

Protecting the capital of the Nation



Dead trees surround a dry Millstream creek. Photo: Yindjibarndi Water.

A plan by the WA Water Corporation to increase by 50 per cent its water extraction from Millstream has mobilised the Yindjibarndi community in a new fight for bawa (water), prompting exhaustive submissions to the Environmental Protection Authority (EPA).

Yindjibarndi Aboriginal Corporation has gained widespread support for its bid to prevent an increase in Millstream extraction to 9 gigalitres per annum (GL/a) from its current rate of 6 GL/a. One gigalitre of bawa would fill Optus stadium in Perth.

More than 85 environmental groups and individuals made submissions in support of the Yindjibarndi push for an EPA inquiry in November during a one-week consultation period.

Elder Middleton Cheedy said that Millstream was “the capital of the Yindjibarndi nation”, but it was a capital that was being destroyed by excessive water extraction.

The Yindjibarndi submission contained detailed scientific evidence together with videos of interviews with leading elders about the impact of excessive extraction.

CULTURAL WARNING:
THIS EDITION CONTAINS THE
NAME OF A DECEASED PERSON

CEO UPDATE

Firstly, I would like to say that this has been a tough year for the Yindjibarndi community and broadly our families across the Pilbara region. We have lost so many, and our prayers and thoughts are with you all. I also want to send out our best wishes to everyone on having a safe and merry Christmas and happy new year, we are looking forward to the progress made and continuing in 2025.

I also want to take this opportunity to say thanks to our partner RTIO for the support throughout the year, and for their commitment to our positive engagement and working relationship.

I want to thank all of our Yindjibarndi business and stakeholder partners who, without them, our journey in growth and sustainability wouldn't be possible.

As the Yindjibarndi Nation prepares for another challenge in protecting our Native Title rights and interests, we are faced with the grueling opposition that Government has failed Yindjibarndi by ignoring the signs of what our Ngurra has been saying for many years. We also believe that there has been a level of irresponsibility when it comes to listening to the Yindjibarndi that dates back to when our elders led these discussions and highlighted the concerns about the water levels at Millstream (Nhangganguna).

(Cont p.6)

VALE 'Queen' Daniel



Image of Mrs Daniel supplied by the Daniel family.

Yindjibarndi legend Mrs T Daniel has left behind a towering legacy characterised by profound knowledge of culture and love of Ngurra, community and art.

Mrs Daniel passed in November at the age of 71. She remained involved in and committed to community until the very end, despite her failing health which required regular visits to Port Hedland and Perth for treatment.

Born at Yarraloola Station in 1953 of Burungu skin, her mother was D Lockyer Moses, a Yindjibarndi woman from Millstream. Her father M Jacob was Karriyarra, but she was raised by J (Banbaring) Moses, a Yindjibarndi man also from Millstream.

In 1999 Mrs Daniel gave powerful evidence about connection to Ngurra in the joint Ngarluma-Yindjibarndi native title claim and performed a dance for Justice Robert Nicholson.

So impressive was her 2015 evidence in the Yindjibarndi #1 native title case before Justice Stephen Rares that he quoted from it extensively in his judgment.

Mrs Daniel married Mr D Daniel (deceased), a Ngarluma man who was the first named applicant in the joint claim. The couple had seven children, four of whom pre-deceased her. The family had initially lived on the reserve outside Ieramagadu (Roebourne) but they moved to live and work on Mt Welcome and Cherratta stations, before moving back to the reserve just before it closed.

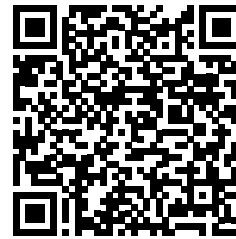
'The spirits of the land will come to you and sing a song' Mrs Daniel

In her affidavit to the Federal Court for the compensation case against Fortescue, Mrs Daniel said the community was very unified during the time she lived there. "People worked at the bakery, hotel, or as nannies, everyone had to have a job. Ngarluma and Yindjibarndi would come together for ceremonies. Everyone in Roebourne [Ieramagadu] was happy then in the 1960s and 1970s and there was no fighting between those families who are fighting now."

Mrs Daniel referred to herself tongue-in-cheek- as the 'Queen' of Ieramagadu (Roebourne) but the jovial reference said a great deal about how much the community loved and cherished her, and of her towering knowledge and love of Yindjibarndi Ngurra and culture.

Teenage rock star

How Henry Noble carved out a new career on ancient Ngurra



Scan this to see Henry's interview



Henry Noble shows off his 'Archaeologists Passport'

A visit to Bangkangarra for the Federal Court of Australia hearings in mid-2023 turned out to be a life-changing experience for young Henry Noble, who responded to a nudge from his grand-father that landed him in the world of archaeology.

At the time, Henry was a 16-year-old year 11 student, but he found himself undertaking key tasks that led to discoveries about the Yindjibarndi connection to Ngurra which became part of the evidence presented to the Court for the compensation case against Fortescue. He has now worked on three other excavations and has obtained an Archaeologist's 'Passport'.

Late last year he took part in dig at Du Boulay Creek, around 100km south of Karratha, that excavated remains of a Diprotodon, a large mammal that became extinct 25,000 years ago.

Sitting around a camp fire one cool night at Bangkangarra in July, Henry explains how he came to be part of a team of archaeologists who were recording Yindjibarndi history.

"It started off, there was a court case last year, Nan and Pop got involved, they took the family out, and I was chilling back. Pop said 'you could learn something new, follow them mob [of archaeologists]'. After a while I put myself into there, I started asking questions, I started learning how to sieve, and actually scanning for artefacts, sorting stuff. After a while Pete [Professor Peter Veth] gave me this. It is an archaeology passport."

Henry, an Ieramagadu local who finished year 12 this year, says the discoveries at Bangkangarra have been astounding. The team led by Professor Veth from UWA has found human remains, animal bones in old fires, and stone tools that show evidence of continuing occupation going back 40,000 years, possibly as far back as 50,000 years.

Henry says that being part of these discoveries has filled him with pride. He plans to study in this field in the future. But as someone who is a natural storyteller, and who has a deep 'radio voice', he says that science communication could also be part of his resume.

Photos: Ngaarda Media and Clontarff Foundation.



Henry searches for artefacts during the Bangkangarra excavation in mid-2024 and during the Diprotodon dig, right



Experts find 'exciting' evidence at Bangkangarra

The archaeologists who began working at a remote Bangkangarra rockshelter in 2023 during the Federal Court hearings found the site so significant they came back for a second dig in mid-2024.



Fragments of a bailer shell like this one were found at the Bangkangarra excavation. Photo: WA Museum

After filling the site that went down to 1.7 metres, they returned with a plan to dig down to 2 metres. So far, the dating by Wollongong University has found evidence of continuous occupation going back more than 40,000 years. This evidence includes materials that show how Yindjibarndi people traded with coastal communities and established a rich and rewarding lifestyle at Bangkangarra.

'The shell is pretty exciting'

Professor Veth

Bangkangarra is located 290km southeast of Karratha and just 2km away from the sprawling and destructive Solomon mine, which operates without consent on Yindjibarndi Ngurra.

Professor Veth told YNN that the Bangkangarra excavation on Yindjibarndi Ngurra that was not linked to a mining development, which usually involves seeking permission under the State heritage law to destroy or damage sites.

"This was the first excavation on Yindjibarndi country that has been done for non-compliance [with] mining and heritage [requirements]."

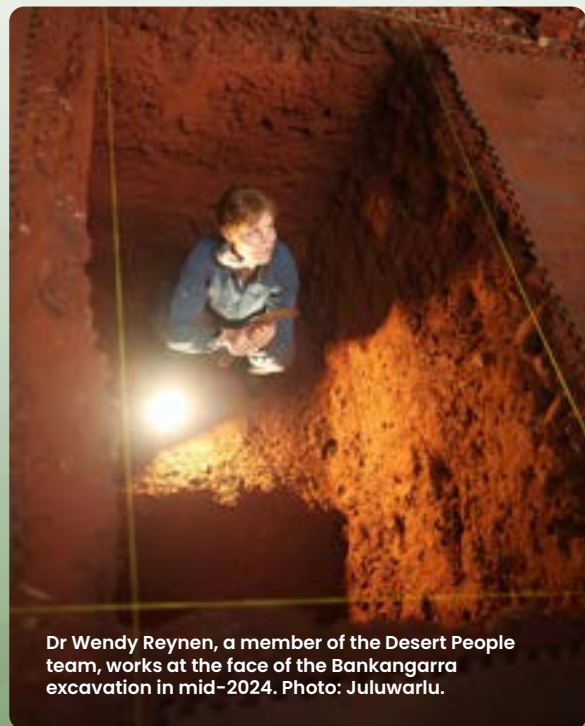
"Near the top of the site we found bailer shell, big dishes for carrying water, fruits, babies, big shell fish. They've been carried in from the coast; sometimes broken down and used as pendants, ceremonial objects; actual tools that people have had on the end of spears, with

resin, chiseling, cutting kangaroo, trimming meat, making netting, bones of animals."

The material uncovered indicated evidence of occupation going back more than 40,000 years, but the final samples are still in processing. The research was conducted as part of an Australian Research Council-funded project called Desert People: Australian Perspectives, which is led by Professor Veth and included Dr Wendy Reynen, Dr Ben Pentz, Dr Kane Ditchfield, and numerous Yindjibarndi volunteers.

Yindjibarndi Ngurra Aboriginal Corporation is one of 10 Aboriginal Corporations with which the project has collaboration agreements. The study area extends over 300,000 square km.

Professor Veth said it was a privilege to work with Yindjibarndi people at the site and he expected that the community members involved would become joint authors of research papers that reported on the findings.



Dr Wendy Reynen, a member of the Desert People team, works at the face of the Bangkangarra excavation in mid-2024. Photo: Juluwarlu.

FMG destroys Pilbara's 'oldest' Aboriginal heritage site



Professor Veth while working at the Bangkangarra excavation. Photo: Juluwarlu.

Research by leading archaeologists for the FMG compensation case has revealed more shocking details about the extent of destruction on Yindjibarndi Ngurra to make way for the Solomon mine.

A report prepared for the Federal Court by Professor Peter Veth and Dr Caroline Bird has shown that among the 250 sites that were legally destroyed by FMG, one of them was one of the oldest known sites in the entire Pilbara region.

The report found there were there were five rock-shelter sites within Solomon "which by virtue of their great age and repeated occupation through time are, in our opinion, based on our study, training and experience as archaeologists, of national significance".

One of the five, known as "TRYINPAD13-03", was included on a map which "indicates that the site has been destroyed". The human occupation for this site could have gone back 53,000 years.

KEY POINTS

- Yindjibarndi and FMG experts agree on evidence of human occupation back to at least 42,000 years.
- Veth and Bird say the Solomon site had five sites of "national significance", one since destroyed
- Two burial sites located next to or within areas of Solomon hub "land disturbance".

The authors said more than 285 locations were mapped as FMG Heritage Salvaged Places. "The majority of these heritage places, following salvage, have been physically impacted by mining or the construction of associated infrastructure as shown in the maps we have been briefed with. This impact may be complete, in that the heritage place has been totally destroyed, or partial, in that the heritage place may still exist in part or in altered form."

Two burial sites "are shown to be within or directly adjacent to areas of land disturbance".

Professor Veth and Dr Bird were not called to give evidence at the October hearing because, prior to the hearing, they produced a joint report with the FMG expert, Mr Douglas Williams.

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)."

Justice Stephen Burley also accepted into evidence more than 230 documents dealing with Fortescue's 'social disruption' in the Yindjibarndi community through its backing of a breakaway group to support development.

Defending the nation's 'capital' (from p.1).

impact of excessive extraction. Yindjibarndi Nation Ltd funded the Millstream Water Study and video production which identified a maximum sustainable yield of 4 gigalitres per annum (GL/a), and documented Yindjibarndi cultural and environmental concerns.

Mr Cheedy said water extraction had killed the environment and added: "And I feel as though I am dying myself."

The Water Corp currently has a temporary groundwater licence to extract 3GL/a from the Millstream aquifer until February 2027, but it has applied to renew the expired 6GL/a groundwater licence, taking the total to 9GL/a. It is currently extracting more than 6 GL/a.

YAC has called on the State Government to impose a sustainable limit of 4GL/a from Millstream, spread out the extract points, and plan for a desalination plant that would be built on the coast.

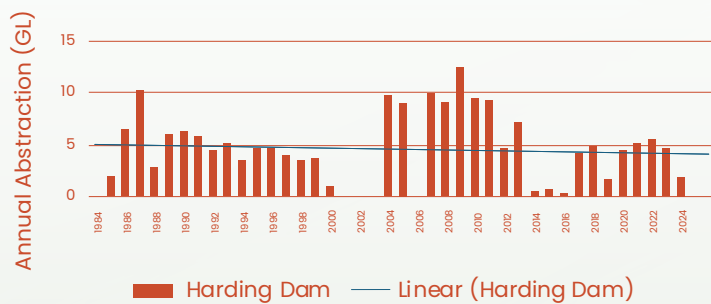
The crisis has compounded the suffering of the community 40 years ago with the building of the Harding Dam, which destroyed much cultural heritage including rainmaking site. Now, the failure of this costly initiative means even more damage to Yindjibarndi Ngurra and bawa.

YNAC chair Stanley Warrie said: "The government didn't give us a chance to talk to us about how much water they were taking. A lot of sacred sites have been impacted."



Elder Middleton Cheedy, performing the wuthurru traditional water ritual. Photo: Juluwarlu.

Water Year Abstraction (May-April)



The steady decline in water extraction from the Harding Dam was shown in this graphic that formed part of the Yindjibarndi submission to the EPA

CEO MESSAGE (from p.1)

There have also been great concerns about the impacts which have shaped and reshaped the environment shifting towards a catastrophic and unreversible situation if we don't act and we don't find ways in working together to find solutions. Our call for a reduction in the water extraction from Millstream was led by our business Yindjibarndi Water, which shows how we have developed the in-house capability that can assist our community to understand the impact of development on our land and waters, and act accordingly.

Yindjibarndi Water, which we formed just under

three years ago, lodged detailed submissions to the Government that involved years of intensive analysis and monitoring. Our request for an inquiry by the Environmental Protection Authority into Millstream water extraction is likely to be a game-changer for our community. If approved, this will challenge the State government's authorising an expansion of water extraction at Millstream, and hopefully work with the Yindjibarndi in securing the appropriate and sustainable drawdown.

MICHAEL WOODLEY
Chief Executive Officer

PREMIER BRIEFED ON WATER CRISIS



One of the Millstream tributaries showing damage caused by excessive water extraction

WA Premier Roger Cook expressed empathy for Yindjibarndi concerns when shown video evidence of the damage caused to Ngurra by excessive water extraction at Millstream, but since the mid-September meeting his government has been slow to respond.

This delay has prompted YAC to refer the Water Corporation's current and proposed extraction of water from Millstream to the EPA for their assessment, while it has also briefed legal counsel on possible litigation.

Mr. Cook viewed a video produced by YAC which involved more than 20 elders, together with research materials prepared by Yindjibarndi Water.

Briefing the YAC AGM on the strategy, Yindjibarndi Water (YW) general manager, Laurie Barlow, said the request for an EPA inquiry "should mean everything is on hold". He added: "We hope the EPA conducts a Public Environmental Review to make an independent assessment of the sustainable volume of water that can be extracted from Millstream."

Yindjibarndi's strategy has involved presenting a compromise by proposing reasonable solutions, as explained in the previous article. The first two involve spreading out the extraction points around Millstream, and the third involves investment in a desalination plant that would be built on the coast.

KEY POINTS

- Water Corporation wants to increase Millstream extraction from 6GL/a to 9GL/a
- Yindjibarndi Water says the sustainable rate is 4GL/a.
- Yindjibarndi has proposed spreading out the extraction points and building a desalination

Mr. Barlow said that if the Government did not respond constructively, YAC had issued clear instructions, the "next step is to take legal action for the cultural and environmental harm as a result of the Government taking water out of Millstream."

One of the Millstream tributaries showing damage caused by excessive water extraction

YW's principal hydrogeologist Dr Selva Marimuthu told the AGM that increasing the extraction to 9GL/a would be "detrimental" to the ecosystem of the region. He criticised the Water Corp for failing to come up with a sustainable solution. "Water Corporation has had an easy ride for a very long time," he said.

Dr. Marimuthu expressed deep concern about the state of Harding Dam. "It is on the brink of drying up. Without immediate rainfall, it will cease to function. There's no other option."

Mr. Barlow said the government should look to work with Yindjibarndi and Rio Tinto which was already developing a desalination plant.

Governor impressed with Jinbi approvals



Yindjibarndi directors at the Jinbi site with Governor and Mrs Dawson. From left to right: Roseanne Mippy, Pansy Sambo, Mrs Dawson and Governor Dawson, Maisie Ingie, Jean Norman and Aaron Hubert.

The Western Australian Governor, the Hon. Chris Dawson AC APM, and his wife Darrilyn toured the site of the Yindjibarndi Energy Corporation's first renewable energy project in late November where they met with community leaders who have endorsed the green agenda.

Mr and Mrs Dawson responded to an invitation to see first-hand the proposed sites for development of green power by Yindjibarndi Nation CEO Michael Woodley. They visited both the Jinbi solar site, and the nearby Baru wind site, and they were shown a culturally significant spring that will be protected.

Mr Dawson met directly with several Yindjibarndi directors and appeared very knowledgeable about the community.

"Being onsite here on Yindjibarndi country gives me a perspective, rather than just someone talking to me about it in Perth," Mr Dawson told journalists during a press conference.

"Speaking with traditional owners, I was really encouraged to hear that some of the environmental and development approvals have been progressed within 80-90 days. I hear at times that bureaucracy stops progress and I've heard it firsthand that they are talking openly about the government and the bureaucratic processes working very well with them, that's a story I'd like to hear all the time."

YEC CEO Craig Ricato came to the meeting armed with several maps that showed where the business planned to locate the solar, wind and battery projects. He said the strategy of YEC, which is a partnership between Yindjibarndi and ACEN, was driven by the Yindjibarndi leadership.

KEY POINTS

- Jinbi solar project has gained necessary approvals to proceed
- Works to install 300,000 solar panels to commence in late 2025
- Commercial operation could commence by early 2028.

"The Yindjibarndi people are the people who initiated this opportunity and brought in the commercial counterparties," Mr Ricato said.

"For the Yindjibarndi people, it's very important that they always have control over what gets built and where it gets built, and that it's done in a way that respects culture, respects country and respects traditional use.

"The sole purpose of this facility (Jinbi) will be for the Rio Tinto network, and will be to service the Rio Tinto energy usage both inland and on the coast.

"Rio Tinto have an aspiration to decarbonise, they currently think they're going to require at least 3GW by early

Surveys reveal immense biodiversity at green energy sites



Some of the wildlife at the project sites captured on camera. Photo: YEC

Community members have recently taken part in aerial surveys of the flora and fauna where green energy sites will be built.

This technique, which was used to overcome the rugged terrain, proved very valuable as it generated a vast amount of information about the life that flourishes on Ngurra.

The surveys conducted in late 2024 identified 213 species of plants, 40 reptiles; six frogs, and Ngurra made of cracking clay which produces herbs. So far, YEC has spent \$1.1m on the development of the green energy sites.

YNAC director Angus Mack took part in the survey.

CEO Craig Ricato told the recent AGM that YEC had achieved in 12 months what it takes 3-4 years on the east coast. "This is the value of the project being Indigenous-led," he said.

He said the projects were of "national significance" that had now generated widespread interest.

"A lot of groups are asking how Yindjibarndi has set this up."



The helicopter used for the aerial surveys of the proposed Baru wind farm. Photo: Juluwarlu.

Pilbara Aboriginal housing collaboration takes shape

A Pilbara-wide Aboriginal housing corporation is now on the horizon after Yindjibarndi Nation brought together two other groups who want to participate in this initiative.

The three groups, Robe River Kuruma Aboriginal Corporation, Gumala Aboriginal Corporation and Yindjibarndi Nation, are now set to sign an MoU in mid-January.

Led by Bradley Webb, YNL project manager—community, Yindjibarndi Nation hosted a meeting focused on collaborative Aboriginal housing initiatives in the Pilbara region. The meeting attended by key executives from which discussed a joint approach.

The formation of a Pilbara-wide Aboriginal Community Controlled Housing Organization is aimed at allowing groups in the Pilbara to access government funding for housing. This Tier 3 entity would be focussed on providing tenancy and property management services across the Pilbara.

New member rules passed at YAC AGM



Yindjibarndi members listen intently to a presentation at the recent AGM.

The Yindjibarndi Prescribed Body Corporates (PBCs) have updated their members admission rules in accordance with changes to the Native Title Act, and after submitting their Rule Books for review to the Office of the Registrar of Indigenous Corporations (ORIC).

The changes were approved at the annual general meetings of both PBCs in late November. This means that the rules, including those for admitting members, now fully comply with amendments to the NTA and the views of ORIC about best practice for running PBCs.

Explaining the changes to the meetings, legal adviser Keith Thomas said that the new law meant that member applications could not be refused if they met the membership requirements.

The Yindjibarndi Aboriginal Corporation meeting was attended by more than 50. A few members asked the board about when their children and other relatives who qualified might be admitted as new members.

The board responded by saying that the passing of the resolution meant this would now become a top priority for the corporation. Yindjibarndi Nation has recently advertised for a PBC membership officer to help speed up applications.

The AGM was a tremendous success with the meeting run by YCCL chair Aaron Hubert and the chair Mrs Lyn Cheedy.

The Yindjibarndi Aboriginal Corporation, while having no direct employees, reported substantial revenue attributable to its two-thirds ownership of the growing contracting business Yurra.

Members responded with great interest to presentations from Yindjibarndi Energy Corporation on its green energy projects, and Yindjibarndi Water Corporation on its new battle to protect the Millstream aquifer from over-extraction.

ABOUT YNN

Yindjibarndi Nation News—Ngarda Wangka, is published by Yindjibarndi Nation Ltd, a project delivery business established by the Yindjibarndi PBCs to deliver community, cultural and commercial projects for the community. To find out more, go to www.yindjibarndi.com.au

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Flexibility and resources help Yurra grow its apprenticeships

Recruitment open for early 2025 start



Yurra's regional building manager Tim Clune, third from right, with a group of apprentices at the Roebourne TAFE. Photo: Yurra.

The majority Yindjibarndi-owned contracting business Yurra Pty Ltd is recruiting a new round of apprentices and traineeships in 2025 with openings across the range of its diverse operations.

In a recent presentation, Yurra reported that 81 of its 424 employees identify as Aboriginal or Torres Strait Islander people, with 22 of these coming from the Yindjibarndi-Ngarluma communities. Just over 60 per cent of its staff are locally-based.

Dallas McDonald, general manager of operations at Yurra, told YNN that the program offered great opportunities for local indigenous people to gain a qualification. "About 50 per cent of our apprentice cohort are local Indigenous people," he said,

Yurra has been recruiting with the help of a dedicated Aboriginal liaison officer who has targeted key Indigenous organisations as well as the social and family networks of existing employees. Regional building manager Tim Clune has played a key role in engaging with new recruits and getting resources and facilities in place for local apprentices.

Yurra was looking to recruit apprentices for all trades and traineeships in administration and human resources.

Mr McDonald said Yurra had lifted its apprentice numbers to about 25 with the help of a facilities contract with Rio Tinto Iron Ore. This has enabled it to provide a "backstop" for apprentices when jobs on fixed-term projects came to an end. The contract has now been running for two years.

"One of our big drivers which has enabled a significant uptick in the amount of apprentices we have is a contract with Rio Tinto in the facilities department. Through that contract we have enabled some funding for a number of apprentices and what we do is we leverage that funding," he said.

He said it made sense to adopt a flexible approach with staff and enable them to meet their cultural requirements. This was good business as "it allows us to benefit from our long-term investment," he said.

Asked about what level of schooling was required, he there was no minimum level. "These pathways are designed for people to come in at any level". He said the main issue for new employees is to be able to "maintain fitness for work", especially in the area of avoiding drugs and alcohol.

While a driver's licence was important, it was "not a blanket issue: as people could commute on buses or via car pooling. But to move into the resources sector, a licence was a critical requirement.

Wendy's art sprang from native title victory

Juluwarlu artist Wendy Hubert has proven that it is never too late to start a new career.



Wendy Hubert speaking at the launch of her book in Perth, with Wimiya Woodley, right.

Seven years ago, when she was aged 63, Ms Hubert was encouraged by her friends in the Juluwarlu Art Group to contribute to a painting to celebrate the recognition of Exclusive Native Title Possession by Federal Court Judge Steven Rares. Now, Ms Hubert has become a celebrated and award-winning artist for her evocative paintings of Yindjibarndi Ngurra.

In December, Ms Hubert published a book entitled *I came around in Circles*, which tells the story of her early life growing up on stations, and how she became an artist late in life.

"It started when Yindjibarndi won our first Exclusive Native Title Claim in 2017, when Juluwarlu's artists decided to make a thank you painting for the Federal Court and Judge. 'Come on Wendy,' everyone said. 'All us women can do this.' So I did, painted a small part. I liked that; all of us together. So I started going to Juluwarlu Art Group in Roebourne...that's when I began as an artist," she writes in the book

Ms Hubert's work has been displayed at major art fairs around Australia, and it has also been applied to clothing through the fashion brand Nancy Bird.

Much of her work evokes Ms Hubert's abiding connection to Ngurra and her love of its beauty.

"I grew up on West Pilbara Country, our Ngurra, A station child. When I paint, I remember station life. For my family in 1954, when I was

born, people were still working on stations," Ms Hubert writes. This year Ms Hubert won the Plato Prize for an Emerging First Nations Artist at the National Emerging Art Prize for her work 'Always Anthills in Ngurra'. In 2025 she will tour Japan to promote her work. Earnings from exhibitions have helped to make Ms Hubert the proud owner of a late model Mitsubishi Pajero.

