

**Resolutions 2008/2009**  
**Executive Board, Special and Annual General Meetings**

**Meeting No. 1 of 2 July 2008**

**Resolution No. 1**

*That APY investigate the unauthorised shooting of kangaroos on the APY Lands and report back to a future Executive Board meeting.*

Moved: Bernard Singer

Second: Tony Campbell

Carried: All

*Meeting No. 1 of 2008/2009 – 2 July 2008*

**Resolution No. 2**

*That Rex Tjami be re-appointed as the Director of Administration for a further three years on terms and conditions the same as the General Manager.*

Moved: Bernard Singer

Second: Tony Campbell

Carried: 6 for, 3 against

*Meeting No. 1 of 2008/2009 – 2 July 2008*

**Resolution No. 3**

*That the Executive Board grants approval to the Outdoor Learning Centres at Mimili and Pipalyatjara, depending upon Pipalyatjara community approval.*

Moved: Bernard Singer

Second: Anton Baker

Carried: All

*Meeting No. 1 of 2008/2009 – 2 July 2008*

**Resolution No.4**

*That the Executive Board approve the three shade sail structures for Bungala at Fregon, Kanpi and Pipalyatjara (dependant on community approval from Pipalyatjara.)*

Moved: Bernard Singer

Second: Kawaki Thompson

Carried: All

*Meeting No. 1 of 2008/2009 – 2 July 2008*

**Resolution No. 5**

*That the Executive Board formally approve the Single Men's quarters at Mimili.*

Moved: Tony Campbell

Second: Sean Williamson

Carried: All

*Meeting No. 1 of 2008/2009 – 2 July 2008*

**Resolution No. 6**

*The APY Executive Board approves the commencement of works associated with the USOSAT telephone connection in Umpukulu, subject to the conditions outlined in the Work Area Clearance certificate.*

Moved: Bernard Singer

Second: Anton Baker

Carried: All

*Meeting No. 1 of 2008/2009 – 2 July 2008*

**Resolution No. 7**

*The APY Executive Board approves the commencement of works associated with the SA Water bores and pipeline between Young's Well and Pukatja, subject to the conditions outlined in the Work Area Clearance certificate.*

Moved: Tony Campbell

Second: Bernard Singer

Carried: All

*Meeting No. 1 of 2008/2009 – 2 July 2008*

**Resolution No.8**

*The APY Executive approves the construction of Land Management fences in the Umuwa/Pukatja area, subject to the conditions outlined in the Work Area Clearance certificate.*

Moved: Bernard Singer

Second: Tony Campbell

Carried: All

*Meeting No. 1 of 2008/2009 – 2 July 2008*

**Resolution No. 9**

*Pursuant to S13A(2) of the APY Land Rights Act, the Executive Board approves the draft budget for 2008-2009 as submitted by the General Manager and that it be submitted to the Minister.*

Moved: Kawaki Thompson

Second: Anton Baker

Carried: All

*Meeting No. 1 of 2008/2009 – 2 July 2008*

**Resolution No. 10**

*That an Investigator be appointed as an Investigator under the Code of Conduct to investigate such matters as are determined by Administration and on terms approved by Administration and to present a report for the August meeting of the Executive Board. In addition, the Executive Board grants a permit to Mr Eager until 30 June 2009.*

Moved: Sean Williamson

Second: Anton Baker

Carried: All

*Meeting No. 1 of 2008/2009 – 2 July 2008*

**Resolution No. 11**

*That the government be requested to defer further action in relation to the removal of the Chairperson as a member of the Executive Board until after the Executive Board has received and considered the Investigator's report in accordance with the above resolution at the August meeting of the Executive Board.*

Moved: Sean Williamson  
Second: Tony Campbell  
Carried: All

*Meeting No. 1 of 2008/2009 – 2 July 2008*

**Resolution No.12**

*Contracts between NGOs and APY be entered into forthwith to regulate the conduct of NGOs on the Lands on such terms as are acceptable to Administration. The terms are to be submitted to the next meeting of the Executive Board and to be implemented forthwith by Administration unless disapproved of by resolution of the Executive Board.*

Moved: Bernard Singer  
Second: Charlie Anytjipalya  
Carried: All

*Meeting No. 1 of 2008/2009 – 2 July 2008*

**Resolution No. 13**

*That Administration prepares a proposal for carrying out the financial audits required by the above resolution and submit that proposal to the next meeting of the Executive Board. Unless disapproved, the proposal is to be implemented by administration.*

Moved: Bernard Singer  
Second: Anton Baker  
Carried: All

*Meeting No. 1 of 2008/2009 – 2 July 2008*

**Resolution No. 14**

*That the resolution of 6 February 2008 is confirmed and that the General Manager is re-appointed for three years commencing on 28 March 2008 on terms of the contract signed by APY and previously submitted to the Minister.*

Moved: Bernard Singer  
Second: Charlie Anytjipalya  
Carried: All

*Meeting No. 1 of 2008/2009 – 2 July 2008*

**Resolution No. 15**

*That Mal Brough be retained as a consultant on such terms as administration determines.*

Moved: Kawaki Thompson  
Second: Sean Williamson  
Carried: All

*Meeting No. 1 of 2008/2009 – 2 July 2008*

**Resolution No. 16**

*That subject to the approval of a Special General Meeting APY enter into a Heads of Agreement ("HOA") with the parties to the MOU approved in October 2007, on terms acceptable to Administration to govern new housing and upgrades using the proposed \$25 M offer, further upgrades of existing houses and new houses in addition to those to be provided with the \$25M offer.*

Moved: Bernard Singer

Second: Sean Williamson

Carried: All

Meeting No. 1 of 2008/2009 – 2 July 2008

**Resolution No. 17**

*That subject to consultation with, and the approval of Traditional owners, the HOA provide for step-in rights acceptable to administration in favour of the State government to guarantee APY's performance of its obligations under the HOA and further investment in social housing to be provided by the State and Commonwealth governments.*

Moved: Kawaki Thompson

Second: Anton Baker

Carried: All

Meeting No. 1 of 2008/2009 – 2 July 2008

**Resolution No. 18**

*That subject to consultation with, and the approval of traditional owners, the step-in rights be secured by an agreement to grant a lease ("agreement to lease") on terms acceptable to administration, the agreement to provide for the matters set out in the schedule below*

**SCHEDULE**

- (i) *A form of head lease ("draft lease") to the State for 50 years*
- (ii) *The draft lease to be over the sites for new houses paid for out of the \$25 million offer*
- (iii) *The draft lease to also be over the sites of existing house which are upgraded*
- (iv) *The draft lease is also to be over the sites of additional houses from money in addition to the \$25 million offer*
- (v) *The agreement to lease to provide for the transfer of existing houses into step-in rights in proportion of value of existing houses on the one hand and the amount of money provided by the government for new house and upgrades acceptable to administration*
- (vi) *The agreement to lease and draft lease to provide for Anangu to be able to purchase their homes by sub lease from the state with a certificate of title on terms acceptable to administration*

Moved: Kawaki Thompson

Second: Charlie Anytjipalya

Carried: All

Meeting No. 1 of 2008/2009 – 2 July 2008

**Resolution No. 19**

*That APY sign a lease to the State government on terms of the draft lease ("head lease") to be held, but not used until circumstances arise under the HOA and/or agreement, to lease which entitles the State Government to call for the registration of the head lease.*

Moved: Bernard Singer

Second: Tony Campbell

Carried: All

Meeting No. 1 of 2008/2009 – 2 July 2008

**Resolution No. 20**

*That Administration writes to the Minister indicating the need for consultation with traditional owners and a Special General Meeting before leases can be granted.*

Moved: Bernard Singer

Second: Sean Williamson

Carried: All

*Meeting No. 1 of 2008/2009 – 2 July 2008*

**Resolution No. 21**

*That subject to clarification of the shipping container matter, APY grants the State two year leases for temporary police accommodation at Umuwa on sites to be determined.*

Moved: Kawaki Thompson

Second: Bernard Singer

Carried: All

*Meeting No. 1 of 2008/2009 – 2 July 2008*

**Resolution No. 22**

*That the Minister be requested to provide demountable police stations and accommodation in the three communities of Mimili, Amata and Pukatja as a matter of urgency.*

Moved: Bernard Singer

Second: Kawaki Thompson

Carried: All

*Meeting No. 1 of 2008/2009 – 2 July 2008*

**Resolution No. 23**

*Subject to the consent of traditional owners and a Special General Meeting, APY grants to the State Government 50 year leases for Police Stations on approved sites at Amata, Mimili and Pukatja.*

Moved: Bernard Singer

Second: Tony Campbell

Carried: All

*Meeting No. 1 of 2008/2009 – 2 July 2008*

**Resolution No. 24**

*That APY be instructed to investigate the cutting down of the tree and, if appropriate, APY is to commence proceedings (including criminal proceedings) under the Summary Offences Act, Native Vegetation Act, Crimes Act, Aboriginal Heritage Act and APY Land Rights Act or at law in relation to the cutting down of the tree and transporting the houses without permits.*

Moved: Sean Williamson

Second: Anton Baker

Carried: All

*Meeting No. 1 of 2008/2009 – 2 July 2008*

**Resolution No. 25**

*That administration be authorised and instructed to take all steps, including the engagement of Solicitors as necessary, and commence proceedings to eject AP Services from the Lands, including the recovery of possession of all buildings and premises and the cancellation of all permits unless within 60 days from the date of this meeting, or such longer period as determined by APY Administration, AP Services holds its Annual General Meeting for the financial year ending 30 June 2008 ("the meeting") and that;*

- (a) the meeting is held at Umuwa with proper notice to Anangu;*
- (b) all Anangu who have applied for membership are admitted to membership to enable them to vote at the meeting;*
- (c) that any Anangu who wish to apply for membership are able to do so on the day of the meeting so as to vote on all business at the meeting;*
- (d) that the meeting be supervised by ORATSIC if they are willing to do so;*
- (e) that AP Services pay the costs of the meeting including fuel, accommodation and meals;*
- (f) that the Minutes of the meeting be taken by a person acceptable to APY and a copy of those Minutes be provided to APY.*

Moved: Bernard Singer  
Second: Kawaki Thompson  
Carried: All

*Meeting No. 1 of 2008/2009 – 2 July 2008*

**Resolution No. 26**

*That Administration write to AP Services and communities to advise that any proposals for entry, occupation or use of the Lands require the consent of traditional owners and should be the subject of an application to APY.*

Moved: Sean Williamson  
Second: Tony Campbell  
Carried: All

*Meeting No. 1 of 2008/2009 – 2 July 2008*

**Resolution No. 27**

*That Administration write to AP Services rejecting the request for office and accommodation and all AP Services permits be varied to exclude access to the housing office area and the accommodation used by the Housing Officer.*

Moved: Bernard Singer  
Second: Kawaki Thompson  
Carried: All

*Meeting No. 1 of 2008/2009 – 2 July 2008*

**Resolution No. 28**

*That no permit be granted to Mr Hunter and that he is asked to provide his CV outlining his experience in dealing with remote area service delivery and with aboriginal people, including training of Aboriginal people.*

Moved: Tony Campbell  
Second: Kawaki Thompson  
Carried: All

*Meeting No. 1 of 2008/2009 – 2 July 2008*

**Resolution No. 29**

*That Administration negotiates with government about ways to improve competition on the Lands for the benefit of Anangu and report back to a future Executive Board meeting.*

Moved: Anton Baker  
Second: Charlie Anytjipalya  
Carried: All

*Meeting No. 1 of 2008/2009 – 2 July 2008*

**Resolution No. 30**

*That the Executive Board ratifies and approves the Chairperson's declaration that the offices of Mr Burton, Lewis and George as members of the Executive Board are vacant.*

Moved: All sitting members  
Second: All sitting members  
Carried: All

*Meeting No. 1 of 2008/2009 – 2 July 2008*

**Special General Meeting of 20-21 August 2008****Resolution No. 31A**

That this meeting resolves that the Executive Board grant a lease for 50 years between Anangu Pitjantjatjara Yankunytjatjara and the State Government for the 11 sites identified in the site plan for Amata.

**Resolution No. 31B**

That this meeting resolves that the Executive Board grant leases for 50 years between APY and the State Government for all the residential sites (for new and substantially upgraded houses) in the site plan for all communities subject to the Commonwealth government providing funding for the required new and upgraded houses. Additionally:

- The Housing will begin in Amata and then move to other communities;
- The State must build the houses within an agreed time frame or the land will go back to APY;
- The State will manage the social housing on the lands including, allocation, maintenance, and rent collection in accordance with a revised MOU;
- Houses must only be for Anangu;
- The State will ensure houses are maintained properly and insured;
- The building and maintenance will be, as far as practical, be performed by Anangu;
- Anangu must pay rent and abide by a tenancy agreement; and,
- Anangu want the opportunity for home ownership and the State and Commonwealth is prepared to provide for this.

Moved: Leonard Burton  
Second: Nicholas Coulthard  
Carried: All

*Special General Meeting 20-21 August 2008*

**Meeting No. 2 of 2008-2009****Resolution No. 32**

*That Executive Board grant approval to the PY Ku developments pending heritage site clearance at Pipalyatjara.*

Moved: Anton Baker  
Second: Sean Williamson  
Carried: All

*Meeting No. 2 of 2008/2009 – 22 August 2008*

**Resolution No. 33**

*That Executive Board grant approval to the replacement Nganampa Health Clinic in Pukatja*

Moved: Tony Campbell  
Second: Sean Williamson  
Carried: All

*Meeting No. 2 of 2008/2009 – 22 August 2008*

**Resolution No. 34**

*That Executive Board grant approval to the Nganampa Health Mental Health Accommodation Unit in Umuwa.*

Moved: Anton Baker  
Second: Sean Williamson  
Carried: All

*Meeting No. 2 of 2008/2009 – 22 August 2008*

**Resolution No. 35**

*The Executive Board grants approval to 2 X temporary demountables and 1 X permanent duplex building for Dept Families and Communities and SAPOL in Umuwa.*

Moved: Charlie Anytjipalya  
Second: Kawaki Thompson  
Carried: All

*Meeting No. 2 of 2008/2009 – 22 August 2008*

**Resolution No. 36**

*The APY Executive approves the construction of a Land Management shed tank near Anpurru Soakage, subject to the conditions outlined in the Work Area Clearance certificate.*

Moved: Anton Baker  
Second: Tony Campbell  
Carried: All

*Meeting No. 2 of 2008/2009 – 22 August 2008*

**Resolution No. 37**

*The APY Executive Board approves increasing the amount paid to Traditional Owners for cultural heritage surveys to \$500 per day, and agrees to consider the legal status of such payments.*

Moved: Sean Williamson  
Second: Tony Campbell  
Carried: All

*Meeting No. 2 of 2008/2009 – 22 August 2008*



**Resolution No. 38**

That APY administration be authorised to enter into a contract/agreement with Bungala Aboriginal Corporation on acceptable terms and that licences be granted to Bungala to occupy premises and sheds presently occupied by them for the balance of their funding contract on acceptable terms.

Moved: Anton Baker

Second: Charlie Anytjipalya

Carried: All

*Meeting No. 2 of 2008/2009 – 22 August 2008*

**Resolution No. 39**

*That APY grant a 50 year lease to the Minister for Housing (SA) over the eleven (11) sites at Amata on terms of the draft lease ("the Ground Lease") subject to the deletion of any obligation to maintain or repair common areas under clause 2.31.*

Moved: Anton Baker

Second: Sean Williamson

Carried: All

*Meeting No. 2 of 2008/2009 – 22 August 2008*

**Resolution No. 40**

*That, subject to Traditional Owner consent, APY grants a 50 year lease to the Minister for Housing (SA) by adding to the Ground Lease the sites in any community identified, as finalised by the Executive Board, on the same terms as the Ground Lease.*

Moved: Tony Campbell

Second: Charlie Anytjipalya

Carried: All

*Meeting No. 2 of 2008/2009 – 22 August 2008*

**Resolution No. 41**

*That subject to a commitment by the Commonwealth and State Governments, satisfactory to the Executive Board, to substantially upgrade existing houses in communities and the consent of Traditional Owners, APY grants 50 year leases of the existing houses in communities to the Minister for Housing (SA) by adding the existing houses in any community to the Ground Lease.*

Moved: Kawaki Thompson

Second: Charlie Anytjipalya

Carried: All

*Meeting No. 2 of 2008/2009 – 22 August 2008*

**Resolution No. 42**

*That Sean Williamson be appointed as the Deputy Chairperson for APY until the next elections and that the agree remuneration for 2008/2009 be paid to him.*

Moved: Tony Campbell

Second: Charlie Anytjipalya

Carried: All

*Meeting No. 2 of 2008/2009 – 22 August 2008*

Meeting No. 3 – 3 October 2008

**Resolution No. 43**

*That APY sign the Ground Lease for housing for 50 year leases to the Minister for Housing over the 11 sites at Amata and the Variation of that lease negotiated by APY Administration since 22 Aug 2008.*

Moved: Anton Baker

Seconded: Bernard Singer

Carried: All

*Meeting No. 3 of 2008/2009 – 3 October 2008*

**Resolution No. 44**

*That APY signs the leases for 50 years to the Minister of Police for the police stations and infrastructure at Amata and Mimili.*

Moved: Tony Campbell

Seconded: Sean Williamson

Carried: All

*Meeting No. 3 of 2008/2009 – 3 October 2008*

**Resolution No. 45**

*That APY signs the leases for 2 years over Lot UMU415 and UMU417 for short term accommodation for DFC and SAPOL staff*

Moved: Bernard Singer

Seconded: Kawaki Thompson

Carried: All

*Meeting No. 3 of 2008/2009 – 3 October 2008*

**Resolution No. 46**

*That APY signs the leases for 50 years over Lot UMU 416A/B in Umuwa*

Moved: Sean Williamson

Seconded: Anton Baker

Carried: All

*Meeting No. 3 of 2008/2009 – 3 October 2008*

**Resolution No. 47**

*The APY Executive, based on consultations with appropriate Traditional Owners and advice from APY anthropologists, approves the construction of PY Ku short-term accommodation at Lot 137a in Pipalyatjara*

Moved: Kawaki Thompson

Seconded: Sean Williamson

Carried: All

*Meeting No. 3 of 2008/2009 – 3 October 2008*

**Resolution No. 48**

*That Executive grant planning approval for the Tjala Art Centre at Amata.*

Moved: Anton Baker

Seconded: Tony Campbell

Carried: All

*Meeting No. 3 of 2008/2009 – 3 October 2008*

**Resolution No. 49**

*That Executive grant planning approval to 2 year leases to lots UMU417 AND UMU415 for temporary demountables to house police and DFC staff*

Moved: Tony Campbell  
Seconded: Sean Williamson  
Carried: All

*Meeting No. 3 of 2008/2009 – 3 October 2008*

**Meeting No. 4 – 5 November 2008****Resolution No. 50**

*That the members for Pukatja, Fregon and Amata are required to give the following undertakings to the Executive Board in accordance with the directions of Mr Vass, Conciliator, made on 24 October 2008.*

- a. to attend Executive Board meetings unless given leave by the Executive Board;*
- b. abide by rulings of the Chairperson; and,*
- c. comply with the code of conduct*

Moved: Tony Campbell  
Second: Sean Williamson  
Carried: All

*Meeting No. 4 of 2008/2009 – 5 November 2008*

**Resolution No. 51**

*Subject to complying with the previous resolution, the Executive Board revokes the resolution made on 6 February 2008 with respect to members from Pukatja and Fregon pursuant to Section 12 D (7) of the APY Land Rights Act. The Executive Board re-instates and confirms the membership of the Executive Board of Messrs Murray George and Gary Lewis.*

Moved: Anton Baker  
Second: Charlie Anytjipalya  
Carried: All

*Meeting No. 4 of 2008/2009 – 5 November 2008*

**Resolution No. 52**

*That Executive Board grant 5 year leases to PY Ku for Lots UMU325, AMA402A, PIP402A and Mimili, as per attached plan, for the purpose of Short term staff accommodation.*

Moved: Tony Campbell  
Second: Bernard Singer  
Carried: All

*Meeting No. 4 of 2008/2009 – 5 November 2008*

**Resolution No. 53**

*That Executive Board grant 5 year leases to PY Media for lots UMU305 and UMU306 for the purpose of formalising existing arrangements.*

Moved: Gary Lewis  
Second: Kawaki Thompson  
Carried: All

*Meeting No. 4 of 2008/2009 – 5 November 2008*

**Resolution No. 54**

*The APY Executive Board, based on consultations with the appropriate Traditional Owners and advice from APY Anthropologists and Archaeologist, approves the use of land near Kaltjiti/Fregon for an AP Services borrow pit.*

Moved: Tony Campbell  
Second: Charlie Anytjipalya  
Carried: All

*Meeting No. 4 of 2008/2009 – 5 November 2008*

**Resolution No. 55**

*The APY Executive, based on consultations with the appropriate Traditional Owners and advice from APY Anthropologists, approves the construction of a house at Shirley Well.*

Moved: Anton Baker  
Second: Charlie Anytjipalya  
Carried: All

*Meeting No. 4 of 2008/2009 – 5 November 2008*

**Resolution No. 56**

*The APY Executive, having considered the level of consultation that has occurred and the list of names of individuals who have agreed to the Government's \$25M housing proposal for Pukatja and the matter of the 50 year leases associated with it, considers that adequate consultation has taken place with Traditional Owners on this matter, and approves that the housing plan go ahead.*

Moved: Sean Williamson  
Second: Bernard Singer  
Carried: All

*Meeting No. 4 of 2008/2009 – 5 November 2008*

**Resolution No. 57**

*The APY Executive, based on consultations with the appropriate Traditional Owners and advice from APY Anthropologists, approves the granting of a 50 year lease to the Government on land in Mimili for the purpose of construction of a new Police Complex.*

Moved: Tony Campbell  
Second: Charlie Anytjipalya  
Carried: All

*Meeting No. 4 of 2008/2009 – 5 November 2008*

**Resolution No. 58**

*The APY Executive Board accepts and approves the 2007-2008 Annual Report as presented.*

Moved: Sean Williamson  
Second: Anton Baker  
Carried: All

*Meeting No. 4 of 2008/2009 – 5 November 2008*

**Resolution No. 59**

*It is resolved that Advisory Committees be formed under the APY Land Rights Act with a representative from each of the 10 communities for: Housing, CDEP, Services and NRM in accordance with the applicable MOU or NGO contract with nominations to be called from communities. Each Advisory Committee is to be made up of the community nominees and the Chairperson of APY and payment of members to be by way of CDEP, and the Advisory Committees are to report quarterly to the Executive Board.*

Moved: Kawaki Thompson

Second: Anton Baker

Carried: All

*Meeting No. 4 of 2008/2009 – 5 November 2008*

**Resolution No. 60**

*That administration negotiate with SA Government about the prescribed limit for royalty payments under Section 22 (4) of the APY Land Rights Act and report back to the next Executive Board meeting.*

Moved: Bernard Singer

Second: Anton Baker

Carried: All

*Meeting No. 4 of 2008/2009 – 5 November 2008*

**Resolution No. 61**

- a) *That APY write to the Minister with proposals for improving service delivery and developing a culturally acceptable service delivery governance model;*
- b) *That APY obtain independent advice about local government options and Anangu capacity building in relation to Local Government and service delivery;*
- c) *That APY arrange consultations with communities about Local Governance, housing and home ownership, service delivery, stores and welfare reform and for a report to be prepared for the Executive Board and Anangu; and,*
- d) *That APY respond to the Scoping Study and Review reports.*

Moved: Kawaki Thompson

Second: Anton Baker

Carried: All

*Meeting No. 4 of 2008/2009 – 5 November 2008*

**Resolution No. 62**

*The Executive Board approve the proposed expenditure plan for the Local Government tied and untied funds.*

Moved: Kawaki Thompson

Second: Charlie Anytjipalya

Carried: All

*Meeting No. 4 of 2008/2009 – 5 November 2008*

**Resolution No. 63**

*The APY Executive Board rescinds the resolution made on 5 November 2008 confirming the membership of Mr George and Mr Lewis on the Board.*

Moved: Bernard Singer

Second: Kawaki Thompson

Carried: All

*Meeting No. 4 of 2008/2009 – 5 November 2008*

Meeting No. 5 21 November 2008

**Resolution No. 64**

*That APY sign a 50 year lease to the State over the agreed site for the Police complex at Pukatja.*

Moved: Bernard Singer

Second: Sean Williamson

Carried: All

*Meeting No. 5 - 21 November 2008*

**Resolution No. 65**

*That APY sign the redrafted Housing MOU with OAH/DFC and the applicable Ministers if any, subject to such changes to better protect the interests of Anangu as negotiated by the General Manager.*

Moved: Tony Campbell

Second: Anton Baker

Carried: All

*Meeting No. 5 - 21 November 2008*

**Resolution No. 66**

*That subject to the consent of Traditional Owners, APY sign any necessary agreement to lease, variations to the housing ground lease and Real Property Act lease forms to provide 50 year leases to the State for new houses or major upgrades at Amata (in addition to the 11 sites already approved at the 3 October 2008 meeting), Mimili and Pukatja on sites identified in plans provided by the State government on 14 November 2008 and tabled by the Chairperson on 21 November 2008 and signed by the Chairperson at that time.*

Moved: Sean Williamson

Second: Charlie Anytjipalya

Carried: All

*Meeting No. 5 - 21 November 2008*

**Resolution No. 67**

*That APY grants a 2 year lease to DFC of the office space and accommodation currently used by OAH at Umuwa on terms usually applicable to such leases by APY as negotiated, if necessary, to better protect Anangu interests by APY through the General Manager.*

Moved: Tony Campbell

Second: Bernard Singer

Carried: All

*Meeting No. 5 - 21 November 2008*

**Resolution No. 68**

*That APY sign the re-drafted NRM MOU with the AW NRM Board and the applicable Minister, subject to such changes to better protect the interests of Anangu as negotiated by the General Manager.*

Moved: Sean Williamson

Second: Kawaki Thompson

Carried: All

*Meeting No. 5 - 21 November 2008*

**Resolution No. 69**

*That Anangu be asked to nominate for Advisory Committees established under Section 12A of the APY Land Rights Act by the resolution of 5 November 2008, starting with the Housing Advisory Committee.*

Moved: Anton Baker  
Second: Bernard Singer  
Carried: All

*Meeting No. 5 - 21 November 2008*

**Resolution No. 70**

*That APY write to the Minister with proposals for improving service delivery and developing a culturally acceptable service delivery governance model.*

Moved: Sean Williamson  
Second: Kawaki Thompson  
Carried: All

*Meeting No. 5 - 21 November 2008*

**Resolution No. 71**

*That APY retain Coffey International Development and/or Coffey Natural Systems to provide consultancy advice on the implications of Mining and Petroleum Exploration, problems with service delivery, the proposed regional local government model and as to how Anangu capacity can be built on the APY Lands over a period of time.*

Moved: Sean Williamson  
Second: Bernard Singer  
Carried: All

*Meeting No. 5 - 21 November 2008*

**Resolution No. 72**

*That subject to obtaining Traditional Owner consents and government approval of the APY NGO contract, that APY identify publicly funded buildings and yards necessary for service delivery contractors to operate and lease those to either the State or Federal government (depending on which government funded the asset as determined by APY) or agreement between the two governments and APY for 5 years on terms no less favourable to APY than the Housing Ground lease and otherwise to be negotiated by the APY through the General Manager, so as to promote competition between service delivery contractors who tender for work on the Lands.*

Moved: Anton Baker  
Second: Charlie Anytjipalya  
Carried: All

*Meeting No. 5 - 21 November 2008*

**Resolution No. 73**

*That APY sign a MOU with ALRM to deal with restorative justice on the APY Lands on terms no less favourable than the draft MOU submitted by ALRM as negotiated by APY through the General Manager.*

Moved: Tony Campbell  
Second: Bernard Singer  
Carried: All

*Meeting No. 5 - 21 November 2008*

**Resolution No. 74**

*That all service providers and contractors be required to obtain current criminal history checks for all employees (Anangu and non-Anangu) and to remove any employee or contractor who has a criminal history which would make them ineligible for a permit, or is unacceptable to APY, or who fails to provide a police clearance within the time specified by APY.*

Moved: Anton Baker  
 Second: Charlie Anytjipalya  
 Carried: All  
*Meeting No. 5 - 21 November 2008*

**Resolution No. 75**

*That APY indemnify the General Manager in respect of the defamation claim of AP Services.*

Moved: Bernard Singer  
 Second: Kawaki Thompson  
 Carried: All  
*Meeting No. 5 - 21 November 2008*

**Draft Resolution No. 76**

*That APY make a claim against AP Services for an account of rental.*

Moved: Bernard Singer  
 Second: Anton Baker  
 Carried: All  
*Meeting No. 5 - 21 November 2008*

**Resolution No. 77**

*Assumption of Deeds of Exploration dated 1 February 2006 (EL391/96 and 3 December 1998 (EL277/82) by Rio Tinto to Delta Gold Limited and Delta Gold Exploration Limited approved on terms acceptable to the General Manager and APY is to execute a deed of assumption upon negotiation of satisfactory terms.*

Moved: Tony Campbell  
 Second: Charlie Anytjipalya  
 Carried: All  
*Meeting No. 5 - 21 November 2008*

**Resolution No 78**

*APY to sign a deed of variation of Mithril tenements on terms negotiated by the General Manager subject to further variation to provide for cost recovery of Land Management participation in processes under the deeds of Exploration.*

Moved: Sean Williamson  
 Second: Anton Baker  
 Carried: All  
*Meeting No. 5 - 21 November 2008*



**Resolution No. 79**

*That the APY Executive Board grant five (5) year leases over each art centre and staff house on terms acceptable to traditional Owners and APY for the following-*

- ERN316                *Ernabella - Art Centre House*
- ERN341               *Ernabella - Art centre staff house*
- ERN343               *Ernabella - Art Centre Manager's house*
- FRE213A              *Kaltjiti - Art Centre*
- FRE431               *Kaltjiti - Art Centre Manager's house*
- IND105                *Iwantja - Art Centre Manager's house*
- IND324A              *Iwantja - Art Centre*
- KLK204A              *Kalka - Art Centre (mud brick)*
- NYA101A              *Nyapari - Tjungu Palya Art Centre*
- NYA135A              *Nyapari - Art Centre manager's house*
- MIM124A              *Mimili - Art Centre*
- PIP221A               *Pipalyatjara - Art Centre manager's house*

Moved: Bernard Singer

Second: Anton Baker

Carried: All

*Meeting No. 5 - 21 November 2008*

**Resolution No. 80**

*Subject to confirmation of the appropriateness, the APY Executive Board approves the payment of \$13,000 to the Chairperson to assist in his legal costs for defamation and for relocation costs.*

Moved: Tony Campbell

Second: Charlie Anytjipalya

Carried: All

*Meeting No. 5 - 21 November 2008*

**Special General Meeting 1 December 2008****Resolution No. 81**

*That Anangu Pitjantjatjara Yankunytjatjara approves payment of \$13,000 to the Chairman, Bernard Singer.*

Moved: Donald Fraser

Second: Nicholas Coulthard

Carried: All

*SGM 1 December 2008*

**Executive Board Meeting No. 6 – 10 December 2008****Resolution No. 82**

*That the APY Executive Board grant Nganampa Health a lease on terms acceptable to APY for Lot UMU407 for the purpose of providing accommodation for mental health professionals.*

Moved: Ronnie Brumby

Second: Anton Baker

Carried: All

*Meeting No. 6 - 10 December 2008*

**Resolution No. 83**

*The APY Executive Board grants planning approval for the construction of a shed/church in Nyapari Community as per documents received on 28 March 2008.*

Moved: Jamie Nyangu  
Second: Tony Campbell  
Carried: All

*Meeting No. 6 - 10 December 2008*

**Resolution No. 84**

*The APY Executive, based on consultations with the appropriate Traditional Owners and advice from APY Anthropologists, approves the proposed Telstra network extension work in Kaltjiti.*

Moved: Jamie Nyangu  
Second: Ronnie Brumby  
Carried: All

*Meeting No. 6 - 10 December 2008*

**Resolution No. 85**

*The APY Executive, based on consultations with the appropriate Traditional Owners and advice from APY Anthropologists, approves the granting of a 50 year lease to the Government on land in Mimili for the purpose of construction of new houses and upgrading of existing houses.*

Moved: Ronnie Brumby  
Second: Anton Baker  
Carried: All

*Meeting No. 6 - 10 December 2008*

**Resolution No. 86**

*That APY continue to negotiate the best possible outcome for APY on NRM and sign the MOU when its terms are approved by the General Manager.*

Moved: Ronnie Brumby  
Second: Tony Campbell  
Carried: 6 for, 1 against

*Meeting No. 6 - 10 December 2008*

**Resolution No. 87**

*That APY arrange consultations with Anangu on Local Government and change generally, including the preparation of a report on the views of Anangu on changes which they think they need to improve their lives.*

Moved: Jamie Nyangu  
Second: Ronnie Brumby  
Carried: All

*Meeting No. 6 - 10 December 2008*

**Resolution No. 88**

*That APY arrange a workshop with explorers, government parties and Coffey Natural Systems to prepare for the work needed in Development Consulting.*

Moved: Jamie Nyangu  
Second: Ronnie Brumby  
Carried: All

*Meeting No. 6 - 10 December 2008*

**Resolution No. 89**

*That APY negotiate with Government Parties to restructure TKP.*

Moved: Anton Baker  
Second: Bernard Singer  
Carried: All

*Meeting No. 6 - 10 December 2008*

**Resolution No. 90**

*That APY examine the possibility and funding for Anangu positions in Development, Change Management and Capacity Building.*

Moved: Tony Campbell  
Second: Ronnie Brumby  
Carried: All

*Meeting No. 6 - 10 December 2008*

**Resolution No. 91**

*That the General Manager be authorised to take steps to terminate the occupation of the lands by stores, car yards and sellers of premium unleaded petrol at Mintabie and enter into new arrangements with replacement retailers.*

Moved: Jamie Nyangu  
Second: Anton Baker  
Carried: All

*Meeting No. 6 - 10 December 2008*

**Resolution No. 92**

Subject to the previous resolution about Mintabie, that APY be authorized to extend the Mintabie lease for three (3) months.

Moved: Anton Baker  
Second: Tony Campbell  
Carried: All

*Meeting No. 6 - 10 December 2008*

Executive Board Meeting No. 7 - 4 February 2009

**Resolution No. 93**

*APY support the DEH project "Warru Surveys 2009" subject to DEH funding anthropological consultations with Traditional Owners for approved flight paths and survey areas.*

Moved: Anton Baker  
Second: Jamie Nyangu  
Carried: All

*Meeting No. 7 -4 February 2009*

**Resolution No. 94**

*That APY Executive Board grant planning approval for the construction of one house at Kanpi Community as per the plans and application dated 28 November 2008.*

Moved: Kawaki Thompson  
Second: Charlie Anytjipalya  
Carried: All

*Meeting No. 7 -4 February 2009*

**Resolution No. 95**

*That APY Executive Board grant planning approval for the construction of two houses at Amata Community as per the plans and application dated 28 November 2008.*

Moved: Leonard Burton  
Second: Kawaki Thompson  
Carried: All

*Meeting No. 7 -4 February 2009*

**Resolution No. 96**

*That APY Executive Board grants planning approval for the construction of seven houses at Pipalyatjara Community as per the plans and application dated 28 November 2008 pending Pipalyatjara Community Council approval.*

Moved: Anton Baker  
Second: Ronnie Brumby  
Carried: All

*Meeting No. 7 -4 February 2009*

**Resolution No. 97**

*That APY continue to negotiate the terms of the draft amendment bill, township agreement and lease and that the existing lease be extended until 30 June 2009.*

Moved: Ronnie Brumby  
Second: Jamie Nyangu  
Carried: All

*Meeting No. 7 -4 February 2009*

**Resolution No. 98**

*That the Minister be asked to approve new permit fees as determined by the General Manager (including special fees for NGOs) subject to consultation with and approval of the Chairperson as to those fees.*

*That permit conditions be varied as determined by the General Manager in consultation with and subject to the approval of the Chairperson and Director.*

Moved: Jamie Nyangu  
Second: Tony Campbell  
Carried: All

*Meeting No. 7 -4 February 2009*

**Resolution No. 99**

*That consideration of further permit applications from AP Services be deferred until the Chairperson, Director and General Manager have met with the new CEO of AP Services and AP Services has been given a further opportunity to respond to outstanding correspondence.*

Moved: Ronnie Brumby  
Second: Tony Campbell  
Carried: All

*Meeting No. 7 -4 February 2009*

**Resolution No. 100**

*That APY investigate having signs prepared to notify people of the need for permission to enter the Lands by non-Anangu, setting out the applicability of the Summary Offences Act and The Crimes Act and the applicability of standard permit conditions and NGO contract terms to those who enter, even if consent is not first obtained.*

Moved: Anton Baker  
Second: Ronnie Brumby  
Carried: All

*Meeting No. 7 -4 February 2009*

**Resolution No. 101**

*That APY adopt the MALPA model when fully negotiated between APY and Bungala.*

Moved: Kawaki Thompson  
Second: Anton Baker  
Carried: All

*Meeting No. 7 -4 February 2009*

**Resolution No. 102**

*That APY place both the State and Federal Governments and the Section 32 Review Team on notice of the concerns of APY regarding the report tabled in the SA Parliament on 30 October 2008 and seek appropriate withdrawals and undertakings.*

Moved: Ronnie Brumby  
Second: Jamie Nyangu  
Carried: All

*Meeting No. 7 -4 February 2009*

**Resolution No. 103**

*That the General Manager take such action as he deems appropriate in the best interests of APY in relation to the future conduct of the court proceedings brought against APY by Burton and others and the issues raised in the outstanding correspondence with AP Services (including the AP Services letter of 12 January 2009), subject to consultation with and the approval of the Chairperson and Director.*

*That the General Manager take such action as he deems appropriate to remove from the Lands vehicles belonging to, or hired by, NGOs subject to consultation with and the approval of the Chairperson and Director.*

*That APY supports the appointment of a Special Administrator for AP Services to confirm the independence of the new CEO, allow a meeting of Directors to be convened and conducted without inappropriate influence and to permit an investigation of waste and payments to consultants.*

Moved: Ronnie Brumby  
Second: Jamie Nyangu  
Carried: All

*Meeting No. 7 -4 February 2009*

**Executive Board Meeting No. 8 – 3 March 2009****Resolution No. 104**

*That APY supports the funding proposal, as host local government body, for the Anangu-ku Arts infrastructure project.*

Moved: Tony Campbell  
 Second: Ronnie Brumby  
 Carried: All  
*Meeting No. 8 - 3 March 2009*

**Resolution No. 105**

*That APY write to the Prime Minister and the Federal Attorney-General opposing the closure of the Central Australian Intelligence Crime Desk.*

Moved: Bernard Singer  
 Second: Anton Baker  
 Carried: All  
*Meeting No. 8 - 3 March 2009*

**Resolution No. 106**

*That APY prepare a by-law for the regulation of stores on the APY Lands for consideration at the April Executive Board meeting and that this matter be discussed at the AGM and by individual communities.*

Moved: Ronnie Brumby  
 Second: Kawaki Thompson  
 Carried: All  
*Meeting No. 8 - 3 March 2009*

**Annual General Meeting 4-5 March 2009****Resolution No. 107**

*That APY write to the Commonwealth and State Governments to request that more housing be built on homelands as soon as possible.*

Moved: Donald Fraser  
 Second: Sean Williamson  
 Carried: All  
*Annual General Meeting – 4-5 March 2009*

**Resolution No. 108**

*That APY be authorised to grant a lease or sub-lease to Nganampa Health Council for houses and buildings used for health services delivery for twenty-five (25) years.*

Moved: Gordon Ingkatji  
 Second: Roger Kayipipi  
 Carried: All  
*Annual General Meeting – 4-5 March 2009*

**Executive Board Meeting No. 9 – 7 April 2009****Resolution No. 109**

*The APY Executive, based on consultations with the appropriate Traditional Owners and advice from APY Anthropologists, approves the use of land for two DEH rockhole covers at Watarru.*

Moved: Jamie Nyangu

Second: Anton Baker

Carried: All

Meeting No. 9 – 7 April 2009

**Executive Board Meeting No. 10 – 6 - 7 May 2009****Resolution No. 110**

*The APY Executive Board grants planning approval for the construction of a DFC Duplex at Amata as per the plans and application dated 27 March 2009.*

Moved: Bernard Singer

Second: Tony Campbell

Carried: All

Meeting No. 10 -6-7 May 2009

**Resolution No. 111**

*The APY Executive Board grants planning approval for the construction of two REHNE style transportable houses Amata Community as per the plans and application dated 12 March 2009.*

Moved: Jamie Nyangu

Second: Charlie Anytjipalya

Carried: All

Meeting No. 10 -6-7 May 2009

**Resolution No. 112**

*The APY Executive Board grants planning approval for the construction a shade sail at Kalka Community as per the planning application received on 13 March 2009.*

Moved: Jamie Nyangu

Second: Ronnie Brumby

Carried: All

Meeting No. 10 -6-7 May 2009

**Resolution No. 113**

*The APY Executive Board gives the General Manager authority to approve commencement of the 4 projects put forward by the AW NRM Board on condition that the projects are delivered by APY and that sufficient funds as identified in the 4 schedules for wages, vehicles, admin, tools and meetings is provided to APY (approximately \$183,000).*

Moved: Ronnie Brumby

Second: Jamie Nyangu

Carried: All

Meeting No. 10 -6-7 May 2009

**Resolution No. 114**

*That APY pass a by-law to regulate community stores on the APY Lands as presented to the Executive Board.*

Moved: Tony Campbell  
 Second: Jamie Nyangu  
 Carried: All  
*Meeting No. 10 - 6-7 May 2009*

**Resolution No. 115**

*That APY Executive Board adopt the Mai Wiru food policy as the community stores policy of APY.*

Moved: Bernard Singer  
 Second: Charlie Anytjipalya  
 Carried: All  
*Meeting No. 10 -6-7 May 2009*

**Resolution No. 116**

*That APY enter into a purposes deed with the Commonwealth on terms of the draft deed submitted by the Commonwealth in relation to the funding of the Nganampa Health Council mental health house at Umuwa for a term of ten (10) years.*

Moved: Bernard Singer  
 Second: Anton Baker  
 Carried: All  
*Meeting No. 10 -6-7 May 2009*

**Resolution No. 117**

*That APY enter into a lease of the health estate to Nganampa Health Council (NHC) for twenty-five (25) years or until NHC ceases to provide health services to Anangu, whichever occurs first, on terms that a head lease may be granted to the State provided that the State grants a sub-lease to NHC for the balance of the term of the initial lease.*

Moved: Bernard Singer  
 Second: Tony Campbell  
 Carried: All  
*Meeting No. 10 -6-7 May 2009*

**Resolution No. 118**

*That APY sign a deed of assumption from Independence group to Goldsearch and BHP for ELA3954 and ELA 3955 on terms that Independence pay APY's costs.*

Moved: Jamie Nyangu  
 Second: Ronnie Brumby  
 Carried: All  
*Meeting No. 10 -6-7 May 2009*

**Resolution No. 119**

*That APY negotiate a conjunctive mining land access agreement in draft form to be considered at a future Executive Board Meeting on terms that the Chamber pays APY's costs of that negotiation.*

Moved: Jamie Nyangu  
 Second: Tony Campbell  
 Carried: All  
*Meeting No. 10 -6-7 May 2009*



**Resolution No. 120**

*That APY recommend to a General meeting that the previous General meeting resolution in relation to TKP being the peak body on the Lands be reversed..*

Moved: Ronnie Brumby  
Second: Tony Campbell  
Carried: All

*Meeting No. 10 -6-7 May 2009*

**Resolution No. 121**

*The APY Executive Board approves in-principle, the compensation package offered by Ahava Energy, annexed to this report, and to enter into a Conjunctive Land Access agreement with Ahava Energy on terms acceptable to the Chairperson, Director and General Manager.*

Moved: Ronnie Brumby  
Second: Anton Baker  
Carried: All

*Meeting No. 10 -6-7 May 2009*

**Executive Board Meeting No. 11 – 10/11 June 2009****Resolution No. 122**

*That APY recover possession of the Pukatja house occupied by the Ernabella Arts Centre and that the permit for the Pukatja MSO not be renewed until possession is restored to the Arts Centre.*

Moved: Tony Campbell  
Second: Mrs Paddy  
Carried: All

*Meeting No. 11 10-11 June 2009*

**Resolution No. 123**

*That APY proceed to obtain an accounting of rent from Mr Lewis and the Pukatja community.*

Moved: Kawaki Thompson  
Second: Ronnie Brumby  
Carried: All

*Meeting No. 11 10-11 June 2009*

**Resolution No. 124**

*That APY be authorised to take further action in accordance of the resolution of 19 May 2008 should Pukatja not open its books to audit.*

Moved: Jamie Nyaningu  
Second: Anton Baker  
Carried: All

*Meeting No. 11 10-11 June 2009*

**Resolution No. 125**

*That in the event a new Pukatja entity is incorporated under the CATSI Act (with governance acceptable to APY) to represent the people of Pukatja, APY give possession of the community buildings presently occupied by Pukatja Community Council to that new entity.*

Moved: Ronnie Brumby  
Second: Kawaki Thompson  
Carried: All

*Meeting No. 11 10-11 June 2009*

**Resolution No. 126**

*That a permit be granted (on normal permit conditions) to members of the South Australian Public Service (until the 30<sup>th</sup> of June in the year of issue or the following year, which ever occurs first) where the responsible State Minister or Agency:*

- (a) advises APY in writing of the name, job description, purpose of entry and communities required to be visited; and,*
- (b) pays the required permit fee.*

Moved: Jamie Nyangu

Second: Mrs Paddy

Carried: All

Meeting No. 11 10-11 June 2009

**Resolution No. 127**

*That the employment contracts for the General Manager and Director be varied to include an annual CPI review commencing on the expiration of 12 months from the date of each renewed contract.*

Moved: Jamie Nyangu

Second: Mrs Paddy

Carried: All

Meeting No. 11 10-11 June 2009

**Resolution No. 128**

*That APY approve that the Ahava compensation package be varied so as to provide a 1% royalty from Ahava on 0 – 5000 barrels of oil per day.*

Moved: Tony Campbell

Second: Mrs Paddy

Carried: All

Meeting No. 11 10-11 June 2009

**Resolution No. 129**

*That visitors wishing to brief or discuss matters with the Executive Board will provide an abstract and supporting documentation to APY no less than 3 business days prior to the Executive Board meeting, otherwise they may be removed from the agenda at the Chairperson's discretion.*

Moved: Jamie Nyangu

Second: Anton Baker

Carried: All

Meeting No. 11 10-11 June 2009

**Resolution No. 130**

*The APY Executive Board, based on consultations with the appropriate Traditional Owners and advice from APY Anthropologists, approves aerial surveys and ground surveys for the Waru Recovery Project, to begin in June 2009.*

Moved: Anton Baker

Second: Jamie Nyangu

Carried: All

Meeting No. 11 10-11 June 2009

**Resolution No. 131**

*The APY Executive Board, based on advice from APY Anthropologists and Archaeologists, considers that Anangu monitors should be employed to accompany AHAVA Energy personnel during seismic work within PELA 138, and advise them on where they are permitted to drive trucks and conduct work in order to avoid a breach to Section 23 of the SA Aboriginal Heritage Act 1988.*

Moved: Bernard Singer

Second: Anton Baker

Carried: All

*Meeting No. 11 10-11 June 2009*