

YMAC NEWS

News from
Yamatji
Marlpa
Aboriginal
Corporation

ISSUE 36 | August 2018



Yamatji Marlpa
ABORIGINAL CORPORATION



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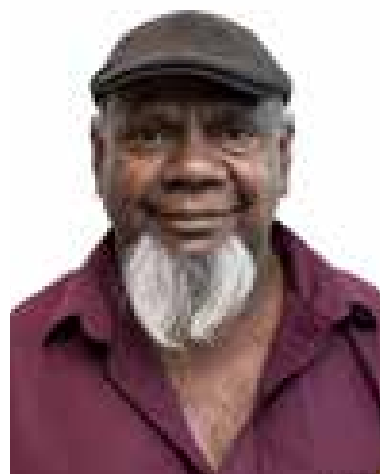
Cover: Bruce Thomas,
Warralong Elder

Warning: Aboriginal People are warned that this publication may contain images of deceased people.

Hello & Welcome



Ms Natalie Parker,
Co-Chair (Pilbara)



Mr Peter Windie,
Co-Chair (Yamatji)

Welcome to YMAC News issue 36.

In this edition we:

- Acknowledge YMAC's long-serving Regional Committee Members;
- Detail the outcomes from the 5th Annual On-Country Bush Meeting at Yule River;
- Celebrate consent determinations for our communities in the Yamatji and Pilbara regions;
- Outline YMAC's submission to the State Government on the *Aboriginal Heritage Act 1972* review;
- Congratulate the Yaburara Mardudhunera people on their native title recognition, and much more.

We hope you enjoy reading this issue of YMAC News.

Your feedback and suggestions are always welcome.

Please send your ideas to editor@ymac.org.au

For more information about YMAC, and for all the latest news, please visit our website at ymac.org.au

YMAC regional committees come together

YMAC's Annual Joint Regional Committee meeting was held in Exmouth on 9 May 2018

Members of our Yamatji and Pilbara regional committees came together to review the strategic direction and operational performance of YMAC and received additional governance training to develop their leadership capabilities.

During the meeting, YMAC acknowledged several committee members for their years of service and dedication including:

- Mrs Doris Eaton - 14 years
- Natalie Parker - 14 years
- Kathleen Musulin - 10 years
- Ben Roberts – Seven years
- Cicily Dowden Ryan – Seven years
- Richard Oakley - Five years
- Rodney Ryan Senior - Five years

We congratulate and thank our leaders for their loyalty and hard work on the regional committees.



Shane Carroll presenting governance training at the Joint Regional Committee Meeting in Exmouth



YMAC Joint Regional Committee members, YMAC staff and Department of Biodiversity, Conservation and Attractions representatives

Historic Yule River meeting unites Pilbara Aboriginal voices (PAV)



More than 400 Traditional Owners from across the Pilbara attended the 5th Annual On-Country Bush Meeting at Yule River

The 5th Annual On-Country Bush Meeting at Yule River was another extraordinary gathering bringing together more than 400 Traditional Owners from across the Pilbara to discuss issues affecting them and their families.

The meeting endorsed Pilbara Aboriginal Voice, Kakurrka Muri (Karriyarra language for Yule River), or PAV, the remarkable group borne out of the 4th meeting in 2017. PAV has made significant progress working together to address issues including language preservation, remote housing, the protection of Aboriginal heritage, Constitutional Recognition, health, education, justice and the welfare of children.

This year, the group welcomed expressions of interest and was officially endorsed and recognised by both Federal and State Aboriginal Affairs Ministers Ben Wyatt and Senator Nigel Scullion, and others. PAV was acknowledged as an historic union of language groups working as one voice, to call on all levels of

government to improve living conditions for Aboriginal West Australians.

The 2018 meeting was also attended by Federal Senators Pat Dodson and Sue Lines, as well as State Government Minister Alannah MacTiernan (Regional Development), Member for Pilbara Kevin Michel, Member for Mining and Pastoral Region Robin Chapple, and Member for Warren Blackwood Terry Redman (Nationals spokesperson for Aboriginal Affairs).

History of the Yule River meetings

Meetings held at Yule River are historic and have been organised by Aboriginal people in the vast Pilbara region for decades. The dry river bed off the North West Coastal Highway, just south of Port Hedland, is seen as a place where people from different language groups can come together to discuss common issues affecting Aboriginal communities across the region.

Stemming from the actions taken in the lead up to the 1946 Pilbara Strike, when Aboriginal people held secret meetings in remote bush locations to plan an ambitious three-year walk off by Aboriginal pastoral workers who were living on cattle stations in conditions of virtual slavery, Pilbara Aboriginal people continued in their efforts to advocate for improved conditions and outcomes by organising bush meetings. During the land rights era, from the late-1970s, Yule River became the focal point for such gatherings which were often attended by up to 2,000 Aboriginal people from all over the Pilbara. At this time, "Old Man Parker" (born Herbert), was the Pilbara representative for the National Aboriginal Consultative Committee, the first national body elected by Aboriginal people, and introduced by the Whitlam Government. Mr Parker presided over these meetings on the river's sandy banks as Aboriginal people from all over the Pilbara region gathered to talk about lands

trust business, housing complaints and land rights. Many important initiatives have been borne from Yule River meetings, with both concerns and solutions coming directly from Pilbara Aboriginal people; and with government representatives expected to attend to hear and address their concerns. Through the efforts of then YMAC Co-Chairperson, Mrs Doris Eaton (whose father was a key player in the 1946 Pilbara Strike), and the YMAC Pilbara Regional Committee, the Yule River meetings recommenced in 2014. All language groups from across the region are invited to attend these meetings and share their concerns. Much like they were decades ago, gatherings at Yule River are an important opportunity for a diverse range of Aboriginal voices to be heard.

See the highlights video from the 5th Annual On-Country Bush Meeting at Yule River at ymac.org.au



Njama Elders Tina Taylor (left) and Mrs Doris Eaton (far right), Deputy Co-Chair and Director, YMAC, with Pilbara lawman David 'Yandi' Stock (centre)



PAV unites again for change

More than 20 Aboriginal people from different language groups across the Pilbara came together in South Hedland over two days in August as part of Pilbara Aboriginal Voice, Kakurrka Muri (Karriyarra language for Yule River), or PAV.

PAV Co-Chairs Danny Brown and Linda Doogiebee said PAV represented the strongest and most unified group of Aboriginal people to form to call for change in the region since the 1946 Pilbara strikes.

"A number of groups that have formed in the Pilbara over recent decades have unfortunately failed, unlike

PAV which has been formed by Aboriginal people, for Aboriginal people, at Yule River meetings," Mr Brown said.

Ms Doogiebee said PAV was calling on the State Government, whose Ministers were in town for regional cabinet meetings, to provide ongoing funding for the group to make meaningful change in the region.

"Despite our differences in language and land, we must work together if we are to improve the lives of Aboriginal people in the Pilbara," she said.



Members of PAV at the meeting in South Hedland (PAV Co-Chair Linda Doogiebee seated front row far left, centre is Elder and PAV cultural authority Mrs Doris Eaton; (back row) furthest left, YMAC Pilbara Regional Manager Donny Wilson and YMAC CEO Simon Hawkins



Wajarri Yamatji Determination

The Wajarri Yamatji community celebrated recognition of its second determination of native title (called the Part B Determination) by the Federal Court of Australia in Perth on 23 April 2018.

Federal Court Judge Justice John Griffiths made the consent determination which recognised native title over an area of approximately 12,252 square kilometres of land and waters in the Murchison and Gascoyne regions.

The determination covers unallocated Crown land, Aboriginal-held pastoral leases and a number of Aboriginal reserves and communities. Exclusive possession of native title is recognised over an area of approximately 9,100 square kilometres.

The Part B Determination encompasses the Aboriginal communities of Burringurrah, Pia Wadjari and Buttah Windee. It also includes Wilgie Mia, located in the Weld Range near Cue, the largest and deepest Aboriginal ochre mine in Australia which was added to the

National Heritage List in 2011 in recognition of its outstanding heritage value.

This determination follows the Part A Determination that was made by the Federal Court in October 2017 over approximately 68,743 square kilometres of land and waters.

The Wajarri Yamatji Working Group said it was an important day for the Wajarri people.

"It recognises our rights (including our exclusive rights) in our barna (Country) that has existed since long before European colonisation."

"We have always known where we come from, but this determination means that our connection to our land is recognised under Australian law."

"On this day, we'd like to pay our respects to Wajarri elders past and present for their tireless work in achieving this native title determination."



Wajarri Yamatji native title holders celebrate their native title determination with Justice Griffiths (far right)

Robe River Kuruma Determination



Robe River Kuruma native title holders celebrate native title recognition with Justice Rangiah (seated third from left)

On Thursday 26 April 2018, the Robe River Kuruma community celebrated recognition of its second determination of native title (Part B Determination) at a Federal Court Hearing held on-Country at Pannawonica Hill.

The celebration was facilitated by YMAC as the Native Title Representative Body for the Pilbara Region, and Kuruma Marthudunera Aboriginal Corporation (KMAC), the Prescribed Body Corporate (PBC).

The Part B Determination area covers approximately 5,720 square kilometres within the Shire of Ashburton and includes the middle Robe, the Bungaroo Valley and the Buckland Ranges. The first determination of native title, known as the Part A Determination, was made by the Federal Court in November 2016 and covers approximately 4,109 square kilometres of land. The Part B Determination means the Robe River Kuruma people's own system of laws and customs in relation to land, and ownership of land are recognised by Australian law. As a result of this historic outcome, the Robe River Kuruma people will continue to be consulted about developments on their land.

Justice Rangiah told the gathering the Federal Court of Australia was recognising what they have always known to be true – that they are the owners of the land.

Sara Slattery, Traditional Owner and Chair of Kuruma Marthudunera Aboriginal Corporation, said it was a beautiful day for Kuruma people.

"A long time coming - over 26 years," Ms Slattery said.

"A big thank you to our people who have passed, it's because of them that we're here today celebrating native title recognition."

National Native Title Conference held in Broome

The 2018 National Native Title Conference was convened by the Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS) and the Kimberley Land Council (KLC) and hosted by the Yawuru people on their traditional lands in Broome.

Titled *Many Laws, One Land: legal and political co-existence*, the conference was a forum on Aboriginal and Torres Strait Islander land owner experiences of navigating intersecting systems of law, and promoted new ideas for how native title holders, practitioners and the broader Australian public can work together to further leverage native title rights.

Donny Wilson, YMAC's Pilbara Regional Manager, presented at the conference on the approach that YMAC takes to support Traditional Owner decision-making processes through legitimate, properly authorised forums and group meetings.

He explained how the evolving working relationship between Traditional Owners and native title representative bodies creates opportunities to collaborate in new and diverse ways.

Donny's presentation celebrated the Annual On-Country Bush Meeting at Yule River as a way of relating law and culture to government policy.

Mr Wilson said since the introduction of Native Title, Aboriginal people have had to focus on their own families creating more boundaries.

"Yule River is bringing families back together, getting the old people involved again." Mr Wilson said.

Yule River is where both indigenous and non-indigenous people can witness that a strong law and culture still exists, and it is still very meaningful and important."



Mr Donny Wilson, Pilbara Regional Manager, YMAC presenting at the National Native Title Conference in Broome

YMAC calls for repeal of *Aboriginal Heritage Act 1972*

As part of the State Government's review of the *Aboriginal Heritage Act 1972* (AHA), YMAC has made a submission recommending the Act be repealed and replaced in its entirety to ensure a cogent statute is introduced consistent with the United Nations Declaration on the Rights on Indigenous People (UNDRIP), the Native Title Act 1993 (Cth) (NTA), and the Racial Discrimination Act 1975 (Cth) (RDA) all of which post-date the AHA.

Western Australian Minister for Aboriginal Affairs Ben Wyatt said the three-phase review is aimed at modernising the legislation to be respectful of Aboriginal people, and to ensure their heritage is recognised, protected and celebrated by all West Australians.

The Minister aims to have the amended legislation passed by both houses of Parliament by the end of 2020.

YMAC's responses to the specific questions raised in the Phase 1: "*Review of the Aboriginal Heritage Act 1972* Consultation Paper – March 2018" were presented as a submission to the Department of Planning, Lands and Heritage on 30 May 2018.

In summary, YMAC stated that the AHA reform must:

1. Formally recognise that Aboriginal heritage belongs to Aboriginal people.
2. Align land rights and interests under native title law with the heritage protection regime.
3. Ensure Aboriginal people have a role in surveys, consultation, reporting, decision-making and protection of their cultural heritage.
4. Implement standards, criteria and procedures for identifying and evaluating heritage, and assessing the merits of issuing permits.
5. Make the system of administration and governance transparent, including the reporting and penalising of project proponents that cause a breach of the AHA.

YMAC's position is consistent with the statement made by the WA Alliance of Native Title Representative Bodies and Native Title Service Providers.

YMAC is awaiting the outcome of the Phase 1 consultation, and will take part in the Phase 2 consultation when the opportunity arises.

Our full submission, and all YMAC submissions, are available on our website at ymac.org.au

First Nations Governance Forum

YMAC Co-Chair Peter Windie attended the Australian National University's First Nations Governance Forum held in Canberra on 2, 3 and 4 July with some of the world's leading experts in constitutional reform and indigenous governance.

The forum is a response to all that has come before it, but particularly the delivery of the 'Uluru Statement from the Heart' last year, by the Referendum Council's National Convention, and the Federal Government's dismissal of the proposal for a Voice to Parliament.

Hosted by the ANU Council and Aboriginal parliamentarians: Hon Ken Wyatt MP; Hon Linda Burney MP; Senator Malarndirri McCarthy; and Senator Pat Dodson, the forum considered where we go from here, and was attended by First Nations leaders from Norway, Canada, USA, Sweden and New Zealand who shared their practical experience serving in leadership positions in their homeland parliaments.

YMAC has officially supported the Uluru Statement from the Heart and actively participated in its development.

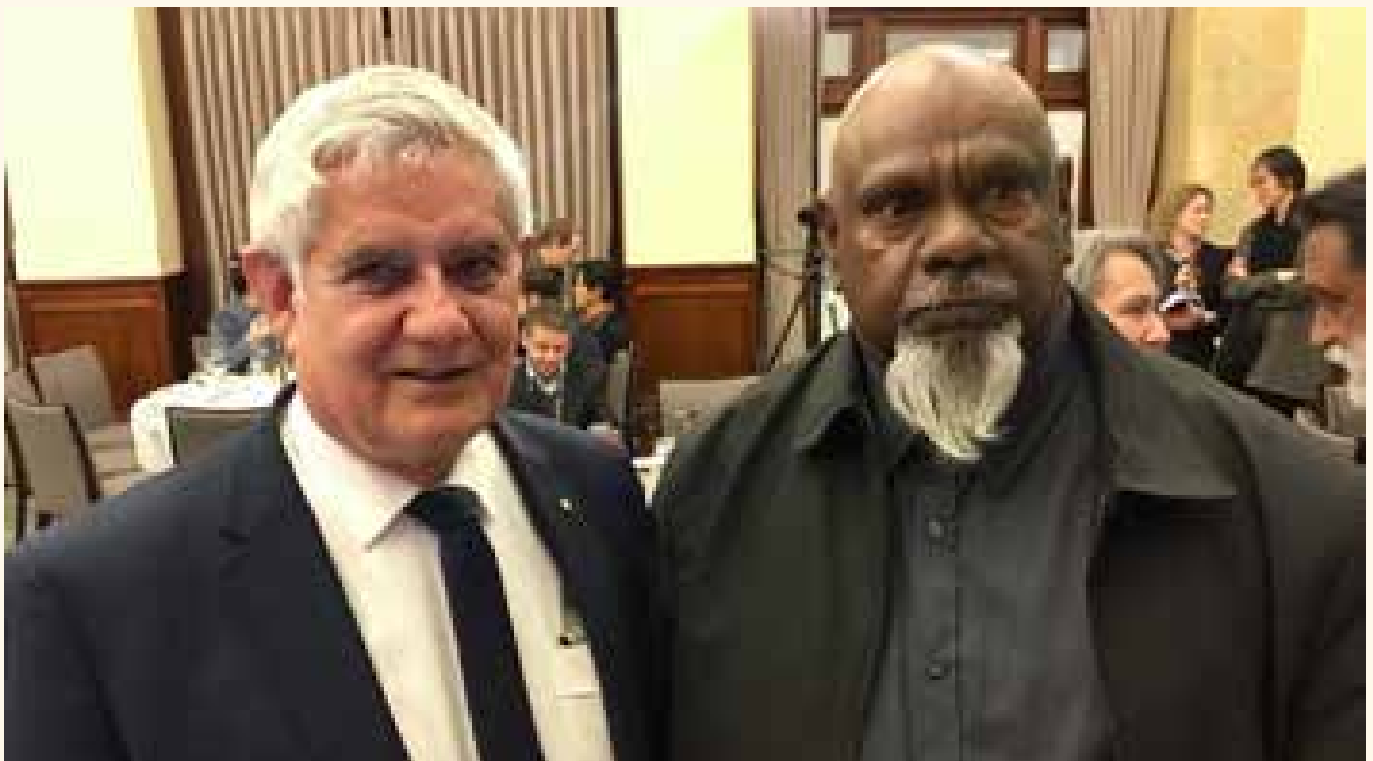
Co-Chairs and Directors participated in the Regional Dialogue held in Perth in March 2017, and Mr Windie attended the National Convention at Uluru and signed the Statement on Behalf of YMAC.

The Statement was presented and endorsed at the 4th Annual On-Country Bush Meeting at Yule River in 2017.

For more information on the ANU First Nations Governance sessions visit:

<http://www.anu.edu.au/about/strategic-planning/first-nations-governance-forum>

For more information about YMAC, and for all the latest news, visit ymac.org.au



Hon. Ken Wyatt with Mr Peter Windie (Co-Chair Yamatji Region, Director, YMAC) at the First Nations Governance Forum (source: Twitter)

Constitutional Recognition

A Public Hearing of the Joint Select Committee on Constitutional Recognition Relating to Aboriginal and Torres Strait Islander Peoples was held in Perth on Friday 6 July 2018.

Although YMAC was not invited to present a statement, a letter was submitted to be read out for consideration in the Committee's report. It outlined YMAC's official support of the 'Uluru Statement from the Heart' and commitment to working with local, regional and national partners to build support for the proposal at the political level, and among all Australian people. We acknowledge 'Uphold & Recognise', a non-profit organisation committed to its charter for upholding the Australian Constitution and recognising Indigenous Australians. We consider their work a logical next step in the process to resolve technical issues associated with Constitutional Recognition. Our submission can be viewed on our website at www.ymac.org.au.

The Uluru Statement from the Heart set out three proposals:

- **A Voice to Parliament:** That a referendum be held to provide in the Australian Constitution for a representative body that gives Aboriginal and Torres Strait Islander First Nations a Voice to the Commonwealth Parliament. A key function of the body should include monitoring the use of the heads of power in section 51 (xxvi) and section 122 of the Constitution. The body will recognise the status of Aboriginal and Torres Strait Islander peoples as the first peoples of Australia.
- **Declaration of Recognition:** A Declaration of Recognition should be developed, containing inspiring and unifying words articulating Australia's shared history, heritage and aspirations. The Declaration should bring together the three parts of our Australian story: our ancient First Peoples' heritage and culture, our British institutions, and our multicultural unity.
- **Makarrata Commission:** The Uluru Statement called for the establishment of a Makarrata Commission with the function of supervising agreement-making and facilitating a process of local and regional truth telling.



Uluru Statement from the Heart, with signatures from attendees at the 2017 Yule River meeting

YMAC & Nyangumarta Warrarn Rangers office opens in Broome



Hon Minister for Environment, Stephen Dawson MLC, Senior Cultural Advisor, Nyaparu Rose and Hon Treasurer, Minister for Finance, Aboriginal Affairs, Ben Wyatt MLA with the Nyangumarta Warrarn Rangers

It was a strong turnout at the official opening of the Nyangumarta Warrarn Rangers and Yamatji Marlpa Aboriginal Corporation (YMAC) office in Broome in May with more than 50 people attending.

The Rangers provided information about activities undertaken under the successful Nyangumarta Indigenous Protected Area (IPA) land and sea management program.

Ben Wyatt, State Minister for Aboriginal Affairs, and Stephen Dawson, State Minister for Environment, were also in attendance and spoke with rangers and invited guests.

Yawaru's Jimmy Edgar welcomed guests to Country, while Senior Cultural Advisor, Nyaparu Rose, spoke about the program's history and significance.

YMAC Chief Executive Simon Hawkins welcomed Federal and State Government support of Indigenous Ranger Programs so that knowledge could be used to manage and care for natural and cultural assets, and

passed down to future generations.

"Without government funding the program would not be sustainable and I am pleased to say that as part of the Indigenous Advancement Strategy (IAS), YMAC has successfully secured funding from the Federal Government for the Nyangumarta Ranger Program," Mr Hawkins said.

Minister Wyatt acknowledged the Nyangumarta Warrarn Ranger Program as an excellent example of how the Aboriginal rangers can deliver social, cultural and economic benefits.

"The Nyangumarta rangers do an amazing job of managing their Country, and help to make it relevant and meaningful to the broader Western Australian community," Mr Wyatt said.

Ms Rose said the program had not only generated employment opportunities for Aboriginal people, but created a sense of community in working together to care for Country.

"That's why continued support from the government is important to ensure this program continues to reach its full potential," Ms Rose said.

Since the Nyangumarta IPA dedication in July 2015, the program has grown significantly.

In May this year, Federal Minister for Indigenous Affairs, Senator the Hon Nigel Scullion, announced a three-year funding extension for Indigenous Rangers from 1 July 2018 until 30 June 2021.

This contract extension for the IPA will provide a level of longer-term security for the Nyangumarta Rangers to continue their activities including feral animal control, fire management, fauna and flora monitoring, cultural heritage protection and tourism.

Nyangumarta IPA and Ranger Program

- The Nyangumarta IPA covers about 28,420 square kilometres including the joint management and protection of a section of Eighty Mile Beach Marine Park and Walyarta Conservation Park—one of the most important sites for migratory shorebirds in Australia
- 17 rangers employed in casual, part and full-time positions
- Three part-time school based trainees
- 14 elders employed on a casual basis as cultural advisors



Nyangumarta Rangers attending the Broome office opening event



L-R: Shire of Carnarvon acting CEO Mark Dacombe, with Kathleen Musulin and Bob Dorey

Walking for acknowledgement, healing and remembrance

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On 27 April more than 25 people participated in the CroakeyGo walk of acknowledgement and remembrance on Yinggarda country in Carnarvon.

They followed the trail where Aboriginal people were forcibly taken en route to the lock hospitals of Bernier and Dorre Islands (1908-1919). Between 1908 and 1919, several hundred Aboriginal people from across Western Australia were forcibly removed from their families and Country and taken to the lock hospitals via Carnarvon. Many family members who were separated during the lock hospital scheme never saw each other again. It is conservatively estimated that more than 200 people died on the islands. The prisoner patients were said to have the non-specific diagnosis of "venereal disease", although many questions have been raised about the reliability of this diagnosis. These lock hospitals were part of a wider history of racially-based medical incarceration of Aboriginal and Torres Strait Islander people in WA, the Northern Territory, and Queensland, that took place for almost a century from the late 1800s. In WA, the *Aborigines Act of 1905* provided the legislative architecture for the lock hospital scheme. The people removed for medical incarceration were often made to travel long distances in chains, including neck chains. In 1910-1911, it took three months for a group of people captured near Sandstone, in the State's Mid West, to make the traumatic journey in chains to Carnarvon en route to Bernier Island. The Lock Hospital CroakeyGo walk brings the community together to ensure greater awareness and understanding of this tragic history.

Pilbara Solar sponsors Pilbara-Kimberley Forum



In May 2018 Pilbara Solar was a major sponsor of the Pilbara Kimberley Forum hosted by the Pilbara Regional Council.

Pilbara Solar is a 25 per cent Aboriginal-owned renewable energy development company developing commercial projects with an equity position for Traditional Owners.

It strives for sustainable economic development that benefits Traditional Owners, business, government and the community, with a low carbon footprint and high Corporate Social Responsibility.

The Forum was an opportunity for key government, business, and community leaders to develop joint advocacy initiatives for the development of north-western Australia.

Pilbara Solar Directors presented on the First Nations and More Energy panels promoting the business model consistent with the aspirations of Aboriginal communities to have equity ownership of infrastructure projects.

A Recommendations Paper from the event was delivered to key decision-makers including Prime Minister Malcolm Turnbull and WA Premier Mark McGowan. The paper notes the importance of engaging Aboriginal people in the development of business in the region.



Mrs Raylene Button, Kariyarra woman and Director of Pilbara Solar, presenting at the First Nations panel during the Pilbara-Kimberley Forum



NAIDOC celebrations at the Bundiyarra Family Day, Geraldton

NAIDOC Week Celebrations

Aboriginal and Torres Strait Islander women have and continue to play active and significant roles at community, local, State and national levels. Under the theme - Because of Her, We Can! - NAIDOC Week 2018 was held nationally from Sunday 8 July through to Sunday 15 July.

YMAC's Geraldton staff held their annual stall at the Bundiyarra Family Day on 11 July. The event was opened with a moving Welcome to Country by Minangu (Donna Ronan) and her son Gura Gula "fire in the eyes". The NAIDOC theme of 'Because of Her, We Can', received an emotional response on the day with heartfelt poetry readings by local poet Nola Gregory. Families attending the event enjoyed a traditional bush tucker lunch cooked in camp ovens in the coals, live music and kids activities.

YMAC's Geraldton Regional Manager, Chris Dann also attended the NAIDOC dawn service where YMAC presented a wreath in remembrance of our service men and women, and YMAC staff and members attended a morning tea with staff at the Department of Communities and Housing.

In the Pilbara, YMAC welcomed the Hedland Aboriginal Strong Leaders (HASL) to present the 2018 Port Hedland NAIDOC Awards at the 5th Annual On-Country Bush Meeting at Yule River. Raylene Button, HASL Co-chair, thanked the Julyardi Aboriginal Corporation and Pilbara Development Commission for their support, with 15 awards presented including Elders of the Year, Artists of the Year and Reconciliation awards.

Yaburara Mardudhunera Determination



Yaburara Mardudhunera native title holders celebrate native title recognition on the banks of the Fortescue River

YMAC congratulates the Mardudhunera people on their determination of native title made 27 July by the Federal Court.

More than one hundred people gathered on the banks of the Fortescue River to welcome the determination by Justice Michael Barker.

Justice Barker announced recognition by the laws of Australia of the laws, customs and native title belonging to the Yaburara Mardudhunera people over 9,130 square kilometres of land and waters in the Pilbara region after a 22-year campaign.

While YMAC acted for the Kuruma Marthudunera people in this matter, it was good to see that a satisfactory resolution was able to be achieved so that all Mardudhunera people can be recognised as native title holders and work together to care for country.

YMAC offers them hearty congratulations.

Country, Culture, People, Future

About us

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

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

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

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



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