



Malgana people celebrate native title win

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Photo: Justice Murphy from the Federal Court of Australia congratulates Traditional Owner Dolly Minney on Malgana's native title determination.

In an on-Country Federal Court hearing at George Wear Park, Denham Foreshore, WA – the Malgana people have been formally recognised by the Federal Court as native title holders after a 20-year long legal process. Today's hearing marks the beginning of a new phase for the Malgana people as native title holders.

The judgement made by Justice Murphy recognised the native title rights and interests held by the Malgana people in relation to the land and waters covered by the Determination Area.

Justice Murphy congratulated the Malgana Applicants on their native title determination.

“I congratulate the Malgana people for their dedication to achieving recognition of their native title. It took too long and too much work, and to get there is a great achievement.”

The Malgana People's native title claim (WAD 6236 of 1998) was lodged in March 1998.

The Determination Area covers about 28,800 square kilometres of Malgana traditional country and encompasses: much of the UNESCO World Heritage Listed (1991) Area of Shark Bay and the Shark Bay Marine Park, Dirk Hartog Island National Park, Edel Land Peninsula and Steep Point – the most westerly point on Mainland Australia, the township of Denham and the whole of the Peron Peninsula and number of pastoral leases.

All Malgana Country and waters are important to the Malgana people. Some areas of particular cultural, historical and environmental significance within the Determination Area include Dirk Hartog Island, Carrarang, Hamelin homestead, Carrarang station, Denham townsite (previously called Freshwater Camp), Faure Island, Peron and Magpie.

The Determination Area is home to places of special spiritual significance to the Malgana people, in particular the burial places of the old people, whose spirits still inhabit Malgana country today.

The Malgana people have maintained a traditional connection to this area since time immemorial, with a vibrant living culture maintained through stories, spiritual connections to the ancestors and country, caring for and managing country and waters, and by passing on traditional knowledge through each generation. Malgana people have a strong connection to their land and waters through their intrinsic local knowledge of its natural resources and the land and seascape.

Fishing is one of the main customary activities of many Malgana people, which allows people to spend time on their waters teaching younger relatives about the sea's resources and the ecological knowledge to look after the country. Malgana people also have extensive knowledge of the land's resources learned from their old people, from the collection of bird and turtle eggs, the hunting of animals to the gathering of native plant foods and medicines depending on the seasons.

This same law and culture is still very alive today and is passed on through the generations in the same way as it has been for thousands of years.

Traditional Owner Marika Oakley, who is also Chairperson of the Malgana Aboriginal Corporation said, “Country doesn’t just belong to us. We belong to Country and we need Country as much as Country needs us.”

The celebration was facilitated by Yamatji Marlpa Aboriginal Corporation (YMAC), the Native Title Representative Body for the Yamatji region.

Yamatji Marlpa Aboriginal Corporation Chief Executive Officer Simon Hawkins said, “Congratulations to the Malgana People on their success in what has been a long and hard fight. Success has come from the persistence and determination of Malgana Elders - sadly, some of whom are no longer with us to witness the outcome of their efforts.

“Today is a day of celebration and we look forward to the future. Moving forward, YMAC is excited about the prospect of working collectively with the Malgana People on a range of initiatives and programs that they want to develop, for the benefit of their community,” Mr Hawkins said.

All quotes from Yamatji Marlpa Aboriginal Corporation must be attributed to Mr Simon Hawkins, CEO Yamatji Marlpa Aboriginal Corporation.

About Yamatji Marlpa Aboriginal Corporation

Yamatji Marlpa Aboriginal Corporation (YMAC) is the native title representative body for the Pilbara, Murchison, Mid-West and Gascoyne regions of Western Australia. YMAC has a representative area of over one-third of WA and represents over 24 native title claims, all with their own language, culture and traditions. YMAC is a not-for-profit organisation run by an Aboriginal Board of Directors and provides a range of services to its members including claim and future-act representation, heritage protection services, community and economic development and natural resource management.

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