

Anangu Pitjantjatjara Yankunytjatjara

A.B.N. 77 261 612 162

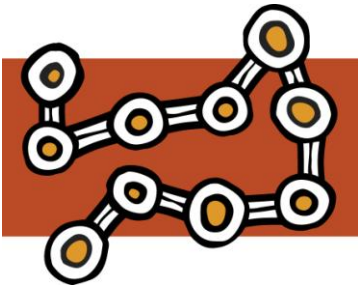
PMB 227 Umuwa via Alice Springs NT 0872

Phone: (08) 8954 8111 Fax: (08) 8954 8110

Email: gmapy@anangu.com.au

Annual Report

2009 – 2010



Anangu Pitjantjatjara Yankunytjatjara

A.B.N. 77 261 612 162

PMB 227 Umuwa via Alice Springs NT 0872

Phone: (08) 8954 8132 Fax: (08) 8954 8110

Email: gmapy@anangu.com.au



A Message from the Chairperson

It is my pleasure to present the Anangu Pitjantjatjara Yankunytjatjara Annual Report for 2009/2010. It was a busy year for Anangu Pitjantjatjara Yankunytjatjara with a number of accomplishments and achievements and the satisfactory continuation of many more programs.

The *APY Land Rights Act* requires APY to report on the activities of the Executive Board, but I feel that people would like to know more about what happens with APY during the year. This report provides a summary of some of the programs and projects that have happened within the Executive, and within APY Administration and Land Management throughout the 2009/2010 reporting period.

Perhaps the most notable achievement in this reporting period was the commencement of the Federal and State Government's aboriginal housing program which promises to deliver 180 new houses to Anangu across the APY Lands over a period of ten years. 2009/10 saw the completion of 33 new houses and 34 refurbishments of existing houses. We continue to build a strong working relationship between HousingSA, the Communities, and the APY Administration to deliver the best outcomes from this important program.

Another notable achievement was the implementation of the conjunctive land access agreement with Ahava Energy. This agreement paved the way for the commencement of oil exploration in the eastern part of the APY Lands. By the end of the reporting period three wells had been drilled with some encouraging results had been reported. Other mineral exploration activity increased during the period with a further four new tenements approved, bringing the total of active tenements to over eighteen.

2009/2010 saw the commencement on the APY Lands of the Federal Government's Remote Service Delivery (RSD) initiatives within the communities of Mimili and Amata. These two communities were chosen amongst the 29 priority locations across Australia for specific attention in the 'Closing the Gap' initiatives. APY continues to work with State and Federal Governments in the delivery of these initiatives.

The land management responsibilities within APY continued to expand with a further Indigenous Protected Area (IPA) at Kalka/Pipalyatjara being declared during the reporting period. This brought the total IPAs across the APY Lands to three and provided further working on country employment opportunities for Anangu.

Feral camel mustering and trucking activity for domestic and export markets increased to a record of over 3,500 head being removed from the APY Lands. This activity is seen as a key enterprise for Anangu in the future.

Throughout the reporting period APY continued to work with other agencies to establish real jobs for our members. This was particularly challenging as the Government continued with its recent agenda of outsourcing service delivery activities to organisations with management outside of the APY Lands. This resulted in further loss of real jobs for Anangu on the APY Lands.

These achievements are made possible through the hard work and commitment of the Executive Board and the APY Staff and I take this opportunity to acknowledge this. I would also like to acknowledge the fine work and contributions made by three staff who have chosen to leave APY during the reporting period.

- Frank Young has been part of the Land Management team for many years in the roles of Director and Regional Ranger. Frank decided to retire in December 2009. Frank contributed at a high level, representing APYLM in numerous forums locally, nationally and even internationally. His corporate knowledge spans many years of change and his cultural knowledge is vast. He mentored many staff and agencies on appropriate ways to make change.
- Peter Huntington worked in the role of Principal Legal Officer for a number of years and helped to guide the organisation through the increased mineral exploration activity, recent social housing agreements, and the deterioration of service delivery on the Lands, amongst many things. Peter decided to return to Sydney for family reasons. And
- Ken Newman served for over five years in the role of General Manager during which time he provided guidance and support to the Executive through the 2005 Land Rights amendments, the removal of ATSIC, the advent of the housing initiatives, and many other social and political changes on the APY Lands.

On behalf of the APY I thank these men for their contributions and wish them well in their future endeavours.

Change from within and from outside will continue to challenge Anangu. It is important that we accept our responsibilities to be part of these changes and to drive the process of change on our terms. This is our land and as Australian citizens we must find the best ways to improve our lives and care for our land.

The Executive Board under my leadership will continue to work for our members in making things better for all Anangu on the Anangu Pitjantjatjara Yankunytjatjara Lands.

Sincerely



BERNARD SINGER
Chairperson

A Message from the Chairperson.....	2
Introduction	5
Background.....	5
Powers and Functions of Anangu Pitjantjatjara Yankunytjatjara	5
Requirement of consultation	6
General Meetings of Anangu Pitjantjatjara Yankunytjatjara	6
Other General Consultations.....	7
The Executive Board of Anangu Pitjantjatjara Yankunytjatjara	7
Executive Board Meetings	9
Summary of Resolutions	10
Permits	11
Administration	12
Director of Administration.....	12
General Manager	12
The Administration Officer.....	13
The Bookkeeper / Budgets Officer	14
Legal Department	15
Mineral Exploration	16
Land Management.....	17
2009/2010 Financial Statements.....	23

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 pursuant to amendments made by the South Australian Parliament in October 2005 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.

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 of 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.

General Meetings of Anangu Pitjantjatjara Yankunytjatjara

Annual General Meetings and Special General Meetings are held in accordance with Section 8 of the *Anangu Pitjantjatjara Yankunytjatjara Land Rights Act*. General Meetings are often broadcast live across the APY Lands by 5NPY Radio. This also 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.

Anangu Pitjantjatjara Yankunytjatjara held a two-day Annual General meeting on 4 - 5 March 2010.

There was a Special General Meeting held during the reporting period:
12 -13 November 2009 at Umuwa

The Consultations facilitated by Annual and Special General Meetings included the following matters:

Mintabie Lease, CDEP on the APY Lands, Housing Repairs and Maintenance, Royalty distribution model, Dialysis treatment,

Tjilpi/Pampa Meetings

There were also one meeting held amongst senior Anangu men and women on 4 August 2009; this meeting to ensure that activities undertaken by the Executive Board and its members are in accordance with the wishes of traditional owners.

Other General Consultations

Other issues that were the subject of general consultations included:

- Housing on the APY Lands
- Law and Culture issues
- Mai Wiru (Healthy Stores Policy)
- Mintabie Precious Stones Fields and Township Lease

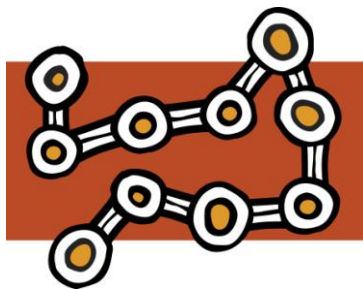
The Executive Board of Anangu Pitjantjatjara Yankunytjatjara

The Executive Board of Anangu Pitjantjatjara Yankunytjatjara is elected pursuant to Section 9 of the *Anangu Pitjantjatjara Yankunytjatjara Land Rights 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 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 is binding on Anangu Pitjantjatjara Yankunytjatjara.

During the year, the Executive Board met more often than they were required under the legislation. The current Executive Board Members, elected in November 2008, held nine (9) meetings and one (1) Extraordinary meeting during the reporting period. The members remained unchanged during the reporting period.

.



Anangu Pitjantjatjara Yankunytjatjara

A.B.N. 77 261 612 162
 PMB 227 Umuwa via Alice Springs NT 0872
 Phone: (08) 8954 8111 Fax: (08) 8954 8110
 Email: gmapy@anangu.com.au

Executive Board Members 2009/2010 Elected 3 December 2008



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

The current Executive Board Members and the number of meetings attended were:

<u>Title/Community</u>	<u>Name</u>	<u>Meetings attended</u>
Railway Bore/Wallatinna (Chairperson)	Bernard Singer	10
Amata	Leonard Burton	5
Anilayla	Kawaki (Punch) Thompson	9
Indulkana (Deputy Chairperson)	Ronnie Brumby	10
Kalka/Pipalyatjara	Milyika Paddy	9
Kaltjiti/Homelands	Murray George	4
Mimili	Tony Campbell	3
Murputja	Anton Baker	9
Pukatja	Jamie Nyaningu	9
Watarru	Charlie Anytjipalya	9

Executive Board Meetings

During the period, the Executive Board members met on ten (10) occasions:

13 July 2009	2 December 2009
4-5 August 2009	3 February 2010
2 September 2009	3 March 2010
7 October 2009	5-6 May 2010
11 November 2009	2 June 2010

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

AACAP, Australian Army
 Aboriginal Affairs & Reconciliation (AARD)
 Ahava Energy
 Ananguku Arts
 Bungala
 Crown Law Department
 Coffey International Development
 Department of Employment and Workplace Relations
 Department of Premier and Cabinet (SA)
 FaHSCIA
 Families and Communities (SA)
 Indigenous Coordination Centre, Pt Augusta
 Nganampa Health (Mai Wiru)
 Minister for Aboriginal Affairs (SA)
 Mithril Resources
 NPY Women's Council
 PIRSA
 Phillip Toyne
 Rural Solutions (SA)
 SA Country Fire Service
 SNAFL
 TAFE SA

Summary of Resolutions

At its meetings held during the reporting period, the Executive Board considered and passed eighty three (83) resolutions relating to a range of issues. Those resolutions related to matters involving:

- Administration Matters (5)
- APY Services (2)
- Communities (2)
- Development and Planning (11)
- Executive Board (1)
- Governance (6)
- Housing Issues (19)
- Land Management Matters (8)
- Law and Culture Matters (3)
- Leases, Licences and Agreements (9)
- Legislation and By Laws (3)
- Mineral Exploration (6)
- Mintabie (2)
- Permit Matters (5)
- Petroleum (1)

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.

During the reporting period the Permit system continued unchanged. However discussions continued with State and Federal governments regarding the replacement of the Permit system with a Notification system for certain categories of persons, and at the May Executive meeting carried a resolution accepting a By Law which will provide entry to the Lands for certain groups of persons without the requirement of a Permit.

During the 2009/2010 period, a total of 1445 applications were received and were granted a permit to enter the Anangu Pitjantjatjara Yankunytjatjara Lands. These comprised:

Contractor Permit Applications	573	(40%)
Employee Permit Applications	143	(10%)
Government Permit Applications	311	(21%)
Media Permit Applications	11	(1%)
Visitor Permit Applications	407	(28%)

Administration

During the reporting period the Administration of Anangu Pitjantjatjara Yankunytjatjara consists of the following positions:

- Administration Officer
- Book-keeper/Budgets Officer
- Director of Administration
- General Manager
- Legal Officer
- Mining Tenement Officer
- Permits Officer
- Receptionist

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.



Director of Administration

Mr Rex Tjami held the position of 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.



General Manager

Mr Ken Newman held the position of 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.



The Administration Officer

Ms Carrie Templeton held the position of Administration Officer

In this role Carrie undertook the following activities and responsibilities;

- Maintains the communication system
- Opens and distributes inward mail
- Coordinates mail collection and the once weekly mail plane
- Prepares appropriate correspondence
- Is responsible for Reception Functions including catering
- Coordinates accommodation booking arrangements for the Visitor's Centre
- Maintains stationery / Office equipment supplies
- Maintains the Office Procedural Manual
- Coordinates leased vehicles, services, change over
- Maintains records of motor vehicles - owned and leased
- Coordinates catering for meetings, travel, accommodation, Travel Allowance, Executive Board remuneration and Petty Cash
- Provides assistance to the Director, General Manager, Anthropologist, Legal Officer and Book Keeper as required
- Provides a Mentor / Training role for the Receptionist
- Manages the performance of the Permits Officer and Receptionist
- Maintains Purchase Orders to suppliers, invoices and codes
- Maintains Purchase Order books and register
- Coordinates Training for APY staff



The Bookkeeper / Budgets Officer

Ms Susan Weatherill has been employed with Anangu Pitjantjatjara Yankunytjatjara since September 2005 as bookkeeper / budgets officer.

In this role Susan undertook the following activities and responsibilities.

- 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 that the operating budgets are correctly prepared, adopted and monitored and that all departments of Anangu Pitjantjatjara Yankunytjatjara maintain appropriate financial records.
- Help 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.
- Liaise with Anangu Pitjantjatjara Yankunytjatjara accountants and auditors.
- Assisting with the general administration of Anangu Pitjantjatjara Yankunytjatjara, including office services, filing systems and meeting arrangements.
- Assist with supervision of Anangu Pitjantjatjara Yankunytjatjara administration staff.



Permits Officer

Ms Amelia Tyrrell holds the position of Permits Officer.

The 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.

Specific activities performed include the following:

- Fax, e-mail & post up to date Permit Application Forms to applicants
- Ensure all communities/organisations and the Waru website have the latest forms
- Handle all enquiries regarding permits
- Fax permit requests to appropriate communities
- Enter applications into the permit database
- Maintain the permits database
- Process permit applications, including financial transactions
- Ensure there is an organised filing system
- Follow up on Police Clearances for all employees/contractors
- Provide other administration support as required, including workplace functions, assistance at General, Executive Board and Special General Meetings

Anthropology Department

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.

During the reporting period, a total of forty-one (41) heritage clearances were undertaken; twenty (20) Traditional Owner meetings were held and sixty-one (61) matters were finalized.

APY continued to use the resources of the ACHM anthropologists during the reporting period including Fiona Sutherland, Andrew Morley, and Nadia Butler.

Legal Department



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

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

During the reporting period the Principal Legal Officer oversaw the introduction of a number of legal instruments and advice including;

- The establishing of the Housing MOU
 - Anangu Housing ground lease and variations to this lease
 - Community Stores By Law amendment
 - Powers and functions of APY advice
 - Various mineral exploration deeds of assumption
 - Ahava conjunctive land agreement
 - Mintabie amendment bill and township lease agreement

Mineral Exploration



Mr Gary McWilliams continued in his role of Mining Tenement Officer throughout the reporting period.

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

The following is a summary of activities and the current mineral exploration activity on the APY Lands;

- Four companies are actively exploring; Mithril; PepinNini; Metals Exploration (minerals) and Ahava (oil & gas) on fourteen granted tenements. The three mineral exploration companies have multiple joint venture agreements with other companies including Rio Tinto, BHP, Integra, Minex, Goldsearch, Barrick, Musgrave mining, Pitjantjatjara Mining Company, Independence Group (who hold two tenements JV with Mithril) and many others.
- Four more tenements were approved by TO consultation; awaiting Deed of Agreement and an Exploration Licence number; a further four are being negotiated; two oil/gas; two mineral tenements making a total of nineteen tenements current or about to be approved. Each negotiation requires extensive genealogical investigation and meetings with traditional owners who may be living in separate communities.
- The mineral tenements are (with one exception) all of 1,000 sq km or much larger and the three oil/gas tenements total about 30,000 sq km. Most of this area is without roads and remote from any services.
- All of the tenements have multiple targets for investigation. Each exploration program; ground disturbing work; requires comprehensive anthropological ground clearances; time consuming, difficult to traverse, remote from any services and usually with elderly, frail and infirm traditional owners. Exploration of a single tenement will continue for years and each year a company could spend in excess of \$1,000,000 per tenement or program. A single diamond drill hole can cost over \$10,000 and a single oil exploration drill hole many times that.
- Each tenement generates “ground disturbance money” for Traditional Owners which is distributed annually to those TO’s.
- Significant success has been achieved by one company with the confirmation of an nickel/cobalt ore body on the APY Lands and a limestone resource.
- There are more than one hundred mineral exploration licences and licence applications for tenements on the 107,000 sq km APY Lands and a further four oil/gas exploration licences; one very large and remote and three smaller ones. One of these tenements is within the prohibited zone which will add to the difficulty in work there.
- Negotiation for a Licence to Extract will follow the discovery of the MetalsX ore body in the far west of the APY Lands.
- Transport infrastructure will require more anthropological consultation.

Land Management

Coordination



Rodney Edwards
Coordinator

Throughout 09/10 the Land Management Unit continued to support Anangu with their aspirations for land management. This included projects for training and enterprise development in the pastoral industry; planning and on-ground work for Indigenous Protected Areas; continuation of Ranger programs; expansion of the warru (black footed rock wallaby) recovery program; feral camel control; and, lobbying for additional land management support.

Staff and Employment

APYLM has obligations to Anangu in identifying and creating opportunities for employment in land management and enabling the sustainable use of the resources for economic development in both traditional and contemporary ways. Permanent Anangu positions have been established under a range of Australian Government initiatives: As at the end of the reporting period the following staff were employed.

Regional Ranger	Appointment pending
IPA Rangers	Kenneth Ken, Sean Williamson, Sammy Dodd, Margaret Dodd,
Warru Recovery Rangers	Thomas Tjilyia, Margaret Winton, Sherada Stanley, Cliffie Williams, Cameron Cooper, Kym Nelson
Warru Reintroduction Rangers	Aamon O'Toole, Eric Abbott

In addition there are many Anangu who participate as casuals in fencing work, general pastoral and livestock operations, feral camel management, as members of the Warru Recovery Team, in biological survey teams, assisting with traditional land management activities and particularly in planning the direction for future land management activities.

Throughout a year there is always turnover of staff, however, APYLM remains very stable with dedicated Project Officers, committed to working with Anangu and completion of their conservation projects.

- Thalie Partridge completed her Threatened Species Project work and after 3 years has returned to Sydney. A full account of her work is in the previous annual report however Thalie raised the bar in 2007 in getting the Warru Recovery Project started and then, with her Rangers, focussed on managing a suite of other less-high profile species and habitats.
- Sam Matthews returned to Adelaide, after 4 years, with achievements including the planning and declaration of the Kalka-Pipalyatjara IPA, and planning and delivering of on-ground works with Traditional Owners from Sandy Bore, Walalkara and Watarru.
- Frank Young had been a part of APYLM for many years and retired in Dec 09. He has been both the APYLM Director and Regional Ranger, contributing at a high level, representing APYLM in numerous forums locally, nationally and even internationally. His corporate knowledge spans many years of change and his cultural knowledge is vast. He mentored many staff and agencies on appropriate ways to make change and he will be difficult to replace.

In turn there have been new recruits: Laura Mitchell as IPA Project Officer for Walalkara and Watarru; Emily Lapinski as IPA Planning Officer; and Jasmina Muhic as Warru Reintroduction Officer. These new staff bring a wide range of expertise and experience to APYLM with backgrounds in science education, biological research and monitoring, and compliance. APYLM continued to be coordinated through Rodney Edwards; the pastoral and livestock area by Troy Coe; and, Anika Dent in the role of Warru (black footed rock wallaby) Recovery Officer.

Supporting Agencies

Contracts, consultancies and partnerships fill gaps in APYLM knowledge or expertise. Of note is the contribution of Bruce Campbell in developing and reviewing IPA plans and Rob Price in training Anangu fencers during construction of the warru reintroduction enclosure. Desert Wildlife Services provided significant expertise in flora surveys and development of fire management plans. The Warru Recovery Team, a multi-agency advisory group, continued to support warru recovery activities. APY TAFE plays a key role in facilitating access to the training and employment agencies operating on and off the Lands.

At the end of the reporting period there remained a significant relationship difficulty with the Alinytjara Wilurara NRM Board and the DEH managed Kuka Kanyini Project at Watarru. This relationship was subject to a review and Ministerial appointed consultation to map out a way forward for improvement.

Funding Support

As in previous years there is no recurrent State or Commonwealth funding for the on-going maintenance and operation of APYLM and it is entirely dependent on external grants to develop and deliver its program. Projects are principally funded through the Working on Country and Indigenous Protected Area programs of the Australian Government Caring for Country initiative.

Waru (Black footed rock wallaby) Recovery Project

The Waru Recovery Team has initiated a Waru Reintroduction Project which includes an off-site captive breeding program at Monarto Zoo whereby 22 wild-collected pouch young from APY Lands have been raised and bred in captivity. The next step for the Waru Reintroduction Project is a predator-proof fence (waru pintji) at Donalds Well to serve as a hardening off site for captive bred waru. This fenced area (waru pintji) will be a place where the 'zoo' waru can learn to live in the bush before they are released into the wild.

Waru Reintroduction and Waru Ranger Program

Jasmina Muhic was recruited as the Waru Reintroduction Officer, to manage the project and facilitate the construction of the waru enclosure. In May, two Waru Reintroduction Rangers, Eric Abbott and Amon O'Toole of Pukatja, joined Jasmina in preparing the Donald's Well site for fencing. RASAC graded the fence line and the Australian Defence Force (army) provided surveyor skills to ensure that the fence line is straight. In June, Rob Price, was contracted to supervise and teach Anangu to build the fence. Amon unfortunately left the project early into the fence construction however Grant Nyaningu, Bronson Bennett, Ngunytjima Carroll, Jarred Robertson, Roy Douglas, Nigel Button, Anthony Minutjukur and Felix Mervin stepped in and worked on rotation with Rob and Eric. The fence was built after only 35 days of work with the fencing team working over weekends, in all weather conditions, camping on site and even skipping football in order to get the work done. The fencing team had help from the Waru Recovery Rangers, Cliffie Williams, Sherada Stanley and Thomas Tjiliya. All of the men involved in the fence construction should be congratulated for their hard work. Although the fence is complete, it will still require extensive ongoing maintenance. The next task will be the removal of all foxes, cats, rabbits and euro from inside the enclosure. Once these animals are removed, the waru will be brought up from the zoo and released into the enclosure where they will be looked after by Waru Reintroduction Rangers. Eric also participated in the Musgrave Ranges waru trapping trip and is now equipped with the skills to look after the waru when they are released into the enclosure. The three year funding is to be delivered by the Alinytjara Wilurara NRM Board subject to on-going review. The 4 month contract expired at the end of the reporting period and a new contract has been sought based on outstanding achievements in such a short time period.



Amon O'Toole and Eric Abbott



Anthony Minutjukur hanging netting on the fence



Bronson Bennett, Ngunytjima Carroll, Grant Nyangu, Jarred Robertson and Felix Mervin



Rob Price, Nigel Button and Roy Douglas



Eric Abbott holding warru during trapping trip



Eric Abbott and Rob Price hanging netting

Nursery



APYLM continues to maintain a continuous supply of native plants propagated from local seed sources. There is no dedicated officer, or funding of the nursery, which operates on cost recovery. Plants are mostly accessed by schools for projects and by agency staff landscaping their gardens.

Pastoral and Livestock Program

The Pastoral and Livestock programs continued to operate throughout the reporting period with some good results recorded.

Grazing numbers increased due to the good rains following the years of drought conditions.

Removal of feral camels was a particular highlight with over 3,500 head being mustered and trucked from the lands during the reporting period. Costs associated with these activities were met with income from sales and a Government grant for the removal of camels.

Indigenous Protected Areas

An Indigenous Protected Area (IPA) is an area of Indigenous-owned land or sea where Traditional owners have entered into an Agreement with the Australian Government to promote biodiversity and cultural resource conservation. IPA funding is provided through the Department of Environment, Water, Heritage and Arts which supports traditional land management activities in conjunction with contemporary land management approaches to such issues as weeds and feral animals.

A new IPA was declared this year: the Kalka-Pipalyatjara IPA, in the north-west corner of the Lands, covering 580,000 hectares of APY. In addition, Land Management staff are working with Anangu to plan two new Indigenous Protected Areas. The first, Apara –Makiri –Punti, a one million hectare area in the central part of the Lands, encompasses several dreamtime story lines that traditional owners are keen to protect. The second is Sandy Bore, a homeland south of Mimili, where the Dodd family has a particularly strong connection with the land and has been working for a long time for its conservation. Walalkara and Watarru Indigenous Protected Areas already cover 1.2 million hectares and 700,000 hectares respectively on APY.

Anangu Pitjantjatjara Yankunytjatjara is in a unique situation for the conservation of biodiversity and culture and heritage. To the west, the APY borders the Ngaanyatjarra Indigenous Protected Area in Western Australia, and to the north in the Northern Territory, APY is bounded by the proposed Katiti-Petermann IPA. This bloc of conservation land, across the 3 jurisdictions, opens up many possibilities for collaboration in managing vast tracks of land unencumbered by borders. This will benefit Anangu cultural management and enable and promote biodiversity conservation.

Walalkara IPA

Work resumed in April after an absence of nine months and casual rangers have undertaken a variety of works. Activities such as the monitoring of mallee fowl nests, surveying for new nests, rockhole cleaning and the installation of a fence around Pupu rock hole were undertaken.

Tjilpi Robin has been leading patch burning activities throughout large areas of *spinifex* country and school trips have been conducted with the senior boys from Fregon School to record the Walputi Dreaming at Walalkara. Support is also being provided to improve the mustering and removal of feral camels from the IPA.

In June and July, a review of the last ten years of on-ground work was completed and a new 10-year management plan drafted. The process encouraged many useful discussions about works and allowed the Traditional Owners to discuss their aspirations for Walalkara IPA for the next ten years.



Patch burning *spinifex* country at Walalkara



Building fence around Pupu rockhole

Watarru IPA

Planned work was not conducted on the Watarru IPA due to community approval issues. In response, a number of meetings were held with the Community to discuss access and the future of the Kuka Kanyini Project administered through the SA Department of Environment. Kuka Kanyini utilises and relies on similar resources as the IPA project. DEH assured Anangu Pitjantjatjara Yankunytjatjara they would present a review of their project to APY before further consideration of their operational Agreement for 2010/11. Discussions between Anangu Pitjantjatjara Yankunytjatjara and Watarru community are looking positive and hopefully work will start again shortly.

Kalka –Pipalyatjara IPA

On the 12th of April 2010 Kalka –Pipalyatjara communities hosted a traditional ceremony to declare their Indigenous Protected Area (IPA). Traditional Owners have been interested in protecting the area for many years and in 2009, developed a Country Management Plan. Through the APY Land Management Unit, the Steering Committee has applied for funding for on-ground works but already has two permanent part –time rangers, Kenneth Ken and Sean Williamson, funded through the Australian Government *Working on Country* project. Kenneth and Sean carry out activities such as patch-burning and rock hole cleaning and also played a significant role in the IPA declaration ceremony.

Two permanent part –time rangers, Kenneth Ken and Sean Williamson, are working within the IPA. The people of Kalka and Pipalyatjara communities are now waiting funding from the new Australian Government to commence further management actions.



Proposed IPA's

There are two proposed Indigenous Protected Areas on the APY lands currently under consultation with traditional owners:

Sandy Bore: The planning process steadily moved forward this year. Further meetings and planning field trips have established there is strong support for an IPA in the area. The Project Officer, Emily Lapinski, continued to work with traditional owners to synthesise their ideas for a draft Country Management Plan. The Sandy Bore area also has *Working On Country* permanent part-time Rangers, Sammy and Margaret Dodd, now in their second year. Their son, Adrian Dodd, has recently joined them as a Ranger and is gaining valuable knowledge about traditional and contemporary land management. Activities they have undertaken include: flora surveying, patch burning, rock-hole maintenance and leading multigenerational community excursions on to country.

Apara-Makiri-Punti: A planning process delivered by community development consultant Bruce Campbell, led Traditional Owners through the concept to reality. Field trips onto country looked at important areas for management and explored the largely unsurveyed far west of the IPA. Traditional Owners endorsed the Country Management Plan and put it to the APY executive board for approval. The next phase of the process is to hold a declaration ceremony and then apply for funding to implement management actions.

2009/2010 Financial Statements

Following is a copy of the Financial Statements for the year ended 30 June 2010. It includes a copy of the Income and Expenditure Report, and a copy of the Balance Sheet, together with the Audit report for the period. These statements have been audited and were approved by the Executive Board on 2 February 2011. Copies of the complete Financial Report, including all the notes to the accounts are available from APY during normal office hours.

ANANGU PITJANTJATJARA YANKUNYTJATJARA

BALANCE SHEET AS AT 30 JUNE 2010

	Notes	2010 \$	2009 \$
CURRENT ASSETS			
Cash assets	2	2,247,086	2,461,160
Receivables		1,070,842	1,090,577
Other	3	<u>780</u>	<u>473,548</u>
TOTAL CURRENT ASSETS		<u>3,318,708</u>	<u>4,025,285</u>
NON-CURRENT ASSETS			
Other investments		4,586	4,586
Fixed Assets	4	<u>1,474,567</u>	<u>1,601,007</u>
TOTAL NON-CURRENT ASSETS		<u>1,479,153</u>	<u>1,605,593</u>
TOTAL ASSETS		<u>4,797,861</u>	<u>5,630,878</u>
CURRENT LIABILITIES			
Payables	5	3,380,437	2,464,892
Interest-bearing liabilities	6	72,943	-
Provisions	7	188,655	159,140
Other	8	<u>513,359</u>	<u>129,479</u>
TOTAL CURRENT LIABILITIES		<u>4,155,394</u>	<u>2,753,511</u>
TOTAL LIABILITIES		<u>4,155,394</u>	<u>2,753,511</u>
NET ASSETS		<u>642,467</u>	<u>2,877,367</u>
MEMBERS' FUNDS			
Retained profits		<u>642,467</u>	<u>2,877,367</u>
TOTAL MEMBERS' FUNDS		<u>642,467</u>	<u>2,877,367</u>

ANANGU PITJANTJATJARA YANKUNYTJATJARA
PRIVATE INFORMATION FOR THE COMMITTEE OF MANAGEMENT ON THE 2010 FINANCIAL
STATEMENTS
INCOME AND EXPENDITURE STATEMENT
FOR THE YEAR ENDED 30 JUNE 2010

	2010 \$	2009 \$
INCOME		
Sales income	79,611	48,620
Subsidies and grants	5,477,523	4,568,385
Other income	2,059,330	1,786,393
Management fees	740,735	212,585
Insurance recoveries	476,615	25,001
Rental income	101,913	66,255
Interest	<u>179</u>	<u>31,531</u>
TOTAL INCOME	8,935,906	6,738,770
LESS EXPENSES		
Salaries and wages	1,688,910	1,363,581
Bad debts	800,648	14,200
Fuel and oil	599,203	482,955
Contract work	546,897	271,328
Insurance	544,259	536,667
Sundry expenses	525,527	206,449
Freight and cartage	486,939	103,206
Repairs and maintenance	480,871	396,034
Consultancy fees	430,328	700,703
Depreciation	356,078	352,436
Leasing charges	261,192	162,196
Community Expenses	249,185	61,898
Printing and stationery	224,033	131,574
Travelling expenses	192,189	171,722
Administration costs	146,147	488,734
Superannuation	137,693	96,960
Accounting fees	91,586	110,170
Meeting Expenses	86,973	114,540
Telephone	76,329	97,507
Materials	64,801	123,085
Electricity	44,544	25,089
Data processing charges	38,585	12,663
Motor vehicle expenses	37,535	20,323
Cleaning	35,338	-
Management Fees	25,621	31,916
Subscriptions	18,338	11,400
Recruitment costs	18,160	1,696
Computer expenses	17,084	41,927
Hire of plant and equipment	14,572	39,707
Agistment	5,437	-
Bank charges	4,752	6,032
Batteries	1,691	-
Legal costs	<u>1,004</u>	<u>-</u>
TOTAL EXPENSES	<u>8,252,449</u>	<u>6,176,698</u>
OPERATING PROFIT/(LOSS)	<u>683,457</u>	<u>562,072</u>

These financial statements should be read in conjunction with the attached Disclaimer.

ANANGU PITJANTJATJARA YANKUNYTJATJARA

NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2010

NOTE 1: STATEMENT OF SIGNIFICANT ACCOUNTING POLICIES

This financial report is a special purpose financial report prepared in order to satisfy the financial reporting requirements of the Anangu Pitjantjatjara Yankunytjatjara Land Rights Act of South Australia. The committee has determined that the association is not a reporting entity.

The financial report has been prepared in accordance with the requirements of the Anangu Pitjantjatjara Yankunytjatjara Land Rights Act of South Australia and all applicable Accounting Standards, with the exception of:

AASB 107: Statement of Cash Flows

AASB 124: Related Party Disclosures

The report is also prepared on an accruals basis and is based on historic costs and does not take into account changing money values or, except where specifically stated, current valuations of non-current assets.

The following specific accounting policies, which are consistent with the previous period unless otherwise stated, have been adopted in the preparation of this report:

(a) Income Tax

No provision for income tax has been raised in these accounts.

(b) Fixed Assets

Each class of property plant and equipment is carried at cost less, where applicable, any accumulated depreciation.

Depreciation

All assets, excluding freehold land, are depreciated on a straight line basis over their useful lives to the association.

(c) Employee Benefits

Provision is made for the association's liability for employee benefits arising from services rendered by employees to balance date. Employee benefits expected to be settled within one year together with benefits arising from wages and salaries, annual leave and sick leave which will be settled after one year, have been measured at the amounts expected to be paid when the liability is settled plus related on-costs. Other employee benefits payable later than one year have been measured at the present value of the estimated future cash outflows to be made for those benefits.

Contributions are made by the association to an employee superannuation fund and are charged as expenses when incurred.

ANANGU PITJANTJATJARA YANKUNYTJATJARA

NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2010

	Note	2010 \$	2009 \$
NOTE 2: CASH ASSETS			
Cash on hand		455	500
Cash at bank		<u>2,246,631</u>	<u>2,460,660</u>
		<u>2,247,086</u>	<u>2,461,160</u>
NOTE 3: OTHER ASSETS			
CURRENT			
Prepayments		<u>780</u>	<u>473,548</u>
NOTE 4: FIXED ASSETS			
BUILDINGS			
At cost		4,058,307	3,933,330
Less accumulated depreciation		<u>(2,909,003)</u>	<u>(2,684,477)</u>
		<u>1,149,304</u>	<u>1,248,853</u>
Total land and buildings		<u>1,149,304</u>	<u>1,248,853</u>
PLANT AND EQUIPMENT			
(a) Plant and equipment			
At cost		699,084	656,937
Less accumulated depreciation		<u>(564,132)</u>	<u>(497,199)</u>
		<u>134,952</u>	<u>159,738</u>
(b) Motor vehicles			
At cost		577,090	514,576
Less accumulated depreciation		<u>(394,419)</u>	<u>(331,116)</u>
		<u>182,671</u>	<u>183,460</u>
(c) Furniture, fixtures and fittings			
At cost		<u>7,640</u>	<u>8,956</u>
Total property, plant and equipment		<u>1,474,567</u>	<u>1,601,007</u>
NOTE 5: PAYABLES			
CURRENT			
Unsecured liabilities			
Trade creditors		244,795	724,753
Sundry creditors and accruals		<u>3,135,642</u>	<u>1,740,139</u>
		<u>3,380,437</u>	<u>2,464,892</u>
NOTE 6: INTEREST BEARING LIABILITIES			
CURRENT			
Secured liabilities			
Bank overdrafts		<u>72,943</u>	<u>-</u>

ANANGU PITJANTJATJARA YANKUNYTJATJARA

NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2010

	Note	2010 \$	2009 \$
NOTE 7: PROVISIONS			
CURRENT			
Employee benefits	(a)	<u>188,655</u>	<u>159,140</u>
(a) Aggregate employee benefits liability		<u>188,655</u>	<u>159,140</u>
NOTE 8: OTHER LIABILITIES			
CURRENT			
Grants received in advance		293,454	-
Other current liabilities		<u>219,905</u>	<u>129,479</u>
		<u>513,359</u>	<u>129,479</u>

ANANGU PITJANTJATJARA YANKUNYTJATJARA
STATEMENT BY MEMBERS OF THE COMMITTEE

The committee have determined that the association is not a reporting entity.


The committee have determined that this special purpose financial report should be prepared in accordance with the accounting policies outlined in Note 1 to the financial statements.

In the opinion of the committee the financial report as set out on pages 1 to 5:

1. Presents fairly the financial position of Anangu Pitjantjatjara Yankunytjatjara as at 30 June 2010 and its performance for the financial year ended on that date.
2. At the date of this statement, there are reasonable grounds to believe that Anangu Pitjantjatjara Yankunytjatjara will be able to pay its debts as and when they fall due.

This statement is made in accordance with a resolution of the committee and is signed for and on behalf of the Committee by:


 General Manager


 Chairperson

Dated this 2 day of January 2011

FEBRUARY

ANANGU PITJANTJATJARA YANKUNYTJATJARA
INDEPENDENT AUDIT REPORT TO THE MEMBERS OF
ANANGU PITJANTJATJARA YANKUNYTJATJARA

Scope

The financial report and committee members' responsibility

The financial report, being a special purpose financial report, comprises the statement of financial performance, statement of financial position, accompanying notes to the financial statements, and the committee members' declaration for Anangu Pitjantjatjara Yankunytjatjara, for the financial year ended 30 June 2010.

The committee members are responsible for the preparation and true and fair presentation of the financial report and have determined that the accounting policies used and described in Note 1 to the financial statements are appropriate to meet the needs of the members. The committee members are also responsible for the maintenance of adequate accounting records and internal controls that are designed to prevent and detect fraud and error, and for the accounting estimates inherent in the financial report.

Audit approach

We conducted an independent audit in order to express an opinion to the members of the association. No opinion is expressed as to whether the accounting policies used, and described in Note 1, are appropriate to meet the needs of the members. Our audit was conducted in accordance with Australian Auditing Standards, in order to provide reasonable assurance as to whether the financial report is free of material misstatement. The nature of an audit is influenced by factors such as the use of professional judgement, selective testing, the inherent limitations of internal control, and the availability of persuasive rather than conclusive evidence. Therefore, an audit cannot guarantee that all material misstatements have been detected.

The financial report has been prepared for distribution to the members. We disclaim any assumption of responsibility for any reliance on this audit report, or on the financial report to which it relates, to any person other than the members, or for any purpose other than that for which it was prepared.

We performed procedures to assess whether in all material respects the financial report presents fairly, in accordance with the accounting policies described in Note 1, a view which is consistent with our understanding of the association's financial position, and of its performance as represented by the results of its operations. These policies do not require the application of all Accounting Standards and other mandatory professional reporting requirements in Australia.

We formed our audit opinion on the basis of these procedures, which included:

- examining, on a test basis, information to provide evidence supporting the amounts and disclosures in the financial report, and
- assessing the reasonableness of significant accounting estimates made by the committee members.

While we considered the effectiveness of management's internal controls over financial reporting when determining the nature and extent of our procedures, our audit was not designed to provide assurance on internal controls.

Independence

In conducting our audit, we followed applicable independence requirements of Australian professional ethical pronouncements.

Qualification

1. Completeness of Income

Significant sources of income include sales and other non-grant income for Anangu Pitjantjatjara Yankunytjatjara. It is impracticable to establish control over the collection of sales and other non-grant income prior to their entry into the financial records. Accordingly, as the evidence available to us regarding revenue from these source was limited, our audit procedures with respect the sales and other non-grant income had to be restricted to the amounts recorded in the financial records. We are therefore unable to express an opinion on the completeness of income for Anangu Pitjantjatjara Yankunytjatjara.

2. Trust Account Balances

We were unable to obtain information in relation to balances of Trust Account Balances stated at \$276,163 in the Balance Sheet at 30 June 2010. Accordingly, we are unable to form an opinion in relation to these Trust Account Balances.

Qualified Audit Opinion

In our opinion, except for the effects on the financial statements of the matter referred to in the qualification paragraph, the financial report of Anangu Pitjantjatjara Yankunytjatjara presents fairly in accordance with the accounting policies described in Note 1 to the financial statements, the financial position of Anangu Pitjantjatjara Yankunytjatjara as at 30 June 2010 and the results of its operations for the financial year then ended.

Perks Audit & Assurance

Perks Audit & Assurance
Office 3-4 Alice Springs Business Centre
8 Gregory Terrace
Alice Springs NT 0870

P Hill

Peter J Hill

Registered Company Auditor

Dated this 28th day January 2011