



Anangu Pitjantjatjara Yankunytjatjara

## EXECUTIVE BOARD MEETING

Monday 21 September 2020

### MINUTES

**Start time:** 11.00 pm

#### **Location – all on phone:**

Adelaide based Members

Sally Scales (Chairperson) (SS), Ebony DeRose (ED), Julieanne Campbell (JC)

Umuwa TTC- APY Lands based members.

Willy Pompey (WP), Bernard Singer (BS), Makinti Minutjukur (MM), Owen Burton (OB), Nyunmuti Burton, (NB), Gary Lewis (GL), Richard Kanari (RK), Nyukana Norris (NN), Anton Baker (AB), Marita Baker (MB), Murray George (MG), Rex Tjami (RT), Richard King (RKg), Tania King (TK), Ruth Morley, (RM), Mavis Welsh (MW) (minutes/recording).

**Anangu community members:** Jonathon Lyons, Murphy Goodwin, Jamie Nyanangu, Sharon Ahchee, Paul George, Arnie Frank, Trevor Adamson, Dennis Colson, Dennis Colson Jnr, Donald Fraser.

**Apologies:** Nil

SS welcomed everyone to the meeting.  
SS asked Mr Burton to say a prayer.

SS said she acknowledges there are families in sorry camp – we are thinking of all families.

BS said we have a tight schedule and asked the Exec Board members know we need to go through items only on the agenda. Palya!  
SS went through all agenda items.

BS requested that MJS proposal will do brief presentation of about 10 minutes. If gap in agenda, we can put it in earlier than the scheduled time.  
SS said if we have time Mr. Singer.

SS asked if they were happy to allow Chantelle Bala to attend the meeting as an observer.

The Board needs a resolution about Chantelle Bala attending the meeting as an observer.

#### **Resolution:**

The APY Executive Board resolved for Chantelle Bala from DPC AAR to attend the meeting as an observer and not take notes.

**Moved** B Singer, **Seconded** A Baker **All agreed**

SS asked TK to contact Chantelle Bala to call her in today to attend the meeting.

**1. Confirm minutes of Executive Board meeting held on 5 August 2020**

RKg read out the minutes of 5 August 2020.

GL believes the minutes are wrong. RKg said this is your opportunity to make changes.

BS through the chair – what Mr. Lewis raised a few things that are not right. Let's straighten things out.

RKg said you can change things now.

GL said spoke in language – we have to be careful, make sure minutes are properly Board members speak all together.

BS said everything in the minutes is true and correct.

RKg continued to read the minutes.

GL spoke in language about the APY Anangu coalition at length.

SS said this is not a meeting for the coalition, this is to discuss APY business.

GL continued speaking. Non-executive Anangu who were in room started to talk in language and Trevor Adamson (TA) spoke out stridently and forcefully.

SS stated that is a side business and not relating to the APY minutes.

RKg continued to read the minutes.

A resolution was moved as follows:

**Resolution**

The APY Executive Board agree that the minutes are a true and correct record of the meeting of 5 August 2020, subject to removal of Mr. Lewis name from attendance at Umuwa and change of Andrew Collis name to Andrew Collette and translation of the item relating to Paul Roberts being presented to the next meeting.

**Moved** O Burton, **seconded** B Singer. **Agreed by a show of hands by** NN, MB, MM, NB, JC, ED, SS, OB, BS.

**abstained** GL and MG from the vote.

**against** WP. No reason was given.

RKg stated that in future if GL wants to change items for discussion he needs to highlight the points with the Chairperson.

SS stated we need to continue with the meeting. The meeting notes Mr. Lewis concerns about the Scott Fraser matter which he raised when talking in Pitjantjatjara.

#### CROSS TALKING

GL then went on to raise the matter of obtaining copies of correspondence being given to members to read. **Continued speaking over everyone.**

SS said Mr. Lewis you are not allowing us to get on with business.

#### GL Continued speaking

RKg asked through the chair – can I ask RM to give advice on what can be done to curb Mr. Lewis speaking.

RM stated that if Mr. Lewis continues speaking over everyone, then Exec Board can ask him to leave the meeting.

She continued that Mr. Lewis is giving bad advice to Exec Board and Anangu but there is no liability or guilt for him on the bad advice. You as Exec Board can ask him to leave the meeting under the Act. You have a duty to conduct business of the APY Exec Board and if someone is stopping you doing business you can ask them to leave.

SS said we are trying to get on with the agenda.

RKg said as the Exec Board you can ask Mr. Lewis to leave and if not then we can get the Police to remove him.

GL said he was to get the coalition together to do business and get rid of GM and RM – and remove you from the APY Lands.

RKg said this is APY Executive Board meeting not coalition meeting.

#### **Confirm minutes of Executive Board meeting held on 6 August 2020**

A copy of the minutes of this meeting was distributed to all members present.

RKg proceeded to read the minutes out loud.

12.55 Police attended to check if meeting was ok.

It was explained that TA wanted a meeting with Exec Board member.

GL stated this is Exec Board meeting – it is not for the Director and lawyer - not to be involved with Anangu. Exec Board to run meeting – need to run it like Parliament – don't want RM/lawyer to call the meeting.

BS pointed out that we have and agenda for the meeting and if people want other items to be discussed they need to write to the chairperson for it to be included in next meeting – if coalition want to meet they meet.

We want to get on with the agenda.

#### CROSS TALKING

SS said thank you Bernard.

Police officer: we are only here to keep the peace cannot be involved in APY political issues.

SS asked RKg to continue with the meeting.

TA interrupted saying he is struggling to say our concerns to the Exec Board – spoke in language.

1.15pm

WP spoke in language abusing GM.

RKg accused WP of a breach of the Code of Conduct.

WP left the meeting.

## CROSS TALKING

### Resolution

The Exec Board agree that the meeting be closed to discuss the legal report.

**Moved** B Singer,      **Seconded** A Baker.

ED spoke that we are all one family, one tribe. We look back to when the government said this is not Anangu land – they had bad papers. We came back to own our lands now. We are fighting each other now but we should be building up each other. People who are hurt are hurting each other. We need to be everyday Christians not occasional Christians. There is no love showing now but in lockdown there was love when people and family were all together. Now we have come out of lock down and we want to fight and kill each other. Making a mockery of what it is to be Christian. People are fighting for position. Not supporting each other.

Everyone clapped for ED moving speech and thanked her for those words.

RKg – APY took the issue of providing FOI access to court. He said that the court case was to protect Anangu information and to protect details of access to sacred sites and places for Anangu. There are no other Aboriginal land councils in Australia that have FOI access – only APY.

RKg asked - do you know TA, how many FOI requests have been made?

TA said he did not know how many FOI requests had been made.

RKg said that at present we have received 80 FOI requests from TA and Ombudsman – all requesting the same item. The court case has been through all 3 courts in Australia. We were fighting to protect the Anangu information on sensitive information/sites, but the APY case was lost. As a consequence Anangu information and sacred information is available for anyone who wants to put in an FOI request.

RKg pointed out that APY does not receive any funding to carry out the FOI requests and there is no additional staff to research and photo copy paperwork for FOI. The cost for each FOI request is between \$2,500 - \$3,000, so completing 80 FOI requests will cost at least \$240,000. This is what the court case was about, to fight this, but was lost. And in staff time each one can take up to a month to find info.

So these 80 FOI requests have come from TA from his email: [Trevor.yawirki.adamson@gmail.com](mailto:Trevor.yawirki.adamson@gmail.com). APY knows this is run by a non-Aboriginal person living in Victoria. A non-Aboriginal person from Victoria is costing APY money that should be spent on Anangu.

**4. Mala Band and Tjitjiku Inma project** – PowerPoint presentation by Tapaya Edwards.(TE)

OB spoke in support of the project. And BS said it is a good project what he is doing.

TE thanked Exec Board for the opportunity to present this item to the members. He spoke in support and talked about the project last year and going to Ross River for a 4 day workshop. He talked about the funding and equipment and meeting with other Anangu and talking about music.

He showed photos and told how the children had been learning dances and their own culture. He showed a video of performance of dances in school with teacher and children dancing.

Inma had been at bush and Cave Hill – Seven sisters and workshops. Band played at Uluru Climb closure on 27 October 2019 and also at the 2019 Bush Bands concerts in Alice Springs and showed a video of the band performing.

There had been support from the APY law and culture funding 2019. This helped with the travel and accommodation for the band to perform.

Proposed 7-8 day travel and performance for the Tjitjiku Inma project launch next year.

BS said it is good what the band is doing – 3 communities are involved and next year is the 40<sup>th</sup> anniversary of LRA. Want to see this happening on the lands with young people.

Exec Board thanks Tapaya Edwards for his presentation.

SS asked if it is possible to get out to all schools and whether it has been present to schools. When PYC has its next meeting we can say we support this project and would like to see it in all schools.

RKg asked TE if he can use photos for a story on APY Facebook page?  
TE said yes that's ok.

BS said that MJS has a short presentation 10 minutes. OK?

SS let's do it – is MJS ready – BS to call.

SS said that she has to leave the meeting at 5.00 pm.

SS asked RKg to continue with minutes of 6 August. Then the Director's contract.

RKg continued to read through the minutes of 6 August.

**12. MJS Business Proposal** – people from MJS – Mark Simister, Heath Thorne, Brenton Winter and Rob Rault.

Rob Rault (RR) thanked Exec Board and acknowledged the land of APY and elders past and present of the lands.

BS said he had been looking at working with 10 of our young people and MJS operation manager in recycling motor vehicles and retrieving spare parts where possible.

Rob Rault presented a powerpoint presentation which was shared on screen with Exec Board members in Adelaide

MJS is seeking to be partner in a Joint Venture between MJS Outback Recycling and Ngura Wiruni Mob, an APY company.

The joint venture would be looking at recycling, environmental management, and re-vegetation of the land.

BS translated.

RR the objects of the joint venture is

- To create long term and sustainable employment for local Anangu people through training (45 -80 % Anangu)
- Initial focus on Environmental management through recycling and re-vegetation
- Build a strong Anangu business base on the APY Lands which will allow for growth.
- Add to the local economy through employment and investment
- Share profits and sponsorship to APY communities

BS Translated.

MJS is made up of a group of companies and is a medium sized family business with over 30 years' experience in delivering professional services in the private and public sectors.

- It has a large number of long term employees
- Focus creating sustainable solutions
- Has a large professional network to assist on a diverse range of projects
- Community minded.
- Provides sponsorship to sporting bodies & communities.

Some of the capabilities of the company

- Salvaging / recycling vehicles
- Re-vegetation / environmental re-instatement
- Tree removal, Roadside vegetation clearance, Emergency Storm damage clean up, Stump removal
- Roadside mowing & slashing,
- Traffic control

- Various truck capabilities.

BS translated.

Skills and safety - Employees will have daily work books and be trained initially on the job with benefits for employees of the joint venture to experience learning in and having exposure to different environments

High focus on safety and welfare of employees with policies, procedures and accreditation to undertake works in the public and private sectors.

Training to achieve, White card; First aid; Certificate in mechanical (mark Connelly); Certificate in horticulture; Heavy equipment training and tickets eg. loader, fork lift, excavator, bobcat, backhoe.

Employees who come on to the lands from other parts of Australia will also be trained in cultural awareness.

It is intended that the project will initially remove wrecked vehicles from communities on the APY lands and reinstate the environment to a natural habitat.

There will be future capacity to develop a collaborative partnership to tender for other projects, eg. Bottle and can recycling, removing car batteries and removing toxic waste like oil and other liquids.

Other benefits for local Anangu people would be to keep revenue within the local APY communities

RR showed a number of photographs of equipment used and the containers used to remove toxic liquid waste.

BS stated that for bottles and cans collection there would be vouchers available to those who recycle them.

RR said they would be looking at maybe 4-5 cars a week to recycle and remove spare parts.

GL said we are talking about communities and it would be a good idea to present this to community or council meetings so that they are aware of the possibility of strangers on the lands and identifying owners of wrecked vehicles.

He asked for a hard copy of the powerpoint presentation.

RR they will be working with community councils to make it all safe.

INTERRUPTION - MUSIC PLAYING

GL want to make sure there are real jobs – not working for dole.

BS said if Exec Board agree then we can go to community to look at real wages in consultation with MJS.

RR said he is aware each community is different and he is looking at workers from each community – and he appreciates it will take time to get training and the project up and running – will need confidence for MJS to invest in working on this project.

SS asked if they will be shredding tyres.

RR said that could come later. First we will look at taking the vehicles off the lands or re-use spare parts. Then tyres and batteries will come later.  
BS translated.

SS asked if we need resolution.

BS thanked MJS for attending the meeting and the Exec Board accepts the presentation from MJS and looks forward to future consultation with other communities. Already have a resolution.

BS said we need to sign off on what is agreed.

SS said this is for notice, and MJS can go ahead after the community consultations.

Mark Simister (MS) stated that for the joint venture to work it will be up to the local people to work and be trained to do the work as it would be too expensive for his people to come up from Adelaide to do the work.

The joint venture is between BS and MJS Company and then each community will have an agreement on workers and profit sharing. There will be a need to do 'fine tuning' with support from both sides and Anangu business and local communities.

MS said with your involvement to get people to work – MJS will do the training and get tickets and certificates for workers.

BS to obtain schedule of community and council meetings from Bonnie Yeatman.

RR left USB with Powerpoint presentation for BS.

4.10pm

## **7. Director's Contract PRIVATE & CONFIDENTIAL**

RT was not present for this discussion.

RKg went through the director's performance and stated he is seeking approval in principle from the Exec Board to renewal of the Director's contract for a further 3 years and to look at conditions to the agreement.

RM pointed out that this item is confidential to the Board and not to be discussed outside the Exec Board.

### **Resolution**

That all of the information on discussion of the Director's contract be for the Exec. Board only.

**Moved** B Singer,    **Seconded** A Baker                      Unanimous agreement



MG Abstained from voting.

SS asked to ensure that only the Exec Board are in this discussion with no recording.

RKg went through items in the contract and explained in more detail. GH will review the contract against the LRA and Fair Work Act then send to the Premier for approval.

### **Resolution**

The APY Executive Board agree to enter into an employment contract for a further 3 years with Rex Tjami as Director of Administration subject to approval by the Premier and in accordance with APY LRA and subject to any further legal advice as to its contents.

**Moved** B Singer      **Seconded** G Lewis      **All agreed.**

SS suggested that the remainder of the agenda be taken to an Exec Board meeting for Wednesday next week.

All members present agreed.

Meeting closed at 4.54. pm