



Anangu Pitjantjatjara Yankunytjatjara

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APY Executive Board Meeting

10 October 2023 Day two of two

Held Wakefield House, Umuwa, Phone, Bluejeans conference

PRESENT

Umuwa

Rex Tjami (RTJ), Julieanne Campbell (JC), Tony Paddy (TP), Rita Roley (RR), Sharon AhChee (SAC), Murray George (MG), Owen Burton (OB), Deborah Bailey (DB – Minutes)

Phone

Marita Baker (MB), Willy Pompey (WP),

Bluejeans

Bernard Singer (BS), Tania King (TK), Nyunmiti Burton (NB), Karina Lester (KL). Ruth Morley (RM), Yangi Yangi (YY)

Meeting opened 1112

Chairperson BS declared the day two Executive Board meeting 10 October 2023 open at 1112 NT time. Roll Call of members.

Commencing from yesterday conversation...

RM the reason why APY has to have leases with people using the land and provide services to Anangu is so that the risk is managed for APY.

EDR TRL

RM really important that you have leases. Nganampa health council look after health and provide service. they have to provide accommodation for staff and place for staff to work. Nganampa health council have leases with APY. They are looking for a lease for

one bedroom demountable units on Ninysi Street at Umuwa. 4 demountable one bedroom units for their staff to live at. This is for visiting doctors, nurses & specialists to stay at.

EDR TRL

RL where was location? Ninysi, Ruth said. They were in relation to previous approval for building.

RM these are demountable buildings, and they are new leases.

KL we gave some approval for a building and that is a separate arrangement. RM confirmed that a lease is to put four demountable on the ground.

RESOLUTION

The APY Executive Board agrees to give Nganampa Health Council a lease to put 4 demountable one bedroom units on terms and conditions to be negotiated by the General Manager including APY costs of making the lease.

Moved: Sharon AcChee Seconded: Karina Lester All in Favour Carried

RM every time APY asks for lease we have to have Anthropology clearance and to make sure its okay. Sometimes we charge rent and that money goes into the bucket to Anangu Tjuta RK advised that RM helps us to do the legal costs by drawing up the lease. The other thing to be aware of is since the Pip office burnt down we have had to insure all public buildings across the lands we do not get this money back and are not funded anywhere we understand that it is important.

EDR TRL RK advised only insure the offices.

1121 Owen burton entered meeting at 1121

SAC yesterday when we spoke about the legal advisor any building any fixture that is into this munda belongs to APY. RK said that is correct. SAC asked if those 4 demountable belong to APY?

EDR TRL

SAC so every building that is put onto APY belongs to APY?

RM that is a fundamental legal principle.

SAC so all this building ownership is taken into consideration when you grant the lease to Nganampa ? RK said that because they are using the buildings, they, anyone that puts up a construction on the lands that belongs to us if they don't want to give to us then they have to remove and restore the site to original.

OB SIL...where is the rent going to go?

RM Mr Lewis doesn't have a lease the person has a lease is the council. OB said that's a problem. RK said only APY can collect rent. We don't charge Lewis. OB said that's a problem he is not paying rent. Someone has to go there and talk to Lewis and tell him that you're not paying rent. OB we need to find where the money going.

RM through vice chair is anyone against.

OB wiya

Voted - Sharon, Tony, Rita, Julianne, Owen, Marita Baker, Trevor Adamson, Bernard Singer.

BS stated that the resolution no one against. Motion carried.

RM University of SA Lease

EDR TRL

RM the place at 17 Pukatja road where they are now, they want a lease for that place and they want a lease to add another demountable onto that area.

EDR TRL

RESOLUTION

The APY Executive Board gives a lease to the University of SA for 17 Pukatja Road Pukatja and give a new demountable only if traditional owners say Palya for that new demountable to sit on the land.

The General Manager will negotiate the terms and conditions and cost for that lease.

Moved: Karina Lester Seconded: Charlie Anytjipalya All in Favour Carried

Member Vote counted all in favour

RM advised and explained that some details are advised why they want the leases.

RK since started leasing took a long time for the providers to understand why we are doing it. it protects them and protects Anangu.

BS advised that the motion was carried

RM the country fire service at Amata wants to use the shed and they yard to make sure there is a fire protection service for Amata. The council had a meeting and they said Palya

RESOLUTION

The APY executive board agrees to give a lease to the country fire service at Amata with the General Manager negotiating terms and conditions and costs for the lease.

Moved: Karina Lester Seconded: Charlie Anytjipalya All in Favour Carried

RL do they only have fire service at Amata? RM said they have a number. RK said pretty much every community.

KL what is that arrangement between APY and Country Fire Service?

Distracted from taking part of minute 1150 umuwa time.

RK there is a formula that we use. RK explained in summary.

RM Telstra – has sold its towers to a company Amplitel.

EDR TRL

RM when one company buys another company the company has to tell us as the land owner they tell us. Telstra is selling the towers and the service that provides Anangu selling it to Amplitel.

EDR TRL

RM that means that the lease for the land for the towers that goes to Amplitel as part of the deal for Amplitel to take over Telstra business

EDR TRL

RM that means that APY is advised to agree to Amplitel having the lease for those telecommunications towers.

EDR TRL

BS agree with the terms and considerations of the lease RM said that the new lease agreement between APY and Amplitel and they are happy for that to happen.

KL question in your presentation Telstra has already sold towers and the current lease they have and now Amplitel is third party are you advising the executive to do a new lease arrangement?

RM it is called an assignment. Telstra and Amplitel have their own agreement. We don't know what's in that, but it does mean that the towers are held by Amplitel it is not a new lease it is passing on the new from Telstra to Amplitel. That was about three / fours years ago we agreed to that lease the same terms and conditions just going from one name to another.

EDR TRL

Mr Lewis entered the meeting at 12noon

RESOLUTION

The APY Executive Board agrees to the assignment of the telecommunication towers from Telstra to Amplitel.

Moved Seconded All in favour Carried

SAC how many towers?

RM 17 existing sites, they become APY.

SAC all these resolutions moving today are we moving APY to organise anthropology and community meetings? So today we saying to APY going ahead?

RM executive board agreed for the lease it is a long lease and was agreed to at an AGM.

SAC but we have approved other leases today so what are we approving today is for APY admin to organise Anthro legal and community meetings? RM said yes! that is part of the resolution.

RK said if we have to dig a hole a new one we would have to go to community etc. explained how they consult and go back to Anangu and then give the HIA to buildings which has to be followed etc.

RESOLUTION

The APY Executive Board agrees to the assignment of the telecommunication towers from Telstra to Amplitel and for the General Manager to negotiate the terms and conditions and costs.

Moved Seconded All in favour Carried

APY Executive Board 10 October

Minutes Sighted - Initial of Chairperson_____

RM yes! the costs already exist. RM said that we still have to make sure that the legal document is right.

KL what does the GM and director need to do when there is something that already exists?

RM a lot of communication between Amplitel and APY. We have to make sure that the information is accurate and that Amplitel knows exactly what is being taken on.

EDR TRL

RESOLUTION

The APY Executive Board agrees to the assignment of the lease for telecommunication towers from Telstra to Amplitel and for the General Manager to ensure the terms and conditions and costs are accurate.

Moved: Owen Burton

Seconded: Tony Paddy

Carried

Abstaining Karina Lester

RM explained that the costs. KL stated wanted a breakdown of all the costs.

BS would like to move on and continue with meeting.

RK under the Act 6 part B where they talk about this issue no mortgage or lease can be transferred they have to come back to APY.

RM ten new sites.

1218 BS Nyunmiti came on 1218, Yangi Yangi left mtg.

RM the next leasing matter is we are moving onto the new sites Karina and this is part of legal to confirm what we found when we were checking that was that there are ten sites that have never been under any lease at all but they are Telstra towers.

EDR TRL

RM we need new fresh lease for those ten towers

RESOLUTION

The APY Executive Board agrees to

- 1. Give Amplitel leases over the ten sites for five years.**
- 2. Amplitel can sub licence to Telstra to look after those ten sites. With the General Manager works out the documents, costs and rent**

Moved

Seconded

All in favour

Carried

RM Amplitel wants to sublease back to Telstra because Telstra know about those towers. Amplitel are not happy to take on those ten sites. They will agree to be responsible for them and take the lease but they want Telstra to take over the management and that is part of the private agreement.

EDR TRL

RM APY Executive Board agrees that Amplitel can sub licence to Telstra to look after those ten sites.

RM APY Executive Board

RESOLUTION

The APY Executive Board agrees to;

1. Give Amplitel leases over the ten sites for five years.
2. Amplitel can sub lease back to Telstra to look after those ten sites.
3. the General Manager will work to recover APY legal and costs and settle the agreement.

Moved Karina Lester Seconded Bernard Singer All in favour
Carried

KL can we get a map do we need 27 towers? **ACTION** - RM will provide map to KL

BS requested to move on.

RM five new sites at Nyapri, Murrpitja, Kanpyi, Watinuma and Kenmore park

RK mentioned that the Kalka paperwork has been sent through.

RM will add Kalka to the list

RESOLUTION

APY Executive Board agrees to grant Telstra leases over the six sites Kalka, Nyapri, Murrpitja, Kanpyi, Watinuma and Kenmore Park for five years subject to TO approval under section 7 of the LRA and the General Manager will get the legal and Anthropology costs back and negotiate the terms and conditions

Moved: Tony Paddy Seconded: Julianne Campbell All in Favour Carried

Chairperson acknowledged for KL to take over the TRL.

1242 KL TRL 1242 ended TRL at 1245

APY Executive Board 10 October

Minutes Sighted - Initial of Chairperson_____

RM advised new sites, small cell.

SAC wanted to bring up related to telecommunications the board need to think about telecoms on homelands. we have not got land lines we need satellite because that is emergency for the homelands. In this terms and conditions can you wrangle a copy of satellites as a goodwill gesture.

1247 Legal report ends 1247

KL need to get map of all those locations can we make it an action? Map of all towers to be provide. Ruth took on notice can we get all the lese down to a document so that we are clear on who are the lease with and what are current?

ACTION RM to provide map of tower locations.

RK in terms of the leases that is a huge piece of work. There is not a need for it.

KL there is a need for it, just asking for a one page so we know who has leases across the APY lands.

RM said that we can put something together

RK APY admin cannot put a lease in place without the Board.

Break at 1251

1314 Meeting resumed at 1314

1315 Karina started translating - Adelaide time EDR left meeting gone home

ITEM CORRESPONDENCE

TK letter from the Governor General writing to let know that the Hon Governor Adamson the Governor of SA and partner intend to travel to APY in November.

KL TRL

TK the date is possibly 5th to the 8th Nov, they plan on going to Alice Springs and on Sunday 5th November and to lands on the 6th and returning to Alice on the 8th.

KL TRL

Tk Purpose of travel is to engage with local members, school children and local service provider.

KL TRL

TK they have asked this info to be brought to attention of APY Executive board

KL TRL

TK we would greatly appreciate any support or guidance the board can give.

APY Executive Board 10 October

Minutes Sighted - Initial of Chairperson_____

- KL TRL
- TK you may also consider appropriate that make direct contact with individual councils and boards of community we plan on visiting.
- KL TRL
- TK working with Mr Richard King, Rex Tjami and Tania King in planning the visit and they will accompany the Governor on the visit.
- KL TRL
- TK the writer of the letter is Hugh, the official secretary to the Governor.
- KL TRL
- TK Mr Borrowman will also be on the visit and can be contacted on his number to discuss the proposed visit or this request.
- KL TRL
- KL wanted to know what the purpose of the Governor General to APY lands is?
- TK been in contact with her staff members, and it is a courtesy visit she has not come out to the lands and would like to connect with community members, school children and service providers.
- KL TRL
- SAC do we have itinerary of the communities that she is visiting?
- KL TRL
- SAC in relation to Pukatja – visitors come to Pukatja and the Mr Lewis tells them to get away because they haven't followed process and it is happening far too much. If we making resolutions at the board level. How do we handle it?
- RK can talk to him directly.
- BS we don't really want to talk to individual people, we want to talk to community...difficult to hear.
- KL TRL
- SAC I raised this because there is one man stopping the progress of the whole community. He is clinging on a community council election over 8 years ago. He doesn't bother to find out about APY board or Executive board gives permission, and he stops them on the road.
- KL TRL

- TK requesting letter to be noted and response. Do they contact community councils as well – wanting to make sure they are following proper protocol what is the process the board suggests, do they contact the chair or vice chair?
- KL TRL
- SAC no good going back to council not working and not set up. Suggest, the Executive Board approve and the notice goes around.
- KL TRL are you seeking words for the letter?
- TK if there is any particular words that board would like happy to take note and send on.

Discussion in language

- TK said there is conversation about travel from Alice to Kenmore park, Pukatja, Amata and Mimili and overnight stay at Umuwa with a possible dinner with board members and stakeholders.
- KL TRL
- SAC suggested to hold a community barbecue and the community will come and talk, is there a possibility they can have a little barbecue to bring the members to the meeting?
- KL TRL
- BS will take on board and have a discussion with RASAC.
- KL TRL
- KL the governor general might assist with barbecue.
- TK suggested to connect with Mailee Miller to assist in direct contact to with the staff of the governor regarding arranging the barbecues in the communities they will be visiting.
- KL TRL
- RK RASAC and worka wiru engaging them.
- TK will follow up with Mailee and Mark Jackman.
- KL perhaps they can present something in the letter correspondence the community would like to know her role and introduction of what she does and what she can do.

1403 Rita Rolley not present at Umuwa.

KL inform the arts centre of the Gov General as well. There is also Anangu that are part of those Art centres that can be invited to the barbecue as well.

OB suggested they see the art centre in Adelaide.

BS not a good idea.

OB SIL – suggesting something about they speak with art gallery in Adelaide.

KL TRL

BS TK will send letter and Maille Miller.

WP and BS having discussion.

1407 Mr Paddy returned to meeting at Umuwa at 1407.

1409 Julianne Campbell left meeting

Discussions

1413 Rita Rolley back into Umuwa at 1413

TA SIL

BS PROFIT AND LOSS June 2023

Chris Tee talked to the profit and loss

RESOLUTION

The APY Executive Board approve and agree that the budget for June 2023 is a true and accurate record.

Moved: Mr Pompey

Seconded: Mr Paddy

All in favour Carried

1515 SAC left meeting at 3:15 NT time

Anthropology Update – Mia Introduced self

KL TRL

1 Iwantja Bus Shelter Upgrade – Nganampa Health Council/Rotary – project that has come from Indulkana community.

MMC Displayed picture of the bus shelter design that is on Mimili road. Indulkana community have asked for the shelter to be erected at the corner Indulkana road. Nganampa health are helping to fund.

KL TRL

MM survey has been done for location has not gone to Iwantja community as yet.

RESOLUTION

The APY Executive have reviewed the HIA for bus shelter at Iwantja and approve in principal pending community council approval.

**Moved: Mr Pompey Seconded: Julianne Campbell All in Favour
Carried**

RK there has also been conversation about putting two drop toilets also.

ACTION *suggested by KL Mia stated that we choose a spot that was 25metres for the toilets.*

MM stated it sits outside of the buffer zone outside of the 25metres and the toilets would be further back again.

MMC No conversation with the highway about toilets as yet. No budget for toilets.

KL TRL

BS will look into this

1538 Adamson left meeting as per advised KL

APY OFFICE CLOSURE for Xmas and reopening

KL TRL

TK Proposed closure dates for APY office are Friday 23 December and reopen Monday 15 Jan 2024.

KI TRL

RESOLUTION

The APY Executive board approve dates for the office closure for 23 December and reopen Monday 15 Jan 2024.

**Moved: Julianne Campbell Seconded: Rita Rolley All in favour of
Carried**

- BS MSE next item is AGM for 21/22 period.
- KL TRL
- TK difficult to set a date at this point due to waiting on the KPMG audit sign off.
- KL TRL
- TK chairperson has proposed potential resolution

RESOLUTION

The APY Executive Board approve the chairperson to set the date for the AGM for the 21 / 22 period once the audit has been completed by KPMG

Moved: Mr Anytjipalya Seconded: Rita Rolley All in favour Carried

Identified a quorum

GOVERNANCE TRAINING

BS governance training – chair suggested a resolution

RESOLUTION

The APY Executive Chairperson will call a governance training meeting date in due course.

Moved Seconded All in favour Carried

- TK suggested that the Chairperson, Director and General Manager respond to the following Item 7, 5, 8, 11, 12, 13 of the agenda due to time constraints in this meeting.
- KL do we know what those items are that you are wanting to talk to Executive about? So that I'm clear. Is the chairperson claiming that we put these on hold or that the Chair, GM and Director will further these discussions?
- RK we can do a session under section 9F we can do delegation. delegate section 9f GM to work with Chairperson and Vice chairperson.
- KL when you say address what are you referring to?
- RK we don't know yet we got to go through them we can meet with those people under section 9F we can do a resolution.
- KL we as an executive might want to know what they mean?

RK we can let you know what they are.

RESOLUTION

The APY Executive Board direct the GM and Director to meet with stakeholders in conjunction with the chairperson and vice Chairperson to address the remaining items 5, 7, 8, 11, 12, 13 from the Agenda items 9th and 10 October 23 regarding their concerns and will provide feedback to executive.

Moved: Karina Lester Seconded: Mr Tony Paddy Carried

Against: Trevor Adamson

Meeting Closed

Chairperson Bernard Singer Closed day two Executive Board meeting 10 October 2023 at 1622 NT time 1722 Adelaide time.