



Yinggarda Aboriginal Corporation

I.C.N. 9184

Minutes of the Common Law Holder Meeting held on
Wednesday 13 November 2024 at The Woolshed, Carnarvon

1	Welcome & Minute Silence
<p>The YAC Business Manager & Chairperson welcomed members and opened the meeting at 9.58AM with an Acknowledgement of Country.</p> <p>A minute silence was observed.</p> <p>There were no observers present at the meeting.</p> <p>Business Manager, Denice Cotterill provided an overview of the agenda for the meeting.</p> <p>Denice Cotterill advised the CLH's of the Code of Conduct that is expected to be adhered to during the meeting.</p>	
2	Attendance
<p>Common Law Holders (CLH's):</p> <p>Jada ALONE, Jalen ALONE, Michelle ALONE, Shanita ALONE, Caroline Ellen Merle BAKER, Roderick BALBY, Lynne Cecilia BARRAS, Joyce BARRON, Raekisha BAUMGARTEN, Delarny BELL, Lucy May BULLEY, Caitlyn Yorkshire CAPEWELL, Steven CHONG WEE, Danielle CHONG-WEE, Denice COTTERILL, Keith COTTERILL, Bronwyn COTTERILL, Robin CROWE, Sharon CROWE, Cheryl DALGETY, Louise Anne DALGETY, Maureen DALGETY, Merle DANN, Peter Thomas DANN, Roberta DANN, Cheyenne DINGO, Dominiquea DINGO, Belinda DODD, Jamie-Lee DODD, Loretta DODD, Paula DODD, Thomas DODD, Kerri L DOREY, Rebecca Jane DOREY, Robert Lionel DOREY, Gavin DOWKER, Tanya DOWKER, Brayden DOWKER, Carmen DOWKER, Remille DRUMMOND, Samantha DRUMMOND, Samuel DRUMMOND, Dwayne DRUMMOND, Damian EDNEY, Ernest EDNEY, Raymond Charles EDNEY, Ellen FLETCHER, Lionel FLETCHER, Robert FLETCHER, Margaret FRANKLIN, Elizabeth GRAHAM, Nancy HALL, Nicholas Robert HALL, Jasmyn HAMLETT, Darcy Thomas HARRIS, Theresa HARRIS (NEE NOBLE), David Peter HERRITS, Joshua Jack HERRITS, Alanah KELLY, Carole KELLY, Gail KELLY, Ralph KELLY, Rohani KELLY, Rowena KELLY, Shandelle KELLY, Annette KELLY, Krishelle KELLY, Marie KELLY, Clifton LOCKYER, Beverley MCINTOSH, Jamie Lee MCKIE, Terrence MCKIE, Kylie MOGRIDGE, Lillian MOGRIDGE, Richelle MOGRIDGE, Diane MONCRIEFF, Cheryl MONCRIEFF, Natasha MONCRIEFF, Jennifer MONCRIEFF, Sahneemah MONCRIEFF, Dwayne NOBLE, Gareth NOBLE, Kelvina NOBLE, Leanne OLIVER, Judith Dianne PECK, Antoinette (Tony) ROE, Corey ROE, Kathleen (Kath) RYAN, Cowan RYAN, Clifford RYAN, Brian RYDER, Nikita RYDER, Derek RYDER, Kristy RYDER, Gillian Doris SNOWBALL, Jayne SNOWBALL, Lynette SNOWBALL, Rose-Ann STACK, Delores Sharee TITTUMS, Tracey TONGA, Anthony (Snr) TURNER, Tamara WHITBY, Keanu WHITBY, Kailani WHITBY, Jesse WILLIAMS, Marianne WILLIAMS, Albert Darby WINDER, Anita G. WINDER, Annabelle Elsie WINDER, Murray John WINDER, Roberta WINDER, Richard DOWKER and Ronald NOBLE.</p>	

Other:

Dana Bastholm, Governance Manager (Gumala Aboriginal Corporation) (*minute taker*)
Steve Wong, CFO (Gumala Aboriginal Corporation)
Andrew Dhu, Project Manager (Gumala Enterprises Pty Ltd)
Kevin Banks-Smith, Lawyer (Banks-Smith & Associates)
Daniel O'Connor, Lawyer (Slater & Gordon)
Fabian Ponton, Lawyer (Cross Country Native Title Services)

3 Confirmation of Minutes from the Previous Meeting

Chairperson Tracey Tonga presented the minutes of the last meeting held on the 7 August 2024.
No business arising.

Resolution 20241113/001

The Members of the Yinggarda Aboriginal Corporation RNTBC (ICN 9184) resolve to accept the minutes of the Common Law Holders Meeting held on the 7th of August 2024 as a true and accurate record of proceedings to be signed by the Chairperson

Moved: Terrence Mckie

Seconded: Kerri Dorey

Passed by majority

Against: Merle Dann, Clifton Lockyer, Lucy May Bulley, Beverley Macintosh

4 Timber Creek Compensation Claim presented by Daniel O'Connor (Slater & Gordon)

Daniel O'Connor provided the CLH's with background information about Slater & Gordon, the Timber Creek case and his involvement in assisting YAC with their claim.

A CLH asked for clarification on what can be compensated. Daniel O'Connor responded that compensation can be awarded for any acts that extinguished native title rights of the Yinggarda CLH's after 1975. Daniel O'Connor elaborated that they currently have 290 examples of these acts occurring in Yinggarda Country but want further examples and asked CLH's to come forward to provide these.

CLH Peter Dann asked if the Western Power sites and pipelines by the river are included in these examples. Daniel O'Connor responded that this is being explored and is currently included in the mapping but would appreciate further information if the CLH's can provide this.

A CLH asked if the CLH's will be able to review all the examples before negotiations take place. Daniel O'Connor confirmed that they are required to come back to the CLH to confirm the examples before they can proceed with negotiations. Daniel O'Connor confirmed that there will be CLH meetings next year where this will be presented.

CLH Raymond Edney asked if Yinggarda can seek compensation for trauma caused from things that occurred on the missions. Daniel O'Connor responded that this may not fall under the Timber Creek claim but could be explored via other avenues.

A CLH requested that a map of Yinggarda Country be displayed at future meetings.

No further business arising.

5	Litigation Funding Agreement with Aristata presented by Kevin Banks-Smith (Banks- Smith & Associates)
<p>Kevin Banks-Smith provided background to his work and involvement with YAC and background to litigation funding and no win no fee structure.</p> <p>A CLH asked how the compensation amount is determined, considering increased property and land prices over the last several decades. Daniel O'Connor responded that an expert valuer assesses the sites, looks at when the extinguishing act occurred, and determines the value of the land at that time.</p> <p>No further business arising.</p>	
6	Future Acts and Section 18 Update presented by Fabian Ponton (Cross Country Native Title Services)
<p>Fabian Ponton provided background to Cross Country Native Title Services (CCNTS) and the work they do for YAC including a summary of current Yinggarda native title matters.</p> <p>No business arising.</p>	
7	ALT Divestment Properties presented by Business Manager, Denice Cotterill
<p>Denice Cotterill provided background information to the ALT Divestment Properties, presenting 3 maps depicting the location of the properties.</p> <p>No business arising.</p> <p>The CLH's unanimously support the ALT Divestment Properties and for YAC to proceed with negotiations</p>	
8	Meeting Closure
<p>Being no further business, the meeting was closed at 11.41am.</p>	

These minutes are certified as a true and accurate record

Signed by Chairperson _____ Date _____

Name of Chairperson Tracey Tonga