

**Anangu Pitjantjatjara Yankunytjatjara
AGM 26 March 2008
Umuwa**

1. Welcome

Bernard Singer opened the meeting at 12.10pm and welcomed everyone who has travelled here today. Trevor Adamson is the Interpreter for the meeting. Kinyin McKenzie gave an opening prayer.

Bernard Singer asked everyone to leave their problems behind and work through the issues.

2. Previous Minutes of AGM 21 – 22 March 2007

The General Manager read through the Minutes for the 2007 AGM and asked that those minutes be accepted by someone who attended the AGM last year.

Moved: Peter Nyaningu
Second: Andy Tjilari
Carried: All

There was a lunch break at 1.25pm and the meeting resumed at 2.10pm

3. Mintabie Lease – Adrian Shackley and Melissa Muller

Adrian Shackley provided an update on the meetings that have been held since the SGM at Mimili. At the moment, we are nearly at the point of making changes to the *APY Land Rights Act* about rules relating to Mintabie. The changes that were agreed are:

- a) better define who can access Mintabie
- b) have rules about better control at Mintabie

There will be a special approval required for opal miners to live at Mintabie. There will also be rules about businesses operating at Mintabie with no book up and the need to follow the Mai Wiru policy. There will be new powers for Police that makes it an offence for people to be at Mintabie without a permit and that they can be arrested.

Another change relates to alcohol and requires a change to the APY By-Laws. At the moment the by-law allows people at Mintabie to have alcohol and this cannot be policed. We will stop that and alcohol will only be at the Hotel or special licensed functions.

If everything goes well and matters can go to Parliament, it will take about 3 months. The matter would then have to come back to an SGM of APY to approve the lease. Then we should be able to clean up Mintabie and fix the problems that have upset Anangu. Adrian Shackley said that what should be fixed up at the shop are having Opal fuel, no book up and fixing the signs.

Mr Tony Adamson asked for inquiries to be made about the Hardware store Manager as he is a trouble maker. Adrian Shackley said he hoped to have him sorted out soon.

Mike Williams said book up should be available at some of the stores at Mintabie. Adrian Shackley said they are working with APY to make things better for Anangu and having the stores operate in the correct manner.

Peter Mungkari, Indulkana, said they should get rid of the Hardware shop but some of the other stores are ok. The problem comes from Coober Pedy.

Willy Kaika, Amata, said people come from the west through to Mintabie to buy Marijuana. We don't want this to happen.

Wangka, Fregon said people go to Mintabie because they cannot book up in their community.

Witchety George, Fregon, said grog is also supplied from Mintabie and should only be at the hotel and not given out the back to our young people.

Mr Fraser, Kenmore said we need to look at the future and start to budget. Slow down on your book up.

Ronnie Brumby, Indulkana said some people go to Coober Pedy and leave their key cards at Mintabie and have no food or money. That is why our stores have no money and are going down while the Mintabie stores go up. Everyone knows this. We have a problem with our sons and daughters spending their money at Mintabie.

Huey Tjami, Mimili said they still have staff at Mintabie carting grog and leaving at pre arranged places.

Mr Fraser said there were young people walking drunk at Indulkana last weekend.

Adrian Shackley asked if Anangu were happy to change the APY Bylaw at the same time as the changes to the *APY Land Rights Act*.

Gary Lewis, Pukatja said we have had a Bylaw since 1981 and people keep bringing in the grog. Police don't seem to be enforcing the by law. He said the by-law needs to be separate from the review of the *APY Land Rights Act*.

Adrian Shackley explained that he is only talking about Mintabie and that it may be best to have the by-law about alcohol at Mintabie done at the same time as the changes to the Mintabie section of the *Act*. It has nothing to do with the overall review of the *Act*.

Kawaki Thompson said the current by-law is not really working because the Police don't enforce. By-laws are to support Anangu.

Peter Nyanningu asked for details about the review

Sean Williamson said we need to make the by-laws strong.

Ken Newman explained that we are only talking about Mintabie today. The review of the *APY Land Rights Act* is to occur this year to see if Anangu are happy with the changes to the *Act* that were made in 2005. Mr Lewis, Mary Anderson and John Thurtell are part of that review panel which will visit communities this year to discuss those changes.

Adrian Shackley said parts of the *Act* have to change but only relating to Mintabie and the alcohol by law that relates to Mintabie.

Bernard Singer said there will be a review panel to look at the 2005 changes but right now Adrian is here to talk about Mintabie and be sure that he has the views of Anangu on changes only about Mintabie.

Ronnie Brumby asked if a resolution was required but Adrian Shackley said he was only asking for support and approval to do the by-law at the same time as the *Act*.

Carried: All

4. Housing and Services – Peter Huntington

Peter Huntington, Legal Officer gave an update on the Housing Programme and services on the Lands, after introducing himself to Anangu.

He discussed the \$25M housing offer from the John Howard Government that included a requirement for 99 year leases. Tjilpi Tjuta wrote to APY telling us to say no to 99 year leases. APY also asked the Government to delay the consultations.

With the election and a new Labor Government there is no longer a need for 99 year leases. However the Government was also concerned that Anangu did not look after their houses not did they pay rent.

APY found out about the housing R & M money and that it came from OAH and housing R & M was to be carried out by AP Services. In 2006, OAH provided the housing R & M money to APY, rather than direct to AP Services. APY entered into a contract with AP Services to do the rent collection and the housing R & M. OAH tried to get reports from AP Services about rent collection and the housing R & M but they did not get them.

Because APY got the money, OAH threatened to breach APY because AP Services did not provide the reports. So APY had to get involved in the housing R & M programme and the rent collection. APY requested meetings to discuss the problems at Umuwa. AP Services did not come. The Chairperson and General Manager went to Alice Springs to meet AP Services in Alice Springs but no one was there. The Director and Legal Officer went to Alice Springs and attempted to have a meeting but AP Services would not meet them.

APY gave a letter to AP Services asking for reports. No reports were provided and there was no response. APY asked if our Auditor could go to APS to review the documents. There was no response and our Auditor could not go in.

Instead of breaching Anangu Pitjantjatjara Yankunytjatjara, OAH gave us funds from their own accounts as an advance on the 2007/2008 funding. OAH did this as trust because they wanted to fix the problems. All they asked was that APY not to transfer that money without permission. This was told to APS that we were unable to transfer them money.

In January 2008, APY found that on 26/11/07 APS took money out of the APY bank account without authorization. The APY General Manager asked for the money to be repaid as we hoped it had been a mistake. APS repaid \$320,000 to APY as this was for Anangu housing insurance.

The rest of the money was not repaid, about \$640,000. APS kept that money and would not pay it back to APY. That was money for R & M on Anangu houses. APY hired lawyers in Adelaide to get the money back. The money was not repaid even when Finlayson's asked for it.

Eventually, APS gave the money back to OAH, not APY. APS held back on giving the money to OAH and tried to get out of the reporting requirements of the contract with APY. To this day APS has not provided a report on how the R & M money was spent on or rent collection from Anangu.

APY asked APY Services to agree to end the contract. APS has not told APY they agree to end the contract but APS has sent notices to communities saying they no longer are doing housing R&M.

APY has entered into an MOU with OAH for the Housing R&M. OAH has placed a senior Officer at Umuwa, Jude Allen and they have employed two Anangu to work in the housing program. They are working on getting the R&M program working again that was held up by the taking of the money.

At the same time, APS had a Governing Committee in 2006 for 2 years – D Fraser, R Brumby, T Campbell, L Burton, M Burton, L Brady and J Nyangu. In October 2007, the

Governing Committee tried to work out these problems on 17 and 22 October 2007. At the meeting on 17 October 2007, they resolved to move APS back to the Lands. They also reviewed the position of the lawyer and the APS General Manager. They appointed Povey Stirk from Alice Springs to be their new lawyer. They asked the GM to provide a copy of his contract and asked him to come to Umuwa to discuss his contract.

He did not come to Umuwa or talk to them. He challenged their meeting of 17/10/07. On 22/10/07, the Governing Committee sacked the GM with 4 voting for and 2 against. The Governing Committee appointed an acting GM and asked for a financial report.

On 26/10/07, Mr Brumby and the acting GM went to APS in Alice Springs. They were not allowed in. On the same day, Mr Fraser and Mr Stirk were in Adelaide attempting to advise FaCSIA of what occurred.

On 26/10/07, three members comprising the minority faction of the Governing Committee asked 2 other members to come in and they reversed the decisions made on 22/10/07. They also fixed an AGM at Amata for 2/11/07. The meeting was cancelled by the majority of the Governing Committee but the meeting went ahead anyway and elected a new Governing Committee of 7 members. That happened even though there was a Governing Committee for 2 years from 2006-2008.

There were problems for the APY Executive Board after 3 members refused to attend the meeting at Watarru or participate by telephone. The meeting was extended for an extra day. At that meeting, the Executive Board passed a resolution about conflict of interest of the 3 members and asked them to show cause why they should not be removed from the Executive Board and that they should resign from the APS Governing Committee.

By the February 2008 Executive Board meeting, APY had found out about the missing near \$1M that was taken from the APY bank account by APS. The Executive Board passed another resolution asking the 3 members resign from the APS Governing Committee by the June 2008 meeting or they will be removed.

While the matter was being discussed, the 3 members were asked to leave the room and they did so. The lawyer and the General Manager were also asked to leave the room and they did so.

By June 2008, it will be 6 months since the conflict of interest matter first arose. This has been a difficult matter but shows how all the Executive Board were willing to comply with the governance provisions introduced in 2005 to the *APY Land Rights Act*. The 3 members have to make a decision by the June 2008 meeting.

Leonard Burton said the lawyer's report is not correct and he does not believe it. He said the \$900,000 taken was an accident by staff. He spoke for some time and gave his version of the events.

Ronnie Brumby said he was the elected Chairperson of APS and the problems were with the General Manager of APY Services.

Donald Fraser provided information about how the APS GM wrote a letter to R Brumby telling him to return a vehicle and radio. The problem was not with Anangu but with their white staff. The APS GM was a poor manager and got APS into trouble when he worked at Umuwa in the past.

The meeting ended at 5:50 pm

Day 2 – 27 March 2008

5. NPY Women's Council – Muyuru Burton, Sandy Marty, Yanyi Bandicha

Mrs Burton said NPYWC represents 3 States – NT, WA and APY Lands and they are happy to be here to talk about what they do. NPY has a lot of jobs that includes Aged Care, Disability, Tjungu team working with 2 Ngangkari. They also have youth workers over the school holidays to help in each community.

In April there will be a Tjilpi Pampa Festival at Intjinpiri. They also run Kunga careers for young women and they met at Hamilton Downs.

NPY is also working on reducing alcohol take away from premises at Coober Pedy and is concerned about marijuana use. They have travelled around the west and are going to travel around more to get support for NPY Women's Council.

Mrs Bandicha talked about the history of Curtin Springs and the problem in the past with grog. APY supported Women's Council with the continued restriction at Curtin Springs and NPY Women's Council asked for support from all Anangu to do the same in relation to Coober Pedy.

Resolution

That APY supports the NPY Women's Council efforts to obtain restrictions on the sale of alcohol in Coober Pedy and in particular, it's proposed meeting and marching in Coober Pedy in June 2008 and asks wati-tjuta to attend that meeting to show their support.

Moved: Sean Williamson

Second: Huey Tjami

Carried: All

Andy Tjilari gave a talk on what the Ngangkari does.

Sean Williamson, Pipalyatjara said Women's Council should also look out for the kids in town when the women run off and get on the grog or go to the women's shelter and leave their kids. Mrs Burton said she would pass that information along.

Kawaki Thompson, Blackhill No. 2 said Women's Council need to help look after him as he is getting older and not as strong as he used to be. NPY WC has an aged care worker.

6. Permits – Rex Tjami, Director

Rex Tjami said that permits are processed at Umuwa in consultation with communities. Today there are some people still living on the Lands that don't have permits. Since 2005, permits were tightened up to have police clearances for people working on the Lands. Umuwa carries out decisions made by communities and Anangu.

Trevor Adamson, Pukatja said he has a wife from Yuendumu and she has a permit because she is not from the Lands.

Mike Williams, Mimili said permits below to Anangu and not administration. Rex Tjami said he always looks at the permits if there may be a problem. They go to the Executive Board and have nothing to do with the General Manager or the lawyer.

Owen Burton, Amata talked about 2 Bungala employees that Bungala sacked. Then Bungala brought in another mechanic who became CDEP Manager at Amata. When his police check came through, he had to go.

Bernard Singer provided some history on permits since the Roadshow in 2004. APY was asked to tighten up on permits to protect our kids.

Gary Lewis, Pukatja said permits used to be decided by communities since 1981. This changed after the Act was reviewed in 2004 and permits were done from administration.

Peter Huntington, Legal Officer gave a history on how permits may be issued since 1981.

Bernard Singer introduced the visiting Liberal member of SA Parliament and closed the meeting for a lunch break at 1:30 pm.

The meeting re-commenced at 2:15 pm.

Bernard Singer continued the discussion on permits after Owen Burton suggested there should be a back up supervisor based at Umuwa. Amata is still without a supervisor and no work, no pay for Anangu. Owen Burton said organisations should do police checks on their staff before they employ them.

Bernard Singer said Bungala were invited to be at this meeting but they did not attend.

There was lots of discussion about CDEP and Bungala.

Ken Pumani, Mimili said the Bungala contract was only for 12 months and people need to get feedback from communities about Bungala. Bungala are not doing the right thing for us.

Charlie Anytjipalya, Watarru said to keep the permit system strong.

Resolution

That APY write to FaHCSIA with concerns about Bungala and ask that the contract with Bungala not be renewed.

Moved: Adrian Dodd
Second: Tony Adamson
Carried: All

7. Leases/Licences – Rodney Edwards, Troy Coe of Land Management

Rodney Edwards provided a report that detailed that on the 12th and 13th February 2008, a meeting was held at Umuwa to discuss the granting of Pastoral Development Licenses for the following paddocks:

- Yellow Dam
- Mulga Bore
- Corkwood, Perentie Bore, No.13 West
- Lennon's Swamp
- Morrison Bore
- Granite Downs
- Mengerson and Railway Bore
- Bully's Paddock
- Black Hill 1,2,3
- West Bore, Shirley Well

The meeting called for all the names of the Traditional Owners for each of the particular paddocks. Many names were listed, but it is understood there could be more. Anyone that is not listed and claiming to be a Traditional Owner for one of the areas should contact the Land Management Unit and request that they have a meeting with the Anthropologists to establish their rights.

Yellow Dam

The following Anangu identified themselves, or were nominated, as the Traditional Owners of this paddock:

Colin Tjapiya	Bully Ward	Minnie Pumani (Milatjara)
Ray Ungkitja	Huey Cullinan	

The Traditional Owners agreed that a Pastoral Development License should be granted to Huey Cullinan

Resolution

That Anangu Pitjantjatjara Yankunytjatjara grants a 5-year pastoral development license to Huey Cullinan for the area on the attached map, known as Yellow Dam Paddock.

Moved: Keith Stevens

Seconded: Wangka

Carried: All

Mulga Bore

The following Anangu identified themselves, or were nominated, as the Traditional Owners of this paddock:

Witjiti George	Alfred George	Angela George
Mawatji George	Peter Mungkari (also in West Bore, Shirley Well PDL)	
Michael Pumani (also in West Bore, Shirley Well PDL)		

The Traditional Owners agreed that a Pastoral Development License should be granted to Witjiti George.

Resolution

That Anangu Pitjantjatjara Yankunytjatjara grants a 5-year pastoral development license to Witjiti George for the area on the attached map, known as Mulga Bore Paddock.

Moved: Ernie Frank

Seconded: Tony Adamson

Carried: All

Corkwood, Perentie Bore, No.13 West

The following Anangu identified themselves, or were nominated, as the Traditional Owners of this paddock:

Teddy Edwards	Molly Tjami	Huey Tjami
Sammy Dodd (and Family)	Betty Pumani	Nura Tjami
Rupert Jack		

The Traditional Owners agreed that a Pastoral Development License should be granted to Huey Tjami

Resolution

That Anangu Pitjantjatjara Yankunytjatjara grants a 5-year pastoral development license to Huey Tjami for the area on the attached map, known as Corkwood, Perentie Bore and Number 13 Paddocks.

Moved: Keith Stevens

Seconded: Tony Adamson

Carried: All

Lennon's Swamp

The following Anangu identified themselves, or were nominated, as the Traditional Owners of this paddock:

Teddy Edwards	Meredith Curley	Woodforde Family
Jack Crumby	Stanley Lennon	Harry Giles

The Traditional Owners agreed that a Pastoral Development License should be granted to Teddy Edwards.

Resolution

That Anangu Pitjantjatjara Yankunytjatjara grants a 5-year pastoral development license to Teddy Edwards for the area on the attached map, known as Lennon's Swamp Paddock.

Moved: Mike Williams

Seconded: Wangka

Carried: All

Morrison Bore

The following Anangu identified themselves, or were nominated, as the Traditional Owners of this paddock:

Wangka	Veronica Burton	Murray George
Kani George (and Daughter)		Johnny Wangka
Darryl Wangka	Ronnie Burton	

The Traditional Owners agreed that a Pastoral Development License should be granted to Wangka.

Resolution

That Anangu Pitjantjatjara Yankunytjatjara grants a 5-year pastoral development license to Wangka for the area on the attached map, known as Morrison Bore Paddock.

Moved: Donald Fraser

Seconded: Tom Baker

Carried: All

Granite Downs

The following Anangu identified themselves, or were nominated, as the Traditional Owners of this paddock:

Kanari Family	Muwati Macumba	Maisy Kanari
Peggy Kanari	Bruce Kanari	Michael Kanari
Maylene Kanari	Snowy Cullinan	Tommy Singer
Robert Singer	Tommy Baker	Ivy Stewart
Johnny Wangka	Kathleen Tjapiya	Margie Kutatji

The Traditional Owners agreed that a Pastoral Development License should be granted to the Kanari Family

Resolution

That Anangu Pitjantjatjara Yankunytjatjara grants a 5-year pastoral development license to the Kanari Family for the area on the attached map, known as Granite Downs Paddock.

Moved: Rupert Peters

Seconded: Gordon Inkatji

Carried: All

Mengerson and Railway Bore

The following Anangu identified themselves, or were nominated, as the Traditional Owners of this paddock:

Singer Family (PDL Applicant)	Eileen Stanley
Kunmanara Daegar (deceased)	Stanley Nyuntunku
Pipantji Russell (Railway Bore only)	Mark Yaiyai (Railway Bore only)

The Traditional Owners agreed that a Pastoral Development License should be granted to the Singer Family.

Resolution

That Anangu Pitjantjatjara Yankunytjatjara grants a 5-year pastoral development license to the Singer Family for the area on the attached map, known as Mengerson and Railway Bore Paddocks.

Moved: Gordon Ingkatji
 Seconded: Kunmanara (Ronnie Brumby)
 Carried: All

Bully's Paddock

The following Anangu identified themselves, or were nominated, as the Traditional Owners of this paddock:

Harry Giles

The Traditional Owners agreed that a Pastoral Development License should be granted to Ronnie Brumby

Resolution

That Anangu Pitjantjatjara Yankunytjatjara grants a 5-year pastoral development license to Ronnie Brumby for the area on the attached map, known as Bully's Paddock.

Moved: Tony Adamson
 Seconded: Gordon Ingkatji
 Carried: All

Black Hill 1,2,3

The following Anangu identified themselves, or were nominated, as the Traditional Owners of this paddock:

Thompson Family

Mike Williams

Vivian Thompson

Nura Ward

The Traditional Owners agreed that a Pastoral Development License should be granted to the Thompson Family.

Resolution

That Anangu Pitjantjatjara Yankunytjatjara grants a 5-year pastoral development license to the Thompson Family for the area on the attached map, known as Black Hills Paddock.

Moved: Wangka
 Seconded: Kinyin McKenzie
 Carried: All

West Bore, Shirley Well

The following Anangu identified themselves, or were nominated, as the Traditional Owners of this paddock:

Robert Stevens

Charlie Anytjipalya

Stevens Family

Mary Brumby

Mary Mingkili

Molly Cullinan

Alec Baker

Angkuna Tjitayi

Rupert Peters

Margaret Pumani

Peter Mungkari

Michael Pumani

The Traditional Owners agreed that a Pastoral Development License should be granted to Robert Stevens.

Resolution

That Anangu Pitjantjatjara Yankunytjatjara grants a 5-year pastoral development license to Robert Stevens for the area on the attached map, known as West Bore and Shirley Well Paddock.

Moved: Tony Adamson
Seconded: Willy Martin
Carried: All

8. Annual Report and Audit Report 2006/2007 – Ken Newman, General Manager

The General Manager reported that today completes his 3 year contract working for APY and that the Executive Board has renewed his contract to stay on for another 3 years. Anangu-tjuta were happy with this announcement.

The General Manager then tabled the Annual Report and Audit Report for 2006/2007 and explained what they were. He also said these reports had already been provided to the Minister. The GM also said that as per the APY Constitution, it is necessary to appoint the Auditor each year and this year Perks is again recommended for re-appointment.

Resolution

That the Annual Report and Audit Report for 2006/2007 be accepted.

Moved: Tony Adamson
Second: Johnny Wangin
Carried: All

Resolution

That Perks be approved as the Auditor for APY for 2007/2008.

Moved: Teddy Edwards
Second: Witchety George
Carried: All

9. Code of Conduct and Constitution Review

Peter Huntington, Legal Officer advised that both of these documents are to be reviewed annually and it is recommended that no changes be made to either the Code of Conduct or Constitution at this time.

Resolution

That no changes are recommended to the Code of Conduct or the Constitution at this time and they can be discussed at the next general meeting.

Moved: Tony Adamson
Second: Rupert Peters
Carried: All

Other Business**10. Assistance for Trip**

Owen Burton discussed the AFL curtain raiser game in Adelaide and Bernard Singer asked Owen to present the matter at the next Executive Board meeting at Amata on 9 April 2008.

11. Motion of No Confidence

Gary Lewis, Pukatja said he expects Anangu to fight him but he wants a motion of no confidence in the General Manager. He said the GM is not working for Anangu. He said no one will stop him and he will be asking the Government to put services into communities

through AP Services. Gary Lewis said the Minister will not re-appoint the GM unless it comes back to a full Executive Board meeting.

Bernard Singer said there have been a lot of good changes in the past few years and the APY Lands are moving forward with things like grazing licences and helping to create Anangu businesses. He said he didn't want to waste time on this as a full quorum of the Executive Board re-appointed Ken Newman as General Manager.

Donald Fraser provided a full story of what has been happening to APY Services lately. He said ORATSIC want a meeting at Marla but Mr Fraser said the meeting should be at Umuwa, on the Lands.

Ronnie Brumby said he is the Chairperson of APY Services and because of the APS General Manager, problems have been created. Anangu need to come together and solve things.

There was considerable discussion about APY Services and Mr Fraser said the problems are within APS and not with APY. APY was only asking for reports about how the money was spent and where the rent money went.

Bernard Singer said that Mr Lewis had not given any reason for the no confidence motion. The Code of Conduct required Mr Lewis to make any complaint about staff to the Director. This had not been done nor had Mr Lewis raised the matter with the Executive.

There was no seconder for Mr Lewis' motion and so the motion lapsed.

The AGM ended at 6:00 pm so that PY Media could hold its AGM.

Minutes by Ken Newman, General Manager