



FORTESCUE, YINDJIBARNDI EXPERTS ATTEST TO ANCIENT HERITAGE IMPACTED BY MINE

MEDIA RELEASE

Embargoed until 12.00am, Monday 21 October

Archaeological experts engaged by the mining giant Fortescue and the Yindjibarndi people have dated the human occupation of the area impacted by the Solomon hub mine at 40-45,000 years.

An expert report accepted into evidence by the Federal Court of Australia last week agreed that 249 sites within the mine footprint had been subject to consents under the State *Aboriginal Heritage Act*, which means they can be destroyed or damaged. More than half of those sites have now been completely destroyed.

About 75 per cent of the mine's 400 square kilometre footprint, an area the size of Darwin, extends across the Yindjibarndi native title determination area.

The joint report was produced by YNAC's archaeological experts Professor Peter Veth and Dr Caroline Bird, and Fortescue's expert Mr Douglas Williams.

Yindjibarndi Ngurra Aboriginal Corporation (YNAC) is suing Fortescue and the WA government for mining at the Solomon hub since 2013 without the consent of YNAC, the prescribed body corporate. YNAC has exclusive possession native title over the area of the Pilbara mine, which has produced around \$50 billion of iron ore since 2013.

The case is being heard by Justice Stephen Burley, who indicated at a hearing last Tuesday that he was open to admitting new evidence dealing with "social disruption". The respondents have since agreed to admit 230 documents relating to social disruption.

The three archaeological experts agreed that "more detailed investigation could have been done to mitigate the loss of some sites".

The report indicated that Fortescue may have been able to exploit weaknesses in the WA government's administration of Aboriginal heritage.

The report says at paragraph 15: "Standards of mitigation have varied through time, for a number of reasons, primary of which is the lack of consistent guidance from the regulatory authority (currently, the Department of Planning, Lands and Heritage)."

An additional report on the economic loss to the community by Mr Murray Meaton, accepted into evidence by the Court, put the compensation figure for economic loss at 0.55 per cent and 1 per cent. In the only comparable compensation case, Timber Creek, the economic loss was less than half of the final settlement that involved a non-exclusive determination whereas YNAC has received full exclusive rights.

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