

# MEETING NOTICE

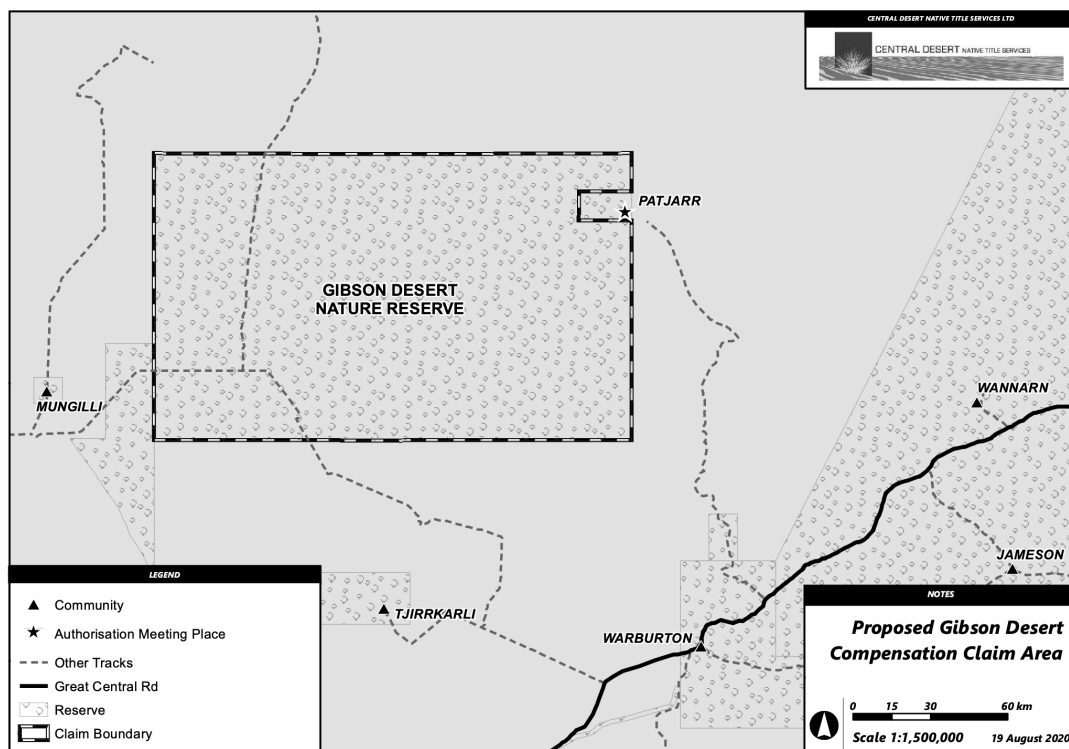
## GIBSON DESERT NATURE RESERVE COMPENSATION CLAIM

### Authorisation Meeting

Wednesday 9 September 2020

Patjarr Community

9.00am



### AGENDA:

#### 1. Background and update

- The Gibson Desert Traditional Owners have been negotiating a settlement agreement with the State Government about native title, compensation, caring for country and land management in relation to the Gibson Desert Nature Reserve.
- As part of this process, and before the settlement agreement can be signed, the Gibson Desert Traditional Owners need to file legal paperwork with the Federal Court, which is called a native title compensation claim.
- This claim is *very different* to the Court case for the old Gibson Desert compensation claim filed back in 2012 because the State Government has already negotiated a settlement agreement with representatives of the Gibson Desert Traditional Owners.
- If the Gibson Desert Traditional Owners agree to the settlement agreement, the State Government will not be fighting the new compensation claim in court to say that the

Gibson Desert Traditional Owners are not entitled to compensation. The settlement agreement will provide for compensation to the Gibson Desert Traditional Owners.

- This new claim is needed as a legal formality. The State wants the compensation application to make sure that the issue of compensation between them and the Gibson Desert Traditional Owners is totally settled (finished) by the Settlement Agreement. There will be no Court or judges or lawyers coming out to Mina Mina to argue with Gibson Desert Traditional Owners about the compensation claim.

## **2. Authorisation to bring the compensation claim**

- Central Desert lawyers will give legal advice about the draft compensation claim to be filed in the Federal Court, and then the Gibson Desert Traditional Owners will discuss and make decisions about the claim.
- The Gibson Desert Traditional Owners will need to discuss the following important points:
  - (a) Claim Boundary – the proposed compensation claim is over the Gibson Desert Nature Reserve, shown on the map **attached** to this notice.
  - (b) Claim Group Description – this is how the people who will be included on the compensation claim will be described.
  - (c) Decision making – the right way to make a decision to bring a compensation claim.
  - (d) Whether to bring the compensation claim.
  - (e) Applicant – the meeting will need to choose some people to be members of the Applicant, and can decide to put in place some rules about how the applicant may change in the future. It is the Applicant’s job to bring the compensation application on behalf of all of the other people on the new compensation claim. These people will also be signing the Settlement Agreement on behalf of the Gibson Desert Traditional Owners, if the Gibson Desert Traditional Owners agree to the Settlement Agreement.
  - (f) What will happen with the compensation claim if the Settlement Agreement is agreed to by the Gibson Desert Traditional Owners.

## **3. Other business**

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### **WHO SHOULD ATTEND THE MEETING?**

#### **ALL TRADITIONAL OWNERS OF THE GIBSON DESERT NATURE RESERVE ARE ENCOURAGED TO ATTEND**

1. The Gibson Desert Traditional Owners are:
  - (a) Those persons who have rights under traditional laws and customs in part or all of the Gibson Desert Nature Reserve through:
    - (i) being conceived in the Gibson Desert Nature Reserve;
    - (ii) being born in the Gibson Desert Nature Reserve;

- (iii) the birth of an ancestor in the Gibson Desert Nature Reserve;
  - (iv) the acquisition of knowledge through long association with the Gibson Desert Nature Reserve;
  - (v) an ancestor's acquisition of knowledge through long association with the Gibson Desert Nature Reserve;
  - (vi) the burial site of an ancestor in the Gibson Desert Nature Reserve;
  - (vii) having religious, sacred, ritual, practice and historical knowledge of the Gibson Desert Nature Reserve; and
- (b) Those persons who are recognised under traditional laws and customs by other members of the Gibson Desert Traditional Owners as having rights in the Gibson Desert Nature Reserve.
2. This includes the descendants of the following people:
- (a) Malungka;
  - (b) the siblings Wirun/Wallace Davies, Tjuturumul/Billy Campbell and Marnupa Banks;
  - (c) Katurapulparr;
  - (d) the siblings Wunkurpa, Ngawili/Nolene Campbell, Tjintutjitji, Mulyamaru/Barney Ward and Nangkawan/Robert Ward;
  - (e) Lenny Morrison;
  - (f) Kaliya/Amy Anderson;
  - (g) the cousin-siblings Mirta-Mirta/Andy Campbell, Dinny Campbell and Nyipi Ward;
  - (h) the siblings Kautjuku/Polly Bond, Red Robertson, Walampari Mitchell and Tatitjarra/Arthur Robertson;
  - (i) Minmarna/Chinaman/John Carnegie;
  - (j) the siblings Yaluwila/Violet Ward and Neva Butler;
  - (k) the siblings Tjiltjirkurnyu and Tjapiyatjara;
  - (l) the siblings Matjuwa Campbell and Nyingura Martin;
  - (m) Kuku/Kirintji;
  - (n) Dr George Ward/George Ward;
  - (o) the siblings Dolly Smith and Eileen Robinson;
  - (p) Pulpurru Davies; and
  - (q) Nyaraurr/ Nama Cutline/ Ben Brown.

**If you think you have native title rights and interests in the area of the map but you (or your family) are not sure if you are included on the list above, please contact the Central Desert office on 1800 189 936 to talk to the claim anthropologist, Sean Calderwood.**

**If you would like more information about the things to be discussed at the meeting, do not understand this notice, or are not sure if you should attend the meeting, please contact Rebecca Parker (Community Engagement Officer) or David Reger (Claim Lawyer) on 9425 2000 or FREECALL 1800 189 936.**

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### **INFORMATION ABOUT TRAVEL AND CAMPING:**

Central Desert will have limited space to provide transport for people travelling from Wiluna and Warburton to Patjarr for the meeting. Central Desert encourages people to use their own transport to get to the meeting. Central Desert can assist with fuel and food for those people.

We will be staying at Patjarr from Monday 7 September to Friday 11 September. Central Desert will assist with food for those days. **Please make sure to bring your own camping gear, pannikins, cooking gear, swags and blankets as Central Desert will not be providing this.**

For more information, or if you need assistance to get to the meeting, please contact Rebecca Parker on **0467 770 029** or **FREECALL 1800 189 936** before **2:00pm on Friday 4<sup>th</sup> September 2020**. Please note that requests for travel assistance made after this date will not be accepted. We also ask that you confirm your attendance at the meeting for catering purposes.

***IMPORTANT:*** Please ensure that you arrange all your necessary medication prior to travelling as the clinic will not be open in Patjarr. If you are travelling with Central Desert staff and need to arrange medication in Warburton, please do so **by Friday the 4<sup>th</sup>** as the assisted transportation will be leaving early on Monday.

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### **CENTRAL DESERT STAFF ATTENDING:**

Malcolm O'Dell (Principal Lawyer), Sean Calderwood (Senior Anthropologist), David Reger (Claim Lawyer), Rebecca Parker (Community Engagement), Sarah Hobson (Operations Manager) and Marian Hennessey (GIS Officer) from Central Desert Native Title Services will be attending.

Consultant Jan Turner (Cultural Interpreter and Advisor) and Tessa Herrmann (Barrister) will also be attending.

