



**ANTAKIRINJA MATU-YANKUNYTJATJARA
ABORIGINAL CORPORATION RNTBC
(ICN 2932)**

Contact Person:
Michael Pagsanjan
C/O MPS Law
100 Carrington Street
Adelaide SA 5000

16 March 2022

**TRUST COMMUNITY MEETING & AMYAC NATIVE TITLE MEETING
12-13 APRIL 2022**

Dear AMYAC member

This letter is to provide notice for the following meetings:

- AM-YAC IC Trust community meeting; and
- AMYAC native title meeting.

The meeting details are as follows:

AM-YAC IC Trust community meeting: 12 April 2022
AMYAC native title meeting: 13 April 2022
Time: 9:30 am to 4:30pm
Location: Desert Cave Hotel, Coober Pedy

Attached to this letter you will find:

- AM-YAC IC Trust community meeting agenda (**page 3**);
- Trust assistance policy (**pages 4 and 5**); and
- AMY native title holder meeting notice and information (**pages 6 to 9**).

Members' assistance

Applications for assistance to attend the meetings will need to be received by the AM-Y Indigenous Community Trust Office by close of business on 1 April 2021.

To apply for assistance, please complete the application form at **page 5** and send to trust@amyac.com.au.

Further information

Information relating to the Trust community meeting agenda items can be requested by contacting the AM-Y Indigenous Community Trust Office at trust@amyac.com.au.

Information relating to the native title meeting, including proposed agendas and relevant draft agreements, can be requested by contact the AMYAC contact person, Michael Pagsanjan, at info@mpslaw.com.au or by phone at **(08) 7221 1690**.

Regards

The AMYAC Board



16 March 2022

**NOTICE – AM-YAC INDIGENOUS COMMUNITY TRUST
COMMUNITY CONSULTATION MEETING
12 APRIL 2022**

At the AM-YAC AGM a resolution was made to hold a community consultation meeting to discuss the policies and procedures of the AM-YAC Indigenous Community Trust (the Trust). This meeting has been scheduled to be held on 12 April 2022.

The details for the Trust Community Consultation Meeting are as follows:

<p>Date: Tuesday, 12 April 2022 Time: 9:30 am to 4:30pm Location: Desert Cave Hotel, Coober Pedy</p>

Why is there a meeting?

The AMY community resolved to hold a meeting to discuss the policies and procedures of the Trust.

The Trustee would like to hear from the AMY community regarding their preferences for:

- Charitable programs available to AM-YAC members,
- Services to apply for assistance from the Trust,
- How AMY-AC members prefer to receive information about Trust programs.

Who is eligible to attend the Community Meeting?

Members of Antakirinja Matu-Yankunytjatjara Aboriginal Corporation.

Further information

This meeting will be hosted by a small group of experienced community engagement facilitators. The meeting format is designed to gather the views of everyone in attendance.

An online survey will be sent out by Perpetual via email before the Community Meeting. Please complete the survey by the due date, it is an easy way to provide your views directly to the Trustee.

Further information including assistance to attend can be requested by contacting the AMYAC Executive Office at trust@amyac.com.au.

Please contact the MPS Law office on **(08) 7221 1690** if you have any queries.

Regards

The AM-YAC IC Trust Advisory Council



AM-YAC INDIGENOUS COMMUNITY TRUST

Email: trust@amyac.com.au

Fax: (08) 8363 3939

Phone: (08) 8349 0830

COMMUNITY ASSISTANCE POLICY 12 & 13 APRIL, 2022

VENUE: DESERT CAVE, COOBER PEDY

- Morning tea, lunch and afternoon tea will be provided at the venue each day
- Soft drinks will not be provided by AM-YAC
- AM-YAC members are eligible to receive assistance to attend
- The following assistance is available:
 - **Fuel.** Members travelling to Coober Pedy for the meeting can apply for assistance with fuel. See the rates below.
 - **Food.** Members can apply for a food purchase order before the meeting.
 - Purchase orders up to \$200 will be made available at either IGA Coober Pedy or Coles Pt Augusta
 - **Accommodation.** Costs for accommodation can be reimbursed. AM-YAC members must book and pay for their own accommodation and provide a receipt and their BSB and Account Number to the Executive Office.
- Once assistance is approved, the Executive Office will not accept last minute changes or late applications.
- Members who receive assistance must sign-in to the meeting. Members who don't sign-in may not receive assistance to attend future AM-YAC meetings.
- This policy was approved by AM-YAC RNTBC Directors on 8 March 2022

APPLY FOR ASSISTANCE ONLINE AT www.amyac.com.au/trust/application-forms

APPLICATIONS CLOSE AT 4PM, FRIDAY 1 APRIL 2022

FUEL ASSISTANCE			
Coober Pedy – Glendambo	\$ 110	Whyalla - Port Augusta	\$ 50
Port Augusta – Glendambo	\$ 110	Marla - Coober Pedy	\$ 110
Adelaide - Port Augusta	\$ 100	Alice Springs – Marla	\$145
Ceduna - Port Augusta	\$ 145	Mimili – Marla	\$ 60
Indulkana - Marla	\$ 40	Amata – Marla	\$ 145



AM-YAC INDIGENOUS COMMUNITY TRUST

Email: trust@amyac.com.au

Fax: (08) 8363 3939

Phone: (08) 8349 0830

AM-YAC MEMBERS – COMMUNITY MEETING ASSISTANCE FORM

This form should be completed to request assistance to attend the community meeting and native title meeting held on 12-13 April at the Desert Cave in Coober Pedy.

EMAIL COMPLETED FORMS TO: trust@amyac.com.au BEFORE 4pm 1 APRIL 2022

Name: **Date of Birth:**

Address:
.....

Contact Number:

Where are you travelling from?

Assistance required (please tick):

☐ Fuel - who will be driving (must have photo ID)?

☐ Bus Ticket - concession number (if applicable):

☐ Food - where would you like to redeem your food? ☐ Coober Pedy ☐ Pt Augusta

Accommodation – AM-YAC members are to book and pay for their own accommodation.

AM-YAC members that attend the meeting can arrange reimbursement for accommodation by providing a receipt to the Executive Office. The name on the receipt needs to match with the AM-YAC member and the bank details to be reimbursed.

Please note:

Once applications are approved, no changes will entered into.

Elderly or disabled will receive priority for accommodation assistance.





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Adelaide SA 5000

16 March 2022

**NOTICE – AMY NATIVE TITLE HOLDERS' MEETING
13 APRIL 2022**

A meeting of Antakirinja Matu-Yankunytjatjara (**AMY**) native title holders will be held in conjunction with the AM-Y ICT community meeting. The purpose of the meeting is for AMY native title holders to discuss, and possibly make, decisions about several matters.

The details for the AMY native title holders meeting are as follows:

Date: Wednesday, 13 April 2022
Time: 9:30 am to 4:30pm
Location: Desert Cave Hotel, Coober Pedy

Why is there a meeting?

There are several matters which may involve decisions of the AMY native title holders. These matters were discussed at the AMYAC Annual General Meeting on 17-19 November 2021. For the AMY native title holders to now make decisions about these matters, AMYAC has organised this native title holders' meeting.

The purpose of the native title holders' meeting is to:

- provide information on the nature and purpose of the decisions; and
- seek AMY native title holders' informed consent of the decisions.

Who are the native title holders?

According to the AMY Consent Determination (SAD6007/1998), the AMY native title holders are those Aboriginal people who have a spiritual connection to the AMY Lands and the Tjukurpa associated with it because:

1.	They are recognised as an AMY native title holder by the Western Desert Cultural Group (e.g. Antakirinja, Matuntjara, Yankunytjatjara); AND
2.	The AMY Land is their country of birth; OR
	They have had a long-term association with the AMY Land and traditional geographical and religious knowledge of the country; OR
	They have a connection to the AMY Land through a parent or grandparent with a connection to the country.

What are the decisions?

The potential decisions are decisions which relate to:

- consent for heritage agreements with project proponents (in the same terms as already approved and consented to by native title holders);
- proposed adopted decision-making process for entering into Part 9B agreements for exploration; and
- proposed standing instructions for low level native title decisions.

More information about the proposed resolutions for the above decisions can be found at **pages 3 and 4**.

Further information

Information relating to the meeting agenda items and native title holder decisions, including draft resolutions and relevant draft agreements can be requested by contacting the AMYAC Contact Person at info@mpslaw.com.au.

Please contact the MPS Law office on **(08) 7221 1690** if you have any queries.

Regards

The AMYAC Board

What are the proposed resolutions?

Agenda Item	Summary	Proposed resolutions
1. Heritage agreements	<p>AMY native title holders have previously provided standing instructions for the AMYAC board to enter into AMYAC's standard Part 9B agreement with proponents for exploration. The Part 9B agreement is an agreement pursuant to Part 9B of the <i>Mining Act 1971</i> (SA) which lets proponents conduct exploration activities on AMY land, provided that the proponent follows the heritage protection measures and protocols in the agreement.</p> <p>Last year, there were changes to the <i>Native Title (Prescribed Bodies Corporate) Regulations 1999</i> (Cth) (the Regulations) which affect the consultation and consent requirements with native title holders for decisions which impact native title rights and interests.</p> <p>The Department for Energy and Mining's current position is that under the new Regulations, the decision to enter into a part 9B agreement is a native title decision for which standing consent by native title holders cannot be provided.</p> <p>Since these changes, there have been several project who would like to enter into AMYAC's standard Part 9B agreement for exploration. AMYAC has not been able to rely on the standing instructions previously given by native title holders to enter into these agreements.</p>	<p>1. <i>That there is no particular process of decision-making that, under the traditional laws and customs of the AMY native title holders, must be followed in relation to consenting to the AMYAC entering into an agreement pursuant Part 9B of the Mining Act 1971 (SA).</i></p> <p>2. <i>If decisions to enter an agreement pursuant to Part 9B of the Mining Act 1971 (SA) are native title decisions and/or native title decisions that standing consent cannot be provided the AMY native title holders agree, for the purposes of Regulation 8(1) of the Native Title (Prescribed Bodies Corporate) Regulations 1999 (Cth), to provide their consent to AMYAC to enter into the following Part 9B agreements:</i></p> <ul style="list-style-type: none"> a. <i>the Part 9B Agreement with Endeavour Copper Gold Pty Ltd, Earea Dam Mining Pty Ltd and Indiana Resources Limited;</i> b. <i>the Part 9B Agreement with Strategic Caldera Pty Ltd; and</i> c. <i>any other Part 9B agreement considered by the native title holders at this meeting.</i>
2. Part 9B agreements	<p>AMY native title holders have previously provided standing instructions for the AMYAC board to enter into AMYAC's standard Part 9B agreement with proponents for exploration. The Part 9B agreement is an agreement pursuant to Part 9B of the <i>Mining Act 1971</i> (SA) which lets proponents conduct exploration activities on AMY land, provided that the proponent follows the heritage protection measures and protocols in the agreement.</p>	<p>1. <i>That there is no particular process of decision-making that, under the traditional laws and customs of the AMY native title holders, must be followed in relation to consenting to the AMYAC entering into an agreement pursuant Part 9B of the Mining Act 1971 (SA).</i></p> <p>2. <i>If decisions to enter an agreement pursuant to Part 9B of the Mining Act 1971 (SA) are native title decisions and/or native title decisions that standing consent cannot be provided the AMY native title holders agree, for the purposes of Regulation 8(4) of</i></p>

	<p>Last year, there were changes to the <i>Native Title (Prescribed Bodies Corporate) Regulations 1999</i> (Cth) (the Regulations) which affect the consultation and consent requirements with native title holders for decisions which impact native title rights and interests.</p> <p>The Department for Energy and Mining's current position is that under the new Regulations, the decision to enter into a part 9B agreement is a native title decision for which standing consent by native title holders cannot be provided.</p> <p>For this reason, the AMYAC board is seeking feedback from native title holders on an agreed decision-making process for the decision to enter into AMYAC's standard Part 9B agreement, if this decision is a native title decision that standing consent cannot be provided.</p>	<p><i>the Native Title (Prescribed Bodies Corporate) Regulations 1999 (Cth), to adopt the following decision-making process in relation to giving consent to enter into an agreement pursuant to Part 9B of the Mining Act 1971 (SA):</i></p> <ul style="list-style-type: none"> <i>a. At least five AMY heritage team leaders are consulted and decide whether to agree to the agreement by a majority vote; or,</i> <i>b. The AMYAC directors who are elected as Senior Cultural Advisors are consulted and decide whether to agree to the agreement by a majority vote; or</i> <i>c. At least five senior AMY native title holders, chosen by the AMYAC board taking into account the area that is the subject of the agreement, are consulted and decide whether to agree to the agreement by a majority,</i> <p><i>provided that AMYAC keeps a proper record of the consultation and decision.</i></p>
<p>3. Low level native title decisions</p>	<p>Pursuant to regulation 3 of the <i>Native Title (Prescribed Bodies Corporate) Regulations 1999</i> (Cth), a 'low level native title decision' means any decision to do or agree to anything that would affect the native title rights or interests of native title law holders which does not:</p> <ul style="list-style-type: none"> - surrender native title rights and interests - enter into an Indigenous Land Use Agreement - allow a non-native title holder to become an AMYAC member; or - include a consultation process in the AMYAC rule book <p>The AMYAC board now seeks standing instructions from native title holders to deal with these low level native title decisions without the need to hold a native title holder meeting for each decision.</p>	<p><i>1: That there is no particular process of decision-making that, under the traditional laws and customs of the AMY native title holders, must be followed in relation to giving the standing approval, and as a result, a decision to give an approval in relation to low level decisions is made in accordance with an agreed process of:</i></p> <ul style="list-style-type: none"> <i>a. deferring to the view Elders; and</i> <i>b. making the decision by formal resolution, with a majority vote by a show of hands of all AMY native title holders present.</i> <p><i>2. The AMY native title holders approve, consent to and instruct the AMYAC board on a standing basis to make decisions on low level decisions on behalf of AMY native title holders, without needing to consult and obtain further consent, in accordance with regulation 8(8) of the Native Title (Prescribed Bodies Corporate) Regulations 1999 (Cth).</i></p>