



Anangu Pitjantjatjara Yankunytjatjara

## EXECUTIVE BOARD MEETING

MONDAY 25 OCTOBER 2021

### MINUTES

**Meeting time:** 10:55am Umuwa Trade Training Centre

**LOCATION:** Umuwa Trade Training Centre/Bluejeans Conferencing/Telephone

#### **PRESENT on Bluejeans conferencing**

Julianne Campbell (JC), Willy Pompey (WP), Tony Paddy (TP), Anton Baker (AB), Marita Baker (MB), Owen Burton (OB), Karina Lester (KL), Bernard Singer (BS Chair), Trevor Adamson (TA), Murray George (MG), Yangi Yangi Fox (YYF), Makinti Minutjukur (MM), Rita Rolley (RR)

**APY Staff Members:** Ruth Morley (RM) Tania King (TK), Richard King (RK), Deborah Bailey (DB part Minutes Taker), Rex Tjami (RTJ), Kym Tredrea (KT),

**DPC Observer:** Catherine Maczkowiack (DPC/AAR), Ian Liddy (DPC/AAR)

#### **Apologies:**

OB identified that a quorum was reached.

OB apologised to MG for his previous behaviour at previous meeting.

RK Correspondence in from previous meeting RK thanked everyone for attending.

KL Raised request and wanted the following noted in other business; 'lease updates', 'community strategic plan'

OB Deputy chair agreed for these items on the other business.

RK Letter received from Electoral Board advising that Karina Lester had been elected to Indulkana unopposed.

RK Department of Mines and Energy request in writing to use story about powerhouse solar panels, (presented in letter).

KL raised question where the panels.

RK explained smart metres. Mention older existing systems. The newer systems are better.

TA asked about an old solar system, what happened to that? (SL).

RK different system to this new one. Explained system differences. Old system removed due to breakdown.

#### **ACTION Letter back to the Department of Mines and Energy requesting.**

- How big is the solar area?
- When will this be finished?
- Is there plans for more?
- Will there be a battery system also?
- In individual houses?
- What will homeland receive?

## **RESOLUTION**

The APY Executive Board approve the Department Mines and Energy to use photos of the solar project as requested in letter presented to the board.

**Moved: Karina Lester**

**Seconded: Willy Pompey**

**All Agreed**

**COVID** Tania Mc Gregor has talked to Nganampa and RASAC.

KL mentioned communication regarding COVID.

RK advised that should COVID enter the lands Nganampa would step back, and SA Health would step up to manage.

KL suggested that Nganampa can still help with communication to communities. (SL)

## **RESOLUTION Covid Messaging**

The APY Executive Board direct the General Manager, Director of Admin, the Chair and Vice Chair to release message and notices to encourage Anangu to be vaccinated and to meet with.

**Moved: Karina Lester**

**Seconded: Makinti Minutjukur**

**All Agreed**

RK on the 9 September letter dated by Satellite Space Station thanking Executive and would like to work with Executive on the story and use of APY Logo.

## **Correspondence out**

RK Letter sent to CEO John Burns 'many rivers' asking not to withdraw from APY. They have replied to advise they will take this to the board.

TA asked BS if his business is personal or supported by Executive?

BS mentioned they have removed vehicles and tidied up Indulkana and going to Fregon/Amata next. Working towards own business. They have done. Discussion in language.

RK APY Executive passed resolution to support the program, APY do not fund this.

BS Many Rivers are trying to get a crusher/business plan together.

TA asked if this is personal or partnership? BS replied, as soon as there is a business plan (SL), people are working with him.

RK Governance. Explained that meeting dates for the following year are discussed and agreed upon. Suggested the following dates for executive for 2022 are;

- Suggested 2022 meeting dates
- February 22/23/24
- April 6 (9/10 are the 40-year Anniversary event)
- May 17/18
- July 6
- August 23/24
- October 4/8
- November 15

BS suggested that the AGM be held on 24 February in 2021

TA suggestion that the AGM be held this year

BS explained the auditor process for the AGM and SGM etc.

RK would be on carbon/distribution feral animals/pastoral.

**RESOLUTION:** Executive meeting dates for 2022.

The APY Executive Board revised the meeting dates for 2022 including the SGM and AGM to be published with and shared to stakeholders.

**Moved: Anton Baker**

**Seconded: Willy Pompey**

**All agreed.**

**RESOLUTION:** 2021 AGM meeting date

The APY Executive revised and support the 2021 AGM to be held on the 24 February 2022.

**Moved: Makinti M**

**Seconded: Anton Baker**

**All agreed**

KL asked what is APY policy re: Vaccination?

RK as per resolution from the board permit request require people to be double vaccinated.

RM explained under the Bio securities APY declaration to have admin role to SAPOL and SA Health under SA Law. RK added that APY still have a role as elected members.

**RESOLUTION:** Forced APY Closure over Christmas

The APY Executive Board have reviewed the suggested dates for APY Administration forced closure and agreed to the closure dates from 27 December 2021 to the 24 January 2022.

**Moved: Karina Lester**

**Seconded: Anton Baker**

**All Agreed**

## **2.1 Correspondence In**

Letter from SALG Grants Commission dated 21 September 2021.

Letter from Premier of SA, Hon Steven Marshall dated 31/8/21.

Praising success of elections and good wishes to new Board.

Email from Chief Executive, Richard Price of SA Space Industry Centre re SASAT1 Naming Authorisation

Letter from M Sherry of SA Electoral Commission dated 15 October 2021 re supplementary election.

## **2.2 Correspondence Out**

Letter to Many Rivers dated 9 September 2021.

## **ILSC application for funding and Draft Terms of Reference (TOR)**

'Our Country, Our Future' ILSC submission of DRAFT Terms of Reference (TOR)

Jamie Nyanangu presented to meeting.

APY Executive aspires to explore the feasibility to develop a purpose-built tourism and cultural hub on the APY Lands to meet a growing demand for tourism and to fulfill an

important vision for Anangu (Ngaanyatjarra, Pitjantjatjara and Yankunytjatjara people) of Central Australia.

The proposed tourism/cultural hub will:

- provide a focal point for celebration,
- accommodate Ara Irititja an archive of materials of cultural and historical,
- develop a hub for tourism opportunities on the APY lands,
- creating links with tourism to Uluru, Kata Tjuta and Ayers Rock Resort.
- APY Cultural Administration.
- Provide Tourism Administration, Conference Facilities and Meeting rooms.

KL asked what APY is asking of ILSC.

BS we are looking to see what to include in the study.

RKg read from the screen the draft Terms of Reference. Asking for all the ideas for a Cultural Centre.

KL asked where it might be?

RKg somewhere central not in a community too much humbugging.

RKg this is too early. We are looking to do a feasibility study only for cultural and tourism.

KL we should do tourism strategy no tourism since 2005.

RKg could do but at this stage looking at strategy tourism comes after the ILSC study.

TK we were in Adelaide, and they sent application 'Our country, our future'.

RKg we need a feasibility study, then will come design and then costing.

KL asked about the work that was done in 2005 is it part of TOR.

BS said with Diana James' work have to pull it all together starting with cultural hub. Can't put all together need to talk to Anangu Tjuta.

RKg the consultation and feasibility forms start of the consultation.

RKg path to move forward and consult feasibility design costing.

TA don't understand.

BS said it's not going to be a fast process will be slow process focus on workshop need to know from outsiders where they come in to process.

KL spoke in language cart before horse.

BS need to know what to bring to Anangu Tjuta for them to make decision.

KL is there nothing between 2005 and 2021.

RKg people have come on the APY land's willy nilly for tourism. Diana doesn't want to lead the work. However, tourism is being driven by Cave Hill and others.

BS two persons cover that special meeting. I think best to take to Anangu Tjuta.

KL Anangu consult then feasibility.

BS we've only recently started talking to ILSC the stuff we want to do this is the first time looking at it.

RT spoke in language. Process to make it clear we've got to ask for money. We've worked on it ... in language ... let people know, this is what is happening.

Jamie Nyanangu (JN)

spoke in language spoke about tourism and his interest in that. That's a good idea let's go out and say this is the roadmap.

BS if we do not pass next month, probably no tourism happening.

RKg Kania has been asking for information all his emails.

RT spoke in language go back. We have come to this asking for money.

TK tourism voices and copy of TOR to Executive Board.

KL then resolution that GM work on feasibility.

## **RESOLUTION**

The Executive Board approve that the GM prepare an application for ILSC funding to conduct a feasibility study and consultation Our country, our future.

**Moved: Anton Baker**

**Seconded: Makinti Minutjukur.**

**Agreed**

RKg **ACTION** to provide Confidential TOR to all Executive Board members and ask for feedback and comments as soon as possible.

RKg once we have feedback will prepare copy for all members. It is important all members have a copy of TOR and remind members that it is Confidential to Executive Board members only.

4. **Legal Report.** Ruth Morley presented her legal report and said that this is confidential for APY Executive Board members.

## **RESOLUTION**

The APY Executive Board agree to take legal advice in confident and it resolves to exclude non-Board members from this part of the meeting.

**Moved: Anton Baker**

**Seconded: Karina Lester.**

**All Agreed**

## **RESOLUTION**

The APY Executive Board agree to enter into a five-year lease with Aboriginal Community Services to provide Aged Care Services at Pukatja and for staff accommodation.

**Moved: Karina Lester**

**Seconded: Owen Burton**

**All Agreed**

### **4.2 General Manager Employment Contract.**

**4.45 pm** RKG and TK left the meeting.

RM advised that the GM employment contract expires in April 2022 The process is for, the Executive Board offers contract and second is approve the Terms and Conditions of the contract, then Minister to agreed and sign off.

RM can I explain performance review is done by someone outside the organisation and then provided to Executive Board.

The Executive board engaged in robust discussion about the GM's continual employment on the APY Lands. After much discussion the executive Board proposed the following resolution:

## **RESOLUTION**

The APY Executive Board offer Richard King a further contract for a term of 3 years as GM of APY in principle and with approval of Terms & Conditions by the Minister and subject to satisfactory job performance review by an independent person.

**Moved: Anton Baker  
AB, OB, MM, JC,**

**Seconded: Julianne Campbell**

**Those in favour**

**Executive Board meeting  
(continued from 20/10/21)**

**5**

**25/10/2021**

**NB, MB, RR, BS, YF, WP All Agreed**

**2 against motion Trevor Adamson and Karina Lester.**

**6.30pm.** RKg and TK returned to meeting.

7. **Anthropology** Charmaine Jones (CJ) joined the meeting and displayed her report on the screen. Lee Brady (LB) joined the meeting.

KL ask if you can provide information for new Board members. Is it in relation to ancient water.

CJ Yes. see on map. LB did the survey.

CJ displayed her presentation on the screen and gave verbal detail. First item is

**Geoscience: Exploring for the Future**

RKg Geosciences is part of the Federal Government. They fly a plane looking for water.

CJ advised all their data goes online and is publicly accessible. She proceeded to explain by means of displaying maps that their survey is looking at different depths and there are 3 parts to the project: The first part is Reflection seismic survey which is aimed to get information about the Officer Basin and Musgrave province; inspect where the Officer Basin and Musgrave province meet; and the researchers will be at each campsite for 23 weeks

APY needs to consult with TOs about a heritage survey for the installation of the stations In September we completed heritage survey for reflective seismic (vibrating truck) between Nyapari and Itur homeland, and Watarru area.

CJ advised the areas which were excluded and which were cleared for passive seismic (seismic stations) this was the Amata and Watarru areas.

CJ displayed a map showing the Woomera Prohibited Area which belongs to the Defence Department in Canberra and is Federal. She gave history of the area and there is an overlap into APY. The Defence Act overrides APY Land Rights Act and Defence granted access rights to APY over overlap area. There is a Working Level Agreement which sets out process of APY access to Woomera Prohibited Area and replaces previous access rights that were granted. The draft Agreement refers to a Heritage Management Plan and states that Defence have to abide by the rules in that plan to manage culturally sensitive areas and the Heritage Management Plan says that Defence will submit a HIA request to APY Anthropology if the usage of the overlap area changes in the future which was discussed with Cecilia Tucker in 2018. This plan has not yet been reviewed by APY Anthropology or Legal and is currently being finalized by Defence.

CJ advised that in September, Caro Macdonald began consultations with Nguraritja about the Agreement and heard their heritage concerns. A cultural mapping of the overlap area was requested by Nguraritja. Also important areas near/in the overlap area, need to be looked at on the ground to gain an understanding of distances and boundaries there is a few people with knowledge and want to record this information as soon as possible and to pass this knowledge on to next generation. This would also allow APY to respond to future requests from Defence with this information available and make the process quicker (limited timeframes are given in the Agreement) with the possibility to tie this into a Land Management helicopter survey in autumn 2022 –would need funds to hire a helicopter for an additional day. At a community meeting to hear the terms of the agreement and make final decision Nguraritja were not aware that the overlap area exists and asked for more information about Defence activities. They expressed concern about access and heritage. This could be completed in the Oct/Dec 2021 period this will exceed the

allocated budget from Defence of \$30k. KL have Geosciences requested to look at these areas.

KL did APY request Geosciences to look for water.

CJ looking for water and minerals.

RKg said they are following on from the original survey. We did not ask they had money and offered it to us.

CJ explained that Geosciences is doing research all over Australia and she is giving an update. Need Ruth to maybe say how to proceed.

TA spoke in language for mining, Rio Tinto ..... couple of years ago.

LB said the IPA is good but a bit weak, but the heritage is very strong.

RKg said they cannot come in until you say okay, then Anthropology have to do IPA and then they have to get approval.

KL is it what they are finding.

CJ it is giving a complete picture of the earth structure.

RKg have seen that before.

CJ can go on to heritage site. Map is from Andrew of results completed in September reflective and passive.

KL asked if there is a report.

CJ showing results before report on what to do next. Did you want to say anything Lee?

LB said there are two sensitive areas it is close to the border.

KL asked seismic readers?

RM said she wants some instructions to write to the Minister in SA. Some readings go down 50m, 500m and 200km. The SA Minister has approved this to be done. We say this is to go on public site.

RM write to Minister reminding him not only promoting but safeguarding cultural heritage. Need Geosciences to apply for approval for exploration and ask why.

KL What is that?

RM Under the Mining Act and Mineral and Geothermal Act if you want an exploration licence you have to make an application and then agree terms with the landowner. Any costs for Anthropology and expenses want those expenses paid. KL do we know if there is anyone looking at mining. RM government want to open 'greenfield' areas found out policy looked at Mining and Energy Council website they are happy and can see prospective areas.

KL can we write to Energy and Mining?

RM summarised letter. We see this as an exploration for commercial gain. They will give reasons then seek advice.

CJ related we could send HIA to say they will then have to seek another exploration licence and need another HIA.

## **RESOLUTION**

The APY Executive Board directs the GM to send a letter to Department of Mines and Energy Minister asking that Geoscience Australia make an application under Mining & Petroleum Exploration Act for its Musgrave project and advising that the HIA report prepared by APY CLHU is not to be released until APY receives the Minister's response and has taken legal advice on the Minister's response.

**Moved: Karina Lester,**

**Seconded: Anton Baker.**

**All in favour**

**JC and NB on phone.**

CJ we need a resolution supporting the work already done

- CJ just to Geoscience we said part of the consultation we couldn't release details. A number of members left the room.
- BS asked how many Board members on phone Only 3 Board members.
- RM reminded members that we are still in confidential session confidential to Executive Board members only. You can have copy but not to share with anyone else.

Executive Board approves HIA and work done by Anthropology pending response from Minister.

- RM since approval of Executive Board raised concerns. Not yet agreed.
- CJ gave verbal update on Woomera Prohibited area and spoke to powerpoint presentation on screen. This area overlaps APY it comes under the Defence Act and overlaps the APY LRA,

Meeting closed 7.40 pm:

**Note: The minutes 25<sup>th</sup> October 2021 were checked and ratified with changes on the 6<sup>th</sup> April 2022**

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#### **Outstanding Agenda items.**

5. Money Story
6. Permits
8. Work Health & Safety COVID19
10. NIAA
11. DPTI