

**Executive Meeting No. 8 of 2007/2008  
4 March 2008 at Umuwa**

<b>Present:</b>	Chairperson	Bernard Singer
	Amata	Leonard Burton (1:20 pm)
	Anilayla	Kawaki Thompson
	Indulkana	Max Kenny
	Kaltjiti	proxy Leonard Burton
	Mimili	Tony Campbell
	Murputja	proxy Bernard Singer
	Pukatja	Gary Lewis
	Kalka/Pipalyatjara	Sean Williamson
	Watarru	Charlie Anytjipalya

APY Staff - Ken Newman, Rex Tjami, Peter Huntington

### **1. Welcome**

The meeting commenced at 12.33 pm with a prayer by Kawaki Thompson and one minute's silence for the people that passed away recently. Bernard Singer welcomed Jamie Nyangu, Chairman of Nganampa Health as an observer.

### **Apologies / Proxies**

The General Manager advised he has a proxy from Anton Baker for Bernard Singer and one from Murray George for Leonard Burton.

### **Business Arising from the Minutes**

#### **2. Conflict of Interest Matters**

This matter will be deferred until the next meeting but the Chairperson asked the Legal Officer to clarify the matter and provide a brief update.

#### **3. Children on the APY Lands (Mullighan) Update**

Anangu Pitjantjatjara Yankunytjatjara has placed a submission to the Inquiry.

#### **4. Housing and Services Update**

The Legal Officer provided an update on the \$25M housing offer. Recent media has suggested the State may only require 50 year leases.

The General Manager also provided advice about the financial services agreement where funds were taken from Anangu Pitjantjatjara Yankunytjatjara accounts without authorization. APY is exploring other options for providing financial services. Mr Lewis objected to this view saying Anangu had to determine who would look after their affairs. The GM advised he is the one with the statutory obligations to safeguard the assets of APY.

### **New Business**

#### **5. AW NRM Board – Marilyn Ah Chee, Presiding Member**

Bernard Singer welcomed Marilyn Ah Chee to the Executive meeting and congratulated her on her appointment, as the Presiding Member. Marilyn said she is working through the issues and is happy to work through Anangu Pitjantjatjara Yankunytjatjara and Land Management to get people working together.

Marilyn spent yesterday with the Land Management Staff and wants to work well with APY. She wants to build a bridge and improve the relationship with APY Land Management.

Mr Lewis asked about working direct with the communities as he does not trust Land Management to employ Anangu and Marilyn said she is happy to work with communities, if supported by the Executive. Bernard Singer said that is why we have a Land Management branch to look after the land management issues across the Lands.

Marilyn suggested having a workshop between NRM, APY and Land Management to work together. She also suggested holding an AW NRM meeting on the Lands, perhaps in August.

## **6. Ninti Corporation – Matt Ellam, CEO, Wana Ungkuntja Trust and Richard Bugg, Ninti**

Executive Board Members introduced themselves and Matthew introduced he and Richard. He explained how Ninti is owned by 3 NT Communities; Docker River, Mutitjulu and Imanpa. Ninti manages a number of stores in the NT and Pukatja on the APY Lands. Ninti has a history of coming in and helping communities in financial trouble. With 5 stores, they are getting better at managing. They report back to stores and communities take part in profit sharing. Ninti charges a management fee. They have their own nutritional policy, supported by the NT Government and they believe their prices are competitive.

Through the parent company, Wana Ungkuntja they have several other businesses, some in Alice Springs. They provide services that communities need. They have expertise in tourism and other areas. They also look at economic development opportunities ie.) they bought Anangu Autos with a plan to train Anangu to work in the Auto Industry.

Ninti would be happy to talk with people if there are other business opportunities here. They bought a newsagency in Alice Springs where they can also promote tours and sell indigenous art from their places.

Kawaki Thompson asked how he could be supported in developing a tourist venture at Mt Connor, NT and Matthew said he would be happy to talk with Kawaki outside of this meeting.

Richard provided some graphs to show how they have significantly reduced the Pukatja debt they inherited, including power bills, no stock etc. They have a 3 year + 2 year contract which is up for renewal in May 2008. Ninti provided a start up interest only loan of about \$200,000 to the store. This will also have to be repaid. Richard said their prices at Pukatja were comparable with other shops on the Lands, when picking out a sample of 13 items.

John Tregenza made the offer of including the Pukatja store in their next prices survey to give a more valid assessment based on a standard basket of goods.

Bernard Singer thanked Matthew and Richard for coming along.

## **7. CDEP – David Pearce, Ken Larkins Bungala Aboriginal Corporation**

Bernard Singer welcomed them to the meeting. David Pearce said he had a report on their progress on the Anangu Pitjantjatjara Yankunytjatjara Lands. He described a large project worth \$100,000 to erect a large shade structure and landscaping behind the office at Fregon. He mentioned a number of other projects CDEP are planning around the Lands, some of which require planning approval and following that process.

Rex Tjami reported how a problem has existed with a community because APY administration cancelled a permit as a result of criminal history offences. The community were not happy with the decision made by APY and wrote to APY about the matter. Ken Larkins read a letter tendered by SJT in relation to his permit and requested re-consideration.

Ken Newman reported a Bungala worker was issued a temporary permit pending a police clearance. The police record provided contained convictions which were in conflict with the 2005 general meeting resolution. The Executive was bound not to issue a permit and to cancel the interim permit. Administration was only carrying out a resolution made at the 2005 AGM. All communities and service organisations were advised at the time and every year since then.

Mr Pearce continued to argue in support of his employee advising that “drink driving is not a serious matter. We all do it and anyone could get picked up on a Friday night.”

The Legal Officer advised the relevant section of the *APY Land Rights Act* which states the Executive Board must carry out the resolutions made at an Annual or General meeting. Any change would require another decision at a General meeting rescinding the earlier decision. After the Legal Officer explained that the Executive Board could not issue a permit because it was bound by the 2005 resolution, the CEO continued on (with aggression and discourtesy) for almost 20 minutes in an effort to badger a permit out of the Executive Board.

The most recent offences shown on the lengthy criminal history were high range drink driving and drive disqualified.

Bernard Singer thanked Bungala for attending the meeting.

### **Other Business**

#### **8. Anthropology Matters – Andrew Morley, Nadia Butler and Jim Birkhead**

Bernard Singer welcomed the Anthropologists and asked them to introduce themselves to the Executive Board. Andrew Morley spoke to the report provided to each member. A heritage clearance was approved for the borrow pits and bore near Indulkana so the roads can be repaired.

#### **9. Land Management – Rodney Edwards and Troy Coe**

Rodney Edwards provided a report for each Executive Board Member and read through the report. Items that resulted in discussion include the following:

##### **a) Pastoral Development Licences (Grazing Licences)**

There are ten grazing licences almost ready for consideration. There was discussion about one of them and an objection raised by the Ramzan's. The Anthropologists advised they have a meeting planned for Thursday 13 March 2008. The grazing licences are to be discussed for presentation at the AGM on 26-27 March 2008.

##### **b) Agistment Licenses**

All the Anangu Pastoral Development Licencees will require an Agistment Agreement with Hale River and other pastoral companies. This is the next step to getting businesses started.

**Action: Legal Officer and Land Management to draft these Agreements.**

##### **c) Fencing for feral animal control program**

Fences and grids will be erected firstly at Ernabella and then Umuwa to control donkeys. This requires grids to be installed on the main roads. Similar grids and fences will be required for Black Hills, Fregon, Watinuma and Amata as part of the feral animal control program. There has been suggestion there is a policy against grids being used on the Lands but we are unable to find this. The Executive Board were asked to approve the use of grids, subject to usual clearances and consultations as required.

**Resolution:**

*The Executive Board approve the use of grids where appropriate.*

Moved: Max Kenny  
Second: Charlie Anytjilpalya  
Carried: All but Gary Lewis

**10. Correspondence In/Out****In**

4/2/08	Fregon School	Letter and DVD of School trip to Victor Harbour
7/2/08	CDU	Education Review on the APY Lands
14/2/08	DEWHA	Removal of Athel Pine at Ernabella
15/2/08	M Williams	Statement re GM
22/2/08	C Pickering	Issues at Kanpi/Nyapari
	M George	Conflict of Interest
	M George	APS Governing Committee meeting
	Mr Lewis advised that the recent letters received by AP from M Williams and AP Services were written by their Adelaide solicitor for the purpose of damaging APY and that he was going to destroy APY.	
28/2/08	J Weatherill	SA Aboriginal Advisory Council
29/2/08	J Mazel	Amata and Pukata Police Stations
3/3/08	B Ramzan	Blackhill No. 2 – Grazing Licence
	Ku Arts	Leases on Arts Centres – <b>discuss at AGM</b>
	M George	Code of Conduct

**Out**

8/2/08	SA Fire & Emergency Services	Emergency Management Training
	P Reardon, DPC	Public Transportation on the APY Lands
	N Gillespie, ALRM	Restorative Justice Project
	P Kay, DFC	Proposal to target Kanpi/Nyapari
	MSO, Kanpi	Proposal to target Kanpi/Nyapari
	Dept of Defence	HIFiRE Project, invite to Exec Board
11/2/08	L Burton, Lewis, George	Conflict of Interest
	J Mazel, DPC	Pukatja Church
18/2/08	G Lewis	Ninti Corporate Services and Code of Conduct
	APS Governing Committee	Invite to meeting on 28/2/08
19/2/08	M Ah Chee	Invite to Exec Board
20/2/08	Amata	Permit of SJT
	All Communities	Permit System
25/2/08	M Williams	Allegations Against GM
	CEO, Wana Ungkunyitja Trust	Permit and Invite to Exec Board
	L Burton	Code of Conduct

**11. Previous Minutes of Meeting No.7 - 6- 7 February 2008**

The previous Minutes, provided to all members, were summarized and accepted without alteration

Moved: Kawaki Thompson  
Second: Tony Campbell  
Carried: All

**12. Annual General Meeting**

Executive Board Members were reminded the AGM is to be held on Wednesday 26 and Thursday 27 March 2008 at Umuwa. All Executive Board members are requested to attend.

**13. Date of Next Meeting**

The next Executive Board meeting is scheduled for 9 April 2008 and will be held at Amata, following an invitation from Leonard Burton. Members were also told there may be a visit from the Minister to open the substance misuse facility at Amata and the swimming pool at Pipalyatjara. This may coincide with the next Executive Board meeting but may be at the end of April as the dates are still being finalised.

#### **14. Legal Matters – Peter Huntington**

The Legal report was provided to each member in their folders.

The meeting ended with a prayer by Kawaki Thompson at 8.10 pm

Minutes by Ken Newman

**Executive Meeting No. 8 of 2007/2008  
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Agenda**

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**Business Arising from the Minutes**

2. Conflict of Interest Matters
3. Children on the APY Lands (Mullighan) Update
4. Housing and Services Update
5. Previous Minutes of Meeting No.7 - 6- 7 February 2008

**New Business**

6. AW NRM – Marilyn Ah Chee, Presiding Member
7. DFC – Sue Vardon, CEO, Chris Larkins, Director
8. Ninti Corporation – Matthew Ellam, CEO, Wana Ungkuntja Trust
9. Restorative Justice – John Tregenza and others
10. CDEP – David Pearce, Ken Larkins Bungala Aboriginal Corporation

**Other Business**

11. Anthropology Matters
12. Legal Matters
13. Land Management
14. Correspondence In/Out
15. Date of Annual General Meeting
16. Date of Next Executive Board Meeting

## 14. Correspondence In/Out

### In

7/2/08	CDU	Education Review on the APY Lands
14/2/08	DEWHA	Removal of Athel Pine at Ernabella
15/2/08	M Williams	Statement re GM
22/2/08	C Pickering	Issues at Kanpi/Nyapari
28/2/08	J Weatherill	SA Aboriginal Advisory Council
29/2/08	J Mazel	Amata and Pukata Police Stations

### Out

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## 15. Date of Next Meeting

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