\$	\$
<b>ASSETS</b>					
<i>Financial Assets</i>					
Cash & Cash Equivalents	7A	8,001,138	6,964,210	(538,763)	(1,053,817)
Trade & Other Receivables	7B	1,436,378	3,598,714	747,208	1,178,985
Other Investments	7C	383,967	383,967	383,967	383,967
<b>Total financial assets</b>		9,821,483	10,946,891	592,412	509,136
<i>Non-financial assets</i>					
Land and buildings	8A	2,694,124	1,092,021	1,368,219	1,092,021
Plant and equipment	8B	983,998	1,430,679	759,987	1,142,864
Other	8D	11,655	1,155	11,405	1,155
<b>Total Non-financial assets</b>		3,689,777	2,523,855	2,139,611	2,236,040
<b>Total Assets</b>		13,511,260	13,470,746	2,732,023	2,745,176
<b>LIABILITIES</b>					
<i>Provisions</i>					
Employees	9A	1,583,655	1,615,818	1,479,755	1,528,230
Other provisions	9B	32,325	34,125	32,325	34,125
<b>Total provisions</b>		1,615,980	1,649,943	1,512,080	1,562,355
<i>Payables</i>					
Trade Payables	10	728,687	674,614	536,308	285,091
Unexpended grants	11	1,029,300	1,546,979	943,100	1,389,028
Income received in advance	12	3,313,107	2,171,007	2,979,206	1,323,414
Other payables	13	1,227,994	1,566,027	1,227,994	1,566,027
<b>Total payables</b>		6,299,088	5,958,627	5,686,608	4,563,560
<b>Total liabilities</b>		7,915,067	7,608,570	7,198,688	6,125,915
<b>Net Assets</b>		5,596,193	5,862,176	(4,466,665)	(3,380,740)
<b>EQUITY</b>					
Revaluation reserve		891,319	671,519	891,319	671,519
Retained surplus		4,704,874	5,190,658	(5,357,983)	(4,052,258)
<b>Total equity</b>	14	5,596,193	5,862,176	(4,466,665)	(3,380,740)
<b>Current assets</b>					
<b>Non-current assets</b>		3,678,122	2,522,700	2,128,206	2,234,885
<b>Current liabilities</b>		7,737,240	7,424,634	7,056,575	5,972,721
<b>Non-current liabilities</b>		177,827	183,936	142,113	153,194

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



# CONSOLIDATED STATEMENT OF CASH FLOWS

for the year ended 30 June 2014

		Entire Operations		Native Title	
	Notes	2014	2013	2014	2013
		\$	\$	\$	\$
OPERATING ACTIVITIES					
Cash Received					
Receipts from government		15,171,773	12,857,092	15,171,773	12,857,092
Goods and services		15,166,115	19,350,187	4,715,751	5,662,709
Interest		228,873	361,407	9,828	-
Total Cash Received		30,566,762	32,568,686	19,897,352	18,519,801
Cash Used					
Suppliers		16,584,869	21,561,806	7,894,819	11,579,660
Employees		9,814,761	10,355,786	8,611,562	9,149,252
GST paid to ATO		1,473,424	1,424,572	1,219,137	857,122
Total Cash Used		27,873,054	33,342,164	17,725,518	21,586,034
Net cash from operating activities	15 A	2,693,708	(773,479)	2,171,834	(3,066,233)
INVESTING ACTIVITIES					
Cash Received					
Proceeds from sales of property, plant and equipment		72,714	139,002	72,714	139,002
Total Cash Received		72,714	139,002	72,714	139,002
Cash Used					
Purchase of property, plant and equipment		1,729,494	939,283	1,729,494	773,999
Total Cash Used		1,729,494	939,283	1,729,494	773,999
Net cash used by investing activities		(1,656,780)	(800,281)	(1,656,780)	(634,997)
Net (Decrease)/Increase in cash held		1,036,928	(1,573,760)	515,054	(3,701,230)
Cash and cash equivalents at the beginning of the reporting period		7,348,177	8,921,937	(669,850)	3,031,381
Cash and cash equivalents at the end of the reporting period	15 B	8,385,105	7,348,177	(154,796)	(669,850)

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

# CONSOLIDATED STATEMENT OF CHANGES IN EQUITY

for the year ended 30 June 2014

	Retained Surplus Entire Operations		Asset Revaluation Reserve Entire Operations		Total Equity Entire Operations	
	2014	2013	2014	2013	2014	2013
	\$	\$	\$	\$	\$	\$
<i>Opening Balance</i>						
Balance carried forward from previous year	5,190,658	5,353,849	671,519	671,519	5,862,177	6,025,368
<i>Comprehensive Income</i>						
Deficit for the year	(485,784)	(163,191)	-	-	(485,784)	(163,191)
Other comprehensive income for the year	-	-	219,800	-	219,800	-
<b>Total comprehensive income for the year</b>	<b>(485,784)</b>	(163,191)	<b>219,800</b>	-	<b>(265,984)</b>	(163,191)
<b>Closing balance as at 30 June</b>	<b>4,704,874</b>	5,190,658	<b>891,319</b>	671,519	<b>5,596,193</b>	5,862,177



# SCHEDULE OF COMMITMENTS

as at 30 June 2014

	Entire Operations		Native Title	
	2014	2013	2014	2013
	\$	\$	\$	\$
BY TYPE				
<i>Other Commitments</i>				
Operating leases	1,775,953	3,879,421	1,775,953	3,879,421
<b>Total Other Commitments</b>	<b>1,775,953</b>	<b>3,879,421</b>	<b>1,775,953</b>	<b>3,879,421</b>
<b>Net Commitments by Type</b>	<b>1,775,953</b>	<b>3,879,421</b>	<b>1,775,953</b>	<b>3,879,421</b>
BY MATURITY				
<i>Operating Lease Commitments</i>				
One year or less	970,445	1,685,551	970,445	1,685,551
From one to five years	805,508	2,193,870	805,508	2,193,870
<b>Total Operating Lease Commitments</b>	<b>1,775,953</b>	<b>3,879,421</b>	<b>1,775,953</b>	<b>3,879,421</b>
<b>Net Commitments by Maturity</b>	<b>1,775,953</b>	<b>3,879,421</b>	<b>1,775,953</b>	<b>3,879,421</b>

NB: Commitments are GST inclusive where relevant

# SCHEDULE OF ASSET ADDITIONS

for the year ended 30 June 2014

	Heritage & Cultural	Plant & Equipment	Total
	2014	2014	2014
	\$	\$	\$
The following non-financial non-current assets were added in 2013-14			
Notes			
By Purchase - Government Funding	-	241,524	241,524
By Purchase - Other	-	1,330,743	1,330,743
<b>Total Additions</b>	<b>-</b>	<b>1,572,267</b>	<b>1,572,267</b>



# NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS

as at 30 June 2014

The financial statements cover the consolidated financial statements of Yamatji Marlpa Aboriginal Corporation (YMAC) as a Group. 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 Consolidated Financial Statements

The consolidated 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 consolidated 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. Amounts shown in these financial statements may not add to the correct sub-totals or totals due to rounding

Assets and liabilities are recognised in the statement of financial position for not-for-profit report entities 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.

### Basis of consolidation

The consolidated financial statements incorporate the financial statements of the Corporation and entities (including structured entities) controlled by the Corporation and its subsidiaries. Control is achieved when the Corporation:

- has power over the investee;
- is exposed, or has rights, to variable returns from its involvement with the investee; and
- has the ability to use its power to affect its returns.

The Corporation reassesses whether or not it controls an investee if facts and circumstances indicate that there are changes to one or more of the three elements of control listed above.

When the Corporation has less than a majority of the voting rights of an investee, it has power over the investee when the voting rights are sufficient to give it the practical ability to direct

the relevant activities of the investee unilaterally. The Corporation considers all relevant facts and circumstances in assessing whether or not the Corporation’s voting rights in an investee are sufficient to give it power, including:

- the size of the Corporation’s holding of voting rights relative to the size and dispersion of holdings of the other vote holders; but
- potential voting rights held by the Corporation, other vote holders or other parties;
- rights arising from other contractual arrangements; and any

additional facts and circumstances that indicate that the Corporation has, or does not have, the current ability to direct the relevant activities at the time that decisions need to be made, including voting patterns at previous members’ meetings.

Consolidation of a subsidiary begins when the Corporation obtains control over the subsidiary and ceases when the Corporation loses control of the subsidiary. Specifically, income and expenses of a subsidiary acquired or disposed of during the year are included in the consolidated statement of profit or loss and other comprehensive income from the date the Corporation gains control until the date when the Corporation ceases to control the subsidiary.

Profit or loss and each component of other comprehensive income are attributed to the members of the Corporation and to the non-controlling interests. Total comprehensive income of subsidiaries is attributed to the members of the Corporation and to the non-controlling interests even if this results in the non-controlling interests having a deficit balance.

When necessary, adjustments are made to the financial statements of subsidiaries to bring their accounting policies into line with the Group’s accounting policies.

All intragroup assets and liabilities, equity, income, expenses and cash flows relating to transactions between members of the Group are eliminated in full on consolidation.

### 1.2 Statement of Compliance

#### Adoption of New Australian Accounting Standard requirements

In the current year, the Group has applied a number of new and revised AASB’s issued by the Australian Accounting Standards Board (AASB) that are mandatorily effective for an accounting period that begins on or after 1 January 2013.

New and revised Standards and amendments thereof and Interpretations effective for the current year that are relevant to the Group include:

- AASB 10 ‘Consolidated Financial Statements’ and AASB 2011-7 ‘Amendments to Australian Accounting Standards arising from the consolidation and Joint Arrangements standards’
- AASB 11 ‘Joint Arrangements’ and AASB 2011-7 ‘Amendments to Australian Accounting Standards arising from the consolidation and Joint Arrangements standards’
- AASB 127 ‘Separate Financial Statements’ (2011) and AASB 2011-7 ‘Amendments to Australian Accounting Standards arising from the consolidation and Joint Arrangements standards’
- AASB 128 ‘Investments in Associates and Joint Ventures’ (2011) and AASB 2011-7 ‘Amendments to Australian Accounting Standards arising from the consolidation and Joint Arrangements standards’

# NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS (CONT...)

as at 30 June 2014

- AASB 2012-2 ‘Amendments to Australian Accounting Standards – Disclosures – Offsetting Financial Assets and Financial Liabilities’
- AASB 2012-10 ‘Amendments to Australian Accounting Standards – Transition Guidance and Other Amendments’
- AASB CF 2013-1 ‘Amendments to the Australian Conceptual Framework’
- AASB 2013-9 ‘Amendments to Australian Accounting Standards – Conceptual Framework, Materiality and Financial Instruments’ (Part A Conceptual Framework)
- AASB 119 ‘Employee Benefits’ (2011) and AASB 2011-10 ‘Amendments to Australian Accounting Standards arising from AASB 119 (2011)’
- AASB 2012-5 ‘Amendments to Australian Accounting Standards arising from Annual Improvements 2009-2011 Cycle’

The adoption of all the new and revised Standards and Interpretations has resulted in changes to the Group’s accounting policies but has no material effect on the amounts reported or disclosures made for the current or prior years except as disclosed below:

#### Impact of the application of AASB 10: Consolidated Financial Statements

AASB 10 replaces the parts of AASB 127 ‘Consolidated and Separate Financial Statements’ that deal with consolidated financial statements and Interpretation 112 ‘Consolidation – Special Purpose Entities’. AASB 10 changes the definition of control such that an investor controls an investee when a) it has power over an investee; b) it is exposed, or has rights, to variable returns from its involvement with the investee, and c) has the ability to use its power to affect its returns. All three of these criteria must be met for an investor to have control over an investee. Previously, control was defined as the power to govern the financial and operating policies of an entity so as to obtain benefits from its activities. Additional guidance has been included in AASB 10 to explain when an investor has control over an investee.

Specifically, the Group’s 100 per cent ownership interest in YM Consulting PTY Ltd, which trades as Ngurra Barna. The Group’s 100 per cent ownership interest in YM Consulting PTY Ltd gives the Group the same percentage of the voting rights in YM Consulting PTY Ltd. The Group’s 100 per cent ownership interest in YM Consulting PTY Ltd was acquired in February 2011 and there has been no change in the Group’s ownership in YM Consulting PTY Ltd since then.

The directors of the Corporation made an assessment as the date of the initial application of AASB 10 (i.e. 1 July 2013) as to whether or not the Group has control over YM Consulting PTY Ltd in accordance with the new definition of control and the related guidance set out in AASB 10. The directors concluded that it has had control over YM Consulting PTY Ltd since the acquisition in February 2011 on the basis of the Group’s absolute size of holding in YM Consulting PTY Ltd. Therefore, in accordance with the requirements of AASB 10, YM Consulting PTY Ltd has been a subsidiary of the Corporation since February 2011.

#### First time application of AASB 13: Fair Value Measurement

The Group has adopted the requirements of AASB 13 for the first time in the current financial statements. The standard provides guidance on how to determine fair value and requires disclosures about fair value measurement. However, AASB 13 does not change the requirements regarding which items should be measured or disclosed at fair value.

AASB 13 applies when another AASB requires or permits fair value measurements or disclosures

about fair value measurements (and measurements, such as fair value less costs to sell, based on fair value or disclosures about those measurements). With some exceptions, the standard requires entities to classify these measurements into a ‘fair value hierarchy’ based on the nature of the inputs.

The application of AASB 13 has resulted in additional disclosures in the financial statements.

*Impact of the application of AASB 12: Disclosure of Interests in Other Entities*  
The Group has adopted the requirements of AASB 12 for the first time in the current financial statements. AASB 12 is a new disclosure standard and is applicable to entities that have interests in subsidiaries, joint arrangements, associates and/or unconsolidated structured entities. The application of AASB 12 has resulted in more extensive disclosures in the financial statements.

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.



NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS (CONT...)

as at 30 June 2014

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 2013. 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.

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.

1.12 Other Financial Liabilities

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.

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.

NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS (CONT...)

as at 30 June 2014

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 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 2014. 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.

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 judgments, 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.



# NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS (CONT...)

as at 30 June 2014

### 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', and the relevant amending standards	1 January 2018	30 June 2019
AASB 1031 'Materiality' (2013)	1 January 2014	30 June 2015
AASB 2012-3 'Amendments to Australian Accounting Standards – Offsetting Financial Assets and Financial Liabilities'	1 January 2014	30 June 2015
AASB 2013-3 'Amendments to AASB 136 – Recoverable Amount Disclosures for Non-Financial Assets'	1 January 2014	30 June 2015
AASB 2013-4 'Amendments to Australian Accounting Standards – Novation of Derivatives and Continuation of Hedge Accounting'	1 January 2014	30 June 2015
AASB 2013-5 'Amendments to Australian Accounting Standards – Investment Entities'	1 January 2014	30 June 2015
AASB 2013-9 'Amendments to Australian Accounting Standards – Conceptual Framework, Materiality and Financial Instruments'	1 January 2014	30 June 2015
INT 21 'Levies'	1 January 2014	30 June 2015
AASB 2014-1 'Amendments to Australian Accounting Standards' - Part A: 'Annual Improvements 2010–2012 and 2011–2013 Cycles' - Part B: 'Defined Benefit Plans: Employee Contributions (Amendments to AASB 119)' - Part C: 'Materiality'	1 July 2014	30 June 2015
AASB 2014-1 'Amendments to Australian Accounting Standards' – Part D: 'Consequential Amendments arising from AASB 14'	1 January 2016	30 June 2017
AASB 2014-1 'Amendments to Australian Accounting Standards' – Part E: 'Financial Instruments'	1 January 2015	30 June 2016
AASB 14 'Regulatory Deferral Accounts'	1 January 2016	30 June 2017
AASB 2014-3 'Amendments to Australian Accounting Standards – Accounting for Acquisitions of Interests in Joint Operations	1 January 2016	30 June 2017
AASB 2014-4 'Amendments to Australian Accounting Standards – Clarification of Acceptable Methods of Depreciation and Amortisation'	1 January 2016	30 June 2017

At the date of authorisation of the financial statements, the following IASB Standards and IFRIC Interpretations were also in issue but not yet effective, although Australian equivalent Standards and Interpretations have not yet been issued.

# NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS (CONT...)

as at 30 June 2014

Standard/Interpretation	Effective for annual reporting periods beginning on or after	Expected to be initially applied in the financial year ending
IFRS 15 'Revenue from Contracts with Customers'	1 January 2017	30 June 2018
Agriculture: Bearer Plants (Amendments to IAS 16 and IAS 41)	1 January 2016	30 June 2017
IFRS 9 Financial Instruments	1 January 2018	30 June 2019
Equity Method in Separate Financial Statements (Amendments to IAS 27)	1 January 2016	30 June 2017
Narrow-scope amendments to IFRS 10 Consolidated Financial Statements and IAS 28 Investments in Associates and Joint Ventures (2011)	1 January 2016	30 June 2017

The potential effect of the revised standards/interpretations on the Group's financial statements has not yet been determined.

### 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 2014/15 financial year. Subsequent events have been evaluated through to October 3, 2014 which is the date of this financial report. There have been no significant events subsequent to the balance sheet date.



# NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS (CONT...)

as at 30 June 2014

	Entire Operations		Native Title	
	2014 \$	2013 \$	2014 \$	2013 \$
<b>Note 5 Income</b>				
<i>Note 5A Rendering of Services</i>				
<i>Rendering of services to:</i>				
External entities	10,367,130	12,986,497	2,506,640	2,698,587
<b>Total rendering of services</b>	10,367,130	12,986,497	2,506,640	2,698,587
<i>Note 5B Interest</i>				
Deposits	228,873	361,407	9,828	-
<b>Total finance income</b>	228,873	361,407	9,828	-
<i>Note 5C Sales of Assets</i>				
<i>Plant and equipment:</i>				
Proceeds from disposal	72,714	139,002	72,714	139,002
Net book value of assets disposed	-	(20,071)	-	(20,071)
<b>Total net profit from disposal of plant and equipment</b>	72,714	118,931	72,714	118,931
<i>Note 5D Other Gains</i>				
<i>Other grants:</i>				
Staffing	1,032,979	1,383,884	563,406	1,067,072
Expenses and capital	1,550,799	2,394,900	1,525,647	2,052,111
<b>Total Other</b>	2,583,777	3,778,784	2,089,052	3,119,183
<b>Note 6 Expenses</b>				
<i>Note 6A Employee Benefits</i>				
Wages and Salaries	8,488,703	8,847,239	7,371,845	7,854,102
Superannuation	756,140	747,904	665,376	667,720
Other employee benefits	531,499	804,095	530,953	783,034
Leave and other entitlements	42,489	97,147	31,146	85,011
<b>Total Employee Expenses</b>	9,818,831	10,496,385	8,599,320	9,389,866
<i>Note 6B Write Down and Impairment of Assets</i>				
Write downs	-	322	-	322
<b>Total write down and impairment of assets</b>	-	322	-	322

# NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS (CONT...)

as at 30 June 2014

	Entire Operations		Native Title	
	2014 \$	2013 \$	2014 \$	2013 \$
<b>Note 7 Financial Assets</b>				
<i>Note 7A Cash and cash equivalents</i>				
Cash on hand	1,000	1,000	1,000	1,000
Cash on deposit	8,000,138	6,963,210	(539,763)	(1,054,817)
<b>Total cash and cash equivalents</b>	8,001,138	6,964,210	(538,763)	(1,053,817)
Cash at bank earns interest at tiered interest rates determined by the bank.				
<i>Note 7B Trade and Other Receivables</i>				
Trade receivables	658,017	2,294,785	358,293	845,059
Less: Provision for doubtful debts	(30,113)	(286,673)	(7,264)	(55,701)
	627,904	2,008,112	351,029	789,358
Income receivable	662,384	1,409,964	274,624	221,693
Other receivables	146,090	180,638	121,554	167,934
<b>Total Trade and other receivables (net)</b>	1,436,378	3,598,714	747,208	1,178,985
All receivables are current assets.				
<i>Receivables are aged as follows:</i>				
<i>Overdue by:</i>				
Less than 30 days	428,386	1,503,321	153,457	676,515
30 to 60 days	220,623	287,626	204,836	-
60 to 90 days	-	20,243	-	69,471
More than 90 days	9,008	483,596	-	99,073
<b>Total Trade receivables (gross)</b>	658,017	2,294,785	358,293	845,059
<i>Allowance for Doubtful Debts is aged as follows:</i>				
<i>Overdue by:</i>				
Less than 30 days	-	-	-	-
30 to 60 days	-	-	-	-
60 to 90 days	-	-	-	-
More than 90 days	30,113	286,673	7,264	55,701
<b>Total Allowance for Doubtful Debts</b>	30,113	286,673	7,264	55,701
<i>Note 7C Other Investments</i>				
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.



NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS (CONT...)

as at 30 June 2014

	Entire Operations		Native Title	
	2014	2013	2014	2013
	\$	\$	\$	\$
<b>Note 8 Non Financial Assets</b>				
<b>Note 8A Land and Buildings</b>				
<b>Freehold land</b>				
At fair value	1,302,347	-	-	-
At valuation 30 June 2014	910,000	770,000	910,000	770,000
<b>Total freehold land</b>	<b>2,212,347</b>	<b>770,000</b>	<b>910,000</b>	<b>770,000</b>
<b>Buildings on freehold land</b>				
At valuation 30 June 2014	390,000	330,000	390,000	330,000
Accumulated Depreciation	-	(13,200)	-	(13,200)
<b>Total buildings on freehold land</b>	<b>390,000</b>	<b>316,800</b>	<b>390,000</b>	<b>316,800</b>
<b>Leasehold improvements</b>				
At fair value	110,520	47,050	83,162	47,050
Accumulated Depreciation	(18,743)	(41,829)	(14,943)	(41,829)
<b>Total leasehold improvements</b>	<b>91,777</b>	<b>5,221</b>	<b>68,219</b>	<b>5,221</b>
<b>Total land and buildings (non-current)</b>	<b>2,694,124</b>	<b>1,092,021</b>	<b>1,368,219</b>	<b>1,092,021</b>
<b>Note 8B Property, Plant and Equipment</b>				
<b>Plant and equipment</b>				
At cost	2,984,000	3,572,784	2,435,756	3,025,578
Accumulated depreciation	(2,000,002)	(2,142,105)	(1,675,769)	(1,882,713)
<b>Total Plant and Equipment (non-current)</b>	<b>983,998</b>	<b>1,430,679</b>	<b>759,987</b>	<b>1,142,864</b>

All revaluations are independent and are conducted in accordance with the revaluation policy stated at Note 1.14A. In 2014, the revaluations were conducted by an independent valuer Oscar D’Souza (Prime Property Valuations). The valuation was determined by reference to market rent and recent market transactions on an arm length basis.

	Entire Operations		Native Title	
	2014	2013	2014	2013
	\$	\$	\$	\$
Freehold land - at valuation 30 June 2014	910,000	820,000	910,000	820,000
Freehold land - at fair value	1,302,347	-	-	-
Buildings on freehold land - at valuation 30 June 2014	390,000	259,962	390,000	259,962

The Group’s freehold land and buildings are stated at their revalued amounts, being the fair value at the date of revaluation, less any subsequent accumulated depreciation and subsequent accumulated impairment losses. The fair value measurements of the Group’s freehold land and buildings as at 30 June 2014 was performed by Oscar D’Souza (Prime Property Valuations), an independent valuer not related to the Group. Oscar D’Souza is a member of the Institute of Valuers of Australia, and has appropriate qualifications and recent experience in the fair value measurement of properties in the relevant locations.

The fair value of the freehold land was determined based on the market comparable approach that reflects recent transaction prices for similar properties. The fair value of the buildings was determined using the cost approach that reflects the cost to a market participant to construct assets of comparable utility and age, adjusted for obsolescence.

NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS (CONT...)

as at 30 June 2014

Details of the Group’s freehold land and buildings and information about the fair value hierarchy as at 30 June 2014 are as follows:

	Level 1	Level 2	Level 3	Fair value as at 30 June 2014
	\$	\$	\$	\$
Freehold land	-	2,212,347	-	2,212,347
Buildings on freehold land	-	-	390,000	390,000

There were no transfers between Levels 2 and 3 during the year.

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

	Entire Operations			Native Title		
Item	Land & Buildings	Plant & Equipment	Total	Land & Buildings	Plant & Equipment	Total
	\$	\$	\$	\$	\$	\$
<b>As at 1 July 2013</b>						
Gross value	1,147,050	3,572,784	4,719,834	1,147,050	3,025,578	4,172,628
Accumulated depreciation and impairment	(55,029)	(2,142,105)	(2,197,134)	(55,029)	(1,882,713)	(1,937,743)
<b>Closing Net Book Value</b>	<b>1,092,021</b>	<b>1,430,679</b>	<b>2,522,700</b>	<b>1,092,021</b>	<b>1,142,864</b>	<b>2,234,885</b>

Additions

By purchase	1,412,867	159,399	1,572,267	83,162	158,362	241,524
Revaluation	219,800	-	219,800	219,800	-	219,800
Depreciation/Amortisation expense	(30,564)	(606,080)	(636,644)	(26,764)	(477,319)	(504,083)

As at 30 June 2014

Gross book value	2,712,867	2,984,000	5,696,867	1,383,162	2,435,756	3,818,918
Accumulated depreciation/impairment	(18,743)	(2,000,002)	(2,018,745)	(14,943)	(1,675,769)	(1,690,712)
<b>Closing Net Book Value</b>	<b>2,694,124</b>	<b>983,998</b>	<b>3,678,122</b>	<b>1,368,219</b>	<b>759,987</b>	<b>2,128,206</b>

Assets at cost or valuation

	Entire Operations			Native Title		
Item	Land & Buildings	Plant & Equipment	Total	Land & Buildings	Plant & Equipment	Total
	\$	\$	\$	\$	\$	\$
<b>As at 30 June 2014</b>						
Gross value	2,712,867	2,984,000	5,696,867	1,383,162	2,435,756	3,818,918
Accumulated depreciation/amortisation	(18,743)	(2,000,002)	(2,018,745)	(14,943)	(1,675,769)	(1,690,712)
<b>Closing Net Book Value</b>	<b>2,694,124</b>	<b>983,998</b>	<b>3,678,122</b>	<b>1,368,219</b>	<b>759,987</b>	<b>2,128,206</b>

As at 30 June 2013

Gross value	1,147,050	3,572,784	4,719,834	1,147,050	3,025,578	4,172,628
Accumulated depreciation/amortisation	(55,029)	(2,142,105)	(2,197,134)	(55,029)	(1,882,713)	(1,937,743)
<b>Closing Net Book Value</b>	<b>1,092,021</b>	<b>1,430,679</b>	<b>2,522,700</b>	<b>1,092,021</b>	<b>1,142,864</b>	<b>2,234,885</b>



# NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS (CONT...)

as at 30 June 2014

	Entire Operations		Native Title	
	2014	2013	2014	2013
	\$	\$	\$	\$
<b>Note 8D Other Non-Financial Assets</b>				
Prepayments	11,655	1,155	11,405	1,155
All other non-financial assets are current assets.				
<b>Note 9 Provisions</b>				
<b><i>Note 9A Employee Provisions</i></b>				
Salaries and wages	45,517	47,765	45,517	47,765
Leave	1,538,137	1,568,053	1,434,238	1,480,465
<b>Total employee provisions</b>	<b>1,583,655</b>	1,615,818	<b>1,479,755</b>	1,528,230
No more than 12 months	1,405,827	1,431,882	1,337,642	1,375,036
More than 12 months	177,827	183,936	142,113	153,194
	1,583,655	1,615,818	1,479,755	1,528,230
<b><i>Note 9B Other Provisions</i></b>				
Provision for Audit Fees	32,325	34,125	32,325	34,125
<b>Note 10 Payables</b>				
Trade payables	424,083	643,420	242,235	259,240
GST payable	288,207	29,154	277,675	23,811
Operating Lease Rentals	16,397	2,040	16,397	2,040
<b>Total Supplier Payables</b>	<b>728,687</b>	674,614	<b>536,308</b>	285,091
All suppliers are current and settlement is usually made net 30 days.				
<b>Note 11 Unexpended Grant</b>				
Unexpended grant carried forward	1,029,300	1,546,979	943,100	1,389,028
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.				
<b>Note 12 Income received in advance</b>				
Opening Balance	2,171,007	2,792,091	1,323,414	875,974
Movement	1,142,100	(621,085)	1,655,792	447,440
<b>Closing Balance</b>	<b>3,313,107</b>	2,171,006	<b>2,979,206</b>	1,323,414

# NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS (CONT...)

as at 30 June 2014

	Entire Operations		Native Title	
	2014	2013	2014	2013
	\$	\$	\$	\$
<b>Note 13 Other Payables</b>				
Accrued Wages/Superannuation	312,919	276,685	312,919	276,685
General accruals	656,610	1,062,137	656,610	1,062,137
Assets/benefits held for return/distribution	258,465	227,205	258,465	227,205
<b>Total Other Payables</b>	<b>1,227,994</b>	1,566,027	<b>1,227,994</b>	1,566,027
<b>Note 14 Equity</b>				
<b><i>Analysis of equity</i></b>				
Retained surplus as at 1 July	5,190,658	5,353,849	(4,052,258)	(2,650,555)
Deficit from ordinary activities	(485,784)	(163,191)	(1,305,725)	(1,401,703)
Retained surplus as at 30 June	4,704,874	5,190,658	(5,357,983)	(4,052,258)
Revaluation reserve	891,319	671,519	891,319	671,519
<b>Total equity as at 30 June</b>	<b>5,596,192</b>	5,862,176	<b>(4,466,665)</b>	(3,380,740)
<b>Note 15 Cash Flow Reconciliation</b>				
<b><i>Note 15A Reconciliation of operating surplus to net cash from operating activities</i></b>				
Deficit for the year	(265,984)	(163,191)	(1,305,725)	(1,401,703)
<b><i>Non- Cash Items</i></b>				
Depreciation and amortisation	636,644	648,399	504,083	527,108
Gain on disposal of property, plant and equipment	(72,714)	(118,609)	(72,714)	(118,609)
Gain on revaluation of property	(219,800)	-	-	-
<b><i>Changes in assets and liabilities</i></b>				
(Increase) / decrease in receivables	2,421,389	2,204,366	685,642	(268,941)
(Increase) / decrease in prepayments	(11,655)	(1,155)	(11,405)	(1,155)
Increase / (decrease) in employee provisions	(29,050)	87,556	(45,362)	187,572
Increase / (decrease) in payables	(182,006)	(1,579,483)	(345,595)	(1,398,433)
Increase / (decrease) in unexpended grants	(517,678)	(957,004)	(445,928)	(1,053,215)
Increase / (decrease) in income in advance	1,142,100	(621,084)	1,655,792	447,440
Increase / (decrease) in GST payable	(207,540)	(273,273)	1,553,045	13,703
<b>Net cash from / (used by) operating activities</b>	<b>2,693,708</b>	(773,479)	<b>2,171,834</b>	(3,066,233)
<b><i>Note 15B Reconciliation of cash</i></b>				
Reconciliation of cash at the end of the financial year (as shown in the Statement of Cash flows) to the related item in the financial report is as follows:				
Total cash and cash equivalents	8,001,138	6,964,210	(538,763)	(1,053,817)
Deposits	383,967	383,967	383,967	383,967
	8,385,105	7,348,177	(154,796)	(669,850)



NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS (CONT...)

as at 30 June 2014

	2014	2013	2014	2013
Note 16 Remuneration of Key Executive Management				
Aggregate compensation made to key management personnel	1,245,314	1,065,749	1,245,314	1,065,749

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

Note 17: Financial Instruments

Note 17A: Interest Rate Risk

	Floating Interest Rate		Fixed Interest Rate Maturing in 1 Year or less		Non- Interest Bearing		Total		Weighted Average	
	2014	2013	2014	2013	2014	2013	2014	2013	2014	2013
	\$	\$	\$	\$	\$	\$	\$	\$	%	%
Financial Assets										
Cash on hand	-	-	-	-	1,000	1,000	1,000	1,000		
Deposits at call	1,445,248	908,321	-	-	-	-	1,445,248	908,321	3.05%	4.10%
Receivables for services	-	-	-	-	627,904	2,008,112	627,904	2,008,112		
Other receivables	-	-	-	-	808,474	1,590,602	808,474	1,590,602		
Term deposit	-	-	6,938,857	6,438,856	-	-	6,938,857	6,438,856	3.05%	4.10%
Total	1,445,248	908,321	6,938,857	6,438,856	1,437,378	3,599,714	9,821,483	10,946,891		
Total Assets							13,511,260	13,470,746		
Financial Liabilities										
Trade creditors	-	-	-	-	728,687	674,614	728,687	674,614	n/a	n/a
Grants payable	-	-	-	-	1,029,300	1,546,979	1,029,300	1,546,979	n/a	n/a
Other payables	-	-	-	-	3,313,107	2,171,007	3,313,107	2,171,007	n/a	n/a
Total	-	-	-	-	5,071,094	4,392,600	5,071,094	4,392,600		
Total Liabilities							7,915,067	7,608,570		

Financial assets

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

Financial liabilities

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

NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS (CONT...)

as at 30 June 2014

Note 18 Risk Exposures and Responses

Note 18A 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
	2014	2013	2014	2013
	\$	\$	\$	\$
Cash at Bank	8,001,138	6,964,210	-	-
Receivables for goods and services	428,386	1,503,321	229,631	791,464
Total	8,429,524	8,467,530	229,631	791,464
Ageing of financial assets that are past due but not impaired for 2014				
	31 to 60 days	61 to 90 days	90+ days	Total
Receivables for goods and services	220,623	-	9,008	229,631
Ageing of financial assets that are past due but not impaired for 2013				
	31 to 60 days	61 to 90 days	90+ days	Total
Receivables for goods and services	287,626	20,243	483,596	791,464

Note 18B 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 18C Interest rate risk

	Surplus Higher/(Lower)		Equity Higher/(Lower)
	2014	2013	2014
	\$	\$	\$
Full Operations			
+1% increase in interest rate	14,452	9,083	14,452
-1% decrease in interest rate	(14,452)	(9,083)	(14,452)



NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS (CONT...)

as at 30 June 2014

	2014	2013
	\$	\$
<b>Note 19 Remuneration of Auditors</b>		
The fair value of services provided was:		
Audit services	45,930	48,875
<b>Note 20 Subsidiary</b>		
Details of the group's subsidiary at the end of the reporting period are as follows:		
Name of subsidiary	Principal Activity	Proportion of ownership interest and voting power held by the Group
		20142013
YM Consulting PTY Ltd trading as Ngurra Barna Level 2, 16 St Georges Terrace, Perth	Management Services	100%100%
YM Consulting PTY Ltd's place of incorporation and operation is Australia.		
	2014	2013
	\$	\$
<b>Note 21 Average Staffing Levels</b>		
The average staffing levels for the entity during the year were:	91	122
<b>Note 22 Directors Remuneration</b>		
The number of directors of the Corporation included in these figures are shown below in the relevant remuneration bands:		
\$ Nil - \$ 149,999	12	17
\$ 150,000 - \$ 224,999	-	-
\$ 225,000 - \$ 239,999	-	-
Total number of directors of the Corporation	12	17
<b>Directors</b>		
Remuneration	43,192	34,286
Expenses	75,612	76,764
Remuneration for attending Board of Directors meetings including super and tax withheld	118,804	111,050

NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS (CONT...)

as at 30 June 2014

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

	2014	2013
	\$	\$
<b>Note 22 Related Party Disclosures</b>		
<b>Loans to Directors:</b>		
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:	2,674	2,633
<b>Payment to Directors-related Consultant Entities:</b>		
Payments to director-related entities during the year:	-	-
<b>Consultant payments to Directors</b>		
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:	46,165	42,429



# AUDITOR INDEPENDENCE DECLARATION



Editorial Information: Edited by Leanne Alberghini for the  
Yamatji Marlpa Aboriginal Corporation | [lalberghini@ymac.org.au](mailto:lalberghini@ymac.org.au)





**Yamatji Marlpa**  
ABORIGINAL CORPORATION

### **GERALDTON**

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

### **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**

Lot 974 Central Road Tom Price WA  
PO Box 27 Tom Price WA 6751  
T: (08) 9188 1722 F: (08) 9188 1996

[www.ymac.org.au](http://www.ymac.org.au)  
FREECALL: 1300 7 12345  
ICN 2001