


# BNTAC

NOVEMBER  
EDITION

NEWSLETTER



Visit us online at [www.bntac.org.au](http://www.bntac.org.au)



When reading this publication and sharing it with family and friends, please be mindful that it may contain images and/or names of people who have since passed away.

*We acknowledge our Elders past, present and emerging who set the foundations for the future.*

# Thanharru & welcome to the November issue of the **BNTAC Newsletter**

*In this edition we:*

- » *Share the latest updates from the Native Title Team*
- » *Showcase behind-the-scenes photos from our recent on-Country trip*
- » *Celebrate the highlights from our NAIDOC event in Perth*



*visit the BNTAC website*

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# MESSAGE FROM THE CHAIR

## PAULA WHITE



### THANHARRU,

We're excited to share the latest news and updates from the board.

#### BNTAC AGM

Firstly, I'm pleased to announce that our Annual General Meeting (AGM) is approaching and will take place on Saturday, 16 November 2024, at the Red Earth Arts Precinct in Karratha. This is an important opportunity for all members to come together, receive updates on the corporation's activities, vote on resolutions and your future directors and enable your voices to be heard. Please note, that this year's AGM will be held IN-PERSON ONLY. For those unable to attend, proxies will be available for submission until 48 hours before the meeting begins. You can submit your proxies via the [agm@bntac.org.au](mailto:agm@bntac.org.au) email.

#### KARIJINI EXPERIENCE

We are excited to announce that the planning phase for the 2025 Karijini Experience is now underway. A committee has been established to guide the event, scheduled for April 11-14, 2025. This is an exciting opportunity to celebrate culture, and we encourage our community to reach out to us about how you can get involved.

#### TRUSTEE SELECTION

A new EOI process commenced in May of this year to appoint a future Trustee for the Banjima people. After multiple submissions and consultations, it was decided that Perpetual Trustee, Mutual Trust and Australian Executor Trustees (AET) will be brought forward to the community to vote on a preferred Trustee at a community meeting to be held in February 2025. As we approach this community meeting, we want to emphasise the importance of your voice and vote in the Trustee selection process. This is a pivotal opportunity for our community to reflect on the last 10 years of the Trustee performance and think about what you want from our Trustee in the future. To learn more about the process, please visit page 11 of the newsletter.

I look forward to seeing Members at the AGM this November.

Paula White  
BNTAC Chair

# MESSAGE FROM THE CEO ED ARMSTRONG

## THANHARRU TO ALL MEMBERS,



We're excited to share the productive activity across the past few months that included BNTAC staff connecting with many of you during our recent roadshows in Perth, Port Hedland, Carnarvon, Geraldton, Karratha, Roebourne, Peedamulla, Youngaleena and Tom Price.

During these roadshows we provided members with detailed updates on activities across the past year that included community, corporate, and Native Title activities along with developments in agreement modernisation, future mining activity, Trustee updates and the upcoming AGM agenda.

We value your feedback and contribution at roadshows and look forward to addressing more questions as we head to the AGM.

Since our last newsletter, we had the opportunity to attend the Tom Price and Peedamulla NAIDOC events as well as hold our own event in Perth. This was a great opportunity to engage with a large number of Members and celebrate the achievements of Aboriginal people from across WA. I would like to thank everyone who attended, and acknowledge BNTAC staff, and the wider community who worked hard to deliver these events.

Other recent activity includes the establishment of a commercial entity for BNTAC. This exciting opportunity has been driven by the Board's vision to ensure BNTAC are engaged and positioned to benefit from the Federal Government's clean energy goal of net zero carbon emissions by 2050.

This will require a significant transition to renewable energy across the Pilbara for all mining companies and will position BNTAC to maximise outcomes for the Banjima community. This includes jobs, capacity building, contracting opportunities and revenue generation to fund BNTAC operations.

I look forward to updating Members at the AGM on current and future activity. As always, we appreciate your ongoing support and encourage you to stay engaged with BNTAC for the latest community development updates and other opportunities. If you have any questions, don't hesitate to contact our team at [admin@bntac.org.au](mailto:admin@bntac.org.au).

Regards,

A handwritten signature in white ink, which appears to read 'Ed Armstrong', is placed over a background of a purple flower stem.

**Ed Armstrong**  
BNTAC CEO

# WE TALK TO EVA BLACK ABOUT HER EXPERIENCE ON COUNTRY

On 22nd of October 2024, members of the MRL Heritage and Environment Committee (MHERC) gathered on Banjima Country to discuss MRL's Lambs Creek Project. This meeting built on numerous discussions that have taken place since early 2023 with the committee.

We talked to BNTAC Elder Eva Black about her experience on the on-country heritage meeting where she expressed the sentiment beautifully, saying,

*"I was happy and pleased to be back on Milyuranpa Country. I haven't been back for a long time, and it has lifted my spirit.*

**COMING UP HERE MAKES ME FEEL STRONG AGAIN.**

*It was good to have my grand daughter [Shaneise] with me so I can show her our Country and tell her about Banjima country and where language comes from.*

*The mining company was interested in Banjima people and what we say, and it was important to have input into where the mine and camp will be on Country."*

Shaneise also shared her experience, highlighting how special it was to share this time on Country with her Nan.



Image: Banjima MRL Heritage & Environment Committee, BNTAC CEO & staff, BNTAC consultants and MRL representatives at Lambs Creek.





# THE LATEST NATIVE TITLE NEWS

## **HANROY MONITORING EQUIPMENT**

Hanroy has installed baseline data monitoring equipment at Youngaleena to monitor dust and noise levels within the community. This initiative will gather crucial information on environmental conditions in the area, particularly in the absence of the Mulga Downs Mine. The data collected will be essential in assessing any potential future impacts of the mine on the community, should it receive approval from BNTAC and the Banjima people.

## **MINE CLOSURE PRINCIPLE WORKSHOPS**

The Native Title team have gained a commitment from BHP to fund a workshop with the Banjima Heritage Advisory Committee (HAC) members focused on the “Banjima Mine Closure Principles.” This inaugural workshop will facilitate a vital discussion between the HAC members, BNTAC’s Native Title team and consultant Darren Murphy (the Banjima Mine Closure Advisor), to explore the preliminary closure principles identified through various engagements with the Banjima community during surveys, as well as heritage and environmental meetings. These principles will outline Banjima’s expectations for mining companies regarding site protection and visual appeal after closure, along with potential economic opportunities during the closure period, among other aspects.

The Native Title Team plan to engage with other committees, including the HRG, HHERC, MHERC (pending proponent funding and support), and the Elders Council, to further refine these principles. These principles are essential for guiding engagement activities related to mine closure, ensuring they align with Banjima standards.

## **BHP SOCIAL SURVEY**

A BHP social surrounds survey was conducted focusing on a deposit known as Ministers North, located near the BHP Jugari mine. Banjima requested BHP to come up with better options to reduce the size of the project. The survey also included a visit to the Jugari Nursery, and parts of Marillana Creek.

## **FMG NEGOTIATIONS**

BNTAC is currently in ongoing negotiations with FMG regarding several key projects related to mining, rail and solar farm infrastructure on Banjima Country. While these discussions are critical, progress has been slow. Many consultations are yet to take place, and further talk is crucial to ensuring these developments align with Banjima’s interests. It is not yet known if any of the projects will go ahead due to non alignment on agreement terms and other heritage matters.





# ELDERS COUNCIL UPDATE

The Elders Council gathered for their third meeting on October 9, warmly welcoming new member Sandra Cox, who was invited by the council to replace Mr M. Parker.

During their discussion, the Elders thoughtfully considered the latest round of membership applications for 2024. They also took time to review and endorse the Elders Council Terms of Reference, which had been co-designed with Elders input over the past two meetings.

The matter of acceptable Banjima behaviours was discussed as Elders agreed abuse across the Banjima community was not acceptable.

**“AS LEADERS IN OUR COMMUNITY,  
WE NEED TO SET AN EXAMPLE BY  
TREATING OTHERS WITH RESPECT AND  
ALSO TELLING PEOPLE WHEN THEIR  
BEHAVIOUR ISN'T ACCEPTABLE”  
“WITH THE AGM COMING UP, IT**

**IS IMPORTANT THAT PEOPLE ARE  
REMINDING ABOUT THE STANDARDS OF  
BEHAVIOUR THAT WE EXPECT.”**

As an action from the meeting, Elders requested that BNTAC:

- » Write letters to Elders Council Members who behave inappropriately and not in line with the code of conduct.
- » Communicate to the Banjima Community that the Elders Council will not accept poor behaviour
- » Ensure the code of conduct is upheld at the AGM.

The next Elders Council meeting is planned for early in the new year. To view the BNTAC Code of Conduct, please visit our website.



# BANJIMA VOICES AMPLIFIED: A MEETING WITH THE UNITED NATIONS ON THE IMPACTS OF ASBESTOS ON INDIGENOUS COMMUNITIES

Last month, BNTAC members Coreen, Renira, Carmel, Johnnell, and Tim Parker had a powerful meeting with Dr. Marcos Orellana, the UN Special Rapporteur on Toxics and Human Rights. They came together to discuss the pressing issues surrounding Wittenoom and the impact asbestos has had on the Banjima community. This conversation was significant, not only giving Banjima people a chance to share their stories, but also elevating the concerns of Wittenoom to an international audience.

The panel emphasised the urgent need for action, referencing Western Australian government reports that highlight the long-term health risks associated with poorly managed asbestos tailings. Dr. Marcos Orellana presented findings indicating that the government possesses engineering reports confirming that, without proper stabilisation, asbestos tailings could spread for hundreds of years, creating a significant and ongoing health threat to the community.

Among the many important discussions, Coreen, Carmel and Renira spoke about the late M. Parker's fight to clean up Wittenoom and Banjima Elder Tim Parker powerfully conveyed his perspective, stating:

**“WITTENOOM IS NOT JUST A PLACE; IT'S A PART OF WHO WE ARE. WITHOUT A CLEAN-UP, OUR FUTURE IS AT RISK.”**

BNTAC Director Johnnell Parker also shared the devastating impacts on the community, noting,

***“When family members discover they are suffering from illnesses linked to Wittenoom, they tell me, ‘I’ve got a little bit of Wittenoom in me.’ We are always left wondering who the next Elder will be that we won’t see around our table.”***





*Image: Carmel, Renira and Coreen talking during the live webinar*

During the meeting, attendees were shown footage from the upcoming documentary “Yurlu,” which chronicles the late M. Parker’s tireless fight for the cleanup of Wittenoom. While the images are difficult to watch, they vividly illustrate the devastation that is spread throughout Country. We felt honoured to hear the stories from the community and encourage everyone to go and have a listen.



**View the talk!**  
←

### **CHECK OUT THE BEHIND THE SCENES IMAGES FROM THE FILMING OF YURLU**





# BEHIND THE LENS: CAPTURING BANJIMA STORIES

Last month, we had the privilege of assisting the MIB Charitable Trust with logistics for a recent filming project that took place on Country.

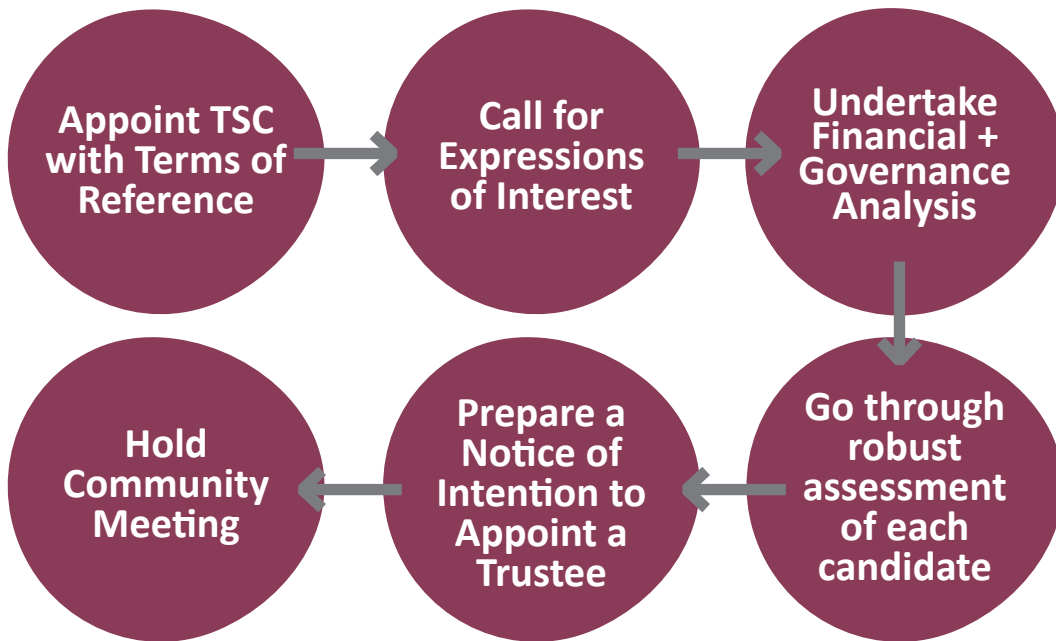
This initiative, led by Banjima Elders, aims to document and share significant stories to preserve Banjima culture for future generations. During the gathering, key sites were recorded,

and important locations around Mulga Downs, Cowra and Karijini National Park.

Check out the behind-the-scenes images from the trip! It was a wonderful opportunity to reconnect with Members and be part of such a meaningful experience.



# TRUSTEE SELECTION PROCESS



## **RECENT BACKGROUND**

Australian Executor Trustees (AET) is the current trustee for the Banjima Benefits Management Structure (BMS) and has provided services since it began in 2014. The most recent Trustee Service agreement with BNTAC expired on June 30, 2022, but it was extended to June 30, 2023, in accordance with provisions of the Trust Deeds.

In 2023, BNTAC called for Expressions of Interest (EOI), and upon completion of the trustee selection process, the Banjima People considered re-appointing AET at a meeting in November 2023. However, the required 75% vote in favour of AET was not achieved. As a result, the Trustee

Service Agreement was extended for another year, from July 1, 2024, to June 30, 2025. This is the third one-year extension for AET.

## **A few important Requirements when appointing a Trustee**

- 1** The BMS Trust Deeds state that the trustee must be a professional trustee that meets certain eligibility requirements.
- 2** They must be the trustee for all trusts (Banjima Charitable Trust, Banjima Direct Benefits Trust, and Banjima Yaramarri Direct Benefits Trust).
- 3** Any appointment must not be more than 5 years and not less than 3 years.

**4** BNTAC is the party to the existing Trustee Services Agreement and will be a party to any new Trustee Services Agreement.

**5** In accordance with the Charitable Trust Deed, to gather Expressions of Interest (EOI) from potential service providers, you can send targeted written requests to at least three candidates.

### **THE PROFESSIONAL TRUSTEE MARKET**

The professional trustee market in Australia is very narrow. Only five (5) trustee organisations hold the necessary licence qualifications and experience to comply with BMS Trust Deed eligibility criteria. These organisations are:

- » Mutual Trust Pty Ltd
- » Perpetual
- » Australian Unity Trustees Limited
- » Australian Executor Trustees Limited
- » Australian Equity (owner of Australian Executor Trustees Limited)

### **THE 2024 TRUSTEE SELECTION AND APPOINTMENT PROCESS**

The 2024 EOI process commenced in May 2024. A Trustee Selection Committee (TSC) was appointed being May Byrne, Michael Paarup (Independent Director), Paula White, Zoey Lethbridge, Wesley Carey, Johnnell Parker, Benjamin Jeakings, Delvene Hicks; Terms of Reference were approved; and relevant EOI documentation was prepared.

Two independent advisers were engaged by BNTAC to support the processes of the TSC: Sonny

Rahim, Premia Capital Consulting for financial analysis; and Emma Chinnery, Jackson McDonald lawyers for assessment and governance processes, and oversight. Adam Levin of Touchstones 100 was engaged for facilitation of the TSC meetings and provided another layer of professional support to the TSC.

### **TRUSTEE SELECTION COMMITTEE PROCESSES**

The TSC and advisers have evaluated the candidates in a manner consistent with the Terms of Reference and in compliance with the BCT Deed, B1 Trust Deed and B2 Trust Deed.

Three candidates were interviewed: Australian Executor Trustees (AET), Mutual Trust and Perpetual Trustee Company and each candidate was assessed on both qualitative and quantitative criteria. Following several meetings by the TSC they have recommended that all three candidates be taken forward to a Trustee Community Meeting, for the Banjima People to consider.

### **TRUSTEE COMMUNITY MEETING**

A Notice of Intention to appoint a Trustee is being prepared and requires signatures from 10% of the Banjima People on this Notice to hold a Trustee Community Meeting.

A Trustee Community Meeting is planned to be held in Perth in February 2025. The Banjima People will then consider the three candidates and vote for the preferred trustee.

## **COMMUNITY UPDATE!**

We will be engaging with the membership with information sessions in late January and early February to share further information.

# AGREEMENT MODERNISATION

Starting in mid-2024 BNTAC began official talks with both Rio Tinto (RTIO) and BHP to progress the commencement of Agreement Modernisation. Negotiation committees have been appointed and initial meetings were convened to talk about negotiation details.

In addition to the above engagement, two separate “truth telling” meetings were convened with RTIO and BHP to enable the Banjima negotiation committee members to express their concerns about past behaviours of the miners in their engagement and negotiation of previous agreements with Banjima. The committee expressed their sentiments in a heartfelt, frank and direct manner about the ongoing extensive damage to country being experienced by Banjima People; the serious cumulative impacts over the

years culturally, environmentally and traditionally of mining; the health and wellbeing of the Banjima community as a result of this; and how miners would be addressing their wrongdoing by way of apology to the Banjima People along with financial and other reparations.

## **COMMUNITY ENGAGEMENT AND FREE, PRIOR AND INFORMED CONSENT (FPIC)**

Separate community engagement and communications plans and budget with each of RTIO and BHP, is to be prepared and agreed between the parties, to ensure that information on the negotiations is shared with Banjima People throughout the negotiation processes during 2025 and 2026.

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## **RIO TINTO - PARTICIPATION AGREEMENT**

### **Banjima Negotiation Committee:**

Rex Parker, Paula White, Terry Mills, May Byrne, Benjamin Jeakings, Johnnell Parker, Trevor Parker Jnr, Wesley Carey, Slim Parker (BNTAC Cultural Adviser)

### **RTIO Negotiation Committee:**

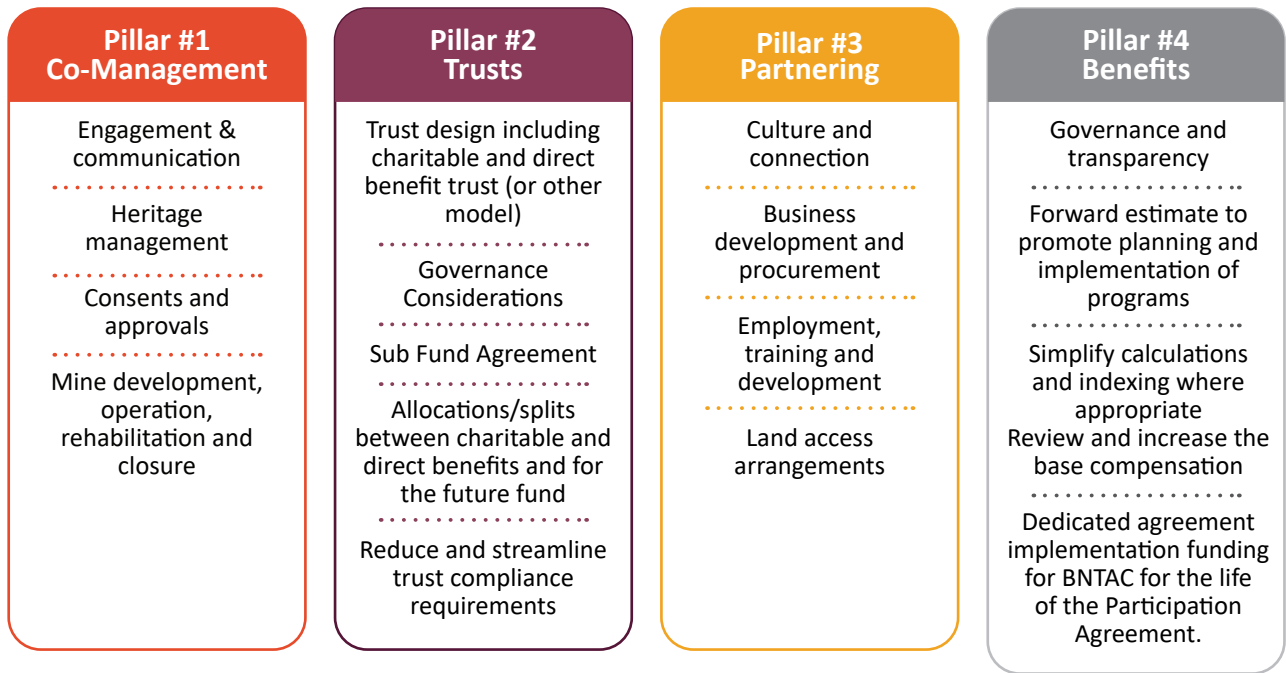
James Davison (GM Traditional Owner Partnerships), Chelsea Miles (Banjima Engagement Lead), Mel Jasper (Chief Counsel), Scott Edwardes (Lead Agreements)

An Engagement Protocol, outlining the negotiation framework, scope and terms and conditions together with a Funding Agreement has been fully executed by the parties. The negotiation budget is for the period 1 July 2024 to 30 Dec 2025. The negotiation committee has sought for RTIO to provide its position on financial benefits as a priority in the negotiation which will be provided by RTIO in February 2025.

## **RIO TINTO - SCOPE OF NEGOTIATION**

The scope for the negotiation is shown below. The scope is a high level list of topics for discussion throughout the agreement modernisation process next year.





## **BHP - COMPREHENSIVE AGREEMENT**

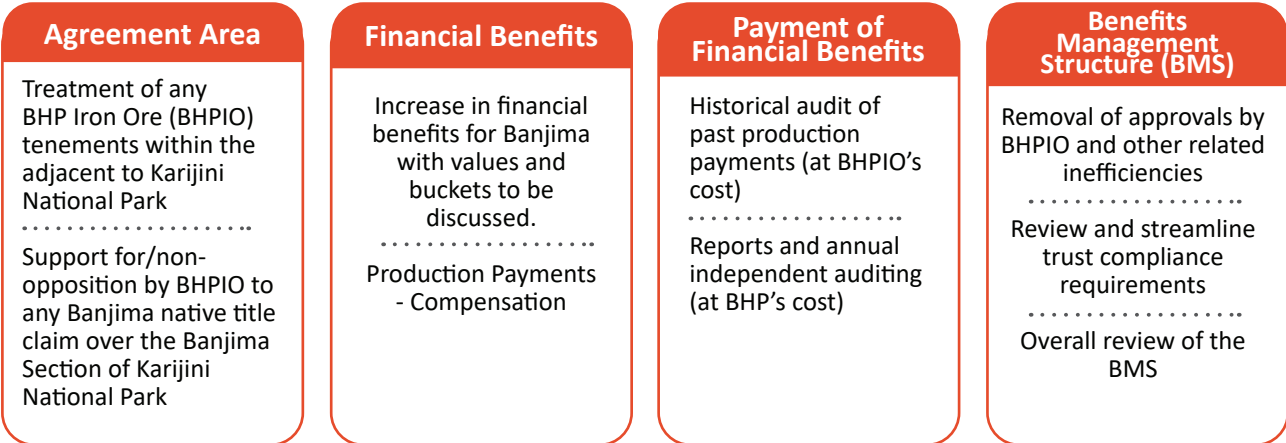
**Banjima Negotiation Committee:**  
Slim Parker, May Byrne, Terry Mills, Paula White, Rex Parker, Charles Smith, Marshall Smith, Johnnell Parker, Angus Smith, Benjamin Jeakings.

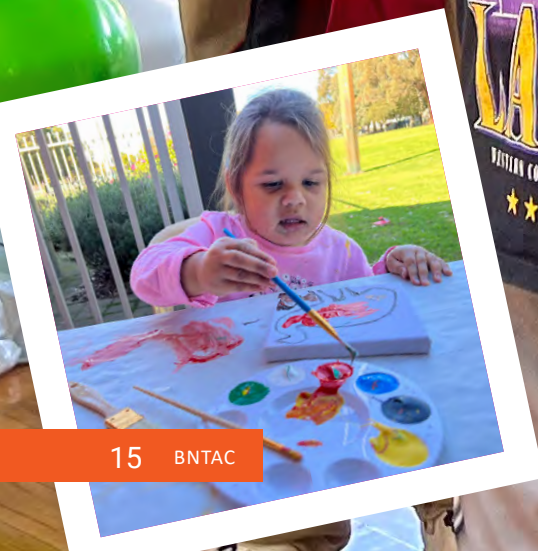
**BHP Negotiation Committee:**  
Andrew Buckley, WAIO Head of Resource Engineering; Allan James, Head of Indigenous Engagement; David Bunting, WA Head of Heritage, Environment and Regulations; Simon Nish, BHP Agreements Adviser; Ben Bruschi, Principle Indigenous Engagement WA; Jayson Smeeton, Manager Planning, Technical & Environment.

The Implementation Committee Report (IC Report) has been settled and authorised between the parties, outlining the scope of the review. The Negotiation Protocol, which outlines the negotiation framework, terms and conditions, and includes an agreed budget, is currently being finalised and awaiting confirmation. The negotiation budget is for the period 1 July 2024 to 30 June 2026. A presentation by BHP on financial benefits is scheduled for 3rd December 2024.

## **BHP - SCOPE OF NEGOTIATION**

The scope for the negotiation is shown below. The scope is a high level list of topics for discussion throughout the agreement modernisation process next year.





# BNTAC CELEBRATES NAIDOC AT THIS YEAR'S PERTH EVENT

*NAIDOC Week is a significant time each year when we celebrate and acknowledge the history, culture, and achievements of all Aboriginal and Torres Strait Islander peoples.*

This year, we were pleased to celebrate NAIDOC week with an event in Perth! A big thank you to Noongar man Dr. Len Collard for welcoming us onto your beautiful Country.

Attendees enjoyed a variety of delicious food, arts and crafts, painting, face painting, and meaningful conversations, all centered around this year's NAIDOC theme, "Keep the Fire Burning." We were also joined by the Perth Football Club, who engaged with the kids by leading a number of fun drills throughout the day.

We are grateful to everyone who joined us to celebrate this important occasion. It was a wonderful opportunity to come together and honor the rich culture and heritage of our communities. We look forward to doing it all again next year!



MEMBER  
SPOTLIGHT

## MR AND MRS NAIDOC 2024

BNTAC Members Devron Hayden and Nyima Tucker took center stage at the Miss and Mr NAIDOC Perth event, showcasing not just their style but their confidence and courage as well. The competition wasn't just about looking good; it was a platform for overcoming the fear of public speaking and forging connections within the Indigenous community here in WA.

For Devron, this was more than just a contest; it was an opportunity for personal growth and empowerment. Building self-confidence and character was at the forefront of their experience, and their participation served as a testament to the resilience and determination of young mob.

It's great to witness members of our community fearlessly pursuing their passions without reservation or shame. Congratulations to Devron and Nyima for their participation, and we wish them all the best in their future endeavors!





# CONGRATULATIONS TO THE TOM PRICE COMMUNITY RECOGNITION AWARD WINNERS

During NAIDOC Week, the Shire of Ashburton and the Tom Price community came together to celebrate NAIDOC Week and the valuable contributions of local members.

Awards were presented by BNTAC Director Johnnell Parker and recognised the exceptional contributions of local people in Tom Price.

Amongst the recipients were BNTAC members including: Sandra Cox, who was honored for her dedication to family and cultural heritage. Sandra is known for her efforts in teaching Banjima history and sharing her traditional food, offering invaluable insight and fostering understanding within the community.

Braiden Smith was recognised for his commitment to being a positive role model and achieving personal goals despite facing challenges. His perseverance and dedication have made a significant impact on his peers.

Beasley James received acclaim for his exceptional leadership and work ethic. By starting his own business, he has demonstrated a strong drive for

excellence. Though he is a quiet achiever, Beasley serves as a remarkable role model, particularly for the youth.

Cara Bobby was acknowledged for her positive contributions to the town, enhancing the community through her efforts and involvement.

We were honored to sponsor these awards and celebrate the achievements of these remarkable individuals.



# UPCOMING EVENTS

**Thurs, 14  
November**

## **B1 Banjima Direct Benefit Trust Community Meeting**

Please refer to your meeting notice from AET for more details.

**Fri, 15  
November**

## **Banjima Charitable Trust Community Meeting**

Please refer to your meeting notice from AET for more details.

**Sat, 16  
November**

## **2024 Annual General Meeting**

The BNTAC AGM will be held in Karratha at the Red Earth Arts Precinct.

**11-14  
April**

## **Karijini Experience 2025**

We are actively seeking new workshop ideas and volunteers and invite anyone interested to get in touch with us.



# AGM FAQ

Have more questions?  
Contact us at [agm@bntac.org.au](mailto:agm@bntac.org.au) or visit our  
dedicated website page  
[bntac.org.au/agm](https://bntac.org.au/agm)

## Can I attend the AGM online?

No. The BNTAC AGM will be an **IN-PERSON EVENT ONLY** held in Karratha on Saturday, 16th November 2024 at the Red Earth Arts Precinct.

## Is there a sitting fee?

Yes. The BNTAC AGM sitting fee is \$400. Registrations after 11am will receive a half-day sitting payment.

## Are partners and children invited?

BNTAC Members are the only people permitted inside the room, however, we have created a family-friendly environment outside with a separate activities area for children. Please note that parents are responsible for the safety and care of their children at all times.

## Can I appoint a proxy?

Members who cannot attend in person have the right to appoint a Proxy. If you would like to appoint a Proxy, please fill out the Appointment of Proxy form located in your meeting notice and return to BNTAC 48 hours before the beginning of the meeting by emailing [agm@bntac.org.au](mailto:agm@bntac.org.au).



# IT'S OKAY NOT TO BE OKAY

Let's have a yarn about something that can hurt us...Talking about substance misuse can be tough, and the journey to healing can be long, but with the right support, we can overcome these challenges.

If you, or someone you know, are feeling worried or no good...Look out for signs such as:

- Withdrawing from family and community activities.
- Losing interest in hobbies and cultural practices.
- Not responding to messages or calls.
- Frequently feeling sad or irritable.
- Asking for financial help more often.
- Experiencing difficulties in relationships or family dynamics.
- Missing work or showing up late regularly.
- They are drinking or using drugs more than before.

## Support Services

### 13 Yarn

Offers free, culturally appropriate counselling by phone - Speak with trained Aboriginal & Torres Strait Islander supporters who listen without judgement

**Phone: 13 Yarn (13 9276) | Website: [13yarn.org.au](http://13yarn.org.au)**

### Wungening Aboriginal Corporation

Provides support for substance use, tailored to Aboriginal Communities

**Phone: (08) 9221 1411 | Website: [wungening.com.au](http://wungening.com.au)**

### Wanada

A 24/7 crisis support line for Aboriginal and Torres Strait Islander peoples.

**Phone: (08) 6557 9400 | Website: [wanada.com.au](http://wanada.com.au)**



“I yarn with my mob  
when things are  
bothering me.”



When things get tough, it's good to  
yarn about it with people you trust.

**Stronger You**  
**STRONGER MOB**

**GOT A GREAT STORY TO SHARE?**

**We'd love to hear your suggestions for topics to feature in our newsletter. Whether it's about our members, local businesses, or upcoming events, we're eager to highlight your stories.**

**Contact us at  
[communications@bntac.org.au](mailto:communications@bntac.org.au)**