

Yamatji regional gathering to discuss heritage protection, language preservation and more

MEDIA RELEASE: 14 October 2021



Photo: Traditional Owners Mr Albert Winder (Yinggarra) and Ms Tracey Tonga (Yinggarra, Banjima and Wadjari) presenting the position statement on day two of Yamatji On-Country.

Traditional Owners at the Yamatji On-Country meeting have put the State Government on notice to suspend any and all further proceedings directly associated with the draft *Aboriginal Cultural Heritage Bill 2021*.

All those attending agreed that while the current *Aboriginal Heritage Act 1972* is outdated, the proposed *Bill* ultimately remains to be an approvals process to enable the destruction or harm of Australia's Aboriginal cultural heritage.

The two-day was meeting held in Carnarvon at Gwoonwardu Mia – Gascoyne Aboriginal Heritage and Cultural Centre on 13 and 14 October. The event brought Aboriginal people

together from across the Mid West, Gascoyne, and Murchison to discuss the Bill and importance of language preservation.

On day two, speakers nominated by the community - Traditional Owners Mr Albert Winder (Yingarrda) and Ms Tracey Tonga (Yingarrda, Banjima and Wadjari) - presented a position statement **[following this statement]** to invited parliamentarians and other guests on the Bill.

Attending guests and speakers on day 2 included – Western Australia’s first female Aboriginal Senator Dorinda Cox of the Australians Greens party, and Senator Sue Lines of the Australian Labor Party, as well as representatives from State and Federal government agencies.

In opening the forum, YMAC Chairperson – Yamatji Region, Mr Peter Windie said, “Today is about you, me, our communities, our future. It’s our chance to talk together about protecting our language and culture and heritage.”

Traditional Owners from across the state are travelling to Perth on Saturday 23 October, to the join the ‘Walk for Cultural Heritage,’ set to commence at 9am in Victoria Gardens East Perth. Aboriginal and non-Aboriginal people will unite to call for greater protection of Australia’s cultural heritage.

To register for the Walk and for more information visit protectaboriginalheritagewa.org.au

ENDS (please also refer position statement from Traditional Owners, following)

*Quotes in **media statement** to be attributed to Mr Peter Windie, Co-Chairperson – Yamatji, Yamatji Marlpa Aboriginal Corporation.*

*Quotes in **attached Position Statement** to be attributed to Traditional Owners Mr Albert Winder (Yingarrda) and Ms Tracey Tonga (Yingarrda, Banjima and Wadjari) -*

Pronunciation Guide:

| | | |
|------------------------|----------------------------|----------------------|
| Yamatji – Yam-at-gee | Banjima – Ban-ji-mah | Mia – My-ah |
| Marlpa – Marl-pah | Gwoonwardu – Gwoon-wah-doo | Wadjari - Wod-ja-ree |
| Yingarrda – Ing-ga-dah | | |

About Yamatji Marlpa Aboriginal Corporation

Yamatji Marlpa Aboriginal Corporation (YMAC) is the Native Title Representative Body (NTRB) for what are described as the Pilbara (Marlpa) and Geraldton (Yamatji) regions of Western Australia. YMAC is run by an Aboriginal Board of Directors, representing several native title groups, each of whom has their own language, culture, traditions and protocols. YMAC provides a range of services, including native title claim and future act representation, heritage services, executive office, community, economic development assistance, and natural resource management support.

Media contact: **Jane Mitchell**, Communications Manager, email jmitchell@ymac.org.au or editor@ymac.org.au , mobile **0427 463 796**.

**YMAC 'Yamatji On-Country Meeting
Wednesday, 13th & Thursday, 14th October 2021**

Traditional Owners' Position Statement

Presented by: Ms Tracey Tonga (Yingarrda, Banjima and Wajarri) & Mr Albert Winder (Yingarrda and Malgana)

As the appointed spokespersons on behalf of the Traditional Owners who attended the 2021 'Yamatji On-Country' Meeting on Wednesday, 13 October 2021 in Carnarvon, we present our Position Statement to notify the Western Australian (WA) State Government.

While all present Traditional Owners at this forum agreed that the *Aboriginal Heritage Act (1972)* is outdated, inefficient, ineffective, and has little credibility with us, we have moved a motion at this forum to oppose and reject the draft *Aboriginal Cultural Heritage Bill 2021* on the basis that it:

1. Contradicts and undermines our self-determination rights and privileges of Traditional Owners; and,
2. Restricts our voice, dismisses our cultural authority and denies us any delegation in decision making processes that involve protecting and preserving our land, culture, language, heritage and interests.

Furthermore, we, as the Traditional Owners, request that the WA State Government immediately suspend any and all further proceedings directly associated with the draft *Aboriginal Cultural Heritage Bill 2021* until the following recommendations are met by the WA State Government:

Recommendation 1: Public consultations with Traditional Owners

- a) *Additional face to face public consultations and negotiations are held with Traditional Owners on Country so that we:*
- b) *Be provided with the Exposure Draft Bill (Green Bill),*
- c) *Become better informed about the amendments made to the 'Green Bill'; and,*
- d) *Are given adequate opportunity and time to review and co-design more culturally inclusive conditions to the Bill that ensures, we as Traditional Owners, retain our cultural authority and delegation in all decision-making processes that*

involve the protection and preservation of our land, culture, language and heritage.

Recommendation 2: Inclusion of Traditional Owners

- a) *The WA State Government demonstrates it is culturally responsive to the needs of Traditional Owners by ensuring any or all information provided and gathered from us through public consultations and negotiations and the like, are incorporated into the Bill.*

Recommendation 3: Restructure the proposed Aboriginal Cultural Heritage Council (ACHC)

- a) *As Traditional Owners, we recommend the ACHC be restructured to align with a cultural governance model that we determine best suits, represents and protects our cultural needs and interests of our region.*

Recommendation 4: Allocated funding to Local Aboriginal Cultural Heritage Services (LACHS)

- a) *As Traditional Owners, we deem the committed funding of \$10 million dollars by the WA State Government to support the LACHS is insufficient and needs to be increased to an amount that assures security.*

Recommendation 5: Increase funding to Prescribed Bodies Corporate (PBC's)

- a) *As Traditional Owners, we request further funding be committed by Federal Government to existing PBC's to enhance their capacity and capability to support our interests and needs.*

Recommendation 6: Extend the Activity Criteria

- a) *As Traditional Owners, we recommend that the proposed Activity Criteria be extended to include other Cultural & Heritage dimensions that we deem are place-based and relevant to our region.*

Recommendation 7: Issues of consent - No should mean No

- a) *As Traditional Owners, we recommend that no power should exist to authorise damage to cultural heritage without the consent of Common Law Holders and Traditional Owners.*

Recommendation 8: Formal approval process.

- a) *As Traditional Owners, we recommend the WA State Government amend the 'recommend' condition of interested parties to consult 'in good faith' with Traditional Owners as part of the application process; and replace with 'MUST' consult with Traditional Owners as part of the application process to access our land.*

As Traditional Owners, we exercise our sovereign rights to our lands, and we call on the WA State Government to act in our interest to protect and preserve our Culture and Heritage.

Note: the term **Traditional Owners** are people with connection to Country and cultural authority over their traditional lands. This includes Common Law Holders, which is what Traditional Owners are referred to following a positive native title determination.