

**Executive Meeting No. 3 of 2008/2009
3 October 2008 at Alice Springs Business Centre
Minutes**

Present:

Railway Bore	Bernard Singer
Amata	Leonard Burton
Anilayla	Kawaki Thompson
Indulkana	Max Kenny
Kaltijiti	
Mimili	Tony Campbell
Murputja	Anton Baker
Pukatja	Gary Lewis
Kalka/Pipalyatjara	Sean Williamson
Watarru	Charlie Anytjipalya

APY Staff	Rex Tjami, Rodney Edwards, Peter Huntington
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Visitors	NPY Women's Council	Andrea Mason, Vicki Gillick, Sandy Marty
	Ahava Energy	Djonny Suwanto, Tom Wihodo, Rudy Phoa, Alex Thio, Ewan Vickery
	DPC	Paul Reardon
	PIRSA	David Cockshell

Observers

Apologies	Murray George provided a signed form appointing Gary Lewis as his proxy
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1. Welcome

The meeting commenced at 10:10 am with a prayer by Kawaki Thompson.

Gary Lewis requested to have AP Services permits issues on the Agenda. Chairman noted it could be covered in Permit Issues already on the Agenda.

Gary Lewis presented the written *appointment of proxy* from Murray George to Gary Lewis (until it is revoked in writing).

2. Executive Board Status of Gary Lewis, Murray George, Leonard Burton.

The presence of Mr Lewis and Mr Burton was discussed at length and the members argued the continuation of the meeting. Mr Huntington explained that Minister Weatherill wanted the meeting to go ahead and the Court had restrained APY from proceeding with the meeting unless APY allows the three men to attend and participate as members in this Executive Meeting only and that there is a quorum not counting the three men. The Conciliation is to occur on 23/24 October 2008.

Mr Singer explained that at the recent General Meeting that these three men directed very strong language against the other Executive Board members. In view of his personal feelings and understanding that the meeting should continue as it had important matters to consider, he stepped down from the Chair and requested the Deputy, Mr Sean Williamson take the Chair. Mr Singer left the meeting shortly thereafter.

3. Housing Leases

Mr Lewis requested that the MOU with housing be negotiated directly between State government and the Communities. He also argued over the definition of Traditional Owner as it had been used in consultations and requested further explanation of the contents of the Leases. Mr Huntington explained that the meeting is about the Amata leases and the variation to the leases and not the MOU.

The Map of Amata was passed around to identify the 11 sites to be leased to the State for 50 yrs as per the resolution of the special general meeting. Mr Lewis argued that it needs more consultation. Mr Reardon explained his discussion with Mr Burton that Mr Burton wants the houses and supports the leases and agrees that the consultation has taken place.

Mr Burton said he was leaving the meeting because he was not a part of the group. He said he is allowed to come to the meeting but the meeting should be closed till conciliation. Mr Huntington and Mr Tjami requested that Mr Burton stay. Both Mr Burton and Mr Lewis left the meeting at approximately 11:30. Mr Kenny also left the meeting, without giving reason.

Mr Huntington contacted Finlaysons to advise the legal representatives of Mssrs Lewis and Burton that they must return to the meeting by 12:00 noon or the meeting would continue.

Mr Singer returned to the meeting.

At 12:00 noon

Present: Campbell, Anytjipalya, Singer, Thompson, Baker, Williamson, Tjami, Huntington, Edwards. Mr Williamson remained in the Chair.

Mr Huntington explained the Ground Lease for the 11 houses at Amata and the variations that had been made, and the comfort letter that had been received.

At 12:05 Lewis and Burton returned. Mr Max Kenny did not return.

Mr Huntington continued and read out the comfort letter. The MOU is to be developed later. A copy of the letter was provided to Mr Lewis. The Minister manages public housing and will not contract out the important features of the public housing. General discussion.

Resolution

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

Mr Huntington described a lease that was almost exactly the same terms as the Ground Lease including for 50 years, for new police stations and facilities at Amata, Mimili and Pukatja.

Mr Lewis wants more consultation and negotiation in Pukatja and raised the issue of the definition of Traditional Owners. Mr Huntington explained there has been considerable consultation in Pukatja including meetings with Traditional Owners. Mr Singer explained that everyone knows about the police stations and we should remove Pukatja from the lease if there is going to be a problem signing the lease.

Resolution

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

ACTION: Write to the Minister to explain the resolution to remove Pukatja from the 50yr lease for the police stations.

Mr Huntington explained about the long term leases for two duplexes for DFC at Umuwa.

Mr Huntington explained that forms for leases have been received for lots in Umuwa for short term accommodation for SAPOL and DFC staff and for long term accommodation for Child Protection workers.

Resolution

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

Mr Singer resumed the Chair.

Resolution

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

Moved: Sean Williamson
Seconded: Anton Baker
Carried: All

Members signed the various leases.

LUNCH BREAK

2:00 pm meeting reconvenes from lunch. Mr Singer resumes the Chair.

3. Ahava Energy presentation

Djonny Suwanto provided the information booklet and powerpoint presentation about the company, its objectives, the petroleum exploration activities in the Officer Basin and talked of the mutual potential benefits. Mr Singer explained that the exploration area has many 'no-go' areas and they need to be defined through work with PIRSA. Mr Cockshell said it is a 2-part process in defining these areas. Ahava Energy will be conducting seismic work for approx 4 months in the Marla area from Jan 09. There is seismic work being conducted by GeoScience (Federal govt Department) that is to follow the railway reserve starting in late Oct- Nov.

Action: Gary McWilliams to contact Ahava re future site inspection and familiarisation visit and GeoScience re seismic work in the railway corridor.

4. NPY Women's Council presentation

There is a General Meeting at Tilun Tilun next week 7-9 Oct. Mr Singer requested Ms Gillick raise the issue of promoting women in the next Executive election.

(a) Ms Gillick explained of their meeting with the Mullighan Inquiry.

(b) They are running 'Speak Up Against Child Abuse' and handed out some T-Shirts. This program is working with the Pukatja community, school and some individual community members.

(c) Sheila Brookes (She) and Jim Osborne are also working in Pukatja on sexual assault. Council is looking to locate a senior staff member in Umuwa to liaise with the agencies now working in the area of sexual assault.

(d) There is a school holiday project. Council is trying to get more Youth Workers on the ground – there are only 3 on the Lands and the turn-over is high. Some kids need case management. Need male and female workers.

(e) In Coober Pedy, Council is trying to get alcohol restrictions similar to the roadhouses. Cant get take-aways is a first step. Ms Mason requested APY to provide a letter of support for the restrictions.

(f) Council provided submission to Senate Committee Inquiry into Petrol Sniffing relating to sale of premium unleaded at Mintabie. Council suggests APY adopt a bylaw restricting premium unleaded on the Lands. There are no police based at Mintabie and Council received reports of petrol being sold for \$70/bottle. The Inquiry has been re-opened and will be visiting Alice in October.

(g) Cross-border/tri-State policing is starting to work. Legislation has been passed in WA while NT and SA need to follow to enable conviction based on the law of the State where the crime was committed regardless of where apprehended.

4:30 Mr Singer leaves the meeting. Mr Huntington advises there is no quorum because of the departure of Mr Kenny earlier.

Mr Lewis leaves the meeting.

Mr Huntington arranges for Finlaysons to write to Fittock advising of the problem with quorum and request the return of Lewis.

Mr Lewis returns. Mr Singer returns.

4:50 pm meeting resumed with Mr Singer in the Chair.

5. Previous Minutes of Meeting No.2 of 2008/2009 – 22 August

The Minutes of Meeting No. 2 of 22 August 2008 were accepted without alteration

Moved: Kawaki Thompson

Second: Tony Campbell

Carried: All

6. Anthropologists Report

A report was provided and inserted into the Minutes. The following items required resolution.

Resolution

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

Reports were provided for mineral exploration by:

Independence EL 3954 (BLOCK 7)

PepinNini EL 4048 (Southern Half)

Metals X EL 3555 "Claude Hills"

PepinNini el 3536 (northern half)

The Clearance Certificate for the borrow pit, North of Shirley Well to Double Tank Road, was deferred until next meeting when a map will be provided to assist locate the site for discussion.

Reports were provided on the Traditional Owner housing consultation meetings for the State governments \$25m housing offer conducted at Amata, Pukatja and Umuwa.

The Clearance Certificate for the Department of Families and Communities housing construction at Shirley Well was deferred until the next meeting when a map will be provided to assist discussion.

A report has been provided on the Indulkana Tree Site.

A resolution to raise the amount paid for Traditional Owner conducting cultural heritage surveys be raised to \$500/day was dealt with at the last meeting.

The Clearance Certificate for the AP Services-APY Quarry site near Fregon was deferred until next meeting when a map will be provided to enable discussion.

7. Roads Report

David Caspar provided a written summary included in the Minutes on the Report on Anangu Pitjantjatjara Yankunytjatjara Road Network for the Department for Transport, Energy and Infrastructure and Department of Aboriginal Affairs (generally referred to as the Mace Report). Mr Singer explained that there were schedules for maintenance attached to the report.

Action: That APY writes to the Department of Transport advising of their acceptance of the Mace Report.

8. Planning and Development Report

David Caspar provided a report for all members. The following items are those that required resolutions.

Resolution:

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

Moved: Anton Baker
Seconded: Tony Campbell
Carried: All

Resolution:

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

The resolution to grant a 50 yr lease for a permanent duplex on lot UMU416A/B for housing DFC staff was deferred until the next meeting and pending Traditional Owner approval.

A report on consultation meetings and processes for the \$25m State government housing offer with Pukatja was provided in the Planning and Development report.

A draft pro-forma for streamlining all applications was provided.

9. Other Reports

Other reports were received without presentation due to lack of presenter and time restrictions. Reports are provided in the Minutes.

- i. Restorative Justice Project from John Tregenza
- ii. Legal Report from Peter Huntington
- iii. Bungala Aboriginal Corporation from Erin Woolford
- iv. PY KU Status from Lee Dunlevy
- v. Legal Matters from Peter Huntington

10. Sports and Cultural Festival

Rodney Edwards presented a funding offer from DOHA for 08/09 for a Sports and Cultural Festival. Mr Singer explained that in previous years we had Ian Liddy to run and manage this activity.

ACTION: To sign and return to ICC for a program yet to be determined.

11. Correspondence

Correspondence In

Received	From	Subject
1 Oct	Minister for Housing	Comfort letter for Ground lease and Variation
25 Sept	MedVet Laboratories	Monitoring for Legionella
25	Aboriginal Lands	
	Parliamentary Standing Committee Visit 21-24 Oct	
25	Mintabie Miners Progress Assoc	Request feedback on letter 9/5/08
25	Minister for FaHCSIA	Indigenous governance
25	Minister Aboriginal affairs and Reconciliation	
		Appointment of Conciliators
25	Mayor of Mitcham	Nomination for LG Finance Authority
24	TAFESA	Visit 5 Nov to meet Exec
22	Young Achievers Award	Call for nominations
19	Chairperson Pukatja	Pukatja housing meeting
19	ROGLN Satellite systems	Christian tv and radio
19	ALRM Restorative Justice	Request invite to Exec mtg
18	Lewis, George, Kenny, Burton	APS permits
18	Mimili Community	Community member's debts
18	Mimili Community	Community employment of Alan McNeil
18	Manly City Council	Campaign to reduce bottle water consumption
17	Electoral Office	APY Executive Board Election dates
15	Adrienne Gillam, FaHCSIA	Community governance
11	Minister for Aboriginal Affairs and Reconciliation	Process for issuing grazing
		Licenses in particular Black Hills
11	Minister for Health	Advertising for children's healthy foods
11	Minister for FaHCSIA	Congratulations on supporting new public house model and 50yr leases
11	Chairperson Pukatja	Definition of Traditional Owner in Consultation
11	Deputy Chief Exec FACS	Supported residential facilities regulations
11	President of LGA SA	Congratulations to the LGA Finance Authority
11	Chris Vass, Conciliator	Conciliation date set for 23 rd Oct in Umuwa
11	DEWHA	Deed of Agreement for IPA program until 2013 - OK
11	Exec Dir LGA SA	Willing to assist APY in transition to LG
11	Exec Dir LGA SA	Dealing with Ombudsman Inquiry
11	Minister for Aboriginal Affairs and Reconciliation	No change to electorates

10	District Council of Coober Pedy	Dog control in Coober Pedy
8	Peter Taylor DEWHR	Funding for Proposed IPA development for 08/09
5	Brenton McRae AP Services	Governance and permit issues
4	Paul Heithersay PIRSA	Mintabie Town Lease Agreements
4	Local Government Grants Commission	Financial Assistance Grants and Supplementary Local Road Funding 08-09
4	Minister for Aboriginal Affairs and Reconciliation	Copy of MUNS Report by Thurtell
3	Central Land Council	CLC Staff accessing APY Lands – OK, send letter
2	Jim Sheddon	List of names and alleged debts
28 Aug	Hon Gail Gago	Commonwealth Financial Assistance Grants – needs to have draft budget approved for expenditure at next meeting
28	Aboriginal Lands Parliamentary Standing Committee	Proposed visit in Oct
28	Minister for Aboriginal Affairs and Reconciliation	Appointment of a Conciliator
28	Aboriginal Drug and Alcohol Council	Nomination for Executive position 08

Correspondence Out

Sent	To	Subject
30 Sept	Finlaysons	Fax re letters appointing Conciliators
25	Allan Mc Neil & Mimili Community	Permit application for Allan McNeil
24	All communities	Notice of Executive meeting
18	Mimili Community	Allan McNeil permit and governance
18	Allan McNeil	Order to leave the Lands
18	Allan McNeil	Order to leave the Lands
12	Chairman Pukatja	Pukatja housing meeting
7	Mike Williams DEH	Authority for consultation under Land Rights Act
4	Brenton McRae AP Services	Governance and permit issues

12. Permit Issues

As it was already 6:00 pm, Mr Singer expressed the view that the AP Services issues regarding permits would be considered after AP Services held their AGM and that there was not time to deal with the bundle of applications as the business centre would not extend beyond six pm.

Mr Lewis responded that he will approach the Conciliator for permit approvals.

12. Date of Next Meeting

The date of the next meeting is to be confirmed for 28 October 2008 pending the AP Services AGM on the 29 October 2008.

The meeting closed 6:00 pm.

Minutes by Rodney Edwards