



# Anangu Pitjantjatjara Yankunytjatjara

## APY SPECIAL GENERAL MEETING

Thursday 10 June 2021

Held at Trade Training Centre (TAFE), Umuwa.

### Meeting opened at

**Present in room** Bernard Singer (BS-Char), Anton Baker (AB), Owen Burton (OB), Gary Lewis (GL), Willy Pompey (WP), Tania King (TK), Richard King (RK), Deborah Bailey (DB-Minute Taker)

**Present on Bluejeans** Julieanne Campbell (JC), Ebony De Rose (EDR), Richard Kanari (RKan), Makinti (MM), Marita Baker (MB), Ruth Morley (RM)

**Present on Phone** Nyunmuti Burton (NB)

**Minute Taker** Deborah Bailey (DB)

(SIL) = Spoke in Language

### 1. Welcome

**BS** spoke in language (SIL)

**RK** introduced and welcomed everyone, said the Minister had asked APY to decide who it wants to be a conciliator for the APY Land Rights Act. RK read out the conciliators that were available to be on the panel and their profile information supplied by DPC. RK said that the APYLR Act says that if there is a problem with the decisions of the APY executive Board, then Anangu can ask for conciliator to help fix that problem.

**BS** translated the agenda. RK noted that Jeremy Moore previous conciliator has not been put forward this time by the Minister.

**GL** under the Land Rights Act (LRA) 'anybody can get a conciliator'.

**RK** displayed the LRA section 35A on screen and explained how it works.

**RKan** (SIL) re conciliator asked what does this conciliator do?

**GL** (SIL) referenced 35A LRA explaining to Richard Kanari how section 35A works.

**RK** highlighted why it is important to assess the panel members because APY executive had a bad experience with Jeremy Moore. RK said conciliators have to be careful to avoid getting involved in APY politics and be impartial. Further explained that the conciliator role.

**BS** (SIL) explaining the process of conciliators role. He stated that Jeremy Moore went and did what he liked, did not follow the Act outlining the role of conciliators.

**RK** mentioned that conciliators are like a referee to make APY Executive Board decisions a fair process for everyone.

**OB** (SIL) re asked a question about Trevor Adamson in language

**BS** translated Owen Burton question: "dispute that's been happening from Trevor Adamson would be right to see conciliator"?

- RK** If Trevor or anyone else has issues with the Board decision, the Act says the conciliator helps them to find a mutual solution, but if there is an issue with the GM or Director of Administration Trevor has to go to the Executive Board first about their problem, but Trevor and Brouss went straight to the Minister for help under section 35A about problem they said they had with me, as GM and Jeremy Moore got involved with them. They should have come to the Executive Board first, not piranpa (non-Aboriginal person).
- BS** asked "why/was there any kickback"?
- RK** mentioned – The Ombudsman became involved in some of the complaints about the Board and APY wrote to the Ombudsman to advise him it was not his matter to get involved with. The board manages their own affairs.
- BS** The conciliators got to understand that the APYLR Act determines what they are supposed to do, not running their own way or getting involved in Anangu business (SIL).
- RK** explained the process of conciliation, for example, Simon Lane was not able to investigate the issue because he reviewed it, so he passed the matter to Jeremy Moore to investigate independently. Executive were fighting at that time and Jeremy Moore only listened to T. Adamson side and not the majority of the board. He should listen to all board members. And if there was an issue with the GM or Director or Admin then the staff should have been afforded the opportunity to present to the conciliator, but the GM and Director were kept out of the Conciliators investigation about them. There was no due process.
- TK** Provided Executive with the conciliators collated information booklet. Through the chair this will be discussed later in the day.
- GL** (SIL)
- TK** advised that conciliators are reviewed every three (3) years.
- RK** Showed on screen the Act in relation to the conciliation requirements/process.
- RKan** (SIL) suggested to talk a little about conciliator and then move on to the next on the agenda.
- BS** suggested to continue with the previous minutes.

#### **PREVIOUS MINUTES 26 & 27 MAY 2021**

- TK** read out the previous minutes for the 26 May 2021.  
Amendments for the 26 May - noted and amended that Mrs Norris was an apology to the meeting and not on the phone as suggested.
- BS** left meeting at 11:05pm and handed the chair to Mr Pompey.

#### **RESOLUTION**

Minutes of the Board meeting 26 May 2021 are a true and accurate record.

Executive approved for the abridged version of the Board meeting 26 May 2021 to be published online  
- All were in Favour

**Moved:** Owen Burton                      **Seconded** Anton Baker                      **All were in Favour**

- TK** read out the previous Executive Board Meeting minutes of the 27 May 2021.
- BS** returned to the meeting at 11:09am and Mr Pompey handed back the chair.

#### **RESOLUTION**

Minutes of 27 May 2021 are a true and accurate version and approved for an abridged version to be uploaded online

**Moved:** Owen Burton                      **Seconded** Anton Baker                      **All were in Favour**

#### **LEASING**

- GL** advised he sent a letter to Rex the Director of Admin regarding (leasing). (SIL)
- BS** stated 'the expectation is to have a response so that there is a paper trail as proof.'

- MM** (SIL) BS translated and said that MM said Mai Wiru have been on lands for 14 years and need to look at backdating.
- TK** suggested might be good to look at the Alpa model.
- GENERAL discussion about leasing
- BS** start looking at leases on the land/legal (SIL) Self Determination.
- RK** talked about statute of limitations and the possibility to seek legal advice on the historical request of backdating rents/leasing. RK highlighted that one lease agreement is currently active with the Catholic Care and this lease was backdated one year. RK went on further to suggest that a dedicated position will need to be created to review and manage over 1000 leases.
- BS** Interpreted. BS asked to note the discussion for leasing in other business.
- TK** through the chair who approved of correspondence to be addressed.

## **CORRESPONDENCE**

- TK** *Local Roads and Community Infrastructure (LRCI)*. TK explained the funding and currently where this process is. Proposed funding for infrastructure and potentially roads is \$468 874 to be spent and completed by 30 June 23. Further detailed information to come.
- GENERAL discussion about the LRCI funding
- BS** explored and shared an idea of establishing community administration offices in each community following there was discussion on presenting request to the Federal Government to match funding in areas such as new technology, video conferencing, furniture etc.

## **RESOLUTION (4)**

The APY Executive Board approved phase 3 funding offer of the LRCI to go towards upgrading offices in each of the identified 7 community offices and for the Manager Stakeholder Engagement to gain approval from Federal Government and bring back to Executive at the next possible meeting

**Moved:** Anton Baker                      **Seconded** Willy Pompey                      All were in favour

- BS** mentioned and suggested that all contractors coming onto the lands would have to report to the office in that community.
- Identified communities Pukatja/Mimili/Indulkana/Fregon/Amata/Pip/Kalka.
- RK** Legal will follow up leasing options re: Mai Wiru and PYKU Centres.
- BS** We have to be strong on the lease.'
- RK** displayed the part of the Act regarding leasing following discussion about the process.
- BS** summarised in (SIL).
- RK** talked about the next generation and opportunity to train young generation.
- TK** the Assistant Police Commissioner will attend the next board meeting July 14 from 10:30 - 12:30.
- RK** presented the letter from D. Robinson informing that the Aboriginal Community Care will be taking over the Nganampa Aged Care.
- RK** Amata Pit – RK explained they need more tonnes from the Amata Pit to continue works to repair the Amata road section turn off to Pip. RK showed Executive on the map the proposed areas.

## **RESOLUTION**

Executive to approve the requested required 123,000 tonnes from Pit 51 to fix the Amata Road.

**Moved** Owen Burton                      **Seconded** Anton Baker                      **All were in favour**

**HR Assessment – request approval to continue service**

**RK** APY subcontracts to ATS who provide a Human Resource service such as recruitment, HR advertising etc. the charges are around \$46 754 per year. It would cost APY around \$150 thousand per year if we solely provided this service. Discussed and requested to continue service.

#### **RESOLUTION (6)**

Executive agree to continue with the HR service provided through ATS for another 2 years at the value of \$46,754.

**Moved Owen Burton**

**Seconded Mr Willy Pompey**

**All are in Favour**

#### **ATS Contract**

**RK** explained that ATS contract is due however due to covid have not been able to address until now.

**OB** stepped out of meeting at 12:53pm.

**RK** continued to highlight the positive and efficiency of ATS for example APY continues to receive unqualified audits.

**TK** through the chair, suggest to extend the contract for another two years for the same price of \$21,175 a month as proposed.

**BS** stated that this is good compared to other accountant firms. They are cheaper and know Anangu.

#### **RESOLUTION (7)**

Executive agree the ATS contract be extended for 2 years and then review for another two years.

**Moved Anton Baker**

**Seconded Gary Lewis**

**All were in favour**

#### **CCTV Services contract**

**RK** CCTV Security services – contract value is \$67,776.01. RK explained that APY is looking to install CCTV at the Pastoral, Rec Shed, Conference room. Stuart has organised 3 quotes and as per procurement process Desert Connect has been suggested to use for this service.

**BS (SIL)**

#### **RESOLUTION (8)**

Executive agree that Desert Connect from Alice Springs are the recommended business to provide CCTV Security systems to implement at the Pastoral Shed, Rec Shed, Conference area as proposed.

**Moved Owen Burton**

**Seconded Bernard Singer**

**All were in favour**

#### **IT Services**

IT services were previously managed by another source. Stuart Bailey has managed APY IT Services for the past two years on the lands. With regard to IT procurement – Augusta Regional Network Services is Stuart Bailey's business and have quoted \$60+GST, \$198,000 over 3 years. Richard Ashley was 71K + GST a year.

It is recommended that Augusta Regional Networking Services is awarded a contract for the next 3 years.

**BS** Translated and stated that Stuart has upgraded the system and networks as good as you would in the main city. He knows everything of all our needs. He would know how to upgrade community councils for all communities. Recommended.



**BS called MEETING CLOSED AT 4:51PM**