



**APY Executive Special Meeting with DPTI Road Upgrade Project Team Minutes**  
**22 September 2016**

**Meeting opened:** at 10:30am

**Present:** Garry Lewis, Murray George, Bernard Singer, Charlie Anytjipalya, Albert Fox, Willy Pompey, Ronnie Brumby, Owen Burton, Anton Baker, Trevor Adamson, Quorum was met.

**Others Present:** Richard King - General Manager; Rex Tjami - Director of Administration, Cecilia Tucker – Anthropology, Ruth Morley and **Male lawyers name**

DPTI Representatives – Warren Peterson, Iain Robertson, Karl Dowling, Peter Hamnett, Steve Scott, Ben Deegan and Jodie Grayson

**Welcome and Apologies**

Trevor Adamson welcomed all present, followed by formal introductions. The draft agenda was agreed to a guide for discussions during the day.

**Item One (1) Puntitjata Pit – Traditional Owner Meeting**

Discussion was had in relation to the outcome of the recent Traditional Owner Meeting for Puntitjata Pit specifically in relation to compensation. Richard King (APY) advised the Executive Board that a resolution was passed at the Special General Meeting held in November 2015 in relation to compensation.

**Resolution:** That the Special General Meeting, subject to the operation of section 7 of the Anangu Pitjantjatjara Yankunytjatjara Land Rights Act and the Heritage Protection Act, supports the improvement of the road between the Stuart Highway, Iwantja, Mimili, Fregon, Pukatja, Kenmore and the road between Umuwa, Amata and Pipalyatjara; within the APY boundary.

That the Special General Meeting support the road being a private road for Anangu Tjuta and **agree that no compensation** will be paid to any member of APY for the road improvements.

Moved: Paul Andy

Seconded: Gordon Inkatji

Carried by all

Two against

Richard King (APY) further advised as stipulated under the Act, the Executive Board must comply with a resolution of Anangu Pitjantjatjara Yankunytjatjara made at an annual or special general meeting held in accordance with this Act that directs the Executive Board to act, or to not act, in a specified manner.





Ronnie Brumby (APY Executive) advised all present that he would return to the Traditional Owner group to advise of the outcomes of this meeting.

Richard King (APY) advised the Executive Board that as consent has been given to crush the material and the contractor is working onsite, given that we cannot reach a resolution to blast we propose a resolution to work at night time.

**Resolution: We the Executive Board resolve to give approval for DPTI to work at night and during the day to raise material at Puntitjata Pit.**

**Moved: Ronnie Brumby**

**Second: Albert Fox**

**All in Favour**

### **Item Two (2) Fregon Pit – HIA Report – Consent**

Cecilia Tucker (APY) advised the Executive Board that preliminary Heritage Impact Assessment (HIA) Surveys have been completed at five proposed sites around Fregon. Traditional Owner consent has been granted for material search test holes to be undertaken at three (3) of the five (5) nominated locations being areas three (3), four (4) and five (5), between Double Tanks and Fregon. Subject to the material search results the Heritage Surveys will be completed at the three nominated locations.

DPTI sought consent from the Executive Board subject to the outcomes of the HIA report that if suitable material is found consent is granted to call crushing contracts.

It was also proposed that the General Manager and Director of Administration receive a copy of the HIA report and sign off on behalf of the Executive Board for the three (3) nominated locations.

**Resolution: Executive Board give approval for DPTI to test material at sites three (3), four (4) and five (5) between Double Tanks and Fregon.**

**Moved: Charlie Anytjipalya**

**Second: Albert Fox**

**All in Favour**

**Resolution: Executive Board give approval that if suitable material is found at sites three (3), four (4) and five (5), Richard King and Rex Tjami are provided and approve the report allowing DPTI to crush material.**

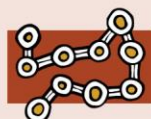
**Moved: Owen Burton**

**Second: Bernard Singer**

**All in Favour**

### **Item Three (3) Umuwa Aerodrome HIA – Resolution**

Richard King advise the Executive Board that the Umuwa Airstrip is a separate project to the road project. Advising there are savings to be made if this project is done at the same time.



Anangu  
Pitjantjatjara  
Yankunytjatjara



Australian Government



Government  
of South Australia



Cecelia Tucker advised the Executive Board that a community meeting has been held at Pukatja and Traditional Owners have been nominated to form a survey team, however to date the survey team have refused to undertake the survey.

**Resolution: Executive Board give the nominated heritage team the opportunity to undertake the survey with Anthropology. If the nominated survey team do not undertake the survey the Executive Board will nominate a team to undertake the survey.**

**Moved: Ronnie Brumby**

**Second: Albert Fox**

**All in Favour**

**Resolution: If the nominated heritage team do not undertake the survey, Anthropology are to come back to the Executive Board for nomination of a team at the November Executive Board Meeting.**

**Moved: Willy Pompey**

**Second: Albert Fox**

**All in Favour**

#### **Item Four (4) Pukatja Pit Remaining Material – Consent**

Warren Peterson (DPTI) sought consent from the Executive Board to utilise the remaining crushed material at the Pukatja Pit for construction of the junction to the Pukatja Airstrip Access Road.

**Resolution: Executive Board give approval for DPTI to utilise the crushed material at Kenmore Park Pit for maintenance and junction works at Pukatja.**

**Moved: Bernard Singer**

**Second: Ronnie Brumby**

**All in Favour**

#### **Item Five (5) Entrance Roads into Umuwa – Extent of works**

Warren Peterson (DPTI) advised the Executive Board, discussions have previously been held in relation to the extent of works for the entrance roads into Umuwa, with the Executive Board proposing that both the existing southern and northern access roads are closed with a new road to be constructed through the centre.

The Executive Board granted consent to construct the entrance road on the existing alignment of the northern entrance after the nominated Heritage Survey team refused to undertake the survey.

**Resolution: Executive Board give the nominated heritage team the opportunity to undertake the survey with Anthropology for the alignment to be through the middle. If the nominated**





survey team do not undertake the survey the Executive Board will nominate a team to undertake the survey.

**Moved: Ronnie Brumby**

**Second: Albert Fox**

**All in Favour**

#### **Item Six (6) DPTI Project Team Structure**

Warren Peterson (DPTI) advised the Executive Board of changes to the project team structure. Braydon Ames and Peter Kwitko have relocated to other projects with Warren Peterson -Project Manager, Iain Robertson - Contract Manager, Ben Deegan – Site Engineer. All other personnel remain unchanged.

#### **Item Seven (7) PWC Visit 12 & 13 October**

Jodie Grayson (DPTI) provided an overview of the itinerary for the upcoming Parliamentary Public Works Committee (PWC) visit to the APY Lands.

**Action:** DPTI to work with APY General Manager, Director of Administration and APY Anthropology to have representatives from each community met with the PWC members during the visit.

#### **Item Eight (8) Minister Visit 9 & 10 November**

Discussion was held in relation to the proposed Ministers Visit in November with APY Executive expressing concern as to the timing, given other events that are also occurring during November.

#### **Item Nine (9) Notification of Contractor - Maintenance Grading Contract**

Warren Peterson advised the Executive Board that Ceduna Bulk Hauliers & Earthmovers have been awarded the Maintenance Grading contract.

#### **Item Ten (10) Mandatory Briefing Tender Call Stage Two – Consent**

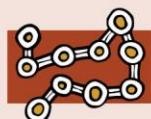
Warren Peterson (DPTI) sought consent from the Executive Board to undertake a mandatory briefing with prospective tenderers to inspect the area of Stage Two works with a nominated member of APY Executive to attend.

**Resolution: Executive Board approve the go ahead to hold a mandatory briefing for Stage Two works, viewing pit, water and realignment areas with nominated APY and Traditional Owner/Heritage Team representatives.**

**Moved: Owen Burton**

**Second: Willy Pompey**

**All in Favour**



Anangu  
Pitjantjatjara  
Yankunytjatjara



Australian Government



Government  
of South Australia





### **Item Eleven (11) Mandatory Briefing Tender Call Crushing Fregon Pit – Consent**

Warren Peterson (DPTI) sought consent from the Executive Board to undertake a mandatory briefing with prospective tenderers to inspect the Fregon Crushing Pit locations with a nominated member of APY Executive to attend.

**Resolution: Executive Board approve the go ahead to hold a mandatory briefing for crushing at Fregon Pits with nominated APY and Traditional Owner/Heritage Team representatives.**

**Moved Garry Lewis**

**Second: Willy Pompey**

**All in Favour**

### **Item Twelve (12) Works Schedule October 2016 to February 2017**

Warren Peterson (DPTI) sought advice from the APY Executive Board in relation to what works could occur during the months from October 2016 to February 2017, specifically relating to monitoring requirements and closure of APY Administration over the Christmas/New Year holiday period. Richard King (APY) advised that there will be no restrictions at this time, normally always monitors available

### **Item Thirteen (13) Employment Update**

Warren Peterson (DPTI) advised the Executive Board of the total 27,232 onsite labour hours to the end of August 2016 a total of 10 009 have been undertaken by Anangu, equating to 37%.

A general discussion was held by those present in relation to expanding the current reporting format to include hours worked, roles undertaken, training undertaken and any issues of non-attendance. It was agreed that a formal report would be prepared and presented to Executive at each Board meeting.

**Action:** DPTI to draft an employment report template and liaise with APY General Manger

### **Item Fourteen (14) Road Safety Audit**

Richard King (APY) advised the Executive Board that copies of the Road Safety Audits have been received detailing signage and line marking requirements for all community roads. This signage will allow the “On the Right Track-Remote” team complete driver’s licence testing in each community. APY will work with DPTI to develop a scope of work and estimated costs for these works to be undertaken in each community.

### **Item Fifteen (15) Watinuma – Amata Road HIA Responsibilities**

Richard King advised the Executive Board that DPTI has undertaken a review of the Watinuma to Amata Road to identify and prioritise the areas requiring formation and sheeting works. These works will be





undertaken by APY as part of the funding APY receive from the Roads to Recovery program. APY will be responsible for undertaking all Heritage Clearances required for the works.

**Resolution: Executive Board granted consent for the development of a plan to fix the road between Watinuma and Amata.**

**Moved: Anton Baker**

**Second: Owen Burton**

**All in favour**

Trevor Adamson Chairperson, APY Executive Board thanked all those present for attending the meeting today, advising that the Executive Board will now undertake a review of the legal agreement with their lawyers. All DPTI representatives left the room.

#### **Item Sixteen (16) Legal Agreement – APY Lawyers**

Richard King (APY) and Ruth Morley (APY Lawyer) provided APY Executive with an overview of the content of the legal agreement between Anangu Pitjantjatjara Yankunytjatjara and the Commissioner of Highways (Department of Planning, Transport & Infrastructure)

**Resolution: That APY executes the agreement for the road works with the Commissioner of Highways and pursuant to Section 32, Clause 1, Part D of the Anangu Pitjantjatjara Yankunytjatjara Lands Right Act if APY is unable to agree either:**

- (i) the location of the areas which gravel or stone is to be quarried for the purpose of the roads; or**
- (ii) whether or not compensation is payable with respect to any gravel that is quarried for the road works;**

**Requests the Commissioner of Highways submit that issue to arbitration if the matter cannot otherwise be agreed pursuant to Section 32, Clause 2.**

**Moved: Garry Lewis**

**Second: Murray George**

**Abstain: Owen Burton**

**All in Favour**

Meeting Closed at 3:30pm

