

CONSULTATION MEETING WITH COMMON LAW HOLDERS **for the making of Native Title Decision as follows:**

Part 9B Native Title Mining Agreement for Mineral Exploration with Cosmo Developments Pty Ltd

NOTICE is given of a community consultation meeting with the Far West Coast Common Law holders (Native Title Holders) where the Common Law Holders will be asked whether they wish to consent to the Far West Coast Aboriginal Corporation entering into the above-named Native Title Mining Agreement for Mineral Exploration.

Consultation Meeting with Common Law Holders

On: Friday 13th of September 2019

Commencing at: 5.30 pm (BBQ Tea provided)

To be held at: Far West Aboriginal Sporting Complex Inc., Bergmann Drive, Ceduna SA.

Background: The FWC Common Law Holders met on the 21st of June 2019 and did not consent to the FWCAC entering into a 9B Agreement for Mineral Exploration with Cosmo Developments.

Cosmo Developments have asked to meet again with the Common Law Holders seeking to reach agreement, rather than commencing legal proceedings in the Environment Resources and Development Court.

FWCAC holds the strong view that a negotiated Agreement is a preferable outcome to a Court imposed outcome. On that basis the Corporation has agreed to notify this meeting on behalf of the common law holders.

What is the purpose of the meeting? The purpose of this meeting is to consult with and obtain consent (or not) from the Common Law holders for the Far West Coast Aboriginal Corporation to enter into the Part 9B Agreement. Entry into the agreement is a “native title decision” pursuant to the *Native Title (Prescribed Body Corporate) Regulations 1999*. Consultation is required with Common Law Holders, and their consent is needed, prior to the Corporation entering into the Agreement. If common law holders’ consent, a resolution is to be passed at the meeting which confirms support for entry into the Part 9B agreement, and a certificate must be signed by at least 5 members of the Corporation who are Common Law Holders whose native title rights and interests would be affected by the proposed decisions.

Who should attend?

All Far West Coast Aboriginal Corporation members and Common Law holders are invited to attend.

Enquiries For all enquiries and copies of this notice, please contact or attend the FWCAC Office on PH: 08 8625 3340, 62 Poynton Street, Ceduna, South Australia SA 5690.

Travel Assistance - to get home after the meeting (one-way assistance)

Application forms MUST be lodged prior to the meeting. No late applications accepted;

- Must live further than 90 kms from Ceduna within SA and provide evidence of address and car rego;
- Must attend and stay at the advertised meeting (sign in using the attendance register);
- Purchase orders will be provided for suppliers to be paid directly - No cash payments made;
- Purchase orders will be provided when meeting is completed and once the staff person is available;
- No airfares, meals or accommodation costs will be considered.



OUR RIGHT TO NEGOTIATE



The Far West Coast Common Law Holders seek the protection of our Aboriginal Cultural Heritage via a Part 9B Agreement rather than risk a court verdict that both alienates us from the Exploration process and wipes out our authority as Native Title Holders?

EXPLORATION LEASE ALREADY GRANTED

By the time an Exploration Company approaches a Native Title body (RNTBC), the State Government has already granted the Exploration Lease for Minerals on the tenement within the FWC Native Title determined area.

UNDER THE MINING ACT

An Exploration company must CONSULT with the Common Law Holders of Native Title as represented by the the FWCAC as the Registered Native Title Body Corporate (RNTBC).

CONSULTATION

Here at the FWCAC, the process starts with the Exploration Company making a presentation to the FWCAC Board of Directors that sets out the purpose and scope of their exploration, a workplan and timeframes.

NEGOTIATION Later, when the Explorer requests a draft Part 9B Agreement the FWCAC Board of Directors issues their model Part 9B Agreement that sets out the scope of exploration, the agreed process for cultural heritage surveys (AIS Clearances) and how we will communicate into the future, as conditions.

THE PROTECTION OF AGREEMENT

FWCAC then defers to the Common Law Holders at a Native Title Community Meeting and seeks their decision to direct them to enter into the Part 9B Agreement with the Exploration Company.

Having the Agreement in place faces the Explorer head on and puts our Native Title Rights and Interests and our Aboriginal Cultural Heritage **FIRST** before Exploration.

Demanding Aboriginal Cultural Heritage protection through a Part 9B Agreement and Cultural Heritage Survey is therefore a priority of Common Law Holders – **that is every one of us.**

THE ENVIRONMENT COURT

Without a Part 9B Agreement in place Explorers will seek Authorisation to Explore from the court and we would risk EVERYTHING.

So, let's make sure we self-manage and self-determine to ensure:

- our land, our future, our way
- protect our Native Title Rights and Interests
- our success and achievements to date
- the protection and preservation of our own Aboriginal cultural heritage
- our right to negotiate.

The Common Law Holders **do not have the right to veto or stop exploration** on FWC Native Title land just by saying No.

A Part 9B Agreement for Exploration

- gives a voice to the Far West Coast Aboriginal Peoples
- maintains our right to negotiate for our land.

Having this Part 9B Agreement for Exploration in place guarantees FWC Aboriginal People being on **our land** directing the Explorers actions at key stages of Exploration.

Court decisions risk a much reduced & limited involvement of the FWC Aboriginal Peoples rather than the lead role given through the Part 9B Agreement.