

## MINTABIE TOWN LEASE AGREEMENT MEETING

**DATE: Wednesday, 20 June 2007**  
**TIME: 10.10am – 3.15pm**  
**VENUE: Mintabie Town Hall**

### MINUTES OF MEETING

#### 1. PRESENT

ORGANISATION	NAME	POSITION
AGD	Mr Adrian Shackley	Solicitor
PIRSA	Ms Pru Freeman	Manager, Land Access Branch
	Mr Rob Larkins	Indigenous Liaison Officer
	Ms Melissa Muller	Project & Court Officer
	Ms Deanna Trenham	Opal Registrar
	Ms Rosa Marafiotte	Executive Officer
SAPOL	Mr Mark Syrus	Inspector
	Mr Tom Carter	
	Mr Ian Feltus	
APY	Mr Ken Newman	General Manager
	Nicola Thompson	Solicitor
	Bernard Singer	
	Rex Tjami	
	Ronnie Brumby	
	Nicholas Coultard	
	Jimmy Pompei	
	John Tregenza	
MMPA	Mr Al Ladd	
	Ms Kay Marshall	
	Ms Dianne Taylor	

#### 2. APOLOGIES

ORGANISATION	NAME	POSITION
APY	Mr Yami Lester	
DPC	Mr John Wright	Senior Policy Officer
PIRSA	Mr Paul Heithersay	Executive Director

The meeting was declared open @ 10.10am by Melissa Muller and all attendees welcomed.

Several Anangu and other Mintabie residents attended the meeting for periods.

The following people attended the afternoon session where the issues for the shop owners were addressed and comments allowed from the owners:

Frank Zito – Sam's Place  
 Tim – Nobby's General Store  
 Ed & Robert – New & Second Hand Goods Store  
 Nikki – Scrooge's Store

The following people gave a brief at the beginning of the meeting.

**Adrian Shackley** – outlined the history of Mintabie and the negotiations which have been happening since the expiry of the prior Mintabie Town Lease.

- recent meetings have been held
- the Mintabie Township has been operative since the 1970's and declared under the *1981 Land Rights Act*
- the Town lease expired in 2002
- an interim arrangement has been in place for the past four years
- the main issues to resolve are commercial activities at Mintabie, alcohol and marijuana selling and issues about who can get licences as well as dealing with visitors
- a new Town Agreement is currently in the process of being finalised which will need to be signed off by APY
- PIRSA will manage the licences and develop a straight-forward system to maintain the database
- If a resident does not have a licence, they are not entitled to be on the land and it will be at that stage that SAPOL intervenes.
- A Cabinet Submission requesting legislative amendments via the relevant Ministers, is currently being prepared. It will then be submitted to the Cabinet Office followed by Parliament. It is anticipated all relevant parties will execute the Agreement by the end of 2007.
- Will also need to discuss the implementation of the new Lease.

**Mark Syrus** – outlined that Mintabie is the core of problems on the Lands. They have made a number of submissions to government on how they can better deal with the minority criminal element. Police Checks are important.

**Ken Newman** – outlined the number of general meetings which have already been held on the lands. APY position is well known and notes that most of the requests have been incorporated satisfactorily. APY Womens Council have made a significant contribution.

**Al Ladd** – Mintabie is a functioning, sustainable town. A lot of the things they can agree with, some things they can't, eg. Prohibition, government coming down too heavy, they support police evicting proven illegal activity. Whole Town shouldn't suffer for illegal activity. Want more interaction with Anangu, especially in the school. Unfair messages coming across about the town. Want to find a solution to make better.

**Pru Freeman** also confirmed that PIRSA was committed to getting the Mintabie Town Lease Agreement consented to as soon as possible.

**Bernard Singer** confirmed the major issues from APY to be included in the Agreement were the Alcohol, everyone having a permit to enter or licence to reside, police checks to live at Mintabie, no second hand cars and stores must comply with Mai Wiru policies (with emphasis on holding credit/eftpos cards).

The group proceeded to go through every clause in the Draft Mintabie Town Lease Agreement and Schedule 3 – Licensing Policy for Mintabie Lease Area. A brief discussion at the end of the day was held on the document titled “Legislative changes to assist in town and opal field management”.

The following comments were made during the meeting:

#### APY

- 13 - Commercial Licences. Make 13.5 more explicit and clear. Women's Health have correspondence which should be considered in this condition. Would like John Tregenza to meet with the storeowners to develop transitional provisions.
- 16.5 - Tighten up the wording. This relates to sale of liquor, selling motor vehicles, supply of petrol, illegal sale of drugs.
- 18 - Transfer of Licences. The Women's Council have a number of conditions for transfer of licences they would like us to consider. Requires further discussion with the Women's Council.
- 22 - Liaison Committee Duties and Roles. They would like this fleshed out a bit more.
- Schedule 2 - Fees. Would like the commercial rates investigated and determined if the rates are comparable to other rates in similar situations.

#### MMPA

- 4 - Term. Would like term to be 25 years from when Agreement is signed not from the expiry date of the last Mintabie Town Lease.
- 8.3 - MMPA Membership – they don't have compulsory membership and they have a constitution which outlines the people that be members. Don't want compulsory membership.
- 10 - Collection of MMPA Fees – Happy to continue collecting own fees. At the moment do not have any membership fees.
- 12 - Residential Licences – Issue with Police checks.
- 16.5.6 - Illegal Opal Mining – Not clear to MMPA what constitutes conviction of illegal mining.
- 19 - Visitor Permits – Will put together a proposal on how they will deal with visitors and circulate to Adrian, PIRSA, APY and SAPOL for comments.
- 21.6 - Liaison Committee – need to outline that it should include at least 1 member from each party.
- Schedule 2 - Fees - believe the licence fees are too much. Adrian outlined that they are comparable to the lowest annual fee charged on Crown lands in SA.
- Licensing Policy - 22 - Sites outlying from Section 1291. Issues with the way the area of the proposed Mintabie Town Lease Boundary is described. Don't want Section 1291 referred to.
- Licensing Policy - 25 - Expiry, renewal, etc. Would like ability to pay late and not lose their licence when extenuating circumstances exist.

## SAPOL

- Mainly had general comments about Alcohol, Credit Card issues and requirements for police checks for all residents. Confirmed that Alcohol is a major concern in Mintabie and it should only be allowed in through the Hotel. By keeping alcohol on residential licences there are a number of breakins for those people looking for alcohol.

## Storeowners discussion

- The storeowners are very much in favour of getting the Agreement ratified because at the moment they feel a great deal of uncertainty going from one year to the next.
- Concerned about how to deal with their outstanding debts.
- Concerned with lack of choice by implementing Mai Wiru.
- Worried the people from the lands will turn violent because they can't get what they want from the shops.

## Action Items

John Tregenza to organise meeting with all storeowners to sort out how a Mai Wiru policy can be implemented when the Agreement is ratified.

PIRSA to meet with APY and discuss the policies and conditions for the transfer of site licences.

MMPA to put a proposal up to APY, PIRSA and SAPOL of how they would implement a visitors permit system.

Adrian Shackley to make further amendments to documents and to fix the grazing in Mintabie for the Walatina Lease.

State to finalise Cabinet submission. There will be more consultation when legislation is being drafted.

The meeting closed @ approximately 3.15pm.