



EXECUTIVE BOARD MEETING

Wednesday 26 May 2021
MINUTES

Start time: 11.25am

PRESENT

Location – Umuwa Trade Training Centre - Bernard Singer (BS), Marita Baker (MB), Owen Burton (OB), Willy Pompey (WP), Gary Lewis (GL), Richard Kanari (RK), Anton Baker (AB), Rex Tjami (RT), Makinti Minutjukur (MM).

On phone: Julieanne Campbell (JC), Ebony De Rose (ED) Numati Burton (NB), Mrs Norris (MN)

APY reps: Richard King (RKg), Tania King (TK), Anita Nyathi (AN), Ruth Morley (RM), Mavis Welsh (MW) (minutes/recording)

Observers: Ian Liddy, Catherine Maczkowiack, DPC AAR

RESOLUTION

The APY Executive Board agree to allow Ian Liddy and Catherine Maczkowiack to attend the Executive Board meeting as observers to not take notes just observe.

Moved O Burton

Seconded W Pompey

Carried by all members.

The executive board discussed the incident of the Special General meeting in a closed session to receive legal advice. The Executive board unanimously voted to remove Mr Murray George over his behaviour at the SGM for breaches of the executive code of conduct.

1. Confirm Minutes of Previous Meetings – 25th March and 14th April, 2021

1.1 Minutes of 25 March 2021.

12.25pm A Baker entered the meeting.

TK read through and displayed the minutes of the special meeting of 25 March regarding the presentation by Geosciences on screen.

ACTION:

It was accepted that GL had not been present at this meeting.

TK advised that next week RKg and RT will speak with them.

Their intention is to test 20 litres of water to determine if it is old or new water

RESOLUTION

The APY Executive Board agreed that the minutes of the Special Executive Board meeting of 25 March 2021 are a true and accurate record of the meeting and an abridged copy be published online.

Moved O Burton

Seconded A Baker

All agreed

1.2 Minutes of Executive Board meeting 14 April 2021

TK read through and displayed the minutes of the Executive Board meeting of 14 April on screen.

TK to check BS attendance whether on phone or not.

RM advised that Scott Fraser has made his payment to Johnson Withers Trust account. There will be court costs to be taken out of the payment.

Discussion around leases. RKg explained the process for leases where people go to the community first, then if ok the application will come to the Executive Board for approval of lease.

RESOLUTION

The APY Executive Board approve that the minutes of the Executive Board meeting of 14 April 2021 are a true and accurate record of the meeting and approve that GM publish an abridged copy online.

Moved O Burton

Seconded W Pompey

All agreed

1.00 pm LUNCH – working lunch.

2. Correspondence

2.1 Correspondence In

Watarru 4WD Tours

TK displayed on the screen and read through the draft agreement which is based on 3 nights camping for 16 people. The Executive Board was asked for its agreement on this.

TK said she will follow up with Diana James and Charlie.

Discussion around charges and payments to Anangu involved in the tours. It was felt the camping fee should include costs for providing rails, paths etc to protect the special sites.

RKg suggested the need for a tourist visa.

Need to review permit regulations for visitors to add tourist visa – need to explore options.

Executive Board noted the proposal for Watarru.

NOTED

Telstra to visit the community

TK gave outline of the proposal from Telstra for 5 Telstra representatives to visit communities, 2 from NT and 3 from SA. All permits and police checks and have been completed and comply for the trip. The aim is to assist customers with billing enquiries and anyone they see will be offered at \$50 credit.

This is an important mission to help those customers that billing issues and outstanding debt.

1.25pm I Liddy and C M joined the meeting.

**Pukatja Aged Care Facility,
Graham Aitken, CEO of Aboriginal Community Services**

TK summarised the letter from ACS who are now the aged care provider to take over Pukatja aged care services. ACS will take over the residential aged care facility caring for up to 10 Elders. ACS will also take over the community services such as meals, blanket washing etc for over 50 Elders that live in and around Pukatja. ACS will employ local Anangu staff to assist in delivering these aged care services. ACS has requested they are not charged a fee to operate the Pukatja aged care services.

BS said it is for communities to make decisions.

RM agreed with BS and there have been discussions with Commonwealth DoH.

BS need to set boundaries on these things.

RM will need a new lease with Pukatja and APY.

RKg – they will have to pay something for the lease– maybe reduced rent depending on number of Anangu employed with them.

RKg, RM and RT will have to work out a response to Graham Aitken.

1.55pm BREAK

RESOLUTION

The APY Executive Board agree that APY negotiate lease with Aboriginal Community Services to provide aged care services to Pukatja for 5 years.

Moved B Singer

Seconded R Kanari

All agreed

RKg – offer a discount on 5 year lease depending on Anangu employment – to be encouraged.

Mai Wirru and PYKU lease.

Discussion of proposed lease to Mai Wirru and PYKU.

RESOLUTION

The APY Executive Board agree that APY negotiate lease for Mai Wirru to operate community stores and PYKU offices for 5 years.

Moved A Baker

Seconded W Pompey

Carried by all members.

4. Money Story - January, February, March & April

4.1 January 2021 Money Story.

RKg displayed on screen and gave verbal summary of various items with explanation. Consultancy costs higher due to work done on FOIs.

RESOLUTION

The APY Executive Board agree that the P&L for January 2021 is an accurate reflection and approve the GM to publish them on line.

Moved R Kanari

Seconded O Burton

All agreed

4.2 February 2021 Money Story.

RKg displayed on screen and gave verbal summary of various items with explanation. Over budget has come down since previous month. Had more meetings in the month. Explained why KPMG costs higher than originally quoted due to them looking at all funding streams.

RESOLUTION

The APY Executive Board agree that the P&L for February 2021 is an accurate reflection of the financials and approve the GM to publish them online.

Moved R Kanari

Seconded O Burton

All agreed

4.3 March 2021 Money Story.

RKg displayed on screen and gave verbal summary. FOI costs may go down however other projects will need legal advice – leases, mining projects, day to day employment, Walatina, Mintabie, tourism and tourism leases and pastoral.

RKg explained that if APY employed legal officers on site this would be twice as expensive as the current situation as they would need a house which would include paying electricity costs and other costs, including annual leave.

RESOLUTION

The APY Executive Board agree that the P&L for March 2021 is an accurate reflection of the financials and approve the GM to publish them online.

Moved W Pompey

Seconded A Baker

All agreed

6. **Anthropology** – Charmaine Jones, Lee Brady and Andrew Cawthorne present.

6.1 Warru Project – CJ advised there is a proposal to reintroduce Warru to 3 areas of the Everard Ranges. She displayed on screen the three areas on a map. Caro Macdonald had done surveys to identify appropriate areas. The results were taken to the Steering Committee who passed a motion for the project to go ahead at Kullitjara area.

We still need to do a men's survey in Kullitjara area.

RESOLUTION

The APY Executive Board support the results of the Warru Project heritage surveys as well as the decision by the ASB IPA Steering Committee for the Warru Project to go ahead in the Kullitjara area.

Moved R Kanari

Seconded O Burton

All agreed

RESOLUTION

The APY Executive Board delegate authority to the General Manager and Director under S9F of the LRA to issue final approval for the Warru Project when the final report is complete and men's survey done.

Moved A Baker

Seconded R Kanari

All agreed

6.2 SAPOL Buildings – GL – need similar building to that at Mimili, but RKg said problem is accommodation at Mimili.

CJ gave updated on her investigations to the sites of police stations.

RKg said we can't have independent consultations. It is only APY's responsibility to conduct clearances with Traditional Owners.

CJ advised that the Fregon location is not approved. Indulkana – no proper consultations.

Pipalyatjara – not right place for large building – resolution from 12 May – Pipalyatjara AGM.

RESOLUTION

The APY Executive Board support the results of the completed SAPOL new infrastructure consultations in Fregon.

Moved G Lewis

Seconded R Kanari

All agreed

RESOLUTION

The APY Executive Board directs APY Anthropology to work with Traditional Owners and SAPOL to find an appropriate site in Fregon.

Moved R Kanari

Seconded G Lewis

All agreed

GL – need to be clear on who the Traditional Owners are for an area.

LB – sometimes when we look for Traditional Owners they have gone walkabout.

OB – wrong people going with LB – need right people Traditional Owners to go and check areas with LB.

6.3 Metal X and NiCul meetings - Andrew Cawthorn gave an update on these meetings. Metal X has tenement and displayed map on screen. On 21 July meeting with community and Traditional Owners to get an update on Metal X project and upcoming work programs and to nominate survey team and talk about heritage team in the area.

NiCul on 22 July and displayed map on screen. On 22 July Wati meeting to consider application for Tjalukana tenement. Want senior tjilpi and men at that meeting.

OB asked if any money in Metal X area from old licence. AC said could be - 15 years ago.

AC invited members to join him to drive around the Metal X area on Monday. Will be have a meeting with legal – RM, and Megan Brayne at Pipalyatjara.

Anthropology report and update. **Noted.**

LB – we have genealogy which we can bring to Executive Board to understand.

LB asked about Tagalong Tours.

RKg said that is complicated and need more discussion to work out camp areas and other infrastructure.

4.10pm CJ, LB and AC left the meeting.

Discussion around Stat Decs for nominees for elections.

7. **Pastoral** – Michael Clinch present.

7.1 Application for grazing licence in Watinuma area

MC presented an application from H Lennon for grazing licence partnership with S Nicolle from Mulga Park Station. He explained that they want to do the right thing and MC verbally summarised the application.

7.2 Application for grazing licence in Kenmore area.

MC presented an application from Musgrave Pastoral and/or Traditional Owner Group for Kenmore in partnership with C Greenfield from Billa Kalina Station.

BS – these need to go to Anangu Tjutja and need to talk to Traditional Owners. Anangu need to be involved in consultations.

MC – at present in Watinuma there are cattle which are unmanaged and feral animals which are unmanaged

BS – need to meet with Anangu Tjutja.

MC explained that we have to look after fencing and providing water for these cattle.

RKg – it is good to have a model to work from but at the end of day need to know who has cattle on these areas.

MC – left to look after cattle alone – not sure what to do. Need letter absolving of cattle degrading the land.

BS – we trying to push for pastoral meeting – need to have community pastoral meetings.

MC – the idea of trying to get something going.

RKg – we should start planning for community pastoral meetings. We could use these applications as models for pastoral grazing licences.

MC we could build model in the training area.

RKg – only another 3 years on current contracts and these applications are good for the transition.

MC – need to be sure of right people to train – young people need to be keen and willing – will take a long time to train them. Explained the process of training for young people working with cattle.

RKg need to go out to the market and get another person to work with Michael.

9. **National Indigenous Australians Agency updates** – presented by James Armitage.

9.1 AACAP 2023 – Update from feasibility study in March 2021. Information will be provided about next steps and visit by Army and NIAA in late June 2021.

9.2 Multi-Use Facility & Police Station – Joint presentation with John Armitage, Adam Rice (SAPOL), John Constantine, Neil Fisher, about recent issues regarding the locations of Police facilities on the lands.

JA stated the need for conversations about police stations at Indulkana and Pipalyatjara. He stated the money for this project is Commonwealth, not State money and managed by Adam Rice (AR)

I understand there is some concern about the location of the police stations. We have had consultations for the last 3 years. We need to agree where the stations are located today. It is urgent now to ensure the money is spent and confirm sites.

AR – this was originally discussed as container police stations. Looked at possible floods so had to move. In March 2020 presented plans for 3 sites. Since then we have worked to move site at Umuwa to outside residential area.

In October 2020 Pipalyatjara approval given to move to a neighbouring site and on that basis we proceeded to plan – now there is a site change, but already done work on the site and the time frame will blow out if change of site. At Indulkana since March 2021 the community have asked to move the site. We may have budget issues and costs. We are waiting to hear about Fregon.

JA today we need to make Executive Board aware of what may happen if this does not go ahead. How can we move ahead with this why changes when original resolutions agreed? This project is one strategy to get more policing across the lands. If there are delays – it will be a long time delay and advised there is no unlimited budget. So do we have to go back to councils for decision making. Want advice from Executive Board.

RKg read out sections of previous minutes. Agree that the station location is ok for Umuwa. He explained how the consultations have to go back to communities.

Charmaine Jones said it was only in March 2021 that anthropology had instructions to consult with communities and Traditional Owners.

JA said in August 202 we had a meeting.

If we have to go back may not have police station in Indulkana, Fregon and Pipalyatjara in 12 months.

BS said there is not much room at proposed site.

JA – Police may need to prioritise.

AR asked if any advice on Fregon site?

GL – wants police to sit down and discuss with community.

AR said we are looking at training Anangu police. The police can stay in the community police stations for a few days or a week if needed.

Discussion about how to prevent someone who is drunk or runs grog from returning to a community, also questions if police stations have cells.

AR advised none of the police stations have cells.

BS stated don't think want a cell in the community. Need more police, may not be possible.

JA asked who was consulted. How expansive is the consultation.

CJ said Chairs and Deputies and Traditional Owners. Present proposal is objective way. GPS and walk area design over the site. In 2018 First designs were different – New design was a surprise to people. The people didn't approve it and they needed to be part of it.

JA need to go back and rethink Police Stations – may have an impact.

BS – confirmed with Board members.

RKg – there is a whole lot of issues with policing on the lands. Requested Commissioner to attend.

JA over \$5mill NIAA retained to work from is important thing for dedicated facility.

RK - stated his concern at the lack of response from Police. He said he has seen Mr Lewis settling people down in communities due to lack of police. Also witnessed Mr Adamson's doing the same with Anangu in Pukatja who had been drinking. Anangu are trying to do it their way and needed help from police.

CJ – came up in February about holding facilities.

AR – don't want to have to hold people on the lands. This has not happened in the past. To detain someone they are taken to Marla.

RKg said when CJ goes out with her team they have an interpreter.

CJ – have sent feedback about site to Adam and willing to go out and find site with community.

9.3 Pukatja Youth Centre/Pool – Update on the progress of the construction of the Pool and Youth Centre

9.4 Pukatja IYCC Suicide – Update on the Indigenous Youth Connection to Culture Measure being delivered at Pukatja.

9.5 Voice – Update on the Voice consultations which were held in Pukatja and Amata and next steps.

10. DPTI update – Paul Taylor

PT gave a verbal update on the road works on various parts of the APY lands. Double Tank to Mimili – should be completed in July. Earthworks underway - Fregon East toward Number Tank. Thanks to APY Anthropology and Traditional Owners for help to enable Contractor to commence clearing and grubbing works in Sensitive Intervals 2 and 3.

He stated the program has been running for 6 years and there have been 100,000 Anangu hours since June 2015.

To celebrate the 100,000 Anangu hours the Department wants to host a barbeque lunch at Mimili on 16 July and Indulkana on 17 July, with contractors and APY staff and other key stakeholders. He is seeking agreement from the Executive Board to celebrate this milestone.

5.45pm | Liddy and Catherine Maczkowiack

PT asked if it was ok for contractors to come into Mimili Community for BBQ.

BS said he will discuss this with Mimili reps tomorrow, but should be good.

PT – sealing work Fregon Access Road and Airstrip Access Road, Mimili Access Road and Airstrip Access Road and flood ways between Double Tank and Indulkana commence later this year.

PT displayed maps on the screen of the various road works.

'Next steps' – works in Umuwa and Amata.

RKg Anthropology needs to bring back the HIA to Board for final sign off.

PT asked about possible community accommodation for up to 15 people.

RKg need to ensure they have vaccination. Could stay at Umuwa for first steps.

Not sure about community – will need police clearance and vaccination.

If from Hot Spot – no way.

Talk about vaccination.

PT sealing down streets in Umuwa. Displayed map.

RKg – not sure of costs \$1.2 - \$1.4 mill. Maybe able to get RASAC to do some of the ground works.

PT spoke about grading and minor works on sections of roads where there are 'wash aways'.

RK asked about getting some parts of the road where there is a need for grading.

PT – looking at Western Sensitive area next year – want to finish by June 2022.
Need to get funding.

BS thanked PT for updated.

Meeting closed at 6.20 pm.

Agenda item carried over to day 2.

- 3. Legal Report**
- 5. Permits**
- 8. Work Health**
- 11. L&C 80K**
 - a. ORIC**
 - b. APY conciliator**