



Anangu Pitjantjatjara Yankunytjatjara

**EXECUTIVE BOARD MEETING
Friday 16th November 2018**

Start time: 3:30pm

Location: Land Management Office, Umuwa.

Present: Bernard Singer (Acting Chairperson), Anton Baker, Marita Baker, Makinti Minutjukur, Nyunmuti Burton, Rex Tjami (RT), Richard King (RKg), Ruth Morley (RM), Graham Harbord (GH), Mavis Welsh (MW) (minutes/recording).

Apologies:

Proxies: Ebony DeRose - proxy
Therese Campbell - proxy

Absent: Frank Young, Sally Scales, Richard Kanari, Donald Fraser, Murray George, Nyukana Norris.

Welcome and Apologies

On the phone ER gave her verbal proxy vote to Anton Baker. Anton Baker accepted proxy for Ebony DeRose.

Correspondence

RKg presented a letter from FY calling a meeting of the Executive Board in Alice Springs on 13 December.

1. Business from previous day.

RM read out the letter from Rex Tjami to the Minister on behalf of six Executive Board members regarding the request for appointment of conciliator to negotiate with all members of APY Executive Board. BS translated this into language.

2. General Manager's Contract.

4.00pm Graham Harbord attended the meeting.

4.20pm RKg left the meeting.

GH introduced himself. He stated that he wanted to bring the Executive Board up to date with R Kings contract. He requested guidance of the Executive Board members on a few things.

4.25pm Telephone discussion with Therese Campbell. She was asked if she wanted to give her proxy vote to a member present and she agreed to do so. TC asked that Tjutjana Burton be her proxy. Tjutjana Burton agreed to be her proxy vote.

All thanked TC for her phone call. With Therese call in the quorum has been achieved. RKg pointed out section 10 (3) requiring the board to select a chairperson in the absence of the chair and vice chair.

In the absence of the chair and deputy chair, Bernard Singer is appointed Chairperson for this meeting only.

Moved Makinti Minutjukur Seconded Tjutjana Burton All in favour.

GH outlined a couple of issues which were outstanding regarding GM contract.

Executive need to pass a resolution of employment agreement with RKg subject to amendments agreed today.

GH summarised the agreed terms and condition of the General Manager contract.

That the Executive Board approves the employment agreement with RKg subject to the amendments as discussed and confirmed today.

The Executive Board authorises APY to affix its Common Seal to the agreement and directs that 2 of the office bearers or a majority of the Board sign the agreement.

The Executive Board instructs Johnston Withers to provide the executed agreement to RKg for his signature and to then send the agreement to the Minister for his approval.

1. The APY Executive Board approves the employment agreement with Richard King, General Manager, subject to the amendments as discussed and confirmed today.
2. The APY Executive Board authorises APY to affix its Common Seal to the agreement and directs that two of the office bearers or a majority of the Board sign the agreement.
3. The APY Executive Board instructs Johnston Withers to provide the executed agreement to Richard King for his signature and to then send the agreement to the Minister for his approval.

Moved Bernard Singer Seconded Anton Baker All in favour.

GH asked all present to sign the agreement.

He will finalise the contract for the Manager of Stakeholder Engagement APY, Tania King with similar terms to GM contract.

5.00pm GH thanked all present and left the meeting.

5.00pm RKg returned to meeting.

3. Appointment of Conciliator

RM requested a resolution of the Executive Board be passed regarding appointment of Conciliator.

1. That a letter under S35A of the LRA is sent to the Minister asking for appointment of a conciliator.
2. That a letter be sent to the Chairperson of Executive Board in reply to his letter calling for a meeting in Alice Springs on 13 December stating that the agenda attached contained inappropriate items for discussion.

Moved Bernard Singer Seconded Anton Baker All in favour.

5.05pm Tania King (TK) entered the meeting.

4. Proposed 2019 Dates of Meetings including the AGM and 2018 Christmas closure

TK presented the proposed meeting dates including the AGM date for APY Executive Board and explained the reasoning for the dates and asked for any questions.

- March 5th & 6th
- March 7th Annual General Meeting (AGM)
- April 16th & 17th (Governance Training) & 1 Day Board meeting
- May 28th & 29th
- July 2nd
- August 5th & 6th
- September 24th
- November 5th & 6th
- **Christmas Closure (21st December to 7th January, 2019)**

The Executive Board and Acting chairperson for meeting today resolve to accept the Christmas closure dates of 21 December 2018 to 7 January 2019 and publish these dates on line.

Moved Anton Baker Seconded Bernard Singer All in favour.

- **2019 APY Board meeting dates & AGM.**

The Executive Board and Acting Chairperson for meeting today resolve to accept the Executive Board meeting dates including the AGM and publish these dates on line.

Moved Anton Baker Seconded Bernard Singer All in favour.

5. Outsourcing Human Resources Services

RKg explained the need for outsourcing of Human Resource records. He gave an outline of the process to select a company to provide HR services.

ATS was ranked the highest under the assessment.

MM asked if this HR records is for everyone.

RKg stated that it was for all staff and employees of APY.

The Executive Board on 16 November 2018 approved that HR Services based on the evaluation process recommend that ATS be awarded the contract for 2 years to provide HR Services.

Moved Anton Baker Seconded Bernard Singer All in favour.

6. AGM Date to be set Thursday 7th March, 2018.

RKg asked for resolution on the date for the AGM.

The Executive Board and Acting Chairperson for the meeting today resolve to accept the date for the AGM to be Thursday 7 March 2018 and publish this date on line and make any necessary arrangements.

Moved Bernard Singer Seconded Anton Baker All in favour.

7. Permits

BS asked about permits and suggested that it be referred to the next meeting in order to have all Executive Board members present.

It was agreed that this item be included on the agenda for the meeting on 5th and 6th March 2019.

8. Budget

RKg displayed on the screen the itemised payments made and went through them with the Board members and answered questions and queries they had.

RKg pointed out that for each new staff recruited there is an approximate cost of \$6,000 for advertising and other matters relating to recruitment.

RKg he also explained that there may be increased Executive Board costs as some members want to attend meetings in different places and this involves travel and accommodation costs.

He stated there is a need to plan for 2019.

The Executive Board approve the 2018-2019 Aboriginal Affairs Reconciliation APY Land Rights Budget and requests that the APY Admin send this to the Minister.

Moved Bernard Singer Seconded Anton Baker All in favour.

9. Money Stories

April 2018

RKg advised that the last money story (Profit and Loss) was submitted in April 2018.

RKg further explained the Profit and Loss statement and displayed it on the screen and went through the itemised statement.

RKg said that there was an increase in Executive Board costs as the number of members of the Board increased from 10 to 14 members.

The Executive Board have reviewed the April Profit and Loss report of APY and agreed it is an accurate account of the ledger for April and give approval to publish the results on the internet.

Moved Bernard Singer Seconded Makinti Minutjukur All in favour.

May 2018

RKg spoke to this financial report for May explaining the difference in costs and reasons. He displayed this Profit and Loss on the screen.

The Executive Board have reviewed the May Profit and Loss report of APY and agreed it is an accurate account of the ledger for May and give approval to publish the results on the internet.

Moved Bernard Singer Seconded Makinti Minutjukur All in favour.

June 2018

RKg advised that this is the end of the financial year. Motor vehicle expenses are a bit higher, but are spread over the year.

RKg displayed the June Profit and Loss on the screen. RKg explained that the budget had been managed within 1% for 2018.

He suggested that the Executive Board consider how the money which has been saved can be spent.

The Executive Board have reviewed the June Profit and Loss report of APY and agreed it is an accurate account of the ledger for July and give approval to publish the results on line.

Moved Bernard Singer Seconded Tjutjana Burton All in favour.

July 2018

TK advised that since April the government has not released any money. They have been waiting for these reports to be published and will then release money.

The Executive Board have reviewed the July Profit and Loss report of APY and agreed it is an accurate account of the ledger for July and give approval to publish the results on line.

Moved Anton Baker Seconded Bernard Singer All in favour.

August 2018

RKg suggested that this Profit and Loss be held over to the next meeting.

BS asked a question about homeland housing maintenance.

RKg advised that for maintenance purposes the houses need to be lived in to obtain the \$2,000 per house through the Housing Authority SA.

RM advised that in 2004-2006 funding was removed for housing in SA for homelands on APY so APY has to take responsibility for the maintenance of those houses. There is a need for proper leases for houses.

10. Legal Report

RM advised that she gives general legal advice for APY regarding pastoral leases for cattle, legal agreements to remove donkeys and camels.

RKg spoke about activity of opal mining on Granite Downs in old opal digs and places – illegal opal mining. RKg showed film and photos on screen of the bulldozer cuts.

RM advised that through the Minister for Mining can impose fines and ask for rehabilitation of the damaged land.

RM advised that she has been working with Ken family and has spoken to Royal Adelaide Hospital with people from Funeral Assistance. The hospital has to return the body of the young man for burial in his homeland in Pukatji. It is hoped that this will happen before Christmas.

RM is working with a barrister in Adelaide, on the Supreme Court proceedings relating to requests for APY confidential papers.

Trevor Adamson has been invited to see the minutes at the APY office and has been offered a paper copy of the minutes. This matter is in the Supreme Court in Adelaide on 3 and 4 December.

Another matter is in the Supreme Court in Adelaide on 29 November.

RM also is working on the closure of Mintabie township and PSF. She is attending Mintabie Oversight Committee meeting. She is preparing submissions on Mintabie PSF and Mintabie township and the hazards and risks of the land being given back. Lots of contamination on the land.

The Executive Board accept the legal report outlined by Ruth Morley.

Moved Bernard Singer Seconded Anton Baker All in favour.

11. Other matters

Underspend

RKg advised of underspend in the budget. This amount will be kept by APY to spend on a project for the APY community.

Law and Culture funds

RKg advised that funds have been released from DSD for food and fuel ONLY.

'Killers' Beasts

APY Executive Board Meeting.
Day 2

16/11/2018

RKg advised that money has been released for this. Discussion around killers.

12. Outstanding agenda items from 15 and 16 November 2018.

The board has revisited the outstanding items from the previous four meetings.

Pastoral

TOLL Presentation

Anthropology/DPTI

Work Health & Safety

Ara Initja

Mining Exploration Licenses

APY Executive Feedback from their Communities

Lease Catholic Care NT

Incompro Presentation

Chairperson Business

Mintabie

Meeting closed at 6.45pm