

**Executive Meeting No. 1 of 2007/2008
3-4 July 2007 at Umuwa
Minutes**

Day One –

| | | |
|-----------------|--------------------|---------------------|
| Present: | Chairperson | Bernard Singer |
| | Amata | Leonard Burton |
| | Anilayla | Kawaki Thompson |
| | Indulkana | |
| | Kaltjiti | Murray George |
| | Mimili | Tony Campbell |
| | Murputja | Anton Baker |
| | Pukatja | Gary Lewis |
| | Kalka/Pipalyatjara | Sean Williamson |
| | Watarru | Charlie Anytjipalya |
| | General Manager | Ken Newman |
| | Director | Rex Tjami |
| | Legal Officer | Nicola Thompson |
| | Povey Stirk | John Stirk |

Marty Cielens of TAFE SA commenced the meeting at 12:15 pm and advised he was attending to provide a review of governance training for Executive Board Members. A very good session with much interaction and discussion took place. The training session completed at 4:50 pm.

Day Two

| | | |
|-----------------|--------------------|---------------------|
| Present: | Chairperson | Bernard Singer |
| | Amata | Leonard Burton |
| | Anilayla | Kawaki Thompson |
| | Indulkana | |
| | Kaltjiti | Murray George |
| | Mimili | Tony Campbell |
| | Murputja | Anton Baker |
| | Pukatja | Gary Lewis |
| | Kalka/Pipalyatjara | Sean Williamson |
| | Watarru | Charlie Anytjipalya |
| | General Manager | Ken Newman |
| | Director | Rex Tjami |
| | Legal Officer | Nicola Thompson |

Welcome

Bernard Singer welcomed everyone to the meeting that commenced at 10:05 am with a prayer by Sean Williamson.

Bernard advised we have a number of people visiting today and much business to consider.

New Business

1. **AW NRM Board and APY Executive Board** - Paul Reardon, Service Coordinator
Paul Reardon and Bob Smith, Services Coordinator attended to talk about the problems between the two Boards. Paul provided a handout to all members providing a clear understanding of the relationship between the two Boards. There was extensive discussion amongst members about the need for the AW NRM people to come through APY and not deal directly with our members.

Leonard Burton suggested a letter be written to the AW NRM Board directing them to follow the correct procedures and stop coming to the Lands without coming through APY.

Action: GM to write letter to AW NRM Board

2. **Public Transport on the APY Lands** – an update by Paul Reardon

Paul Reardon advised there is a draft tender being written with a plan to start in mid November. Alice Springs – Marla via the Lands but not the western communities, beyond Amata. The Board will be kept informed of this matter.

3. **Mintabie Book up and Meeting with Australian Bankers Association** – John Tregenza

John Tregenza spoke about the problems with the book up system at Mintabie where key cards and pin numbers are held. John and Bernard Singer attended a meeting with OCBA and ASIC and the Australian Bankers Association in Sydney last week. The ABA is represented by the four major banks, ANZ, Commonwealth, Westpac and NAB. The problem was explained and the ABA wants to help. Although there are legal problems, a plan was formed that included letters being written by ASIC to 6 stores (5 at Mintabie, 1 at Watinuma) advising that by a certain date, there will be no further book up or holding of peoples cards.

The Traders will be asked to supply a list of people and how much they owe. All these people on the list will have to be visited and see if they agree with the figures on the list and how the amount will be repaid.

If Anangu agree to repayment, then people will have to sign a form to repay within 6 months (transition period) other by CDEP or Centrelink payments but no more than 50% of pay at any time. After the start of the 6 month period, there will be no further book up from that day.

Some people owe a lot of money and may not be able to pay it off in 6 months. The banks said traders have to take other action. The banks called the unconscionable, misleading

Resolution

That APY Executive Board endorses the plan by Australian Securities Investment Commission (ASIC), Office of Consumer and Business Affairs (SA) (OCBA), Australian Bankers Association, NPY Women's Council, Mai Wiru and APY to finalize book up by keycard arrangements at Mintabie and the Darby store at Watinuma.

Moved: Leonard Burton
Second: Kawaki Thompson
Carried: All

4. **Land Management Issues** – Rodney Edwards

Rodney Edwards, Land Management Coordinator provided a handout to all Executive Board Members.

a) Arrangements with external agencies

b) Research Agreements

Action: Administration and LM to work on developing a permit process for research proposals.

Action: GM to write and invite the Desert Knowledge Research Centre to meet with the Executive Board at their meeting in Alice Springs on 1 August 2007

Charlie Anytjipalya discussed some issues about Land Management at Watarru. The LM Coordinator is to organize a meeting at Watarru with community members, and DEH to talk about a range of issues.

c) Funding

There are no current projects funded by AW NRM including traditional land management. Land Management has put in for "Working on Country" funds to pay wages for Anangu who were paid on CDEP. In the submission, 6 are part time and 1 as a full time Regional Ranger.

d) Wentworth Group

A workshop in Darwin in November is to be held to talk with Scientists about investments in Indigenous environmental management. Three (3) representatives could go from APY ie) Frank Young, one from west and one from east.

5. **Voting in Remote SA** – Kate Alport

Kate provided a briefing paper to members about voting amongst Anangu. She would like to visit four communities on the APY Lands, Pipalyatjara, Amata, Pukatja and Indulkana. The Executive board approved Kate visiting the four communities to do her research but advised her she should have a male and female interpreter with her.

Kate proposes to pay participants in the survey \$50 (will take them less than a hour) and to pay for interpreters separately.

6. **Community Development Officer Report**

Members were provided a report from the CDO. One issue related to the APY Sports & Cultural Festival.

Resolution

The APY Executive Board approves Amata to be the venue for the 2007 APY Sports and Cultural Festival on the Labour Day Long weekend in October.

Moved: Sean Williamson
Second: Charlie Anytjipalya
Carried: All

7. **Housing Discussion** – Phone Link with John Stirk, Joslene Mazel, DPC and Steven Baz, FaCSIA

John Stirk rang in and advised the Executive Board he was meeting in Adelaide with representatives of SA and the Commonwealth to talk about the Commonwealth offer of Housing for the APY Lands. John invited Minister Mal Brough to meet with APY Executive Board (perhaps in Alice Springs at their August meeting)

Steven Baz gave the Commonwealth view to have South Australia change the *APY Land Rights Act* to have 99 year leases for new public housing development for Anangu. There was also discussion about changing the Act to allow mortgaging of the Land for home purchase and commercial use of the Land.

There might be room to move to start some of the public housing. This has to be discussed with Mal Brough first.

Joslene Mazel on behalf of State said the State is open to any discussions with the Commonwealth but people on the APY Lands must be consulted. The State is committed to consultation. The State believes public housing could commence with existing 50 year leases that could be renewed. The State wants a fast upgrade of existing houses and start building new houses. What needs further consultation is 99 year leases for non Anangu and 30 year leases for commercial use.

The Commonwealth wants agreement by the end of September. The State says some could be decided about public housing but other matters require consultation.

John Stirk said we talked 12 months ago with Minister Abbott and it would be good if construction could start now on new houses on the Lands. Housing is a Health matter and there is a chronic need for new housing.

Joslene Mazel said Jay Weatherill in Parliament said housing is a Health and well being issue and a humans right issue.

The APY Executive Board discussed this matter amongst themselves.

8. TKP and Update on Employment – Paul Reardon

DEWR had to leave due to time constraints but asked Paul Reardon to discuss the idea of a jobs summit on the APY Lands. This would talk about what jobs there are and how Anangu could get into those jobs. A summit would also allow employers to come along to talk about jobs. It is planned for September/October.

9. CDEP – David Pearce, Allan McNeill, Naomi Palzeriano – Bungala Aboriginal Corporation
David Pearce advised Bungala was successful in being given the contract to run CDEP on the Lands. David provided some background on their organisation that has been operating since 1994. This is their 2nd trip and they are getting around to talk with Anangu without DEWR. Over the next 3-6 months, Bungala will appoint CDEP supervisors in communities.

David answered questions and outlined some training proposals for the Lands. He also advised members that no assets will be removed from the Lands but other assets will be brought into the Lands.

10a. Community Structure Plans – Meg Bartholomew, on behalf of APY

Meg presented the 9 structure plans that have been prepared by TBB, Perth. She advised members there were still concerns with some of the plans she has read, although communities have already signed them off. For example, the proposed housing at Amata is on an area that has flood and drainage problems that are not shown on the plan.

Action: Defer to next meeting

10b. APY Development Applications – Meg Bartholomew

a) toilets at Art Centre and Sorry Camp at Kalka – **approved**
b) swimming pool at Watarru, need to do some electrical work and also some water issues. Funds may not allow for cover to present excess evaporation. ***Defer to next meeting***

11. Anthropology Report

Tony Doulman is on break but his report was read by the General Manager which was accepted and all resolutions were approved.

a) Cattle

a.1 Old Kenmore Park PDLs

Further interviews with Traditional owners were undertaken in June to discuss the remaining Kenmore PDLs. A meeting with Traditional Owners to discuss Bully's Paddock, Lennon's Swamp Paddock, Yellow Dam Paddock and Perentie Bore Paddock is planned for early August.

a.2 Kenmore Park PDL

The APY Anthropologist contacted Traditional Owners for the Kenmore Park area PDL to discuss granting Donald Fraser a 25 year grazing licence. Traditional Owners agreed that Donald Fraser be granted a 25 year grazing licence.

b) Mineral Exploration

b.1 Metals Exploration EL3555

b.1.1 Area 4

At the request of the APY Executive at the December 2006 meeting a field trip to Area 4 was organised with members of the Burton family. On the 25th of June Traditional Owners with APY Anthropologists and the Mining Tenement Officer visited EL 3555 Area 4. Traditional Owners stated that Metals Ex could begin exploration work in Area 4. Traditional Owners excluded areas from exploration work (see Map of Exclusion areas in the attached report).

b.1.2 Area 5

On the 25th of June a field trip to EL 3555 Area 5 was undertaken with Traditional Owners. Also present were the APY Anthropologists and Mining Tenement Officer. After visiting the area Traditional Owners present agreed that all of Area 5 was clear of culturally significant sites. However Traditional owners, Willie Martin and Jimmy Pompey have requested to visit Area 5 to confirm that the area is clear of culturally significant sites.

b.2 PepinNini ELA 117/96

At the request of the Executive, the APY staff anthropologist and the APY Mining Tenement Officer will organise a trip to verify the location of Tjukurpa near the boundary of ELA 117/96 with Traditional Owners. This trip can be organised in the week ending the 20th July.

b.3 Mithril ELA 380/97, ELA 52/97, ELA 54/97 and ELA 41/97

Meetings to discuss Mithril ELAs 380/97, ELA 52/97, and ELA 54/97 will be held in Pipalyatjara in the week ending the 27th of July. A meeting to discuss Mithril ELA 41/97 will be held in Kaltjiti in early August. Mithril will be funding these meetings.

c) AARD

c.1 Monitoring of the AARD Power Line – Mimili to Indulkana

On Wednesday 20th of June a trip with Traditional Owners was organised along with Ric Darley from ETSA to monitor the progress of the power line construction between Mimili and Indulkana. Traditional Owners agreed that power line construction could continue.

c.2 Monitoring of the AARD Power Line - Amata

On Saturday 23rd of June a trip with Traditional Owners was organised along with Ric Darley from ETSA to monitor the progress of the power line construction at the Amata section of the power line. Traditional Owners agreed that power line construction could continue. Monitoring of the Watinuma section of the Amata to Watinuma powerline will be undertaken with Traditional Owners in the next month.

c.3 Irintata Power Line

On Sunday 24th of June a field trip with Traditional Owners was undertaken to inspect the proposed route of the power line to connect Irintata Homeland. Traditional Owners agreed that the proposed route was clear of culturally significant sites and that construction of the power line could proceed. We ask the Executive to approve this clearance and sign the attached Significant Cultural Sites Clearance Certificate. (See also full report attached.)

Resolution

The APY Executive Board approves the work area clearance for the proposed Irintata Power Line.

Moved: Leonard Burton

Second: Anton Baker

Carried: All

d) Telstra**d.1 Telstra works at Ulkiya**

On the 6th June a field trip was organised to visit Ulkiya about a work area clearance for a Telstra installation at Ulkiya homeland. Traditional Owners said that the area was clear of culturally significant sites. We ask the Executive to approve this clearance and sign the attached Significant Cultural Sites Clearance Certificate.

Resolution

The APY Executive Board approves the clearance of the Telstra works at Ulkiya homeland.

Moved: Sean Williamson

Second: Tony Campbell

Carried: All

d.2 Desktop Clearance

APY anthropologists have provided cultural heritage clearances for the following proposed Telstra works:

Cabling and connection related works for the substance misuse rehabilitation facility in Amata.

e) Distribution Meetings**e.1 PepinNini EL 3368**

A meeting to distribute mineral exploration payments to Traditional Owners for PepinNini EL 3368 was held on Thursday 21st of June at Watarru.

No agreement could be reached among the Anangu in attendance as to who the rightful Traditional Owners are and the meeting closed without the funds being distributed. A list of names of nominated Traditional Owners was recorded and a consensus that we should wait for further payments of exploration money to accumulate was accepted. Further consultation as to who the traditional owners are will need to be undertaken.

e.2 Metals Exploration EL 3555

A meeting to distribute mineral exploration monies to Traditional Owners for Metals Exploration EL 3555 was held at Kalka on the 22nd of June. Agreement was reached as to who the Traditional Owners are and a list of names was recorded but it was decided to wait for further funds to accumulate before having the distribution.

e.3 Rio Tinto Pine Ridge EL 2583

On the 27th June, APY anthropologists attempted to hold a meeting at Umuwa to distribute mineral exploration monies to Traditional Owners for Rio Tinto EL 2583. Meeting notices were sent to all communities two weeks in advance of the meeting. The APY Anthropologist and Mining Tenement Officer also spoke to Traditional Owners about this meeting. However, due to a lack of attendance by Traditional Owners, the distribution could not proceed. This is the second time that this meeting has been arranged and no Traditional Owners have attended.

12. Previous Minutes of Meeting No. 8 of 2006/2007 – 4 June 2007

The General Manager read through the previous Minutes which were accepted without alteration.

Moved: Tony Campbell

Second: Anton Baker

Carried: All

13. Correspondence In/Out

a) letter from Frank Young and Land Rover Club – **approved**

b) Minister Weatherill re wages increase

The General Manager advised of the letter saying employees can get a 3% wage rise for the 2007/2008 year. The General Manager can organize this for all employees. However, the General Manager and Director require approval from the Executive Board for an increase and neither have

had any increase since their contracts commenced in 2005. It was explained that people usually get a small CPI increase each year. Following discussion, the Executive Board **approved the wages increase for the GM and Director.**

c) Letter from Leonard Burton re loan for bus for Wallany Homeland

Discussion amongst Board Members said APY could not provide loans to people for this purpose as it would lead to others wanting vehicle loans.

However, the GM advised that in the 2007/2008 budget, a moderate remuneration is budgeted for the Deputy Chairperson for the times that person fills in for the Chairperson or attends other meetings on behalf of APY.

Resolution

The Executive Board approve a remuneration of the Deputy Chairperson of \$10,000 per annum commencing in the 2007/2008 financial year.

Approved: Murray George
Second: Charlie Anytjipalya
Carried: All

d) Homelands Connection Policy to Powerline

The GM advised this matter arose out of the Chalky Hill dispute and the APY request for connection to Irintata as compensation. Members received a policy document from DPC-AARD in relation to connecting homelands to the powerline grid provided the homelands are primarily occupied and within one km from the powerline grid. Members discussed this and were pleased with the outcome.

14. Legal Report

Nicola Thompson provided her final legal report as she and her husband are moving to Darwin.

a) Cattle

We have had discussions with Donald Fraser who has requested approval for a twenty-five year grazing licence. Section 6(3) of the Anangu Pitjantjatjara Yankunytjatjara Land Rights Act requires that for APY to grant a licence greater than 5 years, we need a resolution approved by a Special General Meeting. We will discuss Mr Frazer's application at the next Special General Meeting.

b) PY Air

We have requested an update from Laurie Fittock, the lawyer for Pitjantjatjara Council, and he has informed us that the plane and one of the houses have not been sold. A meeting of unit holders of the PY Air Trust which are made up of the majority of the communities and APY, with the major communities investing significant amounts of money, met on 12 October 2006 and the following resolutions were made:

1. The unit holders agree to the Pitjantjatjara Council Inc selling the aircraft VH-PYA and the 3 houses in Alice Springs, being assets of the PY Air Trust;
2. The unit holders agree to defer repayment of their loan accounts until after the settlement of the Aircraft and 3 houses;
3. The unit holders agree to hold a meeting of unit holders before end of 28 February 2007 to determine at that meeting whether to appoint a new trustee and whether to liquidate the other assets of PY Air Trust; and
4. Pit Council will retire as trustees of the PY Air Trust after the assets have been liquidated and settlement with debtors and creditors has been effected.

We recommend that we write to Laurie Fittock to request another unit holders meeting to discuss the above resolutions and decide if we need to make some new decision

Resolution

That the Executive Board request Pijantjatjara Council, as trustees of the PY Air Trust, to call a unit holders meeting to be held on the APY Lands in July 2007.

Moved: Leonard Burton
 Second: Charlie Anytjipalya
 Carried: All

c) Mintabie

We had a meeting in Mintabie on 20 June 2007 regarding the Mintabie lease regarding the draft lease and draft licensing policy prepared by the Attorney Generals Department which take into account all the resolutions that were approved by Anangu Tjuta at the Special General Meetings held in Indulkana and Mimili. We will be arranging another Special General Meeting shortly to discuss these documents with Anangu Tjuta.

d) Public Transport

Paul Reardon has informed us that the tender for the public transport for the APY Lands should be released in early July. After bids for the tenders are received, evaluation will occur and at this stage APY Executive will be asked to assist in the evaluation and consider the proposals and options suggested by tenderers. This process should be finalised by September 2007.

Bernard Singer thanked Nicola for her work with APY and presented her with some gifts.

15. **Date of Next Meeting**

There will be a joint meeting of the AW NRM Board and the APY Executive Board on 31 July 2007 in Alice Springs at a venue to be determined.

The next Executive Board meeting will be held on Wednesday 1 August 2007 in Alice Springs.

The meeting closed at 6:05 pm with a prayer by Sean Williamson.

Minutes by Ken Newman

**Executive Meeting No. 1 of 2007/2008
3 - 4 July 2007 - Umuwa
Agenda**

Day One –

1. Welcome – Bernard Singer, Chairperson
2. Governance Training with DPC and Marty Cielens, TAFE
3. Sub-Committee meetings – Membership, etc.
4. Community Structure Plans
5. APY Development Applications
6. [Anthropology Report](#)

Day Two

Visitors

Pippa Webb, Helen Marden - DEWR
Paul Reardon and Bob Smith – Services Coordinator
Kate Alport – Centre for Appropriate Technology
David Pearce – Bungala Aboriginal Corporation re: CDEP

New Business

7. [AW NRM Board and APY – Paul Reardon](#)
8. Public Transport on the APY Lands – an update by Paul Reardon
9. [Economic Development Strategy for the APY Lands - DEWR](#)
10. [Voting in Remote SA – Kate Alport](#)
11. CDEP – David Pearce

Other Business

12. Tenement Officer Report
13. [Community Development Officer Report](#)
14. [Legal Report](#)

Business Arising from the Minutes

15. Previous Minutes of Meeting No. 8 of 2006/2007 – 4 June 2007
16. Correspondence In/Out
17. Date of Next Executive Board Meeting
The next meeting is Wednesday xx August 2007.

[NB – Items highlighted in Blue have briefings supplied for Executive Board](#)