



Anangu Pitjantjatjara Yankunytjatjara

EXECUTIVE BOARD MEETING 14

WEDNESDAY 18 MAY 2022

MINUTES

Start time: 10.40 am

LOCATION: APY Trade Training Centre Umuwa
Wakefield House Adelaide

PRESENT:

Umuwa: Owen Burton(Deputy Chair)(OB), Murray George (MG), Trevor Adamson (TA), Willy Pompey (WP),

Alice Springs: Bernard Singer (Chair)(BS), Karina Lester (KL),

Adelaide: Nyunmiti Burton (NB)

Teleconference - Tony Paddy (TP) and Yangi Yangi Fox (YF), Makinti Minutjukur (MM), Marita Baker (MB), Anton Baker (AB), Julianne Campbell (JC)

Apologies: Rita Rolley,

APY Staff: Richard King (RKg), Tania King (TK), Rex Tjami (RT), Ruth Morley (RM), Charmaine Jones (CJ), Lee Brady (LB), Mavis Welsh (MW) and Deborah Bailey(DB) (minutes)

Observers: Catherine Maczkowiack, Ian Liddy and Craig Macauley, DPC AAR

BS Welcomed everyone to the Executive Board meeting held on Wednesday 18 May 2022.

RESOLUTION

The APY Executive Board approve Ian Liddy, Craig Macauley and Catherine Maczkowiack from DPC AAR attend meeting as observers.

Moved: A Baker seconded: O Burton All agreed.

RESOLUTION

The APY Executive Board agree to have Amanda Wheeler, consultant from Ansons and R Morley, APY Legal officer to attend meeting today as observers.

Moved: W Pompey seconded: B Singer All agreed.

BS asked for clarification on apologies.

RM under LRA if an elected Executive Board member misses 3 meeting in a row without explanation they need to be put on notice that they could be removed from the Executive Board.

If they have a good reason then ok, but if not coming to meeting need to advise TK. This is getting close for Rita Rolley – she may have missed 3 meetings.

RK Tony Paddy and Yangi Fox, Karina Lester, Bernard Singer (on line), Marita Baker, Anton Baker, Makinti Minutjukur (on line) Trevor Adamson, Murray George, Willy Pompey, Owen Burton, Rex Tjami, Tania King, Richard King, Ruth Morley, Mavis Welsh, and Amanda Wheeler here.

BS Any apologies:

TK No.

Attendance at Executive Board meetings

RM Absent Rita Rolley, Julianne Campbell and Nyunmuti Burton.

BS no calls from them?

IL heard that Nyunmuti is on way into the office.

RK will record when she arrives.

TA Everybody should be in meeting - all should be coming – we are missing some things – should put in proxy.

RM Good point – proxy to be given before meeting

RK The time to do proxy vote is when TK sends out notice of meeting.

Code of Conduct - incident

KL is a matter of Mr. George's conduct and member's absenteeism.

RM it is important to stay on top of why absentees are occurring.

And Mr. George behaviour which insulted 2 ladies yesterday.

RK suggested writing to Ms. Rolley and RT to talk to her face to face.

RM Why RR member for Kaltitji and how to respond to Mr. George's comment saying ladies on the Board make it weaker – the strength – and ladies were insulted by the conduct which was rude and insulting. Need to see how Mr. George can make up for his conduct – needs to be called out for his behaviour.

MG ***spoke in language***

we don't know Code of Conduct - ***spoke in language***

BS going back to LRA – we need to go through Code of Conduct.

spoke in language - need to abide by LRA.

RK Code of Conduct is about just getting on with one another on confidential basis – not troublemaking – it is a set of rules to be respectful to all members of Executive Board. Read out extract relating to Code of Conduct.

MG interrupted.

BS stop talking

RK read provisions of LRA – why it is confidential – can't put what is in meeting and not share outside meeting.

RK Read ***Section 12F Code of Conduct from LRA***

(1) The Executive Board must prepare a code of conduct to be observed by members of the Executive Board, the Director of Administration, the General Manager and any employees of Anangu Pitjantjatjara Yankunytjatjara.

(2) The code of conduct must contain the following provisions:

(a) a provision requiring that a person referred to in subsection (1) must not divulge or communicate personal information obtained (whether by that person or otherwise) in the course of official duties except—

- (i) as required or authorised by or under this Act or any other Act or law; or
- (ii) with the consent of the person to whom the information relates; or
- (iii) in connection with the administration of this Act;
- (b) a provision requiring that a person referred to in subsection (1) must not engage in bullying of, harassment of or threatening behaviour towards any Anangu or persons employed by Anangu Pitjantjatjara Yankunytjatjara, in the course of, or the purported course of, official duties;
- (c) a provision requiring that a person referred to in subsection (1) must declare any unsolicited gifts received by them in the course of, or related to, official duties;
- (d) any other provision prescribed by the regulations.

MG *spoke in language* - hard one for Anangu Tjuta. *spoke in language*

MG ... interrupting - *spoke in language*

RK Yesterday Mr George engaged in bullying behaviour.

MG ... interrupting -

RK Mr George is bullying me now.

KL Mr George said his comments about 'what have we done to our comment..'

RM you weren't there. I was with Makinti.

BS best to hear from MM and MB.

MG ... *spoke in language* - interrupting -

11.40 am voices talking over each other.

MG *spoke in language*

RK I'll call the police to have you removed. You are not leaving.

11.45 am Mr George left the meeting.

RK Mr George has left the room.

BS can we hear from MM and MB.

RM Makinti and Marita please talk to the meeting.

KL *through the chair* can we ask if MB and MM ok for observers to be present.

OB Mr George did apologise to ladies but they still left. I understand Code of Conduct broken by MG.

RK MB and MM can you tell us what happened and if you are ok with the observers.

MM Palya.

RK Can you tell us

Karina can you interpret for minutes please.

MM *spoke in language* KLMr George, uncle of mine taken aback when he spoke to me. Thinking of stepping down from Executive Board.

MM *spoke in language* KL I've been on Executive Board for 3 years and I bring matters to Executive Board and look to make things better for Anangu - wanting to learn and bring matters to Executive Board.

MM *spoke in language* KL I hear and learn from Executive Board members and about making goods decisions and I contribute in Executive Board meeting.

MM *spoke in language* KL I've been re-elected and community have voted for me – look for leadership for better future – happy to be supported by community as Executive Board member.

MM *spoke in language* KL I sit on Executive Board with Uncle Trevor Adamson – attend meeting and hear from government and to make good decision and think about how to make community good and raise matters as Executive Board member.

MM *spoke in language* – from the heart – I have struggled – *spoke in language* KL I have concerns from government – I want government to work closely with community – I struggle to understand about raising matters – important for me to contribute.

- MM *spoke in language* KL we sit at Executive Board as family – uncles, cousins, - needs to be one voice from Executive to put good things into communities – important to be together as Executive.
- MM *spoke in language* - got to go forward. KL I heard Murray George apology and thank him. need to go forward.
- MM *spoke in language* KL Concerns our job as Executive Board members to bring concerns in communities to Executive Board. Like to thank people for opportunity to speak.

Now Marita Baker.

- MB *spoke in language* KL I talk about yesterday.
- MB *spoke in language* KL yesterday we came to attend Executive Board meeting. Mr Burton outside in car. Things said to us so we sat in car with Mr Burton.
- MB *spoke in language* KL didn't talk to us directly we overheard things that put fear in us so we asked Tania King if we could go to the office.
- MB *spoke in language* KL there is opportunity on Executive Board to be female Executive member – to learn and participate in meetings. It's important.
- MB *spoke in language* KL I come to meetings to learn and participate and bring in concerns of communities and how we can keep things good. If we uncomfortable may need to get off Executive Board – no females. Learn to care for our community.
- MB *spoke in language* KL he is close family member and talked about things that made me uncomfortable. He did apologise but need to be sure feeling safe.
- MB *spoke in language* KL women on Executive Board felt our spirit was heard yesterday and spirit was hurt by comments from Mr George.
- MM *spoke in language* KL conversation MB and MM had was about leadership for next generation – both men and women.

OB When I was in car with MB and MM he didn't bring into meeting room, but he did outside this meeting – *spoke in language* - I reckon he did that secretly. We say to Mr George as board member – we give you warning not to do any more – board member or staff.

RK we can do that – draft resolution and give Mr George written and verbal warning.

RM Are you happy for verbal and written warning from members present to say Murray George not to talk to Executive Board members and staff members against the Code of Conduct.

KL interpreted for MB and MM.

OB one warning – if he does it again he is out.

KL *spoke in language*

RK The warning comes from the Board.

MM I think it is palya.

KL put in writing from chair around Code of conduct.

RESOLUTION

(1) The APY Executive Board heard story from Makinti Minutjukur and Marita Baker about Murray George's conduct yesterday, and that Murray George made them very upset.

(2) The Board to tell Murray George in person and in a letter that he cannot break the Code of Conduct and talk rudely to female Board members or any Board member or any APY staff. (3)

This is a warning if he does this again the Board will remove him.

Moved: B Singer

seconded: J Campbell

Majority agreed

KL interpreted the resolution.

asked question on clarity – did he speak directly or overheard.

RM Doesn't matter, the ladies hear what he said – he spoke loudly.

RK Need to give him warning – not to do again – up to Executive Board to decide how to handle if it happens again.

KL ***spoke in language*** - one warning.

RM Yes, MM and MB feel aggrieved. This is not the first time he has been warned before you on the Board have heard – has been warned in past.

KL ***spoke in language***

RM so that is resolution.

KL Resolution on table to consider.

TA, WP, and KL Abstain from vote

WP ***spoke in language***

OB, TP, YF, AB, NB, MM, MB, BS in favour.

OB spoke about agenda.

11.30am

Legal Report (continued from 17/5/22 – item 3)

Legal report In CONFIDENCE

2. **Pastoral – Michael Clinch presentation - HIA application for large feral herbivore control (Camels, horses and donkeys) across identified areas of APY Lands** (to reduce ongoing pastoral degradation and destruction of infrastructure.) and presented the Emergency Response Plan APY Feral Camel Management updated in November 2015 and map showing the Feral Animal Control Buffer Zones.

MC Thank you. It's been six years since I started on APY as Pastoral Manager. I am seeking Executive Board approval for an HIA application for large feral herbivore control (Camels, horses and donkeys) across identified areas of APY Lands.

BS ***translated***

MC the purpose of this briefing although presented by Pastoral also involves Anthropology, Land Management, SA Water. SA Health, SAPOL. I want to conduct and identify areas to cull across APY Lands.

BS ***translated***

MC that is my number 1. Number 2 is for Executive Board support to Anthropology to consult Anangu for proposal to identify areas for cull across APY Lands and report back to Executive Board.

BS ***translated***

MC I would ask Anthropology to obtain instructions from Traditional Owners on whether cull can take place in identified area.

BS ***translated***

MC if approved then obtain instructions on any areas of exclusion to mark on map.

BS ***translated***

MC Number 3 – instructions on how to manage feral animals on an ongoing basis.

BS *translated*

MC if any APY communities agree then funding for operations and aerial search will be provided by AW Landscapes Board.

BS *translated*

MC and will be carried out by the same team as conducted the cull in 2020.

BS *translated*

MC I suggest the following recommendations.

Recommendation 1 – APY Executive Board approve CLHU to carry out consultation for Pastoral's feral animal proposal.

BS *translated*

MC Recommendation 2 – Following consultation process a Special General Meeting be called to pass Recommendation 1.

BS *translated* - is that all.

BS *translated* - at SGM.

KL Can you clarify what happened at last SGM.

BS Anangu Tjuta – first consultation of pastoral from east and to talk about leas.

KL Different matters

BS no resolution.

TK *through the chair* - RK stepped out – are you saying no resolution to pass about cull of feral animals.

RT consultation didn't happen.

BS talked about culling feral animals, need to see what actually happened.

MC not aware of that.

KL MC is saying he is unaware of resolution.

BS got knocked back.

KL I'm looking to find clarification.

TK we do have resolution spreadsheet, I will look back but I don't believe any resolution was passed.

My recollection is that the meeting finished abruptly.

BS Resolution passed – nothing gets followed.

MC I know there was talk about it, but no instructions.

TK looking on agenda – SGM and AGM.

BS to go back again another meeting.

TK ask Charmaine.

CJ have heard about it but no instructions. Doing desktop research – reviewing links from MC.

KL can you clarify desktop research.

CJ just started in background.

2.45pm MW left the meeting.

Deborah Bailey took over minuting meeting.

KL Chairperson asked questions about the SGM and had a clear recollection that there was no resolution around the cull.

BS reiterated that there was no cull but discussion on Pastoral and Leases.

RK recalled people talking about it and will have a look.

BS nothing since then.

RK Anangu are keen to do this and now have flexibility to move forward. Have you passed date for SGM? We have to do this and get a date.

- RT 2020 - two SGM. No resolution has been passed because of the blow-ups. Only resolution was through the Board to go find the Traditional Owners and that's where Anthropology is now working with Traditional Owners and getting together now.
- RK suggested to start again fresh, make date and put the cull and distribution on the agenda.
- BS we just wasted a full year. The GM and all this mob here...
- KL if there is a resolution there needs to be followed through.
- RT two meetings.
- BS responded in *spoke in language*
- RT will go back and have a look.
- RK reminded everyone that we are coming out of covid. Suggested to set a date.
- BS *spoke in language*
- Suggested resolution – that the APY Executive Board receive report for the cull and identify areas where to go for the cull.
- RK Feral animals are everywhere. We managed to get funding from 10 Deserts and we need to identify where kill areas are going to be to push all donkeys, camels etc... We need to talk and get approvals.
- CJ said MC and Alinytjara Wilurara have put a map together using last cull data. This will show what happened last time.
- KL mentioned this was done three years ago. RK said that has been done and now have to share it back and will use as a template for the next one. The whole world has lost two years. Now we are getting out of Covid.
- KL can MC recap and what he is asking the Executive?

Michael Clinch read out the two recommendations as follows;

Recommendation 1

APY Executive approve the Cultural Heritage Liaison unit to carry out consultation for the pastoral feral proposal.

Recommendation 2

Following the consultation process SGM to be called to pass recommendation one.

- RK do you want to do SGM first or consultation first? – MC mentioned would be best to do the consult first. RK asked if everyone was happy with this?
- KL SL

Group discussion in Language

- TA *spoke in language* 'run their own. APY giving people bit work through selling and catching donkeys, camels and at the moment everything outside and whether they got money from elsewhere, given we'll try and kill all the camel and without the consultation with the community outside or wherever and I think that's a story that I am hearing now, because that's coming out and now you wanted to go you wanted to go talk to some area and so what really, we sitting outside of the thing we should be able to see whether you might have been or part of it to talk about this one so it bit of confuse for everybody.
- RK Amata said Wiya to any cull, especially at Aparara Springs and now damaged. Mr Young said Wiya and all of them camels destroyed things especially that spring and now it is close to being no good forever. If you go there it now looks like a different place.
- LB camels have damaged tree roots and trees fell over.
- RK said we did consult, and they didn't want to do it. Mr Adamson is incorrect.
- TA said that what happened before, I wasn't in it.
- RK it is time we talk about donkeys and horses and what we don't want is horses on that road to Indulkana. We have to protect Anangu Tjuta.

- RT reported that there are a lot of horses at Mimili that is why they are doing the consultation, 100 thousand fine if ... *spoke in language*
- RK we would love to do it but have to talk to everyone and mentioned last time we had one truck to come in and it cost \$16000 and someone let all the ferals out and truck went away empty. We have to consult and agree. Have to protect next generation and us.
- BS said that before resolution need to find out date of meeting and need to consult so let people know.
- RK having SGM at end of June/July doesn't leave much time for consultation.
- BS suggested that we need to revisit what has previously been passed.
- RK Nothing got passed at SGM at the consultation meeting for the Pastoral PDL areas.
- BS have to take back to the SGM
- RK it is on the agenda for possible date of 27th June for SGM and 28th June for AGM.
- BS said that Palya then can talk about camel and pastoral.
- RT *spoke in language* – BS response in language
- Discussion in language
- RK suggested to pass the resolution put forward and to direct Anthropology to commence consultation around the culling of step one.
- OB *spoke in language* – RIGHT from Indulkana to Pip talking to people good idea
- RK well still have it but after consultation.
- WP *spoke in language*
- OB Fregon and Pukatja and *spoke in language* they killing cattle in David's Well which is someone's cattle now wirra wirra he's stealing someone else cattle killing and cutting up and taking to all communities *spoke in language* Can you find problem...? APY must complain...they APY letting people come in with rifle and letting people into David's Well that's Graham's cattle. Somebody, and we all got to talk about that one and try to close with chain and padlock and don't let all Anangu come there.
- MC when I was here over December, January, February I came across a lot of cruelty. Some cattle had been wounded, some with gun, axe, and left there. Letter written to the GM and this is being addressed with GM and RT and will come before Executive. What is happening is criminal and cruel.
- BS *spoke in language* too many promises
- RT *spoke in language* in response...carbon ???
- RK have not yet signed the contract - still working out who we are doing business with and exploring the financials for example, was \$10 a unit then went out to \$50, we need to make sure they don't run away with 30% the other factor was Covid.
- MC confirmed that it was \$10 then went to \$60 now back down to \$29.50 as of yesterday.
- RK depends on Government and global warning may go up again.
- RK discussion about what dates to have the SGM and directive so that Consultation can begin. Suggested resolution to support Anthropology to commence consult on culling feral animal across the lands from Indulkana to Pipalyatjara, Palya?
- RK what are your thoughts in terms around consultation schedule straight away directing the consultation
- BS consult on the 27th June or 28 June?
- RK will start consultation soon and get done. CJ will report back when team might be finished and then can set SGM after that
- RK suggested the resolution cannot do anything without consult

RESOLUTION

The APY Executive Board direct APY Cultural Liaison Heritage Unit to work with APY Pastoral Manager to commence consultation on a cull from Indulkana through to Pipalyatjara.

Moved: O Burton Seconded: K Lester All in favour

OB asked if the Traditional Owners will go. RK said yes.

RESOLUTION

The Executive Board agree that once the consultations are almost complete the results of the consultation and the APY Cultural Liaison Heritage Unit will bring back to Executive Board to set special meeting date.

Moved O Burton Seconded W Pompey all in favour

7. Dates for AGM – 20-21 (item from Day 1)

RK suggested the AGM take place on 28th June 2022.
APY Executive Board members suggested that they direct the General Manager and Director to consult and form the agenda for the AGM to be held on 28th June 2022 and to publish online that information for people and Anangu.

The Minute taker asked for clarification of words of the above resolution.

RESOLUTION

The Executive Board direct the General Manager and Director to set the agenda for an AGM meeting to be held on the 28 June 2022 to go through annual and financial audit and to create an agenda for that meeting.

Moved: T Adamson Seconded: M George All in favour

Permits (continued) regarding cull on Walatina.

- RK Through TK the GM raised a permit request received by permits in relation to cull on Walatina by Glen Griffin and Geoff Hanson and asked if Karina was aware of that one?
- KL KL advised the permit application was sent as there is a feral issue and was reaching out for their (Griffin and Hanson) expertise to assist at Walatina. She further advised there is dingos and brumby's and it was an application for them to assist at Walla?
- RK mentioned that is a permit application open for the Board to discuss and in terms of consultation Traditional Owners for that area needed to be consulted.
- OB asked is that helicopter cull? KL said no just ground cull.
- RK highlighted that it is important to consult so that we are ensuring best way it is done. APY use helicopter, consult and push feral animals into an area where it doesn't stop people doing their hunting. This request is for two people to come on the Land and cull and there has been no consult.
- BS *spoke in language*

KL it's been part of Walatina business over the years and we have a relationship with this gentleman and this is opportunity to address.

RESOLUTION

The APY Executive Board have reviewed permits for culling for Walatina and request to hold permits until consult is done and a plan has been submitted and received.

Moved Mr Pompey Seconded Mr Bernard Singer All agreed.

1. Anthropology report

RK next item is CLHU – Charmaine Jones Agenda Item 1. Anthropology 'Telstra' 'Kenmore to Pukatja cable proposed routes' and MetalsX

KL returned online - advised of the resolution.

4:27pm.

BS Mr Burton at 4:30 is taking the meeting through. Thank you to staff and all BS left the meeting.

Mr Burton took over as Chair at 4:30pm.

CJ 1 survey to report Telstra at Kenmore and after Max will talk about their work they have got on.

Charmaine showed the PowerPoint presentation survey report on screen.

OB asked if there was an interpreter?

RK asked if KL could interpret.

KL said is it what you have on the screen? Confirmed.

KL *translated*

RESOLUTION

The APY Executive Board support the HIA results for the Telstra Kenmore to Pukatja cable installation and approve the work to proceed.

Moved O Burton Seconded T Adamson All Approved

RESOLUTION

The APY Executive Board reviewed two dates and agreed that the 30 October 2022 to be locked in as the date for the 40th anniversary

Moved T Adamson seconded W Pompey all agreed

7. Other business

7.1 Compensation

OB checking that there is a quorum. *spoke in language* 'conflict of interest...'

RK mentioned putting in claim for compensation for OB re: kicking toes two toes ...

OB said RK putting in claim tabling it today?

- RK advised that Executive Board can't say yes or no it has to go to someone else to look at it and it is not APY to make decision.
- RK Julianne was not there
- RK will speak with Owen and get the information and forward.
- OB meeting we can close thank you to Ian, Craig and Catherine meeting closed 5:47pm