

# Overview

## July 08

### Tribunal win for PKKP

In July, the Puutu Kunti Kurrama and Pinikura native title claim group and the Wintawari Gurama Aboriginal Corporation successfully proved that the mining giant Fortescue Metals Group failed to negotiate in good faith and fulfill its obligations under section 31 of the Native Title Act 1993.

The matter was over a proposed mining tenement application, 65 kilometres west of Tom Price encompassing 4,320 hectares of traditional land and waters. FMG launched a Federal Court appeal against that decision, which was upheld in February 2009. YMAC is now seeking advice in relation to taking the matter to the High Court.

## August 08

### Pilbara elders give evidence at Federal Court hearing

In August, Aboriginal elders in the Pilbara recounted ancestral knowledge of their laws and customs at a Federal Court hearing in order to strengthen their native title claim. The hearing, held at Mount Stuart in traditional Puutu Kunti Kurrama and Pinikura country, was presided over by Judge McKerracher. Preservation evidence can include information about the native title group's traditions, laws, customs, language, family history and places of cultural significance.



*YMAC Deputy Principal Legal Officer, Shaz Rind, congratulates Pilbara Regional Manager, Nyaparu Jeffries on the PKKP win.*

YMAC Geraldton staff with copies of the recently launched 'Yamatji Business News'.



## September 08

New publication unites Mid-West Indigenous business

In September, YMAC launched the first issue of Yamatji Business News, promoting indigenous economic and business opportunities in the Murchison, Gascoyne and Mid-West. The initiative, driven by YMAC's Economic Development Unit, aimed to establish Yamatji Business News as a focus point for the Aboriginal community, government agencies and other stakeholders.

## October 08

Support for Attorney-General's Changes to Native Title System

In October, Yamatji Marlpa Aboriginal Corporation publically supported Attorney-General Robert McClelland's announcement that the Federal Court will assume a more central role in the management of native title claims. YMAC's Chief Executive Officer, Simon Hawkins said, "Many claims have now been in the system for up to fifteen years and YMAC supports any initiative that will see native title resolved more efficiently. We hope the Federal Court's new role in mediating claims will encourage the State and other respondents to move towards consent determinations at a faster rate."

## November 08

Special General Meeting for CATSIA Changes

In November, the organisation held its first joint meeting at Cardabia Station in Coral Bay. Over 50 Traditional Owners travelled from as far as Port Hedland, Tom Price and Karratha to vote on changes to the organisation's constitution. Members also voted on shortening the corporation's name to Yamatji Marlpa Aboriginal Corporation. Pilbara Chairperson, Mrs Doris Eaton, was proud to see so many Traditional Owners from both the Pilbara and Yamatji regions at the meeting. "It's important that we have our say on the way our organisation is run and it's been fantastic to meet up with Traditional Owners from other regions."

Members of the Njama community with YMAC and Atlas Iron at the signing of the native title commercial agreement.



## December 08

Native title agreement sets new benchmark

In December, a unique deal signed between the Njama native title claim group and Atlas Iron Limited set a new precedent for mining companies throughout Western Australia.

The agreement was negotiated in three meetings over a six week period and combined strong protection of Njama country with a mining compensation package well above the current benchmark.

It established an innovative framework to accelerate the heritage survey process, while at the same time recognising the importance to Njama people of their cultural sites through ethnographic "exclusion zones".

Njama Traditional Owner, Rodney Monaghan, said the community was happy the agreement balanced the protection of their country with commercial realities.

"Atlas presented us with an agreement that not only supports the protection of our cultural sites, but offered us an opportunity to enter into an enterprise business with the company. As a community it's important that we build a strong future and maintain and protect our heritage, laws and customs," said Mr Monaghan.

## December 08

### Traditional Owners host Uranium Conference



*Allen 'Boyo' Mitchell, Rodney Bellotti, Frank Walsh and Toby Smirke attend the Uranium and Native Title Conference.*

In December 2008, YMAC hosted its Uranium and Native Title conference, in response to the WA State Government's decision to lift the ban on uranium mining. The event attracted over 100 delegates from native title claim groups, the mining industry, government departments, environmental groups and other representative bodies.

Roy Bellotti, Yamatji Chairperson said, "Today has been important for us to get information about the pros and cons of uranium mining, but we still need to learn more to make the best decisions for our people."

Mrs Doris Eaton, Pilbara Chairperson said, "I want to meet other people who have had uranium mining on their country. What has been the impact on the land, the trees and birds? We need to learn things before we sign things, to make sure we can protect our country for the future."

The conference was followed by a proactive education campaign from YMAC in 2009, including a regional education roadshow and a trip to meet with Northern Territory Traditional Owners about their experiences of uranium mining on country.



## Yamatji Marlpa

ABORIGINAL CORPORATION

### January 09

Announcement of  
our new name

The organisation started 2009 with a new name - **Yamatji Marlpa Aboriginal Corporation (YMAC)**. This decision was voted on by members at a Special General Meeting at Cardabia Station, Coral Bay.

Our new name reflects the equal standing and diversity of both regions we represent; those being 'Yamatji', the Aboriginal people of the Murchison, Gascoyne and Midwest; and 'Marlpa', used by Traditional Owners to denote the Aboriginal people of the Pilbara.

### February 09

YMAC All  
Staff Conference

In February, YMAC staff travelled to Perth for three days of 'Teamwork and Communication' training, followed by a Mining Law Course for legal and future acts staff.

The conference allowed staff to meet face-to-face and share ideas about their work for Yamatji and Marlpa members. Through a series of workshops staff gained insights to help foster collaborative working environments and innovative approaches to native title services.

Homeless Support workers Donita Larry, Clem Taylor and Bethwyn Ryder, ACCO Chairperson Nyaparau Rose, YMAC's Cris Olegario and Chris Ball from Linfox with the first shipment from Foodbank WA.



## March 09

Nyaparau Jeffries selected for National Indigenous Representative Workshop

In 2009, the Australian Government set up a National Indigenous Representative Body to give Aboriginal and Torres Strait Islander people a voice in national affairs and policy development.

YMAC's Pilbara Regional Manager, Nyaparau Jeffries, was selected as one of 100 Indigenous leaders to attend a national workshop to talk about how the representative body could work.

"YMAC represents thousands of Traditional Owners in WA, and I'm glad we have participated in these discussions. I'm looking forward to what this could mean for Aboriginal people." said Nyaparau Jeffries.

## April 09

New Aboriginal Organisation makes first delivery to Pilbara

In April, the newly-formed Aboriginal Communities Charitable Organisation Inc. (ACCO) was officially up and running following the delivery of three pallets of non-perishable food to Port Hedland.

With the support of Foodbank Inc, Newcrest Mining, and Yamatji Marlpa Aboriginal Corporation, the Aboriginal Communities Charitable Organisation (ACCO) will soon supply Aboriginal families with inexpensive groceries through a distribution outlet in South Hedland.

*KM representatives Joan Evans, Naomi Bobby, Matthew Sampi, Georgina Bobby, Neil Finlay, Jean Lockyer, Elaine James and Valerie Alexander.*



April 09

Pilbara mining deal finalised over cultural land

In April, Kuruma Marthudunera (KM) announced the finalisation of its agreement with CITIC Pacific Mining (CPM). The KM people have traditional rights to a large area of the Pilbara, south-west of Karratha. The Cape Preston area in particular is culturally significant, with a high density of sites and artifacts.

To make sure the agreement works in practice, the KM and CPM formed a Relationship Committee,

to review progress. Areas of discussion for the committee include employment, training and business opportunities, matters of cultural heritage, environmental and land access issues.

KM Elder, Elaine James, said, "The most important part is that companies have started to recognise the importance of working with our Elders."



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

## May 09

### Naajuja sign native title agreement over mid-west pipelines

#### Mineralogy 'fails to negotiate in good faith' with Traditional Owners

The National Native Title Tribunal (NNTT) found that mining giant Mineralogy Pty Ltd failed to negotiate in good faith with Kuruma Marthudunera (KM) native title group regarding an exploration license.

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

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

The Naajuja native title claim group announced the finalisation of a native title commercial agreement with MGM Pipelines Pty Ltd (MGMP). Compensation and benefits to the Naajuja people under the agreement include financial benefits, employment and contracting opportunities and Aboriginal cultural awareness training for MGMP employees.

Yvonne Radcliffe, Naajuja Elder said, "We thank MGMP for their good spirit and respect for Naajuja peoples and our ancestral lands. It was a pleasure to see the goodwill and patience taken by our guests to walk with us and see the Naajuja people's vision for our future generations."

## June 09

### Nyangumarta celebrate recognition of Country and Culture

On June 11, the Nyangumarta People celebrated the Federal Court's recognition of their culture and country. The Nyangumarta native title determination application was filed in 1998 and covers approximately 33,843 sq kms along the Eighty-Mile Beach area and extending east into the Great Sandy Desert region.

Nyaparu Rose, Nyangumarta Traditional Owner, believes the recognition of her people's rights to their traditional country is not only important to her community, but to Aboriginal people all across Australia.

"We come from Nyangumarta Country and we speak for the land. Native title is very important to us because it has allowed us to get our country back, to protect our spirits and sites, to go camping, hunting and fishing. Before native title we never had any recognition as Traditional Owners, we had no rights in our own country. Now we feel empowered."

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

in the future we can both look after the country together."

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

