

**Executive Meeting No. 6 of 2009/2010
2 December 2009 at Umuwa
Minutes**

Present:

Chairperson	Bernard Singer
Amata	Leonard Burton – telephone from Adelaide at 11:15
Anilayla	Kawaki Thompson
Indulkana	Ronnie Brumby
Kaltjiti	
Mimili	Tony Campbell – arrived 12:45 pm
Murputja	Anton Baker
Pukatja	Jamie Nyangu
Kalka/Pipalyatjara	Mrs Paddy
Watarru	
APY	Rex Tjami, Ken Newman, Peter Huntington, Rodney Edwards

Apologies: Mr George

Visitors: John Schutz, Mike Williams – DEH (SA)
Frank Leonard, SANFL, Len Owen, Alec Henry
Ben Wallace, FaHCSIA, Pauline Peel, SA Deputy Chief Executive DPC, Kim Petersen, DPC-AARD, Bob Smith

1. Welcome

Bernard Singer opened the meeting at 10:55 am and advised members there are several visitors today. Mrs Paddy gave an opening prayer. Bernard advised he would put business matters off until after the visitors are finished today.

New Business

2. Watarru Kuka Kanyini Project

John Schutz , Executive Director DEH introduced himself and Mike Williams, Director of Regional Planning. A brief land management report was distributed to members summarizing the meeting held yesterday with Watarru community members, APY and DEH.

John gave his summary of yesterday's full day meeting – with Watarru before lunch and with APY administration after lunch.

The intention is to move forward in a positive manner and make projects at places like Watarru work successfully in a true partnership.

3. SA NFL

Frank Leonard, Len Owen and Alec Henry attended the meeting. Frank provided a handout on the proposed sport and recreation complex at Amata.

Len summarized his report and meetings on the Lands, including meeting the Executive Board in October 2009.

They are seeking APY support to auspice an application to the RLCI Strategic Projects programme and applications are due by 15 January 2010.

Ken Newman, General Manager, explained that APY has also supported an Anangu Arts submission to the RLCIP program. Both can go into the Government but APY may be asked to give priority to one of the projects.

Alec Henry advised the Commonwealth also has another pool of funds that may be used for projects like this and they will pursue, if APY supports the proposal

After the visitors departed, the Executive Board considered the matter and made the following resolution.

Resolution

The APY Executive Board supports the proposed sport and recreational complex at Amata and agrees to auspice the project on its behalf.

Moved: Ronnie Brumby
Second: Leonard Burton
Carried: All

4. Camel Policy

Rodney Edwards gave a briefing on the camels and concerns out west. He told the Executive Board about the NT Government plants to shoot camels at Docker River and leave to waste. In the past, the Government has only offered support to APY if they can do aerial shooting.

APYLM wants money to provide on-going support for Anangu to develop a camel management plan that can be in place throughout the year, not just the summer months. APYLM wants to develop off-point watering on the south side of Pipalyatjara and then muster and move the camels out of the community. There are problems that abattoirs can only deal with about 200 camels a week, not enough to make a big difference.

Bernard Singer said Anangu are against aerial shooting and there should be employment opportunities. Anangu should get out and help with this problem.

After extensive discussion, the Executive Board confirmed the policy of not culling to waste. However, it is recommended there be an urgent meeting of Anangu who are involved with camels ie. Fregon, Amata and Watarru to try and work out an emergency short term solution ie. Move to some empty paddocks. Bungala should be invited to take part in the meeting

Action: APYLM to arrange a meeting with relevant Anangu stakeholders and Bungala

5. FaHCSIA and DPC

The Board were provided with a copy of a letter from Ben Wallace, State Manager FaHCSIA requesting leases on fixed assets on the lands that the Commonwealth government says they have an interest.

Ben Wallace and Adrienne Gillam attended the meeting from FaHCSIA. Pauline Peel, Kim Petersen and Bob Smith attended from DPC-AARD. Bernard Singer introduced all the Executive Board members and employees.

Pauline Peel introduced herself. She is from Queensland and is new in her role but plans to be around for a few years. She is the State Coordinator, working with Brian Gleeson, the Coordinator General. She said she is happy to listen and learn from people here. She will be working on the remote service delivery on the Lands.

Bernard Singer asked Pauline about the Family Responsibilities Commission in Queensland and she provided an overview for Board members. It operates in four communities where leaders work through their issues. There are six Commissioners, nominated from the communities, and they are remunerated for their work. Three are required to make a decision or referrals. Sometimes, they decided on income management, but it is voluntary – unlike the Northern Territory. Pauline said that people are very happy with it but there are also other aspects such as economic development, housing, extra support people in schools. The Commission is established under Queensland legislation. In Queensland they have government business managers but they are called government coordinators.

Bernard Singer then asked Gary McWilliams, APY Mining Tenement Officer to provide an overview of mineral and oil exploration on the Lands. This was to provide Pauline and others with some information on other activities, apart from government services.

Peter Huntington summarized the potential economic development opportunities and the work APY will be doing to introduce a royalties distribution model for the Lands. He emphasised there are a lot of activities going on the Lands and opportunities for Anangu business enterprises. APY needs to have the publicly funded services in synch with other proposals.

Ken Newman advised that the letter from Ben Wallace was read and provided to each Board member earlier. It may be best to deal with leases at an Officer level. Ben spoke to his letter and said there could be clarity in terms of items/assets and use by any competitive tendering, similar to the housing.

Peter Huntington clarified the housing leases are different in that these leases are provided for new houses and significantly upgraded houses. He explained that the resolution made by the Executive Board last year occurred before the last APY elections and on the basis of competitive tendering for services. Either way, traditional owner consultations need to occur to progress the matter. This is a requirement of the APY Land Rights Act.

Ben Wallace said they are interested in delivering good services and that FaHCSIA is committed to developing a competitive service to get the best available services. He said that apart from municipal services, they are also responsible for the CDEP program.

Bernard Singer asked what is happening with the MUNS on the Lands. At Indulkana, they were advised the current arrangement will cease at the end of December 2009. Ben Wallace said the Commonwealth made some decisions utilizing AP Services. The intention is to continue the community support people, maybe through AP Services and then in a competitive process by 1 July 2010.

Bernard Singer said that programs that were taken away from communities and given to AP Services has seen a decrease in services, not an improvement. He said FaHCSIA need to listen to Anangu about coming up with a better solution.

Ben Wallace said FaHCSIA entered into an arrangement with AP Services for the full financial year to 30 June 2010. FaHCSIA is seeking feedback from Anangu on the services. Several Executive Board members and staff gave examples of where communities are receiving no support from the office in communities. Anangu are being told to go elsewhere and told it is not their job.

Ben Wallace apologized to the Executive Board for the way they did the MUNS decision earlier this year. They know they created gaps and are trying to fix those through community support officers. But the start will be at Amata and Mimili before they go to other communities.

Pauline Peel was briefed by the Legal Officer on issues relating to leases and Anangu being unhappy with services. Pauline said she will take the information away and work on this matter.

Leonard Burton asked the State/Commonwealth if AP Services have been funded to provide the service delivery. Ben advised that they had until 30 June 2010. Leonard then asked if that means the model of AP Services is to be followed.

Kawaki Thompson asked why Government people always come to talk to APY and then walk away and do nothing and do not work with APY. He asked what the Government meant about closing the gap.

Kim Petersen talked about working at Amata and Mimili with Government Business Managers. One of the goals is to improve the health of Anangu. It means getting more kids to attend school,

building more houses to keep tenant numbers low. The more work the government does and provides services, the better it will be.

The Legal Officer explained what the Executive Board has done to advance the cause. He asked what the Commonwealth Government wants. He asked if they will work with APY, a statutory body or continue dealing in other ways on the APY Lands.

Pauline Peel gave a commitment to work with APY and work through these issues. She said she is totally committed to improving matters.

Bernard Singer asked Kim what is occurring this year for the school holiday program. She said she would find out and the funds are gone, she will find some. But, she understands NPYWC and DFC (SA) are running some holiday programs. She also advised DFC are having trouble recruiting youth workers for the Lands.

Ken Newman said Anangu have a desire to work in a true partnership with the Government to move forward on a range of issues – rather than through crisis management. He referred to earlier discussions today about camels as an example.

Kim Petersen said the Minister was keen to develop the leaders and leaders meeting between APY and assorted Ministers, including the Commonwealth.

Ben Wallace confirmed the Commonwealth does want to be involved in the Leaders and Leaders forum.

Bernard Singer thanked the visitors for coming to Umuwa today to meet with Executive Board members.

There was a lunch break from 2:05 pm – 2:50 pm

6. Ara Irititja –

A report was provided to each member and the General Manger read the report. Ara Irititja is seeking APY funding of \$25,000 for 09/10.

Resolution

The APY Executive Board approves expenditure of \$25,000 for the Ara Irititja project.

Moved: Jamie Nyangu

Second: Anton Baker

Carried: All

7. Anthropology Matters

An anthropology report was provided to all members for information purposes. The General Manager went through the report and provided several Clearance certificates for signatures from Executive Board members.

8. Previous Minutes of Meeting No. 4 – 11-12 November 2009

The General Manager summarised the Minutes of Meeting No. 5 held on 11-12 November 2009 which were accepted without alteration.

Moved: Jamie Nyangu

Second: Anton Baker

Carried: All

9. Development and Planning Matters

A report was provided to each member. The following are resolutions relating to the report.

a. Army Projects at Pukatja

Resolution

The Executive Board approves the army projects listed above subject to evidence that all APY development requirements are met.

Moved: Ronnie Brumby
Second: Jamie Nyangu
Carried: All

b. Housing SA Projects Pukatja

Resolution

The Executive Board grants a 50 year lease for ERN422 and this site is to be included in the fifth variation to the ground lease.

Moved: Mrs Paddy
Second: Jamie Nyangu
Carried: All

Umuwa

Resolution

The Executive Board approves site behind UMU316 for development as proposed.

Moved: Anton Baker
Second: Jamie Nyangu
Carried: All

c. 5th Variation to ground lease

Resolution

The Executive Board recommends the 5th variation to the ground lease is approved for the 16 sites at Kaltjiti (7), Kanpi (1), Pipalyatjara (7) and Pukatja (1).

Moved: Ronnie Brumby
Second: Jamie Nyangu
Carried: All

d. Permits for access to water and aggregate/soil for purpose of construction, exploration, light industry, horticulture etc

Resolution

The Executive Board approves the introduction of extraction permits, managed by the APY Mining Tenement Officer.

Moved: Anton Baker
Second: Jamie Nyangu
Carried: All

10. 2008/2009 APY Audit Report

The General Manager presented the 2008/2009 Audit report prepared by Perks which was accepted by the Executive Board. The audit was very positive and demonstrated again that APY has looked after the funding properly.

Resolution

The Executive Board accepts the 2008/2009 APY Audit Report.

Moved: Tony Campbell
Second: Jamie Nyangu
Carried: All

11. Legal Matters

Peter Huntington gave a brief legal report. At the last meeting, the Executive Board said it would work on rules for a permits by-law. APY, along with Ron Merkel, QC and the State have drafted a by-law about permits. Peter explained to the Executive Board what the by-law entails.

A resolution was proposed to ask the SA Government to approve making regulations to have by-laws about permits, Anangu housing and collecting rent for Anangu housing.

Resolution

The Executive Board asks that a regulation be made enabling by-laws relating to: permission to enter the lands; the occupation and terms of occupation by Anangu of social housing for Anangu not being housing leased to the State of South Australia ("social housing"); and, the payment and collection of rent for social housing.

Moved: Anton Baker
Second: Kawaki Thompson
Carried: All

Resolution

Provided the State reimburses the fees paid to Mr Merkel, QC for legal work relating to access to the APY Lands, the Executive Board:

- (i) *makes a by-law for access to the APY Lands, in the terms settled by Mr Merkel, which was tabled at the meeting and initialled by the Chairperson; and,*
- (ii) *agrees to informally apply that by-law until the regulation and by-law is made.*

Moved: Jamie Nyangu
Second: Tony Campbell
Carried: All

12. Correspondence In/Out

In

28/10/09	Housing SA	Letters to Communities re Funding and Management
03/11/09	Minister Weatherill	AW NRM Board and 4 Caring for Country projects
17/11/09	D Tedmanson	Research – invite to Feb 2010 Exec Board meeting
	Zonta Club	Grant of \$1750 for washing machine for Anilalya Homelands
18/11/09	Perks	2008/2009 Audit
	Amata	Executive Board representation
		Cancellation of AP Services permits
26/11/09	Kaltjiti	MSO House and Lease
	Minister Weatherill	Permits By-law
	FaHCSIA	Leases on Australian Government funded fixed Assets
	DPC-AARD	Mimili and Amata
27/11/09	Housing	Rent Collection – APY to support Housing SA
	PY Media	PY Ku Visitor Accommodation – respond to letter
26/11/09	Sam Mathews	Resignation from APY
30/11/09	Minister	Access to and Governance of the APY Lands
1/12/09	Bungala	Request to use Temporary Accommodation
	Amata	Representation on Executive Board

Out

13/11/09	Indulkana	Greyhound Bus Service
	Minister Weatherill	Access to and Governance of the APY Lands
	Minister Macklin	Access to and Governance of the APY Lands
16/11/09	All agencies	Permit Conditions Variation
20/11/09	Minister	APY 2008/2009 Annual Report and Audit
	Community Chairs	Update following Executive Board meeting 11/12 November

26/11/09 Amata

Permits and Executive Board representation

13. Land Management Concern

Mr Fraser raised a matter that Land Management is running cattle on the APY Lands without traditional owner approval. This will have to be investigated and reported back to a future Executive Board meeting.

14. Indulkana ESO House and Nganampa Health duplex

Bernard Singer advised that since the ESO moved to Umuwa, the house is being used as accommodation and an office by the State Government. He requested that as APY owns the dwelling, inquiries should be made to find out who is paying rent and where the rent is going.

Bernard Singer also advised that Nganampa Health want to gift a duplex to the Indulkana community but that it requires extensive repairs and does not meet Ministerial standards for housing on the Lands. He has asked Nganampa to write to APY.

The General Manager advised the Executive Board discussed a similar matter last meeting and determined that agencies are responsible for removing their temporary accommodation when they no longer need it so it does not become a community liability. That may be the case in this instance with Nganampa but we will wait to receive a letter from Nganampa Health.

15. APY Website

The General Manager presented the new APY website that has been developed over the past several months since the Executive Board approved creating a new site earlier this year. The new site is located at www.anangu.com.au.

16. Anilalya

Kawaki Thompson seeks Executive Board support to get resources back into the Anilalya Homelands. There are more Anangu living on the Anilalya Homelands than in Pukatja.

**Action: a. APY to write to the State and Commonwealth about this matter
b. APY to assist Anilalya in writing a petition to the Government**

17. Date of Next Meeting

The first Executive Board meeting for 2010 will be held on Wednesday 3 February 2010 at Umuwa.

18. Financial Inquiry

A member requested an advance of his Executive Board remuneration to help pay for vehicle repairs. The General Manager advised there are funds for 4 remaining meetings this financial year through our Land Rights Administration funding. This remuneration has been approved by the Minister. Additional loans cannot be made.

The meeting closed at 6:30 pm.

Minutes by Ken Newman