

**Executive Meeting No. 3 of 2007/2008
4-5 September 2007 at Umuwa
Minutes**

Day 1 – 4 September 2007

Present:	Chairperson	Bernard Singer
	Amata	Owen Burton (community rep)
	Anilayla	Kawaki Thompson
	Indulkana	Max Kenny
	Kaltjiti	Murray George
	Mimili	
	Murputja	Anton Baker (1:15 pm)
	Pukatja	Gary Lewis
	Kalka/Pipalyatjara	
	Watarru	Charlie Anytjipalya
	General Manager	Ken Newman
	Director	Rex Tjami (1:35 pm)
	Legal Officer	Peter Huntington

1. Welcome

The meeting commenced at 1:00pm and **Bernard Singer** welcomed everyone but said we are here for governance training and people should not have to wait half a day for members to arrive. Bernard Singer apologised to Marty Cielens, TAFE for keeping him waiting and then handed the meeting over to Marty.

2. Governance Training

Marty Cielens reminded members of what was discussed last time and he would like to review a couple of areas.

Marty Cielens discussed the Code of Conduct and in relation to financial management and harassing/bullying. Many rules in the Code of Conduct came from other laws ie) fraud, libel, criminal.

There was discussion about governance training and whether it is available for communities. Marty advised that DPC provides the funding for training and any community who wants governance training only have to ask. TAFE has been working with Pipalyatjara and Indulkana. There are 3 types of training, Executive/Council, office skills and interpreting training.

Harassment can lead to being sued or charged under the Act, it is against the law.

Marty then discussed planning and decision making.

At 3.30pm Bernard Singer opened the business part of the Executive Board meeting. Hector Burton (observer) gave a prayer.

3. Housing Update – Peter Huntington, Legal Officer

Peter introduced himself and provided a brief background of his experience prior to coming to work for Anangu Pitjantjatjara Yankunytjatjara. He then provided his understanding of the current Federal Government Housing offer.

Following discussion, the Executive Board approved Anangu Pitjantjatjara Yankunytjatjara writing strong letters to the State and Commonwealth Governments providing an alternative to proposed amendments to effect the Housing offer for the Anangu Pitjantjatjara Yankunytjatjara Lands. The

Executive Board also endorsed in principle support for working with the Office for Aboriginal Housing in relation to managing the Housing program on the APY Lands.

Action: Legal Officer to draft letter to SA State and Commonwealth Governments

The meeting ended at 4.30pm

Day 2 – 5 September 2007

Present:	Chairperson	Bernard Singer
	Amata	Owen Burton (community rep)
	Anilayla	Kawaki Thompson (11:05 am)
	Indulkana	Max Kenny
	Kaltjiti	Murray George (11:10 am)
	Mimili	Tony Campbell
	Murputja	Anton Baker (11:05 am)
	Pukatja	Gary Lewis
	Kalka/Pipalyatjara	Sean Williamson
	Watarru	Charlie Anytjipalya
	General Manager	Ken Newman
	Director	Rex Tjami
	Legal Officer	Peter Huntington

4. Restorative Justice – Update by John Trogenza

John provided an update on this project which is for minor offences, not serious ones. There is money for RJ Coordinator and part time casual field officer positions in communities. John provided an example of how a RJ Plan could work on the Lands. All agreed a plan is as strong as a Court Order but is only for Adults, not children. Executive supported the project and John will provide a copy of his report when completed to Executive.

5. Mintabie Lease (Book up) – Update by John Trogenza

John spoke about the letter received from David Schombergk of OCBA. Members were updated on the current plan to “trial” on the Anangu Pitjantjatjara Yankunytjatjara Lands in relation to keycards and pin numbers.

3. Housing Update (continued)

Peter Huntington provided some further ideas for Executive Members to consider. Following discussion the Executive Board approved 3 letters to be written to Minister Weatherill, Minister Brough, the Prime Minister as discussed.

6. Land Management Report

a) Threatened Species work

Warru - The radio collars at New Well are working well. John Reed from Roxby Downs is visiting to assist in the radio monitoring at night and day. All 16 are being monitored.

Warru Project Officer - has still not been funded and is caught up in negotiations with Alinytjara Wilurara. We have since started discussions with Indigenous Land Corporation regarding this.

Threatened Species Day – 6th Sept – information material about threatened species has been prepared for the schools and will go on school intranet for teachers to access.

b) Traditional Land Management

Traditional Ecological Knowledge - Sam Mathews spent a week with Amata School doing bush trips with all the classes and had 2 minyma and 2 tjilpis helping. The Aboriginal Education Workers also supported the trips. Now the minyma are keen to help in the school and the school is very keen for the ladies to participate. They learnt about water testing,

patch burning, rock holes some of the tjukurpa stories. Working with the schools is a very important activity.

Sandys Bore Vehicle – this has been repaired and equipped with another radio. There has been on-going problem with maintaining the car in good condition. Before a decision to return it is made, the matter will be discussed at a Land Management staff meeting with all the Rangers.

c) Funding Applications

- i) Working on Country – this application was to provide funding for 11 people to work as rangers. Unfortunately it was not successful. Some parts of the application need improving and we will try again next round.
- ii) Indigenous Protected Areas – The Agreements will arrive this week for signing for \$245,000 to cover the projects on the 2 Indigenous Protected Areas and the 3 proposed Indigenous Protected Areas.
- iii) Land Management has put in two applications for funding to Community Benefits SA which are grants funded through the Lotteries Commission. Applications must be accompanied with evidence that they have been endorsed by the Executive at one of their meetings so today we need approval to continue with the applications:
 - *Making Environmental Management Accessible to Anangu on the Anangu Pitjantjatjara Yankunytjatjara Lands.* This application is to provide a computer that Anangu can use to access the Land Management Database similar to Ara Irititja and for 2 more lap-top computers to collect the information in the field. Total \$11,300.
Action: Supported by Executive Board
 - *Remote country access for Walakarra Rangers on the Anangu Pitjantjatjara Yankunytjatjara Lands.* This application is to upgrade the vehicle used for Indigenous Protected Areas work at Walakarra with a good second hand vehicle equipped for bush work. Total \$30,000.
Action: Supported by Executive Board
- iv) Discussions have been held with Bob Smith, DPC, and Peter Kay, FaC (SA), about developing a horse breaking course next April. This could be part of the Caring for Country RPA that is still being developed. A draft project has been written for negotiation.
- v) Macquarie University wants to work with Land Management and Anangu to do some research on the family connections and relationships between families of Tjakura. This involves catching the tjakura and taking a tiny tip off the tail to do the dna analysis. Important parts to this project are; payment for 1 Anangu field assistant for 3 months, taking 5 Watarru school students and 5 adults to Sydney to see the University and science program. We need permission to continue with the funding application through a support letter to the University. The University will still need to apply for research permits. It has been discussed with Frank Young and supports it but there has not been an opportunity yet to talk to other Watarru people.
Action: Letter of support approved by Executive Board

d) Research Permits

Waltja Tjutangu Palyapayi sent out faxes to Mimili, Iwantja, Pukatja, and Amata about finding out what community want to do about the camel. They sent faxes saying they would employ someone to help with translating and collecting the information. This information will go to Desert Knowledge CRC as part of the camel management project funded partly through Alinytjara Wilurara. This big camel project has been going for several years and Anangu Pitjantjatjara Yankunytjatjara has not

been involved in it. The aerial surveys were a part of it – and we were not involved in that. The camel collaring work too. It is managed by a steering committee and they have invited us to join in the Committee.

- Land Management does not have enough information to give the Executive advice on the whole project but it would help if we were on the steering committee.
- Land Management has been writing up a camel management plan for the Anangu Pitjantjatjara Yankunytjatjara and doing its own control and management already.

Action: Executive Board supports LM Coordinator and Anangu Director of LM to be on the Steering Committee

e) Project Meetings

Over the next month we are starting a program of planning meetings. We need to have all the on-ground activities mapped out for the next 18 months so we know what resources we need to apply for. We will also organise a meeting of all the Anangu Rangers together to talk about our funding and how the money is being spent. The Sub-Committee will be invited to attend.

7. AW NRM and APY – Memorandum of Understanding

Following discussion, the Executive Board asked our Legal Officer to become involved to help resolve the impasse between Anangu Pitjantjatjara Yankunytjatjara and AW NRM.

8. PY Air Trust

The General Manager provided the background to this agenda item and asked the Legal Officer to summarise the correspondence and report. Following a brief discussion it was decided the Legal Officer should pursue this matter and report back to the Executive.

Action: Legal Officer to further investigate and report back to Executive Board

9. Anthropology Report and Mining Tenement Officer Reports

a) Desktop Clearances

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

Telstra works at Indulkana at 105A Church Street;
Wataru swimming pool; and
Telstra PAN 39000 at Amata.

b) Monitoring of the AARD Power line – Watinuma Section

On the 29th of August July a trip with Traditional Owners was organized to monitor the section of the proposed power line at Watinuma. Present was ETSA representative Ric Darley who explained the route of the proposed power line. We then traveled along the route for approximately 40 km. All Traditional Owners present agreed that the power line followed the correct path (as documented in the original Work Area Clearance) and approved the continued construction of the Watinuma section of the power line.

Resolution

The APY Executive Board approves the construction of the Watinuma section of the AARD Power Line.

Moved: Max Kenny
Second: Sean Williamson
Carried: All

c) PIRSA Mapping at Michael Hill

PIRSA representative Lachlan Rutherford has begun mapping activities around the Michael Hills area. He is being accompanied by Mr Ginger Mick.

d) Metals Exploration EL3555

On the 7th of August a field trip to EL 3555 Area 4 was undertaken with Traditional Owners, the APY Anthropologist and representatives from Metals Exploration (Max Maczurad and Dan Neilsen). This trip was to ensure that Metals Exploration was aware of the exclusion zone in Area 4. Company Representatives also discussed the possibility of work during the exploration process. They also asked to be shown sections of country outside of the exclusion zone.

Metals Exploration representatives also visited Area 5 with Mr Sean Williamson on Saturday 11th August. During this trip Mr Williamson asked Metals Exploration representatives to avoid a creek in the southern part of Area 5. Metals Exploration representatives took GPS co-ordinates and agreed to avoid the creek.

e) PepinNini ELA 117/96

At the request of the APY Executive, a fieldtrip was organised on the 10th of August to map the Tjala Tjukurpa track to determine whether the track falls within or outside the ELA 117/96 area. This trip was well attended with 23 Tjilpis. Also in attendance were the APY Mining Tenement Officer, APY Anthropologist and APY, Land Management Coordinator, Mining Liaison Officer and Leonard Burton from the Mining Sub-Committee. After meeting at Amata we travelled down to document the area of the Tjala Tukurpa. We took GPS co-ordinates along the way until we reached the Tjala site. Tjilpis at the site said that the area west of the site was clear and that Work Area Clearances should begin around Ulkiya. Once the GPS points had been plotted on a tenement map it was found that the Tjala track was in ELA 63/97 approximately six kilometres east of ELA 117/97. Please see the attached map.

Resolution

The APY Executive Board approves granting the Exploration Licence to PepinNini for ELA117/96.

Moved: Gary Lewis
Second: Murray George
Carried: All

f) Mithril ELA 41/97

Notices for a meeting at Umuwa on the 20th of August had been sent to all communities two weeks prior to the meeting date. Unfortunately this meeting was poorly attended and the Traditional Owners present requested that we organise another meeting for Thursday 23rd of August at Umuwa.

The meeting at Umuwa on the 23rd of August was well attended but no decision was made on ELA 41/97. Some Traditional Owners present said that they needed time to think about the issue and that there were some Traditional Owners who were not present so no decision could be made.

g) Workshop with PIRSA and others

The General Manager reported that PIRSA have asked APY to consider a time for a workshop to discuss mineral exploration on the Lands.

This follows our request to Government for funds to help us develop a royalty distribution system for future economic development. Executive Board Members should let Director or Chairman know

when it would suit because the workshop would involve PIRSA, Anangu Pitjantjatjara Yankunytjatjara, Mining Companies, Community Reps etc. It would be a reasonably big workshop.

Other Business

10. Tilpi Matters

- a) Metals X, EL 3555 - This area needs a further visit to make sure some areas are excluded.
- b) Coiln Tjapaya spoke about an area that really needs protection and they are asking Anangu Pitjantjatjara Yankunytjatjara for assistance. The Chairperson advised there is an APS meeting coming up and the roads could be discussed then. The area should be excluded.. (South of Fregon). Adrian Lewis raised this same issue that was discussed. The chairperson Law and Culture is to hold a meeting as soon as possible near Fregon about this.

Action: advise Leonard Burton to organise a Law & Culture meeting

11.1 APY Development Applications – Meg Bartholomew

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|--|--------------------------------------|
| a) Standard Wet Area – site and development application | Approved |
| b) Pukatja Church – development application | Approved |
| c) Amata Wiltja – development application | Approved |
| d) Amata Substance Misuse Centre – development application | Approved, pending community approval |
| e) Iwantja Internal Roads – development application | Approved |
| f) Iwantja Tourist Toilet – development application | Approved |
| g) Ernabella Upgrade ERN110 – development application | Approved |
| h) APY Office Shade – development application | Approved |

11.2 Policy Development

- | | |
|---|---|
| a) Consultation Protocols | Draft accepted |
| b) Septic Tank Applications: who can sign these – | GM, Director and/or Planning & Development Officer |
| c) Contractor's/ temporary camps/structures – | To be removed following project.
Deposit required? |

Action: APY to write to Donald Fraser and invite him to next Executive Board meeting to discuss demountable accommodation

d) Electrical Connection Policy for Homelands – The current policy that is based on 1 km of connection per dwelling means Wallany, which has 4 houses but is 7km from the powerline will miss out from being connected to the power line from Umuwa to Amata. The GM advised that APY and probably APS are both addressing this matter to see if an exception can be made to the policy based on the permanent nature of this homeland.

e) Kalka Plumbing – development application Meg is to discuss with Kalka

12. Correspondence In/Out

- a) Follow up from Bau – **no further information to provide to members**
- b) Fregon School – request to sponsor student exchange trip to Victor Harbour
- c) Indulkana Re: Asbestos at Church – referred to DPC and AARD and OAH
- d) Yunyarinyi Community Re: Richard Lodge – **2 months to leave**
- e) Roglem Satellite Systems Re: Christian TV – **refer to all communities**
- f) NPY Women's Council Re: Mr Lewis
- g) Letter from NPWC Re: Gary Lewis
Bernard Singer read the 2 letter (emails) from Vicki Gillick alleging bullying behaviour by Mr Lewis towards NPYWC staff at Ernabella. Mr Lewis explained that NPYWC came to Ernabella without notice to Council and didn't advertise their visit.
Bernard Singer explained that *Anangu Pitjantjatjara Yankunytjatjara Land Rights Act* details our requirement to abide by a Code of Conduct and that the governance training told us we

have to behave professionally or another organisation could say Anangu Pitjantjatjara Yankunytjatjara is not abiding by its own Act.

Bernard Singer suggested Gary Lewis write a letter of apology to NPYWC. Gary Lewis says there is another side to the story. The General Manager said under the *Anangu Pitjantjatjara Yankunytjatjara Land Rights Act* he advised the NPYWC that he would bring the emails to the attention of the Executive Board. The matter could be resolved quickly with a letter of apology or we could use the Anangu Pitjantjatjara Yankunytjatjara Legal Officer, who is an experienced mediator to attempt to resolve the matter between the 2 parties. The General Manager said he had an obligation to bring the matter to the attention of the Executive Board and work to have the matter resolved.

Action: General Manager to have Legal Officer arrange mediation between NPYWC and Anangu Pitjantjatjara Yankunytjatjara member Gary Lewis.

h) Permit Request Re: MT

The Executive Board discussed the permit application and advised the permit is refused.

13. Previous Minutes of Meeting No. 2 of 2007/2008 – 1 August 2007

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

Moved: Gary Lewis
Seconded: Anton Baker
Carried: All

14. Letter from Jay Weatherill Re: Review of APY LR Act Amendments

The General Manager tabled the letter and advised that the Review of the amendments of the *APY Land Rights Act* are to be reviewed within 3 years. The Minister has asked APY to appoint one Anangu to be a member of the review panel. The Minister would appoint 2 others which would meet the approval of APY.

Action: Defer discussion to next meeting

15. Date of Next Executive Board Meeting

Because of the Labour Day long weekend, the next meeting is planned for Wednesday 10 October 2007.

The meeting closed at 6:05 pm with a prayer by Kawaki Thompson.

Minutes by Ken Newman

**Executive Meeting No. 3 of 2007/2008
4 – 5 September 2007 – Umuwa
Agenda**

Day One – 4 September

Governance Training with Marty Cielens, TAFE

Day Two – 5 September 2007

1. Welcome
Apologies – Leonard Burton

New Business

2. Mintabie Lease – Update by John Tregenza and [letter from D Schombergk](#)
3. Restorative Justice – Update by John Tregenza
4. APY and AW NRM – Update about M.O.U.
5. Housing Update

Other Business

6. [APY Development Applications](#) – Meg Bartholomew
7. Community Development Officer Report – Ian Liddy
8. Land Management Report – Rodney Edwards
9. Legal Report – No report, Introduction of Peter Huntington
10. [Anthropology Report](#) – Dr T Doulman

Business Arising from the Minutes

11. [PY Air](#)
12. [Previous Minutes of Meeting No. 2 of 2007/2008 – 1 August 2007](#)
13. Correspondence In/Out
 - g) Follow up from Bau – no further information to provide to members
 - h) Fregon School – request to sponsor student exchange trip to Victor Harbour
 - i) Indulkana Re: Asbestos at Church
 - j) Yunyarinyi Community Re: Richard Lodge
 - k) Roglem Satellite Systems Re: Christian TV
 - l) NPY Women's Council Re: Mr Lewis
14. Date of Next Executive Board Meeting
Because of the Labour Day long weekend, the next meeting is planned for Wednesday 10 October 2007.

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