

Yamatji Nation Southern Regional Agreement

YNSRA | 04



Background

In 2017, the Southern Yamatji, Hutt River, Mullewa Wadjari and Widi Mob claim groups entered into negotiations with the State of Western Australia (WA) for an agreement, now known as the Yamatji Nation Southern Regional Agreement (YNSRA) to settle native title claims in the region.

This is the fourth YNSRA newsletter. You can access issues 01 and 02 (previously called the Geraldton Alternative Settlement (GASA) newsletter) and issue 03 of the YNSRA newsletter, on the website at ymac.org.au/ynsra. You may also obtain a copy from YMAC's Geraldton or Perth office.



Yamatji Marlpa
ABORIGINAL CORPORATION



Background continued

Issue 01 February 2018:

Provided the background of negotiations.

Issue 02 April 2018:

Outlined the nine priority negotiation points, pre-conditions for negotiations proceedings, explained the role of the Traditional Owner Negotiation Team (TONT), and provided an overview of the community information sessions to date.

Issue 03 November 2018:

Outlined the change of name from GASA to YNSRA, changes to the TONT meeting structure, progress of negotiations, provided an outline of the difference between Native Title determination and a settlement agreement, and included information about anthropological research and planned community information sessions.

In this issue, you will read about topics relating to:

- the confidentiality of negotiations,
- the vision and objectives of the TONT,
- the timeline of negotiations,
- updates on the progress of portfolio meetings, workshops and mediations in the areas of: Governance, Recognition, Economic Development and Land, Conservation Estate and Rangers, and Heritage and Culture; and
- community consultation.

I hope you gain new and helpful information from this edition, and looking forward to updating you on the progress of negotiations throughout the year.

Simon Hawkins,
CEO

Yamatji Marlpa Aboriginal Corporation

Confidentiality of negotiations

This newsletter is printed to be circulated as an open document for all members of the community who are members of the four claims, and any other persons interested in knowing about the YNSRA negotiation process which is being conducted through mediation in the Federal Court.

The TONT and the State of Western Australia are bound by the Orders of Justice Barker on 22 March 2016, and the provisions of section 86 and 94 of the *Native Title Act 1993 (Cth)* in relation to the confidentiality of documents and statements made during mediation.

Therefore, the matters discussed in this newsletter are provided as general discussion topics only.

Claim members will be provided with a confidential update separately.

If at any time a claim member requires more information, please attend your next community information meeting or claim group meeting, or contact your TONT member or legal representative listed on page 7 of his Newsletter.

The Traditional Owner Negotiation Team (TONT)

As advised in previous newsletters, the 12 person TONT have been authorised by each of the four claim groups to negotiate face-to-face on their behalf. The TONT members are:

Representatives for Mullewa Wadjari

- Leedham Papertalk Snr
- Glenda Jackamarra

Representatives for Widi Mob

- Shirley McPherson
- Kathleen Pinkerton

Representatives for Hutt River

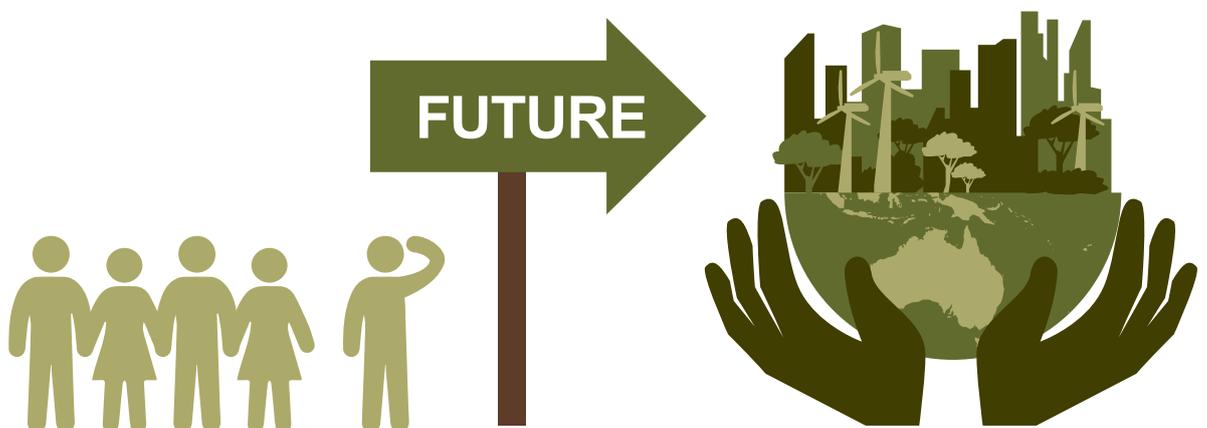
- Paul Eley
- Helen Nutter

Representatives for Southern Yamatji

- Wayne Warner
- Fred Taylor
- Rod Little
- Carol Martin
- Ross Councillor
- Delveen Whitby
- Leedham Papertalk Snr
- Glenda Jackamarra
- Helen Nutter
- Paul Eley
- Shirley McPherson
- Kathleen Pinkerton

The vision of the TONT

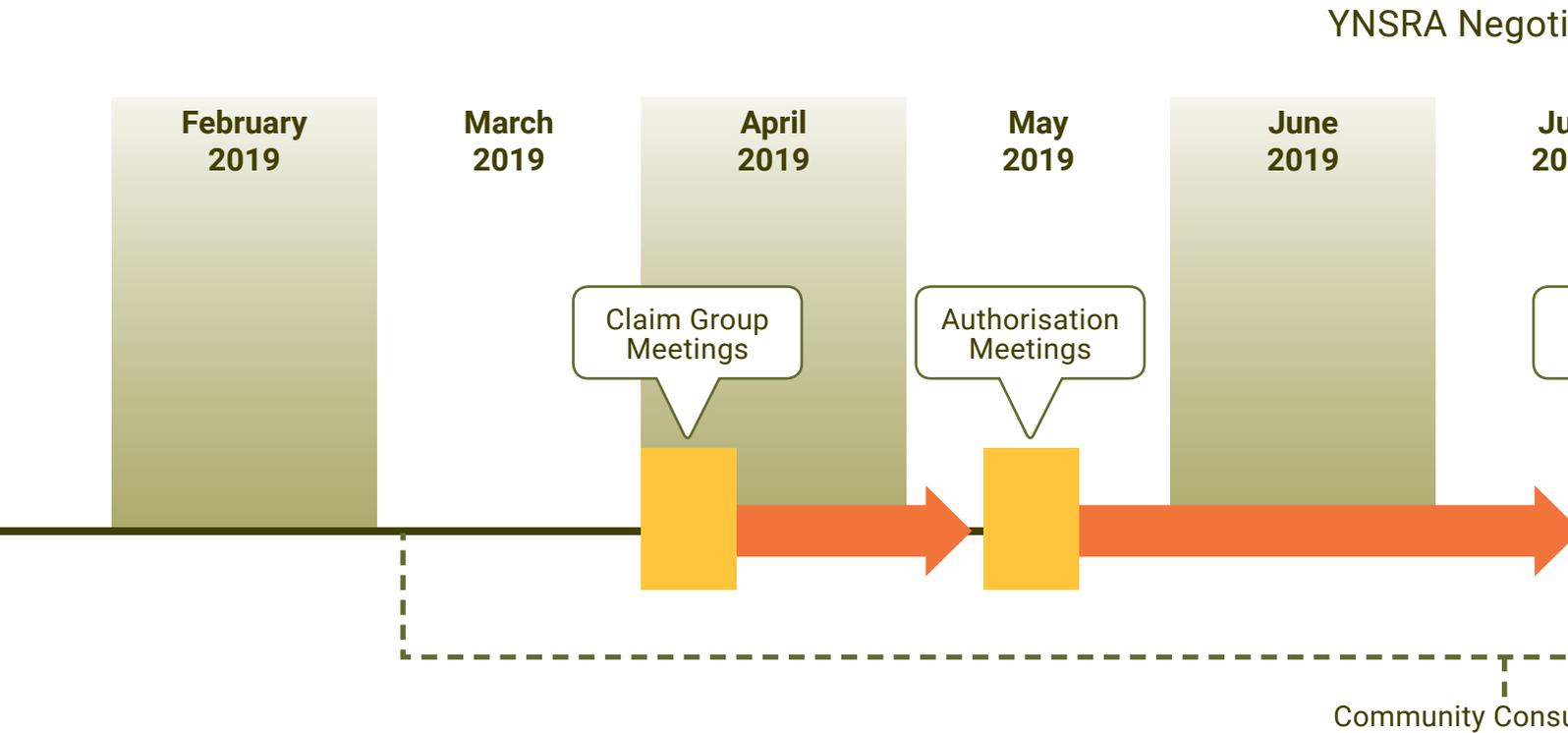
“A progressive and equitable agreement that recognises us and our Country, supports our growth and provides us with control of our destiny.” – *TONT members*



Timeline of negotiations

The negotiations are scheduled from the directive of the Federal Court through mediation.

The present timeline for completion of negotiations and authorisation is summarised in the following diagram.



Update on negotiations

Governance

The TONT’s vision is for an efficient and fit-for-purpose governance structure which provides for strong leadership and self-determination. The TONT have made significant progress in negotiating the governance structure for the post settlement process.

Land

There have been detailed negotiations (which are still ongoing on matters of due diligence) with the State regarding various components of land to form part of the settlement package.

Conservation Estate and Rangers

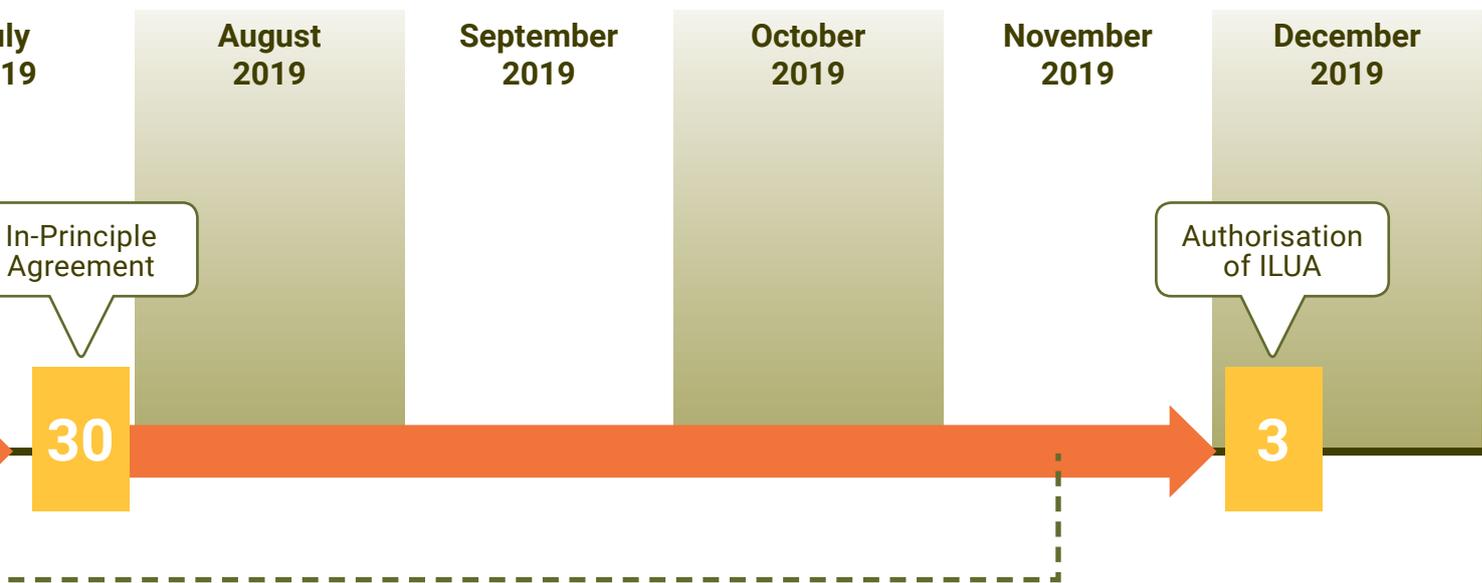
The TONT representatives have negotiated with the State about land that currently is managed by the State under the *Conservation and Land Management Act (CALM Act)*, and also about land that is proposed in the future to be managed under the *CALM Act*.

They have reached in-principle agreement on joint management and joint vesting of all land that is to be managed under the *CALM Act* within the Separate Proceeding Area (SPA).

Economic Development

The TONT’s economic mission statement is: **“To create a strong, sustainable and responsive Yamatji economy.”**

ation Timeline



ultations

One of the most significant benefits of the YNSRA agreement will be the economic opportunities negotiated by the TONT. The focus of those negotiations has been to ensure:

- Yamatji people have access to the land, resources and support necessary to create sustainable businesses;
- to generate economic activity; and
- to provide employment for Yamatji people.

To date, a number of economic opportunities have been explored by the TONT, particularly in relation to primary industries like agriculture, aquaculture, and land and sea management.

The TONT have been inspired by and drawn direction from the example of the Alaska Native people in Alaska, USA.

The Sealaska Corporation, which was founded in 1971 (under the *Alaska Native Claims Settlement Act 1971*) operate six corporations, predominantly in primary industries, and is the largest landholder in Southeast Alaska.

The TONT will continue to negotiate with the State to procure the best possible economic opportunities for Yamatji people within the SPA.

Heritage and Culture

The TONT representatives have negotiated with the State a broad package protecting and promoting Yamatji culture and preserving Yamatji heritage. This is a cornerstone in the overall negotiations from both the perspective of the State and the TONT.

An in-principle agreement on Heritage and Culture has now been reached.

Update of portfolio meetings, workshops and mediations

During the months of August 2018 to April 2019, the TONT met regularly to progress negotiations in the areas of Governance, Recognition, Economic Development and Land, Conservation Estate and Rangers, and Heritage and Culture.

Table 1.1 Summary of portfolio meetings, workshops and mediations completed by the TONT

Meeting Type	2018	2019	Portfolio	Number of meetings held
Portfolio Meetings	28 August 28 September 27 November 28 November 18 December	25 February 26 February	Land Selection	7
	29 August 25 September 19 November	21 January	Governance	4
	30 August 26 September		Economic Development and Land	2
	12 September 27 September		Heritage and Culture	2
	13 September 20 November	22 January	Recognition	3
Workshops	8 October 3 December	4 February	Governance	3
	9 October	11 March 12 March	Economic Development and Land	3
	4 December	5 February	Recognition	2
		5 March 21 March	Heritage and Culture	2
		22 March	Conservation Estate and Rangers	1
Mediations	1 November 2 November 26 November	23 January 8 February 20 March 3 April	All (non-specific)	7
	10 October		Economic Development and Land	1
	11 October	4 April	Heritage and Culture	2
		5 April	Conservation Estate	1
	5 December		All (non-specific)	1
	6 December	7 February	Recognition	2
		6 February	Governance	1

Community consultation

Community information sessions were held in March 2019 in Perth, Geraldton, Northampton, Carnarvon and Mullewa. The Port Hedland community information session on 28 March was cancelled due to extreme weather conditions.

The information sessions provided an update to community members on the progress of the negotiations and gave those that attended the opportunity to speak with the legal advisors and TONT members.



Date	Location
6 March 2019	Beckenham (City of Gosnells)
7 March 2019	Belmont (City of Belmont)
13 March 2019	Northampton
14 March 2019	Carnarvon
14 March 2019	Geraldton
25 March 2019	Geraldton
25 March 2019	Atwell (City of Cockburn)
26 March 2019	Mullewa
26 March 2019	Tuart Hill (City of Stirling)

Table 1.2 Dates and locations of the March 2019 community information sessions. All members of Hutt River, Mullewa Wadjari, Southern Yamtji and Widi Mob claims were invited to attend one or more meetings.

The community was also provided with updates about the progress of negotiations at the Hutt River, Southern Yamatji and Widi Mob claim group meetings in November 2018 and April 2019.

If you are a member of the Southern Yamatji and/or Hutt River claim groups and were not able to attend the community or claim group meetings, and would like to arrange a suitable time to discuss this information, please contact **Claim Lawyers Brooke Creemers or Jeremy Brown, YMAC on (08) 9965 6222.**

Widi Mob claim group members who would like to know more about the progress of the negotiations, please contact **Michael Pagsanjan, MPS Law on (08) 7221 1690.**

Mullewa Wadjari claim group members who would like to know more about the progress of the negotiations, please contact **Greg McIntyre SC, Corser and Corser on (08) 9215 0900.**

If you are unsure which claim group you are a part of in this process, please contact **YMAC on (08) 9965 6222.**

YNSRA Webpage

We've create a dedicated webpage so you can access relevant information about the progress of the negotiations.

Visit: www.ymac.org.au/YNSRA to read newsletters, check the dates and locations of consultation meetings, view presentations and browse photo galleries. There is also a 'Contact Us' form, in case you need to ask questions about the YNSRA. You can also email your general enquiries to YNSRA@ymac.org.au.

NOTE: Claim specific questions and requests should be directed to your claim lawyer.

You can also access the YNSRA webpage through www.ymac.org.au and then clicking on the 'YNSRA – Click Here' button.



Please get in touch!

It is important that you remain informed about the progress of the negotiations and that you can attend consultation events if you are interested. Please make sure your contact details are up to date so that you get meeting notices and other information about the negotiations.

Please complete the form below and return it to YMAC.

First Name _____

Last Name _____

Claim Group/s (tick) Southern Yamatji Hutt River Mullewa Wadjari Widi Mob

Mobile No _____ Landline No _____

Email Address _____

Postal Address _____

I prefer contact about the YNSRA by (tick) Email SMS Post

For more information about the negotiations, please contact YMAC's Geraldton office:

171 Marine Terrace, Geraldton
PO Box 2119 Geraldton WA 6531
Phone: (08) 9965 6222 | Fax: (08) 9964 5646



Yamatji Nation Southern Regional Agreement

