

**Executive Meeting No. 10 of 2007/2008
7 - 8 May 2008 at Umuwa**

Present:	Chairperson	Bernard Singer
	Amata	Leonard Burton
	Anilayla	Kawaki Thompson
	Indulkana	Max Kenny
	Kaltjiti	Murray George
	Mimili	Tony Campbell
	Murputja	Anton Baker
	Pukatja	Gary Lewis
	Kalka/Pipalyatjara	
	Watarru	

APY Staff - Ken Newman, Rex Tjami, Peter Huntington

1. Welcome

Bernard Singer opened the meeting at 12:35 pm with a prayer by Murray George. A Minute's silence was held in respect of Mrs Bandicha who lost a loved one.

Sandy Marty of the NPY Women's Council was welcomed for coming along to this meeting.

New Business

2. Coober Pedy District Council – Mayor Steve Baines, Trevor McLeod, CEO, Forrest Holder, CEO Umoona Community, Jimmy Bannington, Umoona Elder

Bernard Singer welcomed the visitors to the meeting. Steve Baines, Mayor of Coober Pedy thanked the Executive Members for being invited and said Coober Pedy wanted to develop a relationship with Anangu Pitjantjatjara Yankunytjatjara. Steve said Coober Pedy needs assistance because of the number of people that come to Coober Pedy and cause grief. Coober Pedy is a dry town, since 1985, and many visitors do not respect this. Visitors come and get on the grog and cause problems for Coober Pedy residents and have fights, etc.

Steve wanted Anangu to know they are welcome to Coober Pedy but please respect their rules and laws. He asked for Executive Members to take this message back to their communities,

Steve also asked for Anangu Pitjantjatjara Yankunytjatjara's support for Coober Pedy to apply for Housing for visitors from the Anangu Pitjantjatjara Yankunytjatjara Lands to Coober Pedy – ie. Transient facility. They don't want to see people living rough in the streets or having houses that have to look after 20-30 people at a time.

Jimmy Bannington, Elder of Umoona Community spoke to Executive Board Members in language reinforcing what the Mayor has said. He also said there will be a protest march in Coober Pedy in June about 'turning down the tap in Coober Pedy'.

He also said he is concerned about the care of children in Coober Pedy and that they are not being looked after properly. There are also people from WA and other places, not just the Anangu Pitjantjatjara Yankunytjatjara Lands. Kids are running around Coober Pedy like orphans because their parents are at the pub.

Max Kenny, Indulkana said some of the restrictions in Alice Springs could be applied at Coober Pedy but Steve Baines said some of the Alice Springs problems have moved down to Coober Pedy.

Steve said take away alcohol doesn't open till 11:00 am, hoping people have a meal before drinking and other matters. He said there are some unscrupulous people in Coober Pedy who are making money out of Aboriginal people and their Council is trying to address the matter.

People drink beer from 11:00 am and then mixed drinks and then after 3:30pm start to drink fortified wines. So the problems are in the evening and Coober Pedy relies on tourists. These tourists are hearing stories that Coober Pedy is not safe. Steve said their town is dying because of what is happening. Coober Pedy has a night patrol 4 nights a week, and a part-time sobering up shelter.

Bernard Singer said it is not just at Coober Pedy but people don't get counselling if they have problems. The facility at Amata is not yet being used. Bernard Singer said people leave the Lands because there is not enough housing. We want to help our people who have a drinking problem.

Trevor McLeod said there is no detoxification facility closer than Murray Bridge. They were advised of the Amata facility but it is not yet operational.

Forrest Holder gave his thanks for coming, on behalf of the Umoona Chairperson. They are concerned for the health and welfare of people coming to Coober Pedy. They don't want any more accidents. Umoona has asked for a rehab facility at Coober Pedy as well, not just Port Augusta. When people come down and stay with local people, it costs the local people a lot of money in power, gas, electricity, etc, and housing R & M. Umoona Community Council support Anangu Pitjantjatjara Yankunytjatjara and wants Anangu Pitjantjatjara Yankunytjatjara to support them as well in their efforts to make things better at Coober Pedy.

Bernard Singer said the tap needs to be turned down so that people can't buy a boot full of grog and those people who do drink can be helped.

Trevor McLeod said this visit is the start of working together. They are meeting with NPY Women's Council next month and perhaps we can establish a good relationship.

Bernard Singer said the issues about kids and neglectful families need to be reported to Families and Communities to work with those families.

Leonard Burton said there are lots of problems at Coober Pedy and all are related to grog. This is just like people who travel from WA/NT/SA and go to Mintabie to buy marijuana. The NPY Women's Council wants to stop the grog in Coober Pedy and have the licensing group make strong policies about grog. That is the only way to help Anangu culture. Maybe there could be different rules for tourists. NPY Women's Council are concerned that children are left behind while adults go for grog.

Bernard Singer said we need counselling for people with grog problems. Gary Lewis said they should do away with take-away grog and restrict some of the heavy drinks.

Steve Baines said they are looking at minimum / maximum sales, hours, etc, but Coober Pedy can't decide. The Liquor Licence Commission sets the rules. Coober Pedy is trying to get restrictions as part of the licences to get more responsible trading.

Murray George said there was no grog in Aboriginal Culture and non-Aboriginal people introduced grog. We need to work together to make things better.

Jimmy Bannington said the old ladies at the Aged Care want the taps turned right down on grog in Coober Pedy.

Peter Huntington asked if similar conditions at Coober Pedy to Alice Springs would help. Steve said that would only shift the problem elsewhere. Forrest said they run an assisted services

program (sobering up shelter) and there are a large number of people from Indulkana, Mimili and Fregon that end up there.

Steve Baines asked if the Executive Board supported further restrictions of alcohol at Coober Pedy. Bernard Singer said Anangu Pitjantjatjara Yankunytjatjara would write to Coober Pedy District Council with some comments.

The meeting adjourned at 1.45 pm for a brief lunch and re-commenced at 2.10 pm with a confidential discussion amongst Executive Board Members.

3. Chairperson Leave of Absence

The Chairperson disclosed certain misdemeanour and traffic matters and offered his resignation as Chairperson which was not accepted. He asked for a leave of absence from attending Executive Board meetings, if necessary, which all members agreed to. Charges should be resolved by July .

4. Metals X – Wingellina Project Update - Paul Cmrlec, Mark Okeby, Max Maczurad, John Clarke

There were about 30 additional Anangu observers to this part of the meeting.

Mark Okeby introduced himself and then Paul Cmrlec presented a slideshow with Trevor Adamson interpreting. All members were provided with a hard copy of the powerpoint presentation.

The project team provides technical reports on finding out if a mine could go ahead. Mark said they have come here today to talk, tell their story and then start working with Anangu Pitjantjatjara Yankunytjatjara.

Nickel Exploration & Development

Metals X's wholly owned subsidiary Austral Nickel Pty Ltd holds exploration licence E3555 within the APY lands. An access agreement dated 18 May 2006 exists between Austral Nickel and the APY in respect of E3555.

Claude Hills is an advanced exploration target, and drilling is planned to proceed this year. Metals X expect to be in a position to declare a nickel resource at Claude Hills by the end of 2008, if they achieve the exploration results that we anticipate. A Claude Hills mine could be supplying ore to the Wingellina plant in 2012.

Calcrete Supply

The ore treatment process planned to be utilised at Wingellina requires a large amount of Calcrete or Limestone. Metex Nickel plans to undertake drilling in the calcrete deposit west of Pipalyatjara on E3555 starting in the middle of 2008. If they can establish sufficient volume and quality of calcrete, they would want to establish a calcrete quarry and we will need to negotiate a mining and compensation agreement during 2009. They will need to source approximately 1,000,000 tonnes of calcrete per year. Once we have located a suitable source, a purpose built road will be built between the deposit and the Wingellina mine site.

Site Access

Permanent road access to Wingellina needs to be established, and one option Metals X need to consider is a route through APY lands. They are currently evaluating the available options and if a route through the APY lands is preferred they would need to negotiate a land use and compensation agreement during 2009.

Materials movement inbound to site is expected to be 500,00 tonnes per annum. This requires approximately 15 truck loads per day, and a further 3 loads per day for out bound haulage of nickel hydroxide product (back loaded on an empty truck). They would like to operate trucks around the

clock if possible. This will require consultation with local communities to minimise impact though appropriate road placement. One of the studies that they are undertaking is reviewing the suitability of a railway line to the site.

Wingellina exploration work is complete. Exploration drilling is now going to commence at Claude Hills.

Feasibility Study work has commenced with Engineering designs; Environmental monitoring and study; and, a Social Impact Assessment.

Feasibility Study work will take up to two years to complete. Information is required in order to make an application to commence mine construction. A mining operation at Wingellina can only proceed once all issues are resolved. Any of the aspects of the mine shown earlier could stop mine development if not resolved.

Once Metals X have completed the Feasibility Study they will need to secure funding in excess of \$2 billion and make a Final Investment Decision before mine construction commences. They plan to be in a position to make the final investment decision during the 3rd quarter (July – September) of 2009.

Before there can be a mine we will need to reach agreement with the APY for developments that affect the APY lands. Metals X said they want to understand each others needs through regular meetings and open two way discussion

Next 12 months

Exploration

Claude Hills nickel/cobalt resource exploration drilling.

Calcrete Exploration

Calcrete is an important part of the metallurgical process and Metals X need to establish a local source. This will include drilling the deposit near Pipalyatjara.

Selection of preferred infrastructure sites:

Technically acceptable;

Culturally acceptable;

Social Impact Assessment

Metals X need to understand the existing community to help plan for the impact of the mine to be positive for the community.

Environmental Studies

The first step is field studies to record what animals and plants live in the area in desk top reviews and field baseline studies. Any access to existing data would be of great benefit to the study.

A mine at Wingellina would employ about 250 people when it is operational and the calcrete quarry would employ about 14 people. If Claude Hills has substantial nickel, it could employ about 40 people.

The meeting ended at 5pm with a prayer by Andy Tjilari.

Day 2 - 8 May 2008

Present:	Chairperson	Leave of absence
	Amata	Leonard Burton (Deputy Chairperson)
	Anilayla	Kawaki Thompson
	Indulkana	Max Kenny
	Kaltjiti	Murray George
	Mimili	Tony Campbell
	Murputja	Anton Baker
	Pukatja	Gary Lewis
	Kalka/Pipalyatjara	
	Watarru	

APY Staff - Ken Newman, Rex Tjami
 Apologies – Bernard Singer, Leave of Absence

Visitors

Department of Defence - Mark Bateup, Jim Mitkas

Dept of Families and Communities - Jacqui Lawson

Tourism Discussion - Colin Koch

Mr Burton opened the meeting at 11.10am with a confidential discussion.

5. Conflict of Interest Matters**Conflict of Interest Matters**

The Executive Members asked the Legal Officer to explain the situation to them in relation to the resolution made in February 2008 concerning conflict of interests. Mr Burton said he wanted it reversed. Mr Lewis said that unless it was reversed the lawyer would have to resign and the government would come in and “destroy the lands”.

The Legal Officer;

- (a) said the February resolution provided that unless Burton, Lewis and George resigned prior to the commencement of the June meeting of the Executive Board they would be removed from the Board without further action by the force of the February resolution;
- (b) gave an update on the matter and explained how there is new management at Anangu Pitjantjatjara Services and the Government brought in an independent person to help resolve the financial matters. It looks as though the “money story” may be fixed up by the third week in May;
- (c) said that because Burton, Lewis and George are disqualified from voting on the matter by the conflict of interest provisions of the Act, there was not a quorum to vote on the matter today so that any resolution would be invalid; and,
- (d) said that with goodwill, a resolution could be made which although invalid and noting that the next meeting was scheduled for July, the resolution could be validated at a later Executive Board meeting where there was a proper quorum.

Resolution

That the resolution made at the February 2008 meeting in relation to the conflict of interest matters of 3 Executive Board Members be reconsidered.

Moved: Tony Campbell
 Second: Anton Baker
 Carried: All

6. Leases

Mr Lewis asked about details on leases. Mr Lewis asked if Anangu Pitjantjatjara Yankunytjatjara could issue a lease to a community which could then be sub-let to the Government. The Legal Officer explained this is possible however the Government would probably not deal with communities that did not have the governance provisions as introduced in the 2004 and 2005 amendments to the *APY Land Rights Act*.

7. Hi Fire Project – Department of Defence – Mark Bateup, Jim Mitkas

Leonard introduced Executive Members to our visitors. Mark Bateup presented a slideshow of the Hi Fire project. A hard copy of the presentation was provided to all Executive Board members.

Mark reported they conduct flight experiments to expand Australia's leading edge in this technology. They have Scientific research & flight experiments, up to 10 flights over 6 – 10 years. They hold 2 Launch Campaigns per year, typically March & October on various trajectory profiles, depending on the aim of the experiment being flown - Re-entry, suppressed, semi-suppressed. Some are captive-carry or free-flier and they take an incremental approach, building on lessons from prior launches. Their goal is sustained hypersonic flight for 1 minute (8500 km per hour).

They showed slides that demonstrated how the rockets go up and the impact they make when coming back to the ground. They do not carry missiles, just computers and experiments. They are here today because they would like to send a rocket up in late 2009 that may come down over the Lands.

They are seeking approval:

- to fly over the APY Lands
- to retrieve it, if the experiment lands in APY Lands

They want to know:

- Anangu concerns
- Population centres
- Cultural & heritage sites
- Rare / endangered species
- Native revegetation

Some possible areas of Support-In-Kind include:

- Seismic sensors to help monitoring for Itjaritjari (Marsupial Mole)
- Extension of the Itjaritjari Project with Dr Joe Benshemesh
- Collect seed samples for Revegetation Support Centre nursery &/or indigenous revegetation program, in collaboration with RSC
- APY could become a contributor & be part of the research
- Program - establish a Collaborative Research & Development Agreement

Following the presentation by Mark and Jim, the Chairperson said they would be invited back to speak to Anangu-tjuta at a future general meeting.

Action: Invite to a future General Meeting

8. Tourism – Colin Koch

Colin Koch presented a draft proposal on helping Anangu Pitjantjatjara Yankunytjatjara consult and develop a tourism policy. The proposal involved having Colin Koch and Kutjara Consultants prepare a policy and rules for Anangu Pitjantjatjara Yankunytjatjara to consider. Mr Lewis was concerned we have not advertised the consultancy. The General Manager advised that in 2005 there was a consultants report about tourism for the Lands that did not really involve Anangu. The following year, ACHM did a desktop clearance of existing tourism ventures on the Lands. It is now time to take the next step and find out with Anangu how to develop tourism at Anangu pace before it is forced upon anyone.

Mr Burton asked how it would work and Colin Koch said John Tregenza would go around and talk with all communities and Colin Koch would do the desktop work on research. Leonard Burton thought John Tregenza may be working full time for Nganampa Health and this will have to be resolved.

Following the presentation, Executive Board members wished to know if an Anangu malpa could be employed to learn about consulting, etc. This was agreed upon with a moderate increase in the costs of the proposal.

Resolution

Anangu Pitjantjatjara Yankunytjatjara Executive Board approves Stage 1 of the Tourism Policy development as presented but also requires employing an Anangu Malpa to a maximum of \$45,000 from untied funds for the project, if available.

Moved: Murray George

Second: Anton Baker

Carried: All

9. Families and Communities

Jacqui Lawson provided a report for all members, prepared by Peter Kay, and also spoke about some of the youth programs. Peter Kay is in Adelaide and Sue Lewis is unwell. There was discussion about not having programs on some of the homelands but Jacqui Lawson said there is only so much funding that is available. The report provided a summary of existing youth programs.

New Business

10. Planning Matters

David Caspar, Planning Officer provided a report for all members. The items that required a decision were as follows:

a. SAPOL Police Station, Court and Accommodation Complexes.

Documents have been submitted to include a flushing toilet instead of pit toilet as per the Executive Board request for the proposed complexes at Amata and Pukatja.

b. Indulkana - 9 houses

Resolution.

Upon the receipt of amended plans as presented, APY and the Indulkana Community can sign off on those plans.

Moved: Anton Baker

Second: Kawaki Thompson

Carried: All

c. Amata Arts Centre

An application for a lease has been submitted for a new arts centre. Following discussion, the Executive Board made the following resolution.

Resolution

That a 5 year lease be granted to the appropriate Aboriginal organization responsible for the Amata Art Centre on terms to be negotiated, subject to being satisfied that funding bodies do not require an agreement providing for step in rights and the buildings not being fixtures, as was required in the case of the PY KU centres.

Moved Gary Lewis:
Second: Max Kenny
Carried: All

d. Destruction of Tree by Bungala

A briefing was provided on this incident and the following action is to be taken.

- Action:** *i. Planning Officer to do report for Legal Officer*
ii. Murray George to have meeting with Tjilpi-tjuta at Indulkana
iii. Refer to Police the Unlawful entry to the Lands by Housing Company
iv. Refer to Police the matter of criminal damage to the tree pursuant to the Heritage Act
v. Legal Officer to write to Bungala seeking explanation

e. PY Ku Centre Visitor Accommodation

This matter has been deferred until the next meeting in relation to Kaltjiti, Pipalyatjara, Amata and Mimili.

f. Community Structure Plans – signatures still being obtained by Planning Officer

g. Pipalyatjara and Mimili Outdoor Learning Centre - noted

h. Anangu Arts Leases for Arts Centres

Following discussion the Executive Board approved a 5 year lease for the Kalka Art Centre.

Resolution

That a 5 year lease be granted to the appropriate Aboriginal organization responsible for the Kalka Art Centre on terms to be negotiated.

Moved Murray George
Second: Gary Lewis
Carried: All

i. DPC – AARD

Following this discussion for a 3 bedroom house at the Sun farm for a Trades Essential Services Officer, approval was granted for its construction.

Action: Approved
Moved: Max Kenny
Second: Tony Campbell
Carried: All

It was also determined that Anangu Pitjantjatjara Yankunytjatjara should write to DPC-AARD about the necessity to expedite this matter yet the Police Stations and housing are to take until the middle of 2009 to complete.

11. Legal Matters

Peter Huntington provided a legal report for all members.

a) Review of 2005 amendments to the Act –

Action: workshop APY submission with Executive at July mtg

b) Housing –

Action: SGM 2 day meeting last week of May Wednesday and Thursday, invite DPC and FaHCSIA

c) AP Services – noted earlier in meeting. See Item 5.

However, in relation to the permit issue for the new General Manager, this will not be issued at this time pending outcome of governance issues. APY Services will work from Alice Springs until November.

d) Mullighan Commission – **discussion noted**

12. Land Management

A Land Management report was provided to all members. The items that required action were as follows:

a. Warru Removal – **approved for additional little ones be removed to Monarto Zoo**

b. Permits

Karan Smith – **approved for Umuwa to discuss with APY LM initially**

Lynette Liddle – **approved provided Watarru community are acceptable to project and method of payment**

Dean Nicolle – **approved on condition of having an Anangu guide and Murray George is recommended as the guide**

c. Donkey Fence – **approved around Umuwa but not Pukatja without additional consultation**

d. Shed Tank at Watarru – **approved subject to community acceptance and heritage clearance**

e. Water Pricing for Mining Companies – **Executive supported proposal as put by LM**

f. Kuka Kanyini, Watarru

Anangu Pitjantjatjara Yankunytjatjara Land Management to write a letter to DEH seeking update on this project.

13. Anthropology Matters – Andrew Morley and Nadia Butler

The anthropologists tabled their report for all members. Clearances were provided for assorted road works.

14. Correspondence In/Out

In

10/4/08	Dean Nicholle	Permit to Study Botany – discussed in LM report
3/4/08	PIRSA	Mintabie Lease Extension – place on agenda for SGM
	Ku Arts	Leases (from March meeting) – discussed in Planning
18/4/08	DPC AARD	Revised Housing Consultations – agenda for SGM
21/4/08	John Tree DTEI	Fregon Airstrip Reseal – approved, letter to DTEI
	Peter Kay	Finke Desert Race Team Name - approved
28/4/08	DPC	Aboriginal Substance Misuse in Remote Areas – letter to go supporting facility for Coober Pedy
	DPC	Mentorship to Walalkara through AW NRM Board – M George to confirm with Walalkara before supporting proposal
	Pukatja Church	Lease for Pukatja Church – OK to write to Dr Muirhead
	Yankunytjatjara	Minutes of Meeting held 24/4/08 at Mintabie - noted
29/4/08	Amata School	Request for Sponsorship for trip to Adelaide – DFC to assist
30/4/08	Mimili	Bungala CDEP – CDEP to be placed on agenda for SGM
1/5/08	DPC & FaHCSIA	Housing
2/5/08	DPC-AARD	Infrastructure Report

6/5/08	DFC	Amata School trip – DFC are going to assist school
6/5/08	Kaltjiti	Housing approvals and Shirley Well – noted, Housing staff are actioning
6/5/08	Minister	Support for Self-governance

Out

10/4/08	Minister Weatherill	Adelaide Meetings
16/4/08	DPC AARD	Police Stations Amata and Pukatja
15/4/08	FaHCSIA	Housing Consultations
	DPC AARD	Housing Consultations
22/4/08	DPC AARD	Revised Housing Consultations
	FaHCSIA	Revised Housing Consultations
	MSO Kanpi	VET Training Centre Kanpi
	Minister Weatherill	Self Governance and Social Welfare Reform
	Minister Macklin	Self Governance and Social Welfare Reform
23/4/08	Minister	Housing Consultations on the APY Lands

Business Arising from the Minutes**15. Previous Minutes of Meeting No. 9 - 9 April 2008**

The General Manager went through the previous Minutes which were accepted without alteration.

Moved: Gary Lewis

Second: Murray George

Carried: All

16. Special General Meeting

The Executive Board have determined to hold a 2 day SGM on Wednesday and Thursday 28-29 May 2008 to invite all Anangu to come to Umuwa to discuss the Housing offer, Mintabie and CDEP on the APY Lands.

17. Date of Next Meeting

The next Executive Board meeting will be held in Alice Springs on Thursday 3 July 2008.

Other Business**18. Court Matter**

Following discussion the Executive Board approved funding a Supreme Court Challenge to the bail conditions imposed on a Traditional Owner not to reside in his traditional country, up to \$2000.

Moved: Tony Campbell

Second: Max Kenny

Carried: All

The meeting ended with a closing prayer by Murray George at 9:55 pm.

Minutes by Ken Newman

**Executive Meeting No. 10 of 2007/2008
7- 8 May 2008 – Umuwa
Agenda**

1. Welcome

Business Arising from the Minutes

Previous Minutes of Meeting No. 9 - 9 April 2008

New Business

Day 1

Coober Pedy District Council

Metals X

Day 2

Department of Defence

Tourism

Families and Communities – Youth Services Programs

Other Business

Planning Matters (including Anangu Ku Arts)

Legal Matters

Land Management

Anthropology Matters

Correspondence In/Out

Date of Next Meeting

NB - Items in Blue are in Executive Board Member folders