

Anangu Pitjantjatjara Yankunytjatjara

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Annual Report

2008 - 2009



Wamitjara, Anangu Pitjantjatjara Yankunytjatjara Lands

A Message from the Chairperson



I was pleased to be re-elected as Chairperson in December 2008 and am happy to provide the Annual Report of Anangu Pitjantjatjara Yankunytjatjara for the 2008 – 2009 reporting period.

After Mal Brough told a Special General Meeting of Anangu the Howard Government wanted leases over only the sites for new and upgraded houses, the Commonwealth backed off insisting on leases over all 400 Anangu houses on the APY Lands and we immediately offered land tenure to secure \$25 million.

We signed a master lease in October 2008 and at the end of the reporting period were ready to sign a MOU to pave the way the public housing would work. This MOU will contain a commitment from government to assess the feasibility of housing in homelands and Anangu individual ownership of houses in communities and homelands for the first time. It will replace the earlier MOU of November 2007 which contracted the State to manage all of the houses on the Lands as public housing.

The housing outcome was achieved by sidelining the question of leases and concentrating on the public management of housing in late 2007. The leases came later, after we all got to know the Housing SA people who lived on the Lands and gained our trust with mutual respect.

Apart from the new housing MOU, there are two other MOUs in the works. One is on royalty distribution and a second is about regulating relations between the Commonwealth, State and APY in relation to short, medium and long term development on the Lands. In the next reporting period we welcome the Senior Officer (on leave from Housing SA) and an experienced Anangu colleague to restructure our Development and Planning department.

We acknowledge and thank Minister Rankine for her support and vision in this regard and also Minister Paul Holloway for his support and encouragement in our resources sector achievements.

The year brought many other achievements which are set out in this report.

The above achievements stand in stark contrast to the situation in relation to housing and the intervention in the Northern Territory and in particular the Alice Springs Town Camps.

Our rollercoaster relationship with SA Aboriginal Affairs Minister Weatherill ended the reporting period in a trough and perhaps at its lowest ebb ever. We were concerned at the Minister's behaviour at Umuwa when he wrongly accused us of having abused the permit system, bullied us over various matters and tried to drive a wedge between the Executive Board and our staff.

We were left open-mouthed when we learned, a short time later, that without any kind of consultation or procurement process, FaHCSIA arbitrarily gave the contract for Municipal Services to a non-government organisation (NGO), in Special Administration, and de-funded support services in communities. This occurred after APY had proved that companies such as Coffey international Development were very interested in competing for work on the Lands.

Our pleas, throughout the reporting period, to have the Auditor-General investigate the NGO after it misappropriated almost \$1 million dollars from APY's account were ignored. By the time the NGO was placed into Special Administration, only \$0.34 cents in the dollar was being provided to Anangu in services on the Lands. The rest was wasted with over \$1.3 million dollars spent on lawyers and consultants fees which had nothing to do with service delivery.

The failure of service delivery on the APY Lands has been caused by government parties misleading Anangu about APY's powers and functions about services; trying to divide Anangu with a competing governance body; and, wasting large amounts of public funds. It is time for the dispute to end.

I told the Minister in March 2009, the Executive Board has made resolutions to provide for blanket permits for government agencies and their contractors. This complements contractual arrangements for access for Government contractors, ie. The housing ground lease and the proposed lease of service assets and accommodation to the State. This is further complemented by NGO contracts to normalise access to premises, introduced during the reporting period.

The real challenge facing Anangu is to deal with the incompetent and the maladministration, misconduct and corruption they bring, including the waste. We Anangu are Australian citizens living on our own private land. We have made progress where elsewhere there is none. We are entitled to have a substantial say in matters affecting us.

Service delivery and development are completely separate from governance. Stop trying to divide us. It has not and will not work. This is a time to focus on, and ensure everyone understands, the rights we have under the *APY Land Rights Act*.

In all of this we see it is we Anangu who must take responsibility for change and that successful change depends upon building effective communication and good quality relationships.

We will continue to fight for change and to achieve.

Sincerely



BERNARD SINGER

Chairperson

A Report from the Director



As the Chairperson's message says, the last year has been hard but rewarding and a successful one for Anangu.

The many successes include, apart from the Housing:

- starting work towards making a public road through the Lands to open up access to country and encourage development;
- opening up road works and housing construction to public tender for the first time;
- a resolution to lease contractors' yards and accommodation for contractors to encourage competition not monopoly;
- pursuing welfare reform;
- developing a new "blanket" permit system for government and government contractors to reduce red tape; and,
- establishing a new public transport service "Bush Bee" for the eastern communities, which will start early in 2009/2010.

Other significant achievements included:

- negotiating of a conjunctive oil and gas land access agreement with Ahava Energy, which has the potential to affect both the Australian economy and the tax base of South Australia;
- passing a by-law to regulate community stores to ensure provision of healthy food and food security; and,
- tackling corruption, misconduct and bad administration on the Lands.

APY formed a relationship with Adelaide-based development contractor, Coffey International Development, with a view to re-shaping funding and contract management on the Lands. This would create a situation where funding is used effectively and in partnership with Anangu to build our capacity and create sustainable outcomes. We asked the Premier to give consideration to appointing a Minister assisting him with development on the APY Lands and in March 2009 held a very well attended public workshop in Adelaide in conjunction with PIRSA and Coffey.

Our successes have come despite difficult circumstances and as the Director of Administration, I am able to oversee the work of our staff in implementing resolutions of the Executive Board.

The Executive Board has worked very hard as it dealt with conflict of interest matters relating to a very large amount of money being taken from APY by an NGO who used to do our books. This embarrassed the government who had forced services through the NGO upon us, no matter how hopeless was the delivery. But we did it and applied and complied with the governance provisions of the *APY Land Rights Act*.

It was sad to watch the legitimate Directors of the NGO overthrown by corrupt people so that Anangu could not take action to stop the waste and improve service delivery. It was bad to see over \$1 million public dollars funded for services wasted on things which had nothing to do with services or Aboriginal people. As the year drew to a close we are working to bring them back into working for Anangu.

Through all of this, Anangu have remained strong and committed. From the Tjilpi-tjuta to our General and Executive Board meetings, the message is clear. Continued change, an end to corruption and bullying and working through the right gate that is APY.

It was disappointing to hear public statements made by the Minister to the effect there are "white gatekeepers" and/or a power battle between public servants and white administrators of APY.

Leaving aside the racial overtones and slurs, the governance of APY is in the hands of the Executive Board and the administration is independently overseen by an Anangu Director of Administration. Anyone who thinks Anangu are not fully in control of APY simply does not know the true facts. It is a pity the Minister's public statements were not first discussed by the Minister with the Chairperson and/or me who would have been able to provide him with correct information. One would hope the respect for Aboriginal people, which characterized the Dunstan era, did not die with him.

I will not repeat what the Chairperson has said about a meeting with the Minister but will say how badly affected communities have been by the forcing of an NGO for municipal services and the defunding of some communities. Communities which had chosen their own management team and improved to the point where Court sittings were cancelled through lack of work, have returned to dysfunction, grog, break-ins and misery. This would not have happened had the Commonwealth listened to APY.

It is difficult to describe how this grinds people down. We get no thanks for trying and winning. We are making changes.

I am trying to show what Anangu are thinking, how we feel. We have achieved a lot this year but could have done much more without all of this. We have picked ourselves up and moved on with positive change and we will continue to do so no matter how many obstacles are placed in our way.

It has been very rewarding to work with the Executive Board, our members and the administration this year. We have a good team in APY.

Regards



REX TJAMI

Director of Administration

A Report from the General Manager



The reporting period has been a very busy one for the Administration team.

APY is a statutory corporation subject to a limited degree of Ministerial oversight. The Executive Board, Director and I are Public Officers. We have high standards of governance imposed by the *APY Land Rights Act*, as well as full personal financial responsibility and liability for negligence and maladministration.

Our books and bank accounts are prepared and controlled independently of myself, or any member of the administration and/or Executive Board, and APY is independently audited each year which is publicly available. The South Australian Auditor-General has jurisdiction as well.

We are fortunate to have a talented and experienced team of dedicated staff whose qualifications and depth of experience, amounts to a valuable and substantial resource and knowledge base. APY staff resides on the APY Lands and have their fingers on the pulse of what is happening on a daily basis. APY also has many external advisors who are also part of the team, whose credentials and experience are apparent.

APY stands as a source of high level and accurate factual and professional advice available to the Minister in relation to all matters touching upon the Anangu and the APY Lands.

Emphasis does need to be given to one crucial observation. Anangu have demonstrated results in terms of significant change. Where else is anything happening in Aboriginal housing, anti-corruption, openness and transparency?

The *APY Land Rights Act* expressly places the day to day management of APY and financial control, in my hands as General Manager. Legal advice was received that as General Manager, I must bring an independent judgment to bear in determining whether to use APY's assets and resources. The *Act* imposes full personal liability upon the Executive Board, the Director and I, if the affairs of APY are mishandled. My work as General Manager has been made more difficult by the occurrence of numerous un-necessary matters which have, or are likely to have, immediate and substantial financial impact on APY.

First, almost four months into the Special Administration of a non-government organisation (NGO) operating on the Lands, no accounting has been provided to APY in relation to housing R&M money and Anangu rents collected from Centrelink and CDEP payments by that NGO. Published accounts show a staggering \$450,000 collected in rent from Anangu during the preceding 12 months but not applied to housing repairs and maintenance and that a further \$165,000 of rent is held by that NGO.

The Special Administrator's refusal to enter into our standard form NGO contract governing the terms of access to the Lands is not acceptable nor is the Administrator's refusal to acknowledge premises occupied by the NGO.

Second, APY was forced to incur legal costs in defending two pieces of un-necessary litigation funded by the NGO. In one case, the NGO paid \$174,000 public dollars to fund litigation against APY by three Anangu, who will now have to repay/declare as income this money. This litigation was withdrawn or dismissed in one case, with an order for costs against the Aboriginal plaintiffs in favour of APY.

Third, I was excluded from negotiations with a State statutory authority about a MOU to deal with the relationship between APY and the authority. The negotiations included senior public servants

and a government lawyer. A financial analysis of the MOU showed an unfunded financial cost to APY of almost \$200,000 to service the MOU.

Fourth, there appears to be a growing culture amongst government parties of ignoring APY's right to exclusive possession of the Lands as freehold owner and ownership of buildings which have become fixtures and are not subject to lease. The practice has developed of government parties carrying out dealings and negotiations about use and occupation of APY assets, as if APY did not exist.

This increasingly causes an arbitrary and chaotic situation. Misleading statements are repeatedly made in relation to entitlement of possession of premises and rent. It will be necessary to normalise this unfortunate situation in the next reporting period.

Fifth, in light of the events during a Ministerial visit to the Lands, it will be necessary in the next reporting period to expend funds obtaining high level legal advice to address and combat incorrect claims and statements made about various legal matters. It will be well to remember the Anangu won their fight for Land Rights in the 1970s and they should not be troubled now with incorrect statements and claims about what those rights are.

Having said this, APY had much to be proud of during the reporting period and I hope you will enjoy reading about the activities within the various sections of this report.



KEN NEWMAN

General Manager

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Introduction

Background

Anangu Pitjantjatjara Yankunytjatjara holds the freehold title to the lands on behalf of its members under the *Anangu Pitjantjatjara Yankunytjatjara Land Rights Act 1981*.

The Anangu Pitjantjatjara Yankunytjatjara Lands occupy 103,000 square kilometres in the North West corner of South Australia. The most prominent features on the Anangu Pitjantjatjara Yankunytjatjara lands are the Tomkinson, Mann, Musgrave and Everard Ranges. Most of the communities are located in or around these ranges.

All decisions relating to development, use and management of the lands are made by the Anangu Pitjantjatjara Yankunytjatjara General Meetings in conjunction with the Anangu Pitjantjatjara Yankunytjatjara Executive Board.

Powers and Functions of Anangu Pitjantjatjara Yankunytjatjara

Anangu Pitjantjatjara Yankunytjatjara was established as a body corporate constituted pursuant to the *Anangu Pitjantjatjara Yankunytjatjara Land Rights Act 1981*.

Pursuant to Section 6 (1) of *the Act*, the functions of Anangu Pitjantjatjara Yankunytjatjara are:



- (a) To ascertain the wishes and opinions of traditional owners in relation to the management, use and control of the lands and to seek, where practicable, to give effect to those wishes and opinions; and
- (b) To protect the interests of traditional owners in relation to the management, use and control of the lands; and
- (c) To negotiate with persons desiring to use, occupy or gain access to any part of the lands; and
- (d) To administer land vested in Anangu Pitjantjatjara Yankunytjatjara.

During the year, the State and Commonwealth Governments continued with the approach that the powers of APY were reduced as a result of amendments made to the *Act* in 2005. APY does not accept that view and will continue to advocate on behalf of its members on all matters that affect the Lands.

The State Government relied upon a report tabled into the SA Parliament in October 2008 purporting to be a *Review of the APY Land Rights Act*. That report, which was required pursuant to Section 32 of the *Act*, was to review the amendments made in 2005. However, the tabled report far exceeded that and reported on a range of matters that were neither appropriate nor supported by APY (Refer to p.19 of this report.)

Pursuant to Section 6 (2) of the *Act*, Anangu Pitjantjatjara Yankunytjatjara has the following powers:

- (a) the power to sue and be sued;
- (b) the power

- (i) to grant a lease or licence, for any period it thinks fit, in respect of any part of the lands to an Anangu or an organization comprised of Anangu;
- (ii) to grant a lease or licence, for a period not exceeding fifty years, in respect of any part of the lands to an agency or instrumentality of the Crown;
- (iii) to grant a lease or licence, for a period not exceeding 10 years, in respect of any part of the lands to any other person or body of persons;
- (c) the power to acquire by agreement, hold, deal in, or dispose of, land outside the lands;
- (d) the power to enter into contracts;
- (e) the power to appoint and dismiss staff;
- (f) the power to receive and disburse moneys;
- (g) the power to obtain advice from persons who are expert in matters with which Anangu Pitjantjatjara Yankunytjatjara is concerned;
- (h) the power to establish offices;
- (i) the power to make a constitution relating to
 - (i) the conduct of meetings of Anangu Pitjantjatjara Yankunytjatjara;
 - (ii) the procedures to be followed in resolving disputes; and,
 - (iii) any other matter that may be necessary or expedient in relation to the conduct or administration of the affairs of Anangu Pitjantjatjara Yankunytjatjara; and,
- (j) the power to take such other steps as may be necessary or expedient for, or incidental to, the performance of its functions.

Requirement for consultation

Pursuant to Section 7 of *the Act*, Anangu Pitjantjatjara Yankunytjatjara shall, before carrying out or authorizing or permitting the carrying out of any proposal relating to the administration, development or use of any portion of the lands, have regard to the interests of, and consult with, traditional owners having a particular interest in that portion of the lands, or otherwise affected by the proposal, and shall not carry out the proposal, or authorize or permit it to be carried out, unless satisfied that those traditional owners

- (a) understand the nature and purpose of the proposal;
- (b) have had the opportunity to express their views to Anangu Pitjantjatjara Yankunytjatjara; and,
- (c) consent to the proposal.

Annual General Meetings and Special General Meetings are held in accordance with Section 8 of the *Act*. General Meetings are often broadcast live across the APY Lands by 5NPY Radio that includes a “phone-in” facility so listeners are able to call in and provide comments, feedback or questions to the issues being discussed. In this way, Anangu from across the Lands are able to participate in every general meeting even when they are not able to travel to attend the meeting in person.



**Chairperson, Bernard Singer
AGM, March 2009**

Entry Permits

Pursuant to Division 2, Section 19 of the *Anangu Pitjantjatjara Yankunytjatjara Land Rights Act*, “a person (not being an Anangu) who enters the lands without the permission of Anangu Pitjantjatjara Yankunytjatjara is guilty of an offence and liable to a penalty not exceeding the maximum prescribed by subsection (2).

People apply for permission to enter the lands pursuant to Section 19 (3) of the *Act*. However, there are exemptions for certain people prescribed under Section 19 (8) of the *Act*. These exemptions include:

- (a) a police officer acting in the course of carrying out his official duties; or
- (b) any other officer appointed pursuant to statute acting in the course of carrying out his official duties; or
- (ba) the Electoral Commissioner acting in relation to an election being conducted, or to be conducted, under section 9; or
- (c) a person acting upon the written authority of the Minister, who enters the lands for the purpose of carrying out functions that have been assigned to a Minister or instrumentality of the Crown or an administrative unit of the Public Service; or
- (ca) a member of the Minister's department, or another person authorized by the Minister, acting on behalf of the Minister under section 13N; or
- (d) a member of the Parliament of the State or the Commonwealth, a person who is genuinely a candidate for election as a member of the Parliament of the State or the Commonwealth; or
- (da) a person assisting a person referred to in any of the preceding paragraphs; or
- (e) entry upon the lands in case of emergency; or
- (f) entry upon the lands in pursuance of Division 3, Division 4 or Division 6 of this Part.

There are five (5) categories of permits for entry onto the APY Lands; contractor, employee, government, media and visitor.

The Executive Board of Anangu Pitjantjatjara Yankunytjatjara

The Executive Board of Anangu Pitjantjatjara Yankunytjatjara is elected pursuant to Section 9 of the *Act* and hold meetings in accordance with Section 10 of the *Act*. The Executive Board must hold its meetings at least once in every two months.

The Executive Board, comprising 10 members from electorates established by amendment to the *Act*, is the governing body of Anangu Pitjantjatjara Yankunytjatjara and is responsible for carrying out the day to day business of the organization. The Executive Board must endeavour to advance the interests of Anangu at all times and must comply with a resolution made at an Annual or Special General Meeting. An act of the Executive Board is binding on Anangu Pitjantjatjara Yankunytjatjara.

The Executive Board is elected for 3 year terms. The elections held on 3 December 2008 saw three (3) new members being elected: Jamie Nyaningu (Pukatja); Ronnie Brumby (Indulkana); and, Nyukuti Watson (Pipalyatjara/Kalka). A by-election was held for the Pipalyatjara/Kalka electorate in April 2009 and Mrs Milyika Paddy was elected.

Executive Board Members



Bernard Singer
Railway Bore
Chairperson



Ronnie Brumby
Indulkana
Deputy Chairperson



Amata
Leonard Burton



Anilayla
Kawaki Thompson



Kalka/Pipalyatjara
Milyika Paddy
(By-election 30/4/09)



Kaltjiti/Homelands
Murray George



Mimili
Tony Campbell



Murputja Homelands
Anton Baker



Pukatja
Jamie Nyangu



Watarru
Charlie Anytjipalya

APY Governance and Meetings

Executive Board Meetings

The Executive Board Members met on eleven (11) occasions during the reporting period and the number of meetings attended by each member was as follows:

<u>Title/Community</u>	<u>Name</u>	<u>Meetings attended</u>
Amata/Tupul	Leonard Burton	6
Anilayla	Kawaki (Punch) Thompson	11
Indulkana (July 08 - Nov 08)	Max Kenny	1
Indulkana (Dec 08 – June 09)	Ronnie Brumby	6
Kalka/Pipalyatjara (July 08 - Nov 08)	Sean Williamson	5
Kalka/Pipalyatjara (Dec 08 – April 09)	Nyukuti Watson	0
Kalka/Pipalyatjara (May 09 – June 09)	Milyika Paddy	2
Kaltjiti/Homelands	Murray George	4
Mimili	Tony Campbell	11
Murputja Homelands	Anton Baker	11
Pukatja/Yunyarinyi (July 08 - Nov 08)	Gary Lewis	3
Pukatja/Yunyarinyi (Dec 08 - June 09)	Jamie Nyaningu	5
Railway Bore/Wallatinna (Chairperson)	Bernard Singer	11
Watarru	Charlie Anytjipalya	10

A number of people/organisations/agencies attended Executive Board Meetings throughout the year. These included:

Ahava Energy	Anne Prince Consulting (Waste Management)
Attorney General's Department	Bungala Aboriginal Corporation
Coffey International Development	Coffey Natural Systems
Colin Koch and John Tregenza (Tourism)	Department of Premier and Cabinet
FaHCSIA	Housing SA
Nganampa Health (Mai Wiru)	NPY Women's Council
PIRSA	PY Media
SA AFL	SA Police
STF Consultants	TAFE SA
Thurtell Consulting	

The Executive Board welcomed the Federal Member for Grey, Rowan Ramsey with his wife Theresa and Mal and Sue Brough between 3 - 5 March 2009. Jennifer Rankine, SA Minister for Families and Communities visited the APY Lands 9-11 June 2009. Jay Weatherill, SA Minister for Aboriginal Affairs attended a Special General Meeting in August 2008 and also visited Umuwa on 11 June 2009.



**Federal Member for Grey, Rowan Ramsey
and Chairperson, Bernard Singer**



**Mal and Sue Brough
at AGM, March 2009**

In addition to these visitors, the Executive Board was regularly provided reports and updates from its professional staff.

The Executive Board considered and passed one hundred and thirty-one (131) resolutions relating to a range of issues. Those resolutions related to matters involving:

APY Administration (6)	AP Services (8)	Arts and Tourism (1)
CDEP (2)	Children on the APY Lands (1)	Communities (2)
Executive Board (14)	Government Agencies (4)	Governance Matters (2)
Housing Matters (17)	Justice (1)	Land Management (7)
Leases and Licences (19)	Local Government (2)	Mineral Exploration (6)
Mintabie (3)	Permits Matters (4)	Petroleum Exploration (3)
Planning & Development (24)	Stores (3)	Substance Misuse Matters (1)
Telstra Matters (1)		

Special and Annual General Meetings

Anangu Pitjantjatjara Yankunytjatjara held a two-day Annual General meeting on 4-5 March 2009. There were three (3) Special General Meetings:



- 20-21 August 2008 at Umuwa
- 1 December 2008 at Umuwa
- 17-18 June 2009 at Umuwa

The consultations facilitated by Annual and Special General Meetings included the following matters: Homelands, Housing, Review of 2005 amendments to the *APY Land Rights Act*, Services, CDEP, PY KU Centres, Stores, Petroleum Exploration, Tjilpi Pampa Leadership Tribunal, Economic Development on the APY Lands, Police/Courts Administration complex and Permits.

(L-R) Sammy Dodd (Sandy Bore), Charlie Anytjipalya (Watarru), Roger Kayipipi (Kaltjiti) and Anton Baker (Kanpi) at the AGM, Umuwa March 2009

Major issues

The most significant issues that occurred during the reporting period for the Executive Board included the following:

Code of Conduct Investigation of the Chairperson

A complaint was made against the Chairperson and the Executive Board approved the appointment of an Investigator to investigate the Code of Conduct complaint. APY later received a report from the Investigator and based on that information, the complaint was withdrawn.

Leases

- **Anangu social housing:** APY gave approval for a Ground lease for Anangu social housing on the Lands. This provides for 50 yr leases to the State. APY also resolved to grant 50 yr leases to the State for substantially upgraded Anangu houses in communities
- **Anangu-ku Arts:** APY resolved to lease arts centres and accommodation to Anangu-ku Arts for 5 years.
- **DFC:** APY agreed to lease office and accommodation to Housing SA.
- **Nganampa:** A 10 yr lease was approved to the Commonwealth for a Nganampa mental health house, Umuwa. A 25 yr lease was granted to Nganampa for the entire existing health estate on the APY Lands.
- **PY KU:** APY approved 5 yr leases for PY KU accommodation at Umuwa, Amata, Pipalyatjara and Mimili.
- **PY Media:** 5 yr leases were granted to PY Media for their 2 houses at Umuwa.
- **SA Police:** APY approved temporary police stations at Mimili, Amata and Pukatja as a matter of urgency but these were not actioned by SAPOL. APY approved 50 yr leases to the State for new Police Stations at Amata, Mimili and Pukatja. APY approved State proposals for temporary demountables at Umuwa for Police and Families SA.
- **State:** APY agreed to lease to the State publicly funded buildings and yards for service delivery to promote competition between service delivery providers however this opportunity has not been taken up by the State.
- **Mintabie Lease:** The negotiations continued in relation to the Mintabie Lease which was granted a further extension until 30 June 2009. APY is waiting on the Bill to be presented to Parliament. The Minister has advised he supports the APY amendments to the Act in regards to Mintabie.

New Community Stores By-law

APY resolved in general meeting the Executive should pass a by-law to regulate community stores on the APY Lands.

The by-law will be submitted to the Minister early in the next reporting period. Should there be a national policy for regulation of stores, then State or Federal legislation which is passed would override the by-law. The by-law will regulate how stores operate on the Lands including the reporting and evaluation procedures for compliance with terms, conditions and relevant policies.

AP Services: irregularity, misappropriation and conflict of interests

APY became concerned over the financial management and operations of AP Services, a non-government service provider under Special Administration when it appeared they were using Anangu housing rent and repairs and maintenance funds to subsidise other operations.

This concern was exacerbated by Constitutional changes and irregularities within that organisation that led many Anangu to having no confidence in their governance.

This was manifest in serious problems in service delivery which followed.

APY made repeated requests to the Commonwealth and State Governments for investigation into the affairs of AP Services. Ultimately, the organisation was placed into Special Administration in February 2009. The relationship between the land-holding body and the service provider reached its lowest point.

What followed was an extraordinary sequence of events. Litigation funded by AP Services was used to support the dismissed AP Services management, harass APY senior staff and destabilise a community. However this litigation was respectively withdrawn, struck out and/or dismissed by the Court with, in most cases, the Court making costs orders against those who started the litigation.

AP Services' amended Constitution imposed a structure where Community Chairpersons would automatically be Directors, in addition to three non-Anangu Directors, thus ensuring that control vested in the hands of the three non-Anangu and only four communities. The majority of communities, (ie 6), would not have the numbers at any Board meeting. It also had a number of features that potentially prevented fair representation by its members. These included reducing the representation on the Board of eastern communities in favour of western communities to create a "gerrymander" and providing a mechanism to reject a request for a General Meeting.

APY brought these concerns to the attention of the Commonwealth regulatory body, ORIC, which supported the amendments.

This dispute created a conflict of interest for three members of the APY Executive Board. To their credit, all Anangu worked through the governance and conflict of interest provisions of the *APY Land Rights Act*, at one stage seeking assistance from a Conciliator appointed under the *Act*. Some important lessons have been learned though and the Executive Board will early in the next reporting period present an amended APY Constitution, strengthening governance and dealing with a Code setting out the operation of the permit system. Once approved by a Special General Meeting and the Minister, the Constitution cannot be changed without the further approval of both General Meeting and the Minister.



(L-R) ORIC Registrar, Anthony Bevan, Trevor Adamson (Interpreter), Steven Duncan (Special Administrator), Ronnie Brumby (APY Deputy Chairperson) and Kawaki Thompson (APY Executive Board Member, Anilalya) discussing the Special Administration of AP Services at the AGM, Umuwa, March 2009

Service Delivery

APY proposed that Coffey International Development be appointed as Service Implementation Managers for the purposes of receiving and managing service delivery along the lines of aid effectiveness. APY also proposed a dialogue between the Commonwealth, State and APY in respect of short, medium and long term development strategies for the Lands. In December 2008, the Minister acknowledged APY's efforts in introducing Coffey.

APY was very disappointed to learn of the arbitrary decision made by FaHCSIA to appoint AP Services as a sole provider of municipal services from 1 July 2009. This was done without any kind of procurement process or consultation with Anangu and as if the steps taken by APY to prove the interest of the development community to work on the Lands through Coffey International Development, had never occurred. This strange and poorly conceived action immediately expunged competitive delivery engendered by APY and created intense resentment and anger among Anangu, particularly the suddenness of the move.

Both General and Executive Board resolutions were made for the requirement for non-Government organisation (NGO) contracts between APY and NGO service providers, including regularising and normalising the occupation of premises belonging to APY by NGOs. A standard form of NGO contract has been prepared and is on the web site. Offers of NGO contracts have been made to several NGOs.

While there was initial resistance to the NGO contracts by funding providers, that resistance has been withdrawn. There is an unfortunate reluctance on the part of some service providers to accept APY's ownership of buildings and entitlement to regulate access to the Lands. This kind of reluctance to acknowledge basic matters is merely a symptom of change from an unregulated or chaotic situation which has operated until now.

After a difficult introductory period, there has been a complete re-working of the relationship between APY and the CDEP provider, Bungala Aboriginal Corporation. Bungala governance is not in any way linked to the Lands or vulnerable to Anangu politics. The depth of experience of Bungala's management and the commitment of management and the team on the ground to engage with Anangu has resulted in a much improved CDEP program. One community selected Bungala to provide community management services. The current situation with Bungala is another example of how important working relationships are in the demanding, but rewarding, work which is done on the APY Lands.

Review of the 2005 amendments to the *APY Land Rights Act*

Section 32 of the *2005 Amendment Act* required a review of the operation of the amendments made by an independent review team and for a report to be tabled in Parliament by 30 October 2008. This report, *Review of the APY Land Rights Act*, contained matters that went well beyond the operation of the 2005 amendments and the bulk of the recommendations had not been the subject of any consultation at all. APY was completely unaware that matters outside the operation of the 2005 amendments were even being contemplated.

Apart from many of the recommendations being arbitrary, the bulk were unsupported by facts, or reasoning and the process was flawed and did not meet the statutory requirements. This document has the capacity to mislead Parliament. An Adelaide law firm was retained by APY who wrote to the Minister indicating these matters and seeking advice about when the Minister would comply with Section 32 of the *2005 Amendment Act* to which there has been no response.

Regional Council

The above *Review* report recommended a Regional Authority be established on the APY Lands to provide service delivery.

APY has examined the work done to date on Aboriginal Community Governance, commencing with the Dunstan Report of 1989 which examines the governance position in a number of jurisdictions and concludes that whatever is done, there must be a culturally appropriate governance model developed.

In the 2007 *Scoping Study of the Delivery of Municipal and Local Government Services on the APY Lands*, prepared for the State, a regression of communities to progress associations is recommended and the recent de-funding of communities reflects the implementation of that recommendation.

The Executive Board favours retention of APY as the peak governance body on the Lands, given that it has both Executive and legalities (by-law) making powers and affords democratically elected representation to each electorate. APY has for a long time been recognised as a local council by State Parliament but is severely diminished in its capacity to provide services by the incompetent way in which funds have been directed to an NGO, the utter failure of which is outlined above.

Superficially there might be seen to be a conflict of interests between APY as a regional authority and landowner, however this is more apparent than real. The Development Assessment Commission (DAC) has planning approval authority, not APY. As part of APY's specialised functions, it must consult with the traditional owners concerning matters relating to the Land. It is the Traditional Owners who have the authority and ownership.

As mentioned in APY's response to the Dunstan report, imposition of a separate local council could give rise to jurisdictional clashes with APY in relation to matters concerning the land. The situation with the Alinytjara Wilurara NRM Board stands as an alarming precedent in this regard.

APY has already formed relationships with the South Australian Local Government Association and Salisbury Council to assist with strategic advice and development towards future governance models. A tour of other Councils in the NT, WA and SA is planned for the next reporting period.

Permit Issues

There has been much discussion around the country about abolishing the entry permit system. Some people consider the permit system should be abolished because permits restrict free movement of people around the country. Anangu Pitjantjatjara Yankunytjatjara argues their permit system is strong, protects important sites and that most people who apply for an entry permit, and have a valid reason for doing so, are granted entry to the APY Lands.

Given the impending upsurge in construction and other commercial activity on the APY Lands, the Chairperson advised the Minister in March 2009 the Executive Board was looking to introduce "blanket" permits for State and Federal public servants and their contractors in an effort to remove red tape. Resolutions to introduce a new system were made at the Executive Board meetings in May and June 2009, and supported at a Special General Meeting in June 2009.

At the end of the reporting period, it was proposed to pass a resolution at the August Executive Meeting in relation to a blanket permit system.

The Minister made representations about alleged abuse of the permit system on a number of occasions during the reporting period. APY regrets these allegations. The Minister could at any

time have issued a Ministerial authorisation for persons to enter the lands in relation to business assigned to any Minister of agency by the *Administrative Arrangements Act* or issued a direction to APY which could have been challenged in the normal way. Legitimate concerns could have been referred to the Ombudsman. None of these things were done.

The first abuse allegations came at a meeting of the Executive Board and the second during an Estimates Committee session of State Parliament. There were also various statements in the media.

In relation to the allegations, a legal firm has been retained by APY to review the allegations and sought particulars from the Minister. The Minister made a written commitment to provide those particulars but had not done so by the end of the reporting period.

At the Estimates Committee session, the Minister made allegations about specific individuals and they will be briefly dealt with here in the order in which they appear in Hansard on 26 June 2009.

1. Joslene Mazel (JM) - JM was a senior public servant whose permit had expired and she applied for a new one. The Executive Board denied this application at its 19 May 2008 meeting on the basis the Executive Board member for Amata had informed APY that JM had induced him to engage in certain conduct. JM's involvement in public housing was also an issue.

APY had entered into a Memorandum of Understanding with the then Housing Minister in November 2007 to provide for management of all public housing by the Office of Aboriginal Housing. In accordance with the MOU, they placed a senior officer on the Lands on a full-time residential basis and who was to be the first point of contact in relation to new housing.

Despite this, JM took up the negotiation of the ground lease for public housing. A negotiating tactic used by JM was to deal directly with communities and supported by a media strategy with headlines "Land Council left out in the cold over housing." A legal firm retained by APY wrote to the Minister calling attention to these matters and calling for JM's conduct to cease. When the conduct did cease and issues resolved with JM, APY then granted JM a permit.

APY had a legitimate interest in ascertaining if JM and others had a Ministerial authorisation. It was appropriate for police to make this inquiry to avoid some further issue such as a complaint of assault or bullying.

2. Ken Larkins (KL) - KL was an employee of an NGO providing a service on the APY Lands. The relationship between Anangu and the NGO that was under management of KL (who was Chairperson of the NGO) nearly collapsed at the commencement of the reporting period when a Special General Meeting resolved to lobby FaHCSIA not to renew the NGO's contract. A flash point occurred over the destruction of a tree in a river bed near Indulkana, confirmed by anthropologists as being culturally significant. KL, without consulting anyone, oversaw the destruction of the tree with a chainsaw.

This outraged traditional owners who called upon the APY Chairperson to confront KL in accordance with Anangu culture. KL made a statement to police that led to a number of charges against the APY Chairperson and the NGO also made a Code of Conduct complaint about the APY Chairperson, relying on the police statement to support its claim.

The charges came to hearing and quite extraordinary publicity ballooned and expanded by public comments and other conduct of the Minister and Attorney General. By the time the trial had ended, the bulk of the charges were withdrawn or dismissed. The Magistrate found that KL's evidence had not been entirely truthful.

The NGO withdrew its Code of Conduct complaint but the APY Executive Board nevertheless proceeded with its own investigation of the circumstances of which it had become aware. APY conducted an independent investigation with which KL would not co-operate.

In the final analysis, it was KL who had committed significant offences under the *Heritage Act* however APY did not make a complaint or prosecute, instead moving to address the relationship problems between the NGO and APY. The NGO removed KL and the parties repaired the relationship.

Minutes of the Executive Board meeting show that KL's permit was cancelled after he refused to respond to a letter inquiring about the above circumstances.

3. Minister Macklin visit - The SA Minister alleged that APY did not allow himself and the Federal Minister, with a visiting party, to attend the Lands in June 2008.

The SA Government had funded numerous Anangu to compete in the Finke Desert Race, which occurs annually over the Queen's Birthday long weekend (which immediately preceded the proposed visit). The Minister's office only provided APY with very short notice, despite having made its own arrangements with other parties. Alternative dates were suggested to the Minister as the General Manager would also be away from the Lands during the proposed visit. However, the Minister's office proceeded anyway.

In so far as journalists were concerned, their permit applications are made on a special form and referred to PY Media (not APY) for assessment. Only one of the applicant journalists had partially completed such a form. In any case, permits for all of the proposed visitors were available to be collected from reception at Umuwa on the first day of the proposed visit. This is very common due to the remote circumstances as many members of Parliament would know.

Regardless of all of the above, neither Ministers Macklin nor Weatherill, nor anyone assisting them required permits as they were exempt under the *APY Land Rights Act*. This exemption applied to the Ministers, the pilot, driver, staff and journalists accompanying them.

4. Department of Environment and Heritage (SA) Officer - The Minister alleged that APY prevented a DEH Officer and her family from entering the Lands to perform her duties.

Permits are granted only until 30 June in each year, not for 12 months from other dates. The idea that a permit should be granted to facilitate the involvement of a pre-school age child to accompany a government worker on official business in one of the most remote and isolated areas of the Australia shows a total lack of judgment on the part of the applicant. In any case, entry to the lands or any part thereof in the case of emergency is expressly permitted without a permit by the *Act*. There is no impediment for entry to obtain medical help or food or water.

5. AP Services staff - The Minister alleged that APY prevented a service provider from being able to carry out their duties on the Lands.

The Directors of AP Services had been overthrown while service delivery had fallen to no delivery or overall delivery of a paltry \$0.34 cents in the dollar. Significant public funds intended for service delivery were instead being milked by lawyers and consultants. In relation to the Special Administration of AP Services, the public remarks of the Registrar were that these payments (about \$1.3 million) threatened the solvency of AP Services.

The Executive Board objected to an NGO of this kind and wanted AP Services to hold its AGM for the year ending 30 June 2008 and to conduct elections so that Anangu members could restore democratic governance and thereby ensure service delivery. This did not occur.

To encourage an election, the Executive Board limited permits to a specific date by which time an election would be required. This date was extended a number of times until it was realised that an election would never be held. Following this, annual permits were resumed.

Permits were also amended to exclude access to office and housing accommodation given by APY to the Office of Aboriginal Housing to facilitate public management of social housing. This was triggered by an attempt by an AP Services staff member demanding possession of the house. While on this occasion the Housing Officer was able to defuse the situation, arbitrary dispossession of people from houses and other buildings by those who believe they have government support for doing so, is a harsh reality in our unfortunate circumstances.

Similarly, an Arts Centre was evicted from premises it was lawfully in possession of in the interests of AP Services, this incident involving a police standoff. AP Services has refused to enter into an NGO contract to normalise its occupation of premises.

All necessary AP Services' staff had permits, including the power station manager, who at all times had an annual permit.

The Minister's remarks reflect at best no understanding whatsoever of the real facts and circumstances.

The Minister alleged APY did not give the CEO access to the Lands to perform her duties. She was invited to attend two successive Executive Board meetings, to discuss the permit application, neither of which she attended. Since the reporting period, this matter has been resolved by granting blanket permits from the Executive Board.

The Operations Manager's successor was in fact given a permit as part of the blanket permit arrangement introduced by the Executive Board.

6. Heritage Act review team – The Minister alleged that a State Heritage Act review team were denied access to the Lands. Mr George, an Anangu was also named by the Minister. There were negotiations over access for these important consultations on a number of issues, including the presence of anthropologists and recording of the consultations. In relation to Mr George, he had been removed from the Executive Board, later started unsuccessful litigation funded by the taxpayer to challenge that removal, refused to comply with the Conciliator's directions in relation to re-appointment and was Chairperson of AP Services immediately prior to it being placed into Special Administration. The Executive Board was concerned that Anangu might not attend meetings in which Mr George was involved. However these issues were negotiated and access granted.

In the meantime, Mr George has publicly apologised to the Executive Board and APY Administration for his conduct and acknowledged that APY has at all times worked in the interests of its members.

APY Administration

APY has a very stable working team and there were no staffing changes apart from the resignation of the Planning Officer during the reporting period.

The Administration of Anangu Pitjantjatjara Yankunytjatjara consists of the Administration Officer, Anthropologist, Book-keeper/Budgets Officer, Director of Administration, General Manager, Legal Officer, Mining Tenement Officer, Mining Liaison Officer, Permits Officer, Development and Planning Officer, Receptionist and Grounds persons.

The Director of Administration and the General Manager are appointed by the Executive Board on conditions that have been determined by the Board and approved by the Minister.



Karen Brown
Receptionist

Director of Administration

Pursuant to Section 13 C of the *Act*, the functions of the Director of Administration are:

- (a) to oversee the implementation of resolutions of Anangu Pitjantjatjara Yankunytjatjara and the Executive Board; and
- (b) to carry out any other functions assigned to the Director of Administration:
 - (i) in the instrument of appointment; or
 - (ii) by the Minister after consultation with the Executive Board.

Mr Rex Tjami has held the position of Director of Administration for the past seven (7) years.

General Manager

Pursuant to Section 13 E of the *Act*, the functions of the General Manager are:

- (a) to implement the resolutions of the Executive Board in a timely and efficient manner; and
- (b) to undertake responsibility for the day-to-day operations and affairs of Anangu Pitjantjatjara Yankunytjatjara; and
- (c) to ensure that records required under this or another Act are properly kept and maintained; and
- (d) to discharge any duties under this or any other Act relating to financial and annual reports; and
- (e) to ensure that the assets and resources of Anangu Pitjantjatjara Yankunytjatjara are properly managed and maintained; and
- (f) to exercise, perform or discharge any other powers, functions or duties conferred on the General Manager by or under this or any other Act.

Mr Ken Newman has held the position of General Manager since 2005.

Administration



Mrs Carrie Templeton holds the position of Administration Officer and has been with APY since 2005.

She is required to coordinate accommodation for the Visitor's Centre, catering for meetings, travel allowances, Executive Board remuneration and petty cash. She also organises the leased vehicles, services, change over; mail collection and the once weekly mail plane; and, training for APY staff.

Carrie also maintains and provides purchase order books and register; purchase orders to suppliers, invoices and codes, maintains records of motor vehicles - owned and leased. She also coordinates the stationery / office equipment supplies, the communication system, the office procedural manual and supervises the performance of the Permits Officer and Receptionist. In addition, Carrie is responsible for opening and distributing inward mail, preparing appropriate correspondence and provides a mentor / training role for the Receptionist while also providing assistance to the Director, General Manager, Anthropologist, Legal Officer and Book-keeper as required and supervises the grounds staff.

Grounds Staff



Peter Templeton (L) and Patrick Templeton (R) provide operational support to APY and the Umuwa community.

Financial Management



Susan Weatherill holds the position of Bookkeeper/Budgets Officer and has been with APY since 2005.

Her duties include: assisting in the preparation and management of the financial operations of Anangu Pitjantjatjara Yankunytjatjara and to ensure that appropriate expenditure control mechanisms are in place; ensuring the operating budgets are correctly prepared, adopted and monitored and that all departments of Anangu Pitjantjatjara Yankunytjatjara maintain appropriate financial records; helping prepare submissions with the General Manager to undertake funding negotiations with funding agencies; ensuring compliance with funding conditions and with all statutory and other reporting requirements; ensuring that regular financial reports are prepared and available when requested; investigate, and explain any major variances in financial accounts; manage debtors and creditors to ensure timely payments and receipts of accounts; liaising with Anangu Pitjantjatjara Yankunytjatjara accountants and auditors; assisting with the general administration of Anangu Pitjantjatjara Yankunytjatjara, including office services, filing systems and meeting arrangements; and, assisting with supervision of Anangu Pitjantjatjara Yankunytjatjara administration staff.

In November 2008 Sue attended three MYOB workshops in Alice Springs: Business reporting and analysis, Payroll survival 2008/09 and Day to day processes. In January 2009 she commenced a Certificate IV in Bookkeeping through distance education and hopes to complete this certificate in early 2010.

Legal Support



Peter Huntington has been retained as Principal Legal Officer for Anangu Pitjantjatjara Yankunytjatjara since August 2007.

The Legal Officer was involved in matters arising from the many changes and reforms championed and introduced by the Executive Board.

Of increasing concern were incorrect representations made to Anangu about legal issues which caused division amongst Anangu and undermine the governance of the APY lands.

Maladministration, misconduct and corruption are seen as real and high level threats to the welfare of Anangu. Early in the next reporting period, the Chairperson, Director of Administration and two senior staff will attend the bi-annual Public Sector Anti-Corruption conference where important relationships will be commenced with the Indigenous Investigation units of the corruption authorities in NSW, WA and QLD. As a pro-active step to tackle corruption, all bodies operating on the APY Lands will now be required to submit to a forensic audit with audit reports made available to APY. Examples of corruption issues will be provided in detail on the APY website.

Permit Applications



Amelia Tyrrell, Permits Officer receives and processes permit applications for access to the APY Lands and is responsible for maintaining all related administration work in this area, including maintaining the permits database.

Amelia has held the position of Permits Officer since 2005 and ensures all communities / organisations and the APY website have the latest forms; ensures there is an organised filing system; enters applications into the permit database; faxes permit requests to appropriate communities; faxes, e-mails & posts up to date permit application forms to applicants; follows up on police clearances for all employees/contractors; handles all enquiries regarding permits; maintains the permits database; processes permit applications, including financial transactions; and, provides other administration support as required, including workplace functions, assistance at Executive Board and Special General Meetings.

During the 2008/2009 period, a total of 2416 applications were received and were granted a permit to enter the Anangu Pitjantjatjara Yankunytjatjara Lands. These comprised:

Type of Permit	Year 2008/2009	%	Year 2007/2008	% change from last year
Contractor	616	25%	407	0%
Employee	375	15%	192	+3%
Government	485	21%	388	-2%
Media	18	<1%	24	0%
Visitor	922	38%	635	-1%
	2416		1646	

During the reporting period, twenty (20) permits (0.8%) were cancelled as a result of employees or contractors no longer working on the APY Lands; ten (10) were refused (0.4%); and, three (3) were revoked (0.1%).

Anthropology Matters

Section 7 of the *Anangu Pitjantjatjara Yankunytjatjara Land Rights Act* states:

Anangu Pitjantjatjara Yankunytjatjara shall, before carrying out or authorizing or permitting the carrying out of any proposal relating to the administration, development or use of any portion of the lands, have regard to the interests of, and consult with, traditional owners having a particular interest in that portion of the lands, or otherwise affected by the proposal, and shall not carry out the proposal, or authorize or permit it to be carried out, unless satisfied that those traditional owners -

- (a) *understand the nature and purpose of the proposal; and*
- (b) *have had the opportunity to express their views to Anangu Pitjantjatjara Yankunytjatjara; and*
- (c) *consent to the proposal.*

ACHM anthropologists continued to provide contracted anthropological services to APY. During the reporting period, a total of fifty (50) heritage clearances were undertaken; thirty-two (32) Traditional Owner meetings were held and sixty-four (64) matters were finalized.

Mineral and Petroleum Exploration



The position of Mining Tenement Officer commenced in July 2005 in a liaison capacity between APY, Primary Industries and Resources, SA and Mineral Exploration Companies. This Officer works in conjunction with Anthropologists, Legal Officers and Traditional Owners to facilitate consultations in relation to mineral exploration applications on the APY Lands.

Mr Gary McWilliams, who has been employed by Anangu Pitjantjatjara Yankunytjatjara for the past 10 years, holds the position of Mining Tenement Officer. He is assisted in his role with an Anangu Malpa, Ginger Mick, who is the Mining Liaison Officer.



Mineral exploration continued to increase in the early part of 2008/2009 both in the number of tenements active and the amount of money being spent as compared to all previous years. More cores from diamond drilling were generated and many samples were taken for geochemical analysis.



Clearance work in the southern Anangu Pitjantjatjara Yankunytjatjara Lands, 2009

Ahava Energy was in negotiation to commence oil exploration in the Officer Basin, in the southern part of the APY Lands and work was planned to commence in the next reporting period.

PepinNini Minerals operates a specialized tractor mounted drill rig to take samples at shallow depth of 15-20 metres where rock outcrop is covered by alluvium. Samples are taken for chemical analysis and identification of rock. This proved to be a very effective tool for generating data, providing a means for a large number of samples to link to geophysical data.

Geophysical and geochemical targets were being identified by all companies involved in many locations right across the Anangu Pitjantjatjara Yankunytjatjara Lands with anomalous mineralization in many locations of a large suite of minerals including nickel, copper, vanadium, titanium, platinum, palladium and others.

Metals X continued exploration for extensions to the limonite/laterite nickel/cobalt deposits at Wingellina, WA and on the APY Lands with some success. Development of the Wingellina deposit was in the late stages of quantification and economic assessment and commencement of the project is closer.

The downturn in economic conditions in late 2008 slowed all mineral exploration, but did not stop it completely, with all companies operating at lower levels of activity. This caused a reassessment of long term programs until the demand for resources improved. The amount of money committed to exploration by both large and small exploration companies diminished and effort was redirected to proven resources. This downturn affected the companies operating on the APY Lands and substantially reduced the amount of money expended late in 2008 and early in 2009, with a partial recovery in the middle part of 2009. The continued recovery of metals prices is improving but exploration activity will not recover completely for some time.



Traditional owners and anthropologists recording the site of a water point for protection, 2009

Exploration Licence 3368 PepinNini

Exploration activities have ceased at the moment whilst PepinNini concentrates its efforts and resources into their other tenements on the APY Lands and elsewhere. Results from exploration in this tenement were slightly promising but not enough to continue activity at this time. Results will continue to be assessed whilst activity was moved to the Ulkiya, EL 4048 and Pine Ridge, EL 3536 tenements.

Exploration Licence 4048 PepinNini

Diamond core drilling and vacuum rig drilling was carried out in the northern part of this tenement with promising but sub-economic anomalous mineralization located in many places. Diamond drilling showed continuations of the sought after ultramafic rocks under cover and new targets were generated showing that mineralization continued toward a neighbouring tenement, EL 3931.

Clearances for mineral exploration were carried out on two occasions in the southern part of the 4048 tenement but with only limited success in terms of areas cleared for exploration. Access was extremely difficult in places and a variety of factors limited our success here. This work will be taken up again at some time in the future.

Exploration Licence 3536 PepinNini



Clearances and exploration was carried out on this tenement in some selected target areas with mixed results. Diamond core drilling revealed some strong copper mineralization, just sub-economic, and some high grade metamorphism which was not expected. The interpretation and analysis of these metamorphic rocks has indicated the possibility of mineralization for base metals and other targets. PepinNini is continuing work on this and other tenements whilst further analysis and interpretation is continued.

Exploration Licence 3954 Independence Group

Exploration continued with electromagnetic surveys and soil sampling carried out generating multiple targets for further investigation. Work was slowed by the economic downturn and is expected to recommence late in 2009. Independence Group remains committed to mineral exploration on the APY Lands.



Granitic outcrop on ELA 341/97 Independence Group



Meeting at the Umuwa office

Exploration Licence 3955 Independence Group

As with the adjoining tenement EL 3954, exploration using electro-magnetic, soil sampling and mapping continued with many targets. Nickel and copper were identified across this large tenement. Work is expected to recommence in late 2009 to follow up these targets.

Independence Group

Negotiations for ELA 341/96 and ELA 342/96 were held in December 2008 and a successful outcome for ELA 342/96 and further negotiations for ELA 341/96 planned. The economic downturn late in 2008 has slowed this process but it is expected to recommence when conditions improve.



Discussing work practices with traditional owners Independence Group. ELA 342/97 December 2008

Exploration Licence 3941 and 3942 Mithril

Some further exploration using drilling, electromagnetic surveys and ground mapping was carried out and further promising results obtained but Mithril resources has been focusing their efforts in some of the Company's tenements in other places in 2008/2009. Continued low levels of exploration are continuing with a return to more intensive investigation expected at a later date.

Exploration Licences 3939, 3940, & 4047 Mithril Resources

Little or no exploration was carried out on these tenements. Some clearances were carried out and limited investigation and mapping were carried out. Mithril has been focusing efforts elsewhere in the past year but it is expected that when possible, exploration will recommence on these tenements.

Exploration Licence Applications 364/97, 380/97, 54/97 & 41/97 Mithril Resources

These tenements remain as applications pending processing of the deeds which is hoped will happen soon.

Exploration Licences 3931 & 3932 Rio Tinto Exploration

These tenements remain inactive but negotiations to enter joint ventures by Rio Tinto with other explorers continue and it is expected that these will be complete in late 2009 with work hoped to start by the new partners after that.

Exploration Licence 3555 Metals X

Metals X continue to expand the size of the identified nickel/cobalt reserve in the cross border (SA-WA) by exploration and have recently confirmed the presence of nickel ore to thicknesses in excess of 50 metres in the Claude Hills area. Further exploration continues at a steady pace and Metals X is also continuing identification of water reserves and other infrastructure elements for the mine development.

The start date for the mine development is still not determined but is expected within the next few years.



Sturt Desert Pea, *Swainsona formosa*



**South west of Amata, looking to the north east –
Clearance trip 2008**

The continued recovery of the price for nickel is a positive indicator and the expansion of the known reserve of nickel/cobalt, the possibility of further increases and also the possibility of finding other minerals in this highly prospective tenement is another positive indicator for eventual success.

The project development will generate hundreds of medium term jobs, including many for Anangu, in very many skill areas and the operation of the mine over a 40+ year period will also generate many long term careers.

Ahava Energy

During the reporting period, APY negotiated with Indonesian company Ahava Energy, a conjunctive oil exploration land access agreement which, if a discovery is made, has the potential to materially affect both the Australian economy and the tax base of South Australia. The agreement will be signed at the commencement of the next reporting period.

APY has gone well beyond merely granting land access for the Ahava exploration by competing with neighbours to the east and south by attracting exploration investment. APY has done this with the comfort of a commitment by the State to pass on APY's full one-third share of the 10% royalty received by the State on the first 5000 barrels per day production.

APY is in the process of negotiating with the State an MOU relating to royalty distribution. Lands-wide community consultations with Anangu will occur to develop an acceptable royalty distribution model.



Traditional owners, anthropologists and archaeologists carrying out clearance work on PELA 138, 2009

Development and Planning

At the close of the reporting period, APY is poised to recruit a short term Development and Planning Officer, experienced in setting up the APY public housing system. This Officer will work together with an experienced Anangu to refine and improve our Planning and Development office. We thank Minister Rankine for her support and vision in this regard.

The Development and Planning office will coordinate and oversee Lands-wide consultations about the future for Anangu, including consultations about royalty distribution, governance and development. Whole of Lands consultations will take place during the next reporting period in relation to an agreed royalty distribution model and the relationship between the Commonwealth, the State and APY.



**Jude Allen & Mary Anderson
Development & Planning Officers**

During the reporting period APY established a relationship with Coffey International Development, who has contributed significant time to gaining factual knowledge on the Lands to provide advice in relation to development and community management. This proved the international development community is very willing to engage with domestic Indigenous matters.

The processing of land tenure and planning approval are closely related. As such, APY has made steps to formalising these into one process. This will create improved record keeping, streamline the process and allow for greater monitoring of tenure on the APY Lands.

Social Housing

In November 2007, Anangu sidelined the difficult question of leases. Anangu contracted the State to manage all 400 social housing properties under an MOU between APY and the Office of Aboriginal Housing. APY invited a senior Housing Officer and support staff to reside on the Lands on a full time basis so that they could go out into the field and ascertain the necessary facts and build the necessary relationships to design a first class housing model. This enabled public housing for Anangu to start while the difficult question of leases to the State was resolved. Leases were negotiated between July and October 2008 when a master lease was signed in respect of new and upgraded housing at Amata and Mimili. Social housing for Anangu went out to public tender for the first time which attracted many interested companies. At the end of the reporting period, APY and the Minister for Housing had negotiated an enhanced MOU which replaced the 2007 document providing for Anangu home ownership, public housing and community title on homelands and a minimum 20% Anangu involvement in construction and related activities.



Site visit to Umuwa by prospective housing tenders for social housing on the APY Lands

Welfare Reform

During the reporting period the Executive Board resolved to seek information about welfare reform from government parties. Despite written requests, no substantive information has been received.

Development Applications and Projects Considered

PA08-016	Pukatja clinic
PA08-017	Tjala Arts
PA08-018	Pukatja (3 houses)
PA08-019	Fregon (2 houses)
PA08-020	Nganampa Health – Umuwa house
PA08-021	Umuwa – State Demountables and duplex
PA08-022	Housing 50 year leases
PA08-023	Amata (2 houses)
PA08-024	Watarru
PA08-025	DFC Housing Amata, Mimili, Pipalyatjara, Pukatja
PA08-026	Umuwa sub-division
PA08-027	Pukatja Bungala transportable
PA08-028	Watarru School Shed
PA08-029	Pipalyatjara (7 houses)
PA08-030	Kanpi (1 houses)
PA08-031	Anilalya homelands
PA09-001	Community Boundaries
PA09-002	Umuwa Community Recreation Hall
PA09-003	Kalka Bungala Shade Sail
PA09-004	DFC Mimili Temporary Housing
PA09-005	DFC Amata Temporary Housing
PA09-006	Settlement Boundaries
PA09-007	DFC Community Housing Mimili (15 houses)
PA09-008	DFC Community Housing Amata (17 houses)
PA09-009	DFC CHIP Housing Fregon (7 houses)
PA09-010	DPC Mimili (1 staff duplex)
PA09-011	DPC Amata (1 staff duplex)
PA09-012	DETI Pipalyatjara (2 staff duplexes)
PA09-013	DETI Pukatja (2 staff duplexes)
PA09-014	DPC Umuwa (1 staff duplex)
PA09-015	Watinuma Bungala Shade Structure

Land Management

The Land Management Unit (APYLM) was established in 1990 to assist Pitjantjatjara and Yankunytjatjara people to realize their aspirations for the management of their land. The APYLM also supports the social and economic objectives of Anangu Pitjantjatjara Yankunytjatjara. This includes identifying and creating opportunities for employment in natural resource management and enabling the sustainable use of the natural resources for economic development – in both the traditional and contemporary sense.

To meet these objectives, the APYLM carries out a wide range of projects in the following fields:

- Community nursery
- Pastoral industry development and livestock management
- Feral camel control
- Water security
- Protected area management
- Information management
- Threatened species management
- Maintenance of traditional land management practice

Land Management Director's Report



Frank Young has been Director of the Land Management Unit for many years.

Frank believes that the highlight for the year is the grant received for the Warru Recovery Project funded through Working On Country. This project involves Anangu in a lot of the work and has created eight part-time Ranger positions. Also working well is progress towards the camel processing plant.

Frank said, *"It's good because it's not only for land management but also starting a lot of work for a lot of people in other communities. Another good thing is the Working on Country Ranger project because some people now have good jobs and salary as a Ranger. Another good thing for the young men was the horse breaking training. They are all cowboys now."*

Some things haven't worked well this year. We didn't get any funding from the AW NRM Board. People talk to me about how they used to have casual work when we had plenty of money before and people are still asking why we don't have casual wages money. People want to continue working. Other people talk about their country. They want men's trips. People don't want anything stopped.

It's different now. Maybe 10 years ago the Anangu Rangers had a car each. A lot of people were able to work with the Rangers. The Rangers had special trips on country. They did rock hole cleaning and patch burning. Sometimes just men's trips doing ranger work. The women can do the same. All the Rangers were men. When men go they can travel through sacred areas. They were big trips. Another thing we don't do now is camping out with school children. Teaching kids about rockholes, patchburning. That doesn't happen any more.

Land Management hasn't moved much for the last 5 years because of funding problems. Not because we don't want to. We need to do something to move. Funding is a bit tight now. People who give us money want to see what work the Rangers do. Some Anangu don't want Land Management to check-up on their work because in the old days they didn't have bosses and they

still want to be like that. But still the Rangers want the car and the money. But direct funding to community or families doesn't work. We have been trying to get things straight. So now it's a two way thing. Two roads and no one is winning. No one is working for our kids now, APY, APS, the Minister, AW NRM Board. Our kids will be lost. We will leave nothing for the kids."

Staff and Employment



Rodney Edwards
Coordinator

The permanent APYLM staff form a stable and dedicated team. Permanent staff members are mostly based in Umuwa or on the Indigenous Protected Areas (IPAs). Permanent staff members are:

Director	Frank Young
Coordinator	Rodney Edwards
Pastoral and Livestock Officer	Troy Coe
Threatened Species Officer	Thalie Partridge
Indigenous Protected Area Officer	Sam Matthews
Warru Recovery Officer	Anika Dent
Walalkara IPA Rangers	Munty and Joyce Robin
Sandy Bore IPA Rangers	Sammy and Ngilan Dodd
Threatened Species Rangers	Malpiya Davies, Jeanie Ward
Warru Recovery Rangers	Sherada Stanley, Margaret Winton, Thomas Tjiliya

Many Anangu are employed in casual positions across all projects. In particular, the Warru Minyma, a group of Pukatja women, continued to lend strong management support to the Warru Recovery Project and, a small team of Anangu pastoral workers received regular work and a large group received casual work in many aspects of pastoral operations.

There were important consultancies and contracts with Tony Davies, Mike Last, Chris Prescott, Joe Benshemesh, Will Powrie, Steve McAlpin and John Read. These provide short term, intensive, professional services that expand the range of skills provided through the staff. All these consultants have a history of many years working on the Lands, or, in the region.

External Agency Support

There is no State or Commonwealth government funding for the on-going maintenance and operation of APYLM and it is entirely dependent on external grants to develop and deliver its program. However, through a wide range of partnerships, APYLM has been able to provide employment, deliver significant conservation outcomes, and support Anangu with their land management. Of note this year has been the cross border engagement with Ngaanyatjarra Land and Culture Unit (WA) and the Central Land Council (NT) on camel management, using fire as a management tool, flora and fauna surveys, cybertracker development and planning for proposed Indigenous Protected Areas. Productive relationships with TAFE (SA) and Charles Darwin University (NT) continue to expand training opportunities and the multi-agency Warru Recovery Team continued to provide very good support at all levels of project delivery.

There remains significant relationship difficulties with the Alinytjara Wilurara NRM Board and also with the Kuka Kanyini Project at Watarru funded through the Department of Environment and Heritage.

Indigenous Protected Areas and Working on Country Program

Under the banner of the Australian Government Caring for our Country initiative, the Indigenous Protected Area (IPA) Program is strongly linked to complement the Working on Country (WOC) Program. The IPA program funds the on-ground works and casual employees while the WOC program supports permanent employment initiatives.

Indigenous Protected Areas are areas identified by Traditional Owners as country to be managed for conservation under the categories set by the International Union for Conservation. There are two Indigenous Protected Areas (Walalkara and Watarru) and three other areas where Traditional Owners are planning and working towards declaring IPA's (around Sandy Bore, Aparra/Makiri and Kalka/Pipalyatjara).



Sam Mathews
IPA Officer

WOC funding in 2008/09 enabled the recruitment of 8 part-time rangers and 1 full time regional ranger to oversee and support the rangers. Four ranger positions were filled and the others will be recruited in 2009/10 now that suitable vehicles are available.

Most activities on the IPA's are on-going and routine, implemented in accordance with the respective Management Plan, and supported from other Land Management Projects. Activities routinely include: patch burning for wildfire and habitat management; monitoring and surveying for threatened species; rock hole monitoring and cleaning; and, monitoring sacred sites.

This year six Anangu attended the IPA Managers' Meeting in Alice Springs in November 2008: two people from each of the declared IPA's and two people from the Kalka/Pipalyatjara proposed IPA. The IPA Managers' Meeting was an opportunity for APYLM to make a presentation about what has been happening in the declared IPA's and the planning work that is being undertaken on the APY Lands. It was also a good opportunity for people to learn about what work people are doing in other places, management issues, funding opportunities, and benefits of collaborations with a variety of organisations.

Watarru IPA

With assistance and support from the APYLM threatened species program and the WOC Ranger Program the following works were undertaken: nganamara monitoring and surveys, tjakura monitoring, patchburning, maintaining sacred sites and rockhole monitoring and maintenance. Casual Workers from Watarru assisted the APYLM livestock program with the muster and removal of 40 feral horses from the area.



Casual workers monitoring a Nganamara mound for activity

Walalkara IPA

Two WOC Rangers were employed and undertook a variety of works, including monitoring of malleefowl nests and surveys for further nesting sites, patchburning, rockhole monitoring and maintenance, and the installation of a modified 'Patjarr Spider' rockhole cover at one rockhole. The

Walalkara Rangers also undertook training and assisted in the field trial of the APYLM Cybertracker monitoring database. Some of this work has been in collaboration with the APYLM threatened species program.

Significant coordination issues continue to hamper implementation of the Walalkara Indigenous Protected Area Management Plan and WOC Ranger Program. APYLM will continue to work with Anangu and other agencies to reach a way forward.



Walalkara WOC Rangers Munti and Joyce Robin installing a 'Patjarr Spider' rockhole cover to protect it from feral camels



The finished rockhole protection at Walalkara

Proposed Indigenous Protected Areas

Traditional Owners for the Sandy Bore, the Aparra/Makiri and the Kalka/Pipalyatjara areas are very supportive of working towards the declaration of an IPA on their country. Planning workshops and field trips have been undertaken in Kalka/Pipalyatjara and Sandy Bore. A draft plan of management has been collated for Kalka/Pipalyatjara and will be presented to the communities in 2009/10. The background for a draft management plan for Sandy Bore has been collated, however further meetings need to be undertaken to ensure all Traditional Owners have been consulted. The planning process for Aparra/Makiri will also continue next year.



Traditional Owners from Kalka and Pipalyatjara having a joint consultation meeting with staff from Central Land Council



Traditional Owners visit a significant soakage south of Pipalyatjara as part of the planning process

On-ground works were undertaken in the Proposed IPA's, particularly Sandy Bore area where two WOC rangers have been carrying out management activities in line with their work plans. There was also a unique opportunity for the Sandy Bore rangers to work with a research team from the National Herbarium of Victoria studying cryptogams (mosses) in arid environments.



Workers installing a Shed Tank in Sandy Bore Area

Pastoral and Livestock Management Program



The Pastoral and Livestock Program continued to operate again without direct funding. It is a unique program in that it is the only program that must raise its own capital. This is achieved by undertaking limited contracts for a diverse range of activities. In some ways this is counter-productive as it reduces the time and resources available to directly service Anangu aspirations for their own pastoral and livestock work. However, it has created some unique employment opportunities for Anangu such as road maintenance and shed construction.

Troy Coe has been employed as the APY Livestock Officer since 2004.

Pastoral Development Licenses

Since 2005, APY has embarked on an ambitious program of normalizing pastoral business practices and establishing new Anangu pastoral businesses. These are legal Anangu businesses, operating under the *Anangu Pitjantjatjara Yankunytjatjara Land Rights Act 1981*, and require a pastoral development licence endorsed by the traditional owners and the Executive Board. There are now six operating pastoral development licences, and more have been approved by the traditional owners. It is anticipated these will be signed-off in the next 12 months.



Horses trapped at Angatja for horse breaking training



Trainees preparing to ride

The licences contain schedules of compliance to ensure business sustainability and best practice natural resource management and is monitored by APY. Compliance includes capacity building and requires education and training of both pastoral business managers and pastoral workers.

Last year's drought conditions resulted in de-stocking of the Lands however cattle are being reintroduced to some areas as a result of summer rains.



Hudson Lennon, Shane Lennon and Munantjanu Lennon watch APY General Manager, Ken Newman sign their pastoral development licence



Mr Teddy Edwards displaying his new pastoral development licence and Company books

Horse Breaking Training Stage II

The professional development of the pastoral workers is a priority for capacity building within the pastoral and livestock industry. Horse Breaking Training Stage I, completed in 2008 was followed by a four week training program in late June 2009. The accredited training was again provided by Charles Darwin University (CDU) in units from the Certificate II and Certificate III Agriculture (Beef Production). Since the commencement of the program in 2008, Gateways for Youth have furthered the training objectives and supported training of APY youth at CDU rural colleges in the NT. The ongoing involvement of CDU trainers has established relationships between participants and trainers, and increased the familiarity of the participants, their skill levels, and the capacity building objectives of APY.

The Double Tank yards have been developed as a pastoral training facility. It is a central location in the APY Lands, endorsed by the elders, and provides the opportunity for family to call in to observe and support participants.

Partners involved in the program with APY are TAFE SA, Charles Darwin University, Gateways for Youth, Bungala Aboriginal Corporation, Indigenous Land Corporation, Department of Premier and Cabinet, Australian Government Department of Education, Employment and Workplace Relations (DEEWR), and Nganampa Health. Funding for the 4 week program was provided by the NT Dept of Education, Employment and Training, Bungala, and the DEEWR Indigenous Employment Program.

In 2009/2010, it is anticipated that a small number of participants will complete their Certificates and participate in formal graduation procedures at Charles Darwin University next year.

Feral Camel Management

APYLM is part of the successful tender for a national feral camel management program auspiced by Desert Knowledge Cooperative Research Centre. The planning for this program continues into



Angus Curly loading camels at West Bore



Construction of wings for the yards at West Bore

2009/2010. In anticipation of the on-going impacts of camels, APYLM continued to develop the West Bore Yards near Kaltjiti (Fregon) with the Stevens family, the Amata yards, and the Angatja yards with Sammy Lyons to increase capacity to control camels. Camels were mustered from around West Bore and Watarru and sent to abattoirs at Peterborough, SA.

Feral Horse Management

During the drought, feral horses congregated on a significant spring near Watinuma. These were trapped and nearly 500 horses in poor condition were trucked to abattoirs. There are more horses to be removed from Watarru and Angatja in 2009/2010.

The Anilalya Homelands horse management project funded through Bungala Aboriginal Corporation was very successful in trapping and removing 100 horses from Turkey Bore, Black Hills and Pukatja area and employed over 10 CDEP workers.



Davey Campbell, Murphy Kenny, Troy Coe building trough for horse management



Uminia Ken overseeing the trapping of horses at Pukatja

These un-managed horses were impacting on the homelands in many ways:

- Damage to infrastructure;
- Road safety hazard;
- Animal ethic issues relating to water supply, injured animals, dog attacks;

- Environmental health issues re dust mitigation in and around homelands;
- Community health relating to dust and faeces;
- Uncontrolled and unmanaged breeding and population growth; and,
- Natural resource management of grazing pressure on surrounding pastures.

Many of the fences and paddocks associated with the Homelands were ineffective in controlling the horses. This project enabled erection of some fencing around some of the homelands to link in to the general paddock infrastructure and to block the horse movements.

Feral Donkey Management

Anangu Pitjantjatjara Yankunytjatjara policy remains firm on the management of donkeys and that donkeys can be mustered and removed but not shot on the Lands. There is no market for donkeys. They will only be handled by an abattoir when paddocked in numbers of at least 1000 - 1300 head and then provided free of charge. The cost of mustering and handling cannot be recovered. Donkeys are an increasing problem in communities in the east.

This project protects one community and five (5) homelands from damage caused by donkeys. It directly links in with the Land Management pastoral development work that has already fenced along the main roads and created paddocks for the cattle industry. Two double grids have been placed on the main Umuwa-Pukatja road and two single grids on the Umuwa-Kenmore Rd. A further two (2) double grids will be located in the near future. This will complete the infrastructure to protect the five (5) homelands and Umuwa community. Pukatja Community declined to participate and donkeys still have access to that community.

Protection of Homeland Bore Infrastructure

Throughout the Anangu Pitjantjatjara Yankunytjatjara Lands there are frequent problems with feral animals encroaching on communities in search of water. The planning and design phases for community infrastructure have never considered the protection of infrastructure from feral animals as an issue to be managed. Consequently community infrastructure, ranging from homeland bores and orchards to community taps, air-conditioning and reticulation are regularly damaged by horses, donkeys and camels. The impacts of these feral animals cost communities and service providers thousands of dollars annually.



Fencing for protection of Young's Well bore

AP Services contracted APYLM to protect ten (10) Homeland bore sites from the impacts of feral animals. Six (6) were fenced to prevent the impacts of cattle, horses and donkeys. Four (4) remain to be completed to restrict camel impacts. Labour is provided by CDEP workers and regular casual Anangu staff.

Double Tank Game Meat Processing Plant

The concreting of the foundations, erection of the Processing Shed and installation of the cool rooms has been a major advance in the development of the Game Meat Processing Plant. The refrigeration will be installed shortly. APYLM is working with SA Meat Hygiene (PIRSA) regulatory services to ensure the construction and processing procedures are to food safety standards for human consumption. The development of the facility will be funded, slowly, through the sale of camels unless additional funding can be sourced.



Cool rooms, processing floor and shed at the processing plant



Construction of load-out bay wall



Young trainees at Double Tank Horse Breaking Training



Harry McCormack checking cattle at Turkey Bore



Troy Coe demonstrating horse hoof care



Fraser family processing their own cattle from Musgrave Pastoral



Toby Goringe, CDU trainer, showing horse care procedures.



Toby Goringe, CDU trainer teaching cattle yard work

Caring for our Country with Fire

Fire has always been used to care for country in the Anangu Pitjantjatjara Yankunytjatjara Lands. In recent years, changes to the environment, reduced access to country and the encroachment of buffel grass have substantially altered the fire patterns and increased the potential for damaging wildfires. Anangu Pitjantjatjara Yankunytjatjara contracted a fire management strategy in 2004 that recommended that regional operational fire plans be developed but this has never been implemented through lack of funding and resources.



Sammy Lyons near Angatja



Fire planning near Amata



Barney Pan getting ready to conduct aerial surveys of fuel loads



Jimmy Baker and Rachel Paltridge (Desert Wildlife Services) supervising burning near Kanpi/Nyapari

In March 2009, APY Land Management, assisted by Desert Wildlife Services, conducted fire planning with traditional owners from the Mann Ranges Fire Management Region (FMR) and the Musgrave Ranges FMR. Trial burning activities will be undertaken in the cooler months of the year when they will reduce fuel loads without significant risk to property or culturally and biologically significant sites. This project is supported through funding from the Australian Government's Caring for our Country and the Indigenous Land Corporation.

The Mann and Musgrave Ranges Fire Management Region support key threatened species, including the Black-flanked Rock-wallaby, Orange-crowned Toadlet, *Basedowia tenerrima*, *Goodenia brunnea*, and *Acacia tenuior*. Increasing homogeneity in grasslands dominated by Spinifex or the introduced buffel grass, proximity to large communities (Pipalyatjara, Pukatja and Amata), and the need to engage young people in fire management work heighten the need to revive burning activities. This work will link with fire management conducted by Central Land Council in the proposed Petermann IPA which is located in the Northern Territory, adjacent to the Mann Ranges FMR. Appropriate planning is essential before burning is undertaken to prevent fires getting out of control. APY Land Management's long term aim is to employ a fire management officer and seasonal Anangu fire rangers for each of the 10 fire management regions outlined in the 2004 strategy.

Protecting Threatened Species Program



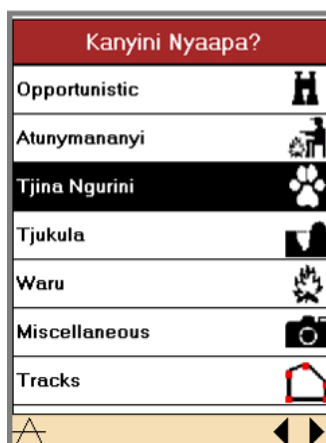
At least 18 native mammal species have become extinct in the Anangu Pitjantjatjara Yankunytjatjara Lands since European settlement. Many others have declined in number and are rarely seen. There are four animals which are listed as a priority for conservation. These are the Waru (Black-flanked Rock Wallaby, *Petrogale lateralis*), Tjakuṛa (Great desert skink, *Egernia kintorei*), the Nganamara (Malleefowl, *Leipoa ocellata*) and the Itjaritjari (Marsupial mole, *Notoryctes typhlops*).

Thalie Partridge is the APY Threatened Species Officer. Threatened Species management is primarily funded by the Indigenous Land Corporation Threatened Species Project.

Anangu and Land Management staff are members of national and State-based management teams and work with the South Australian Department of Environment and Heritage (SA DEH), scientists from Macquarie University (Sydney) and ecologists who provide advice on threatened species management. This work is guided by senior Anangu who have significant knowledge of plants and animals. APY Land Management also maintains communication with neighbouring land managers including the Ngaanyatjarra Land and Culture Unit and the Central Land Council's land management team. During this year Anangu land management staff presented the results of their work at a number of regional and State meetings and workshops. Anangu spoke strongly about their land management aspirations and have been applauded by senior arid zone ecologists for their work and commitment to threatened species management.

To assist Anangu to conduct threatened species monitoring more independently, APY Land Management has been working on the development of a CyberTracker program. CyberTracker software was developed in 1996 to enable non-literate trackers, Indigenous to the Kalahari Desert, to collect geographically referenced monitoring data on hand-held computers. CyberTracker 'sequences' are developed which are specific to the information being collected. The Threatened Species Officer and Threatened Species Rangers have been working to develop sequences and translate them into Pitjantjatjara.

Other Indigenous groups throughout central Australia are also using hand-held computers for similar activities, however most groups are struggling with the CyberTracker technology due to differing IT abilities of support staff. APY Land Management and Central Land Council (CLC) collaborated to facilitate a workshop aimed at exploring issues around data management systems



Far Left and Right: Threatened Species Rangers, Malpiya Davies and Jeannie Ward looking for tracks and collecting data using hand-held computers. Centre Left: The computer used to collect data in the 'CyberTracker' program. Centre Right: A screen from a CyberTracker sequence, 'Kanyini Nyaapa?' Looking after what?

for central Australian Indigenous Protected Areas (IPA), funded by the Australian government's Caring for our Country program. The workshop and review were very successful with representatives from most IPA's in central Australia providing input. APY Land Management's CyberTracker and database system is among the most advanced available, however further development, field trials and training of ranger and support staff is required. APY Land Management and the CLC are examining funding possibilities for training and CyberTracker IT support for all central Australian IPA's.

Tjakura Monitoring Project

The Tjakura Project is a population monitoring and survey project based in Watarru. Members of the Watarru community have been actively monitoring populations of Tjakura since 1997 when Mary Pan and Illawanti Ken re-discovered the species.



Threatened Species Ranger, Malpiya Davies, and Macquarie University Scientist, Steve McAlpin, checking a Tjakura trap.



Imitjala Pollard releasing a Tjakura back into its burrow.

This year the annual monitoring trip was assisted by Steve McAlpin and Adam Stow from Macquarie University. Three of seven colonies were monitored as a trapping trial. This will continue in October 2009 when Tjakura are more active. One colony remains extinct, however the total extent of one colony has increased and further searching should locate additional Tjakura warrens. Tjakura were trapped from the two active colonies and tail tissue was taken for genetic analysis by the Macquarie University scientists. Genetic information will help to understand whether Tjakura move between colonies and if extinct colonies have moved to new locations. It may also be possible to compare DNA from Tjakura at Watarru with Tjakura caught there in 1997.

Nganamara Monitoring Project

Nganamara (malleefowl) are found in mulga and mallee country in the Watarru and Walalkara Indigenous Protected Areas. In contrast to malleefowl habitat elsewhere in Australia, Nganamara in the arid zone are sparse and have a very scattered distribution. Their habitat is also very remote meaning that monitoring methodologies are substantially different to more temperate regions. Therefore, APY Land Management and the Watarru and Walalkara Indigenous Protected Areas are working with the Malleefowl Recovery Team and consultant Joe Benshemesh to develop a coordinated approach to monitoring in the arid zone. In September, a Nganamara Workshop was held by Joe Benshemesh in Watarru. It was attended by Anangu from across the APY Lands and from the Ngaanyatjarra Lands.

APY Land Management has been working to develop a 'Cybertracker' program which will assist Anangu to collect and record the same information on Nganamara. This will be developed further in 2009/2010 with the assistance of Joe Benshemesh.



Nganamara workshop at Watarru



Monitoring Nganamara mounds using CyberTrackers at Walalkara.

Itjaritjari Monitoring Project

Itjaritjari are found in sand dunes across the sandy desert regions of central Australia. They live underground and rarely come to the surface. Because of this, very little is known about their habits and status and they are considered endangered. Much of what we do know about Itjaritjari has come from the traditional ecological knowledge from senior Anangu.

To learn more about the status of Itjaritjari populations, Anangu Pitjantjatjara Yankunytjatjara Land Management is involved in a long term project examining the number of burrows found in sand dunes. Every 3-5 years trenches have been dug in the sand dunes and the number of burrows counted. Information suggests that Itjaritjari remain common in most areas however burrows should be monitored again in 5 years to confirm this.



(L) Walalkara IPA Rangers digging Itjaritjari trenches. (C) The wall of the trench showing cross section of Itjaritjari burrow, backfilled by Itjaritjari as they dig through the dune. (R) Anton Baker and family excavating an Itjaritjari trench.

Threatened Species Rangers



Jeannie Ward



Malpiya Davies

Warru (Black-footed Rock Wallaby) Recovery Program



Once common in northern South Australia, warru is listed as endangered in South Australia and is only found in two small colonies – both on the APY Lands. The colonies are separated by several hundred kilometres with one colony in the eastern Musgrave ranges near the New Well homeland and the other at Kalka near the Western Australian border.

Warru conservation work has been implemented through the Land Management Unit with significant Anangu support in all levels of field work and management. Anika Dent is the APY Warru Recovery Officer.

The Warru Recovery Program is supported by the Warru Recovery Team which is a group of researchers, ecologists and Anangu from APY, Zoos SA, DEH, Ecological Horizons, Threatened Species Network, and University of Adelaide. Warru Minyma, a group of senior women from Pukatja, play an active role in discussions at the Recovery Team meetings and bring their traditional and ecological knowledge into the decision making.

During 2008, the warru conservation work was funded through the Department for Environment and Heritage, South Australia and focused on predator control and population monitoring. However, 2009 saw the start of a new era with a grant from the Australian Government's Working on Country program enabling the employment of 8 permanent part-time rangers for four years. Four rangers are dedicated to conducting on-ground conservation activities around each of the warru colonies.



(L) Sherada Stanley burying a fox bait, (C) Thomas Tjiliya showing school children how to radio-track the warru, (R) Jennifer Wells showing evidence of a new warru colony, discovered during the aerial surveys

Some of the activities conducted by the Warru Rangers include:

- Ground baiting for foxes fortnightly
- Aerial baiting for foxes throughout the eastern Musgrave Ranges
- Monitoring the survival of warru through Radio telemetry and scat count monitoring
- Monitoring and controlling buffel grass and other invasive weeds around the New Well warru colony
- Monitoring herbivore and predator populations around the main New Well warru colony
- Surveying sites on the APY Lands that are potentially suitable for reintroduction of captive bred warru
- Surveying habitat throughout the APY Lands for the presence of other warru populations
- Training in caring for captive bred warru at Monarto and Adelaide zoos (funded by Zoos SA)
- Teaching local school students about the Warru Project and showing them traditional tracking techniques.



Some members of the Warru Recovery Team during the aerial surveys for new warru colonies.



Warru Minyma and Warru Rangers identifying tjina on a transect

Radio transmitting collars were first fitted to warru in August 2007 and have shown that the adult warru mortality rate is low. This is important information as it shows that adults are not being readily killed by predators however the over-all population remains low. This suggests that the young animals are vulnerable and not reaching adulthood. John Read from Ecological Horizons, assisted APYLM to assess the status of the Musgrave Ranges by examining scat (kuna) quadrats

in December 2008 and June 2009. The main New Well warru colony persists with low numbers (approximately 35) however, during August 2008 and June 2009, aerial surveys with the Warru Recovery Team significantly increased the known range of warru in the eastern Musgrave Ranges.

In June 2009, Rangers participated in a survey south of Kalka/Pipalyatjara where a new satellite colony of the main Kalka colony was also discovered. The results of these surveys have brought the estimated total number of warru in South Australia up to 100-200 individuals.



Chris Davey patting the cheetahs at Monarto Zoo.



Jennifer Wells holding a warru at Monarto Zoo.

Predator-track transect monitoring has shown that the baiting program appears to be successful at maintaining very low populations of foxes, however cat and dog/dingo tracks are recorded regularly. Kanyula and rabbit numbers appear to be at near historic high levels. It has been suggested that feral cats may be preying on young Warru. The Warru Rangers and the Warru Recovery Officer will be working on the logistics of cat baiting as well as learning to trap cats in the up-coming year.

In November 2008 Zoos SA offered 4 young Aangu rangers the opportunity to participate in training to care for captive bred warru at Adelaide and Monarto zoos. The rangers saw the amount of effort that is going into caring for the warru at the zoo and were able to see that the young warru were growing up healthy. The rangers had many other amazing experiences during the visit – including feeding rhinoceros' and patting cheetahs.

Warru Rangers



Thomas Tjiliya



Margaret Winton



Sherada Stanley

Plant Nursery

The Land Management Unit plant nursery in Umuwa provides a range of local plant species grown from locally collected seed and helps with advice on planting and irrigation. It is a not-for-profit enterprise and plants and equipment are sold to recover expenses. The nursery sells about 1000 seedlings annually to organisations and individuals across the APY Lands.

Stocks include:

- larger trees- Mulga, River Red Gum, Desert Kurrajong, Desert Oak;
- smaller trees/larger bushes- Witchetty Bush, several Mallee Species, Umbrella Bush;
- smaller bushes - Sticky Hop Bush, Senna species, Spear bush.



Fresh tube stock in the APYLM Nursery

Groundwater Monitoring

Groundwater monitoring is a primary component of managing water resources in this dry land where water from underground aquifers is almost always the only source of water for human use. Groundwater monitoring consists of measurements of distance to water under the ground, and chemical and microbiological analysis of water samples collected from the groundwater resources.

Funding was provided by NHT through grants administered by the Alinytjara Wilurara Natural Resources Management Board. This project is successor to *Kapi Atunmankupayi, Looking after water on the Anangu Pitjantjatjara Yankunytjatjara Lands* and was to be implemented in 2007/2008. However funding was received in 2008/2009 and work completed in this period. Importantly the funding was cut by \$100,000 by the AW NRM Board and there is no further funding in 2009/2010.

Tony Davies Consulting provided field services to APYLM and:

- Conducted groundwater monitoring on 20 groundwater bores that were identified from the APYLMS database;
- Conducted field chemical analysis on groundwater;
- Collected samples for laboratory analysis of the groundwater;
- Conducted field microbiological analysis of the groundwater;
- Loaded the data onto the APYLMS database; and,
- Provided the data to the State agencies.

Information Technology Program

The Database and Photo-library Project is a three (3) year grant through the Indigenous Land Corporation and is in its final stages. The photo-library is linked to the Database Project through the use of MAPINFO software; a mapping program which enables each photo to be linked to a location eg photo monitoring points, rock holes, and patch burning can all be linked to a specific site.

Land Management collects, stores and processes huge amounts of data associated with each project. The funding cycles for projects however, contribute and encourage the loss and re-invention of datasets. To stem the loss of this data (hard copy, digital, photographic) when projects end, staff turnover or internal agency reorganisations, a central electronic database was developed. Existing database programs of other organisations were considered but found to be limited for APY LM use. In late 2005 the programming for the database commenced and has evolved into the present day database.

Throughout 2008/09 there have been many improvements associated with specific data collections including:

- water monitoring data set (bores and monitoring records of water quantity/quality;
- maintenance of records, standardised data collection protocols);
- pastoral and livestock data set (the catalogue – NLIS data, paddock infrastructure);
- administration data set (time sheets, training);
- general land management data sets (include additional projects such as storm water mounds); and,
- On-going enhancements for additional report production.

Significant work has been undertaken to develop the Cybertracker program so that field data can be readily integrated with existing data in the database. The development has involved using new and updated hardware with inbuilt global positioning system (gps), camera, and ability to store data.

It is critically important to retain and preserve digital photographic material. This material extends the range of the non-digital media and maintains the continuous record of work undertaken in Land Management. It enables work to be reviewed and to contribute to planning for future programs. However, the turnover rate of digital project material is high and presents a challenge to agency filing and data management systems. As data, it is copious and easy to lose. Without management, there is the risk of continuous loss of corporate knowledge.

Much of the Land Management digital information is collected by Anangu and concerns their relation to land through project work. The collection now contains digital images back to about Year 2000. For non-digital collections from 1978-2002, the originals are scanned and digitised. Over the last twelve months the library has grown from 4,000 to 19,000 photos loaded and sorted into directories. These photos have been contributed and cross-referenced to over 50 photographers made up of Anangu, APY staff, and other agency and private staff collections. There are still many collections that could be accessed from schools and other agencies on the Lands.



Using the Photo Library

Financial Report

Following is a copy of the Statement of Financial Position and the Income and Expenditure Report for the year ended 30 June 2009. Copies of the complete Financial Report, including all the notes to the accounts are available from APY during normal office hours.

Statement of Financial Position

	Notes	2009 \$	2008 \$
CURRENT ASSETS			
Cash assets	2	2,461,160	1,591,147
Receivables		<u>1,090,577</u>	<u>1,098,162</u>
TOTAL CURRENT ASSETS		<u>3,551,737</u>	<u>2,689,309</u>
NON-CURRENT ASSETS			
Other investments		4,586	4,586
Fixed Assets	3	<u>1,601,007</u>	<u>1,753,085</u>
TOTAL NON-CURRENT ASSETS		<u>1,605,593</u>	<u>1,757,671</u>
TOTAL ASSETS		<u>5,157,330</u>	<u>4,446,980</u>
CURRENT LIABILITIES			
Payables	4	1,991,344	1,669,106
Interest-bearing liabilities	5	-	132,646
Provisions	6	159,140	197,075
Other	7	<u>129,479</u>	<u>132,859</u>
TOTAL CURRENT LIABILITIES		<u>2,279,963</u>	<u>2,131,686</u>
TOTAL LIABILITIES		<u>2,279,963</u>	<u>2,131,686</u>
NET ASSETS		<u>2,877,367</u>	<u>2,315,294</u>
MEMBERS' FUNDS			
Retained profits		<u>2,877,367</u>	<u>2,315,294</u>
TOTAL MEMBERS' FUNDS	8	<u>2,877,367</u>	<u>2,315,294</u>

Income and Expenditure Report

	2009 \$	2008 \$
INCOME		
Sales income	48,620	74,970
Subsidies and grants	4,568,385	3,267,578
Other income	1,786,393	2,167,718
Management fees	212,585	107,450
Rental income	66,255	59,663
Interest	31,531	36,909
Insurance recoveries	25,001	131,627
Royalty income	-	10,000
TOTAL INCOME	6,738,770	5,855,915
LESS EXPENSES		
Salaries and wages	1,363,581	1,436,652
Consultancy fees	700,703	312,644
Insurance	536,667	343,809
Administration costs	488,734	20,116
Fuel and oil	482,955	519,225
Repairs and maintenance	396,034	366,335
Depreciation	352,436	317,098
Contract work	271,328	108,376
Travelling expenses	171,722	213,901
Leasing charges	162,196	146,900
Sundry expenses	156,449	290,356
Printing and stationery	131,574	148,729
Materials	123,085	141,003
Meeting Expenses	114,540	116,402
Accounting fees	110,170	80,534
Freight and cartage	103,206	56,996
Telephone	97,507	87,266
Superannuation	96,960	123,139
Community Expenses	61,898	1,018,970
Tourism	50,000	-
Computer expenses	41,927	24,923
Hire of plant and equipment	39,707	61,415
Management Fees	31,916	18,144
Electricity	25,089	31,113
Motor vehicle expenses	20,323	64,373
Bad debts	14,200	1,684
Data processing charges	12,663	44,762
Subscriptions	11,400	9,505
Bank charges	6,031	3,073
Recruitment costs	1,696	4,911
Legal costs	-	8,217
Minor Equipment	-	4,527
TOTAL EXPENSES	6,176,697	6,125,098
OPERATING PROFIT/(LOSS)	562,073	(269,183)