

## **APY EXECUTIVE BOARD MEETING NO 3**

Held at Umuwa on 9-10 October 2013

**Present:** Bernard Singer (Chairperson - phone), representing Amaruna/Railway Bore; Trevor Adamson (Deputy Chair), Pukatja/Yunyarinyi; Charlie Anytjipalya, Watarru; Willy Pompey, Mimili; Owen Burton, Amata/Tjurma; Anton Baker, Murputja; Murray George, Kaltjiti/Homelands. **APY Administration:** Sean McCarthy (Interim General Manager), Rex Tjami (Director); Ali Vidal (Minute Taker); Leanne Liddle (DPC AARD).

**Opening:** Deputy Chairman opened the meeting at 12.10pm and welcomed executive members and APY administration. Murray George opened the meeting with a prayer and Deputy Chair reviewed the agenda.

**Previous Minutes:** Deputy Chair read through the minutes and resolutions from the previous meeting held 7 August 2013.

**Resolution 1:** **That the minutes and resolutions of meeting number 2 held on 10 July 2013 is a true and accurate record of that meeting.**

Moved: Owen Burton

Seconded: Anton Baker

### **Review**

**Draft Budget:** APY executive reviewed the draft DPC-AARD budget which was read out by Leanne Liddle and scribed on the white board and worked through.

**Deputy Chair:** Trevor asked if any money was left over can to be carried into the following years funding. Leanne Liddle informed the executive that it will need to be looked at on a case by case basis.

**Resolution 2:** **APY Executive has reviewed the draft budget submitted by the Financial Controller for DPC – AARD and consent to it being submitted for approval by the Minister.**

Moved: Murray George

Seconded: Anton Baker

### **Adelaide**

**Office:** A discussion around the setup of an Adelaide office commenced through the review process of the budget. Owen Burton reminded the executive that APY previously approved a motion to have an office in Adelaide to house policy and finance staff as a result of limited housing in Umuwa.

Leanne Liddle: Mentioned to APY that the office setup in Adelaide will be the responsibility of the new GM and APY administration staff, which will be discussed with MT as both organisations can look at sharing an office space.

**Resolution 3:** **APY executive endorse an office to be set up in Adelaide shared with MT to house policy and accounting services providing a place of business for APY.**

Moved: Charlie Anytjipalya

Seconded: Owen Burton

**AARD Visitor:** The Deputy Chair welcomed Leanne Liddle DPC/AARD.

**Leanne Liddle:** Informed APY that the GM position has been vacant since 4 September 2013. It was agreed that an interim GM will be put in place for six months while a formal recruitment process is undertaken. The Minister requires for the positions to be advertised nationally. AARD looked at 4 initial applications and interviewed 3 applicants. With Rex Tjami, Barnard Singer and Trevor Adamson with Leanne Liddle on the panel.

Leanne asked that in today's meeting the successful interim GM Sean McCarthy be approved. The appointment of a GM under the Act must be appointed by the APY executive and they signed off by the Minister. Leanne informed APY that all police checks and reference checks have been completed. Leanne asked Chairperson for any comments.

**Chairperson:** Informed the executive that he, Rex and Trevor were on the panel and as he was on the phone he asked Rex Tjami as Director to explain the process.

**Director:** Informed APY on the interview process undertaken by the panel and what needs to happen to approve the position of Sean McCarthy. Explaining that Sean will be appointed for six months until the formal recruitment process is undertaken.

**Leanne Liddle:** Explained that Sean McCarthy, held an MBA, 20 years' experience in the construction industry, all references and police checks were ok and strong references.

**Resolution 4:** APY executive support the appointment of Sean McCarthy as interim GM under the same conditions as Richard Preece for 6 months.

Moved: Murray George

Seconded: Owen Burton

**Visitor**

**Legislative**

**Review Panel:** Through the Deputy Chair Leanne Liddle introduced the Panel, Robyn Layton AO QC; Hon John Hill MP; Mr Harry Miller, CEO Port Lincoln Aboriginal Health Services, Ms April Lawrie, Executive Director Aboriginal Health Division, SA Health.

**Robyn Layton:** Thanked the APY executive to allow the panel to come and address APY and its request to review the current Act. Robyn ran through initially what is being said to communities and the aim of the review.

The panel is seeking the following information to conduct its review; selection criteria for APY members are being elected; consider what skill set is required or what support is needed for the executive; that the Act is 30

years old and things have changed in communities and in APY. What the panel is not doing is making decisions based on information provided by community; not able to review or discuss Native title or tender; it's not reviewing community services including, housing and health.

It was important that community members considered what was important to them for the members they elect to represent all Anangu people. The panel discussed with community members on how the APY board is currently elected (which was scribed on the board) and what was the function of APY in the Act. At this stage members for APY can be elected based on being Anangu and over 18 years old. There are currently no more specific requirements and it is being discussed with community members if they would like more rules set to become a member. The panel aims to listen to the community and to report back on its findings.

The panel workshopped five key topics with community members which were; 1) Selection Criteria for APY members; 2) Voting for elected members; 3) What makes a good member; 4) What skills or support is required for the executive; 5) APY executive may wish to establish economic advisory committee to advise the board. The panel was not to answer the topics just facilitate discussion, listen and develop recommendations after the consultation process over three visits, reporting up to the Minister.

#### **Visitor ODT**

**Australis:** Through the Deputy Chair Leanne Liddle introduced both Nathaniel Last and Ken Lamb from ODT Australis.

**N. Last:** Nathaniel addressed the executive in language explaining what ODT contracting and employment opportunities are available. He discussed the current Anangu people employed through ODT, which represents 30% of its workforce as well as all its civil construction workers are Anangu. ODT is training people in Maree through school for employment prospects. ODT has created a DVD to show how we work training into employment.

**O. Burton:** If you are coming out with equipment and training young Anangu, can you explain the money storey.

**N. Last:** ODT is not a government training program it is real employment with training offered on the job. Anangu get paid for employment. So when ODT win contracts money goes back through employment.

**O. Burton:** So when contracts end and jobs end and machines go, what will then happen to Anangu after they are trained? I am the Chairperson for RASAC we have machines but only white people working.

**N. Last:** What is important for APY is the contract after building roads to maintain contract and employment.

**T. Adamson:** We have other road contract opportunities coming up that can also provide employment opportunities.

**Anton Baker:** Asked about potential employment opportunities at Prominent Hill Mines.

**N. Last:** ODT don't have contracts at Prominent Hill.

**Correspondence:**

The executive reviewed the correspondence which had been received since 7 August 2013.

**Letters George**

**Kenmore:** Five letters had been received by George Kenmore between 12 September – 9 October 2013. First was a complaint to APY executive on disclosure of information. Second was received requesting an extraordinary general meeting, three remaining letters received between 2 October – 9 October 2013 were distributed to staff personally informing them they were sacked and to leave the APY lands.

**Deputy Chair:** Welcomed G. Kenmore to address the APY executive with the aim of sorting out these issues raised in the letters. Willy Pompey was asked to leave the room has his names where on the letters as signatory.

**Chairperson:** Addressed the executive and G. Kenmore, informing everyone that no person has the right to sack people personally. People that do this can be sued by the individual for defamation of character. This behaviour is only coming from a small group of people and it needs to stop.

**G. Kenmore:** Angered by what the Chairperson said, he stood up and addressed the executive stating that he had "come he to seek the truth about the money storey and all the missing money, but if APY staff wants to take us to court, than take us to court"! Instructing Mike Williams and David Pearson to let the room with him, threatening that he "will have many police here in the morning".

**Leanne Liddle:** You have come here George to discuss these issues with APY, we want to listen to you.

APY discussed what just happened in the room and agreed to close the meeting for the day and reconvene in the morning.

Day 1 Closed 4.10pm

**Day 2 Commenced 12.15pm**

**Present:** Trevor Adamson (Acting Chair), Pukatja/Yunyarinyi; Charlie Anytjipalya, Watarru; Willy Pompey, Mimili; Owen Burton, Amata/Tjurma; Anton Baker,

Murputja; Murray George, Kaltjiti/Homelands. **APY Administration:** Sean McCarthy (Interim General Manager), Rex Tjami (Director); Ali Vidal (Minute Taker); Leanne Liddle (DPC AARD).

**Opening:** Murray George commenced with an opening prayer.

**Correspondence:**

It was agreed that the executive will continue on with the correspondence and will re-address the G. Kenmore letters later in the day.

**Willy Pompey:** Asked for it to be stated in the minutes that he wanted his name cleared off the G. Kenmore letters, stating that he was not informed of the letters and their content.

**Permits:** Two permits were received one from a researcher Noah Pleshet, New York University, the second from CDU.

Both permits were discussed, the executive asked questions regarding Noah Pleshet intentions in researching the connection Anangu people have with dogs and dingos, how long the research will take and who will he speak with. It was agreed the Noah receive his permit on the condition that he will work with Anangu throughout the research period.

The CDU application, the executive wanted further information provided to the board through land management. Explaining what its intentions were, how long with the consultation be and with whom with they be working with across the lands.

**Director:** As a result of the permit around dog behaviour. Rex asked that the executive approve a limitation on the amount of dogs each household can have in Umuwa, to look at controlling dog population numbers. It was agreed that there should be a limit on dog numbers per house hold to a maximum of 2 dogs.

**Resolution 5:** **APY executive agree that a limitation of dogs is to be put in place in Umuwa to a maximum of 2 dogs per house hold.**

Moved: Anton Baker

Seconded: Willy Pompey

**Resolution 6:** **APY executive reviewed the permits for approval. Agreed to support Noah Pleshet research on the condition that the research is undertaking with Anangu men and women working alongside the researcher.**

Moved: Owen Burton

Seconded: Murray George

**CDU proposal was discussed and agreed that they work first with LM and for LM to submit a proposal to board which will detail how the project will work with**

**Anangu across the lands, who will be engaged and over what period of time. A permit will only then be considered.**

Moved: Anton Baker

Seconded: Murray George

**Mintibie Store:** Mintibie was seeking a support letter from APY for the use of basic cards at the store. It was discussed and agreed that they will provide a support letter on the condition that basic cards and passwords are not retained by the store.

**Resolution 7: APY executive support the use of the basics card at Mintibie store on the condition that no basic card or password is held by Mintibie Store to allow use at other premises.**

Moved: Willy Pompey

Seconded: Murray George

**Ananguku Arts:** The General Manager of Ananguku Arts Elizabeth Tregenza was seeking a support letter from APY as a peak body for the Art Centres and necessary to continue receiving funding for the survival of the centres. This was in response to a received review regarding the Art business across the lands and considering a different funding model, through an overarching body.

**Charlie A:** Recommended that the GM of Ananguku Arts needs to come and present to APY executive on what they are proposing.

**Resolution 8: APY executive has considered the letter of support for Ananguku Arts and request that GM of Anangu Arts come at present to the board the Ananguku Arts money storey and organisational structure and the risk and opportunities currently impacting on Ananguku Arts before a letter of support is provided.**

Moved: Owen Burton

Seconded: Charlie Anytjipalya

**RASAC:** Have requested a letter of recommendation from APY to support them in tendering for work across the lands.

**RASAC:** It was decided that APY Executive will call up Craig from RASAC (Operations Manager) to get a better understanding on when RASAC wanted the support letter. Craig informed APY that the letter of support for future contract tenders. If APY doesn't want to support RASAC with a board recommendation letter, it could support on a case by case basis. Craig then provided some stats on RASAC current Anangu employment, out of 70 staff, 55 Anangu (14-15 FTE, remaining casual) – numbers vary due to the employment type.

It was discussed and agreed that RASAC GM should come and present to APY at the next meeting, informing APY on what they are achieving and further discuss the landfill issue and WHS information which was also in correspondence.

**Resolution 9:** APY executive has considered the letter of recommendation to RASAC and future contracting opportunities. APY has agreed that it will provide letters of support on a case by case basis once it has received a proposal on the anticipated works and what it can achieve in employment for Anangu people.

Moved: Anton Baker

Seconded: Willy Pompey

**AW NRM:** Letter from Perry Augis, AW NRM requesting a meeting with APY executive either in Alice Springs or Umuwa on 21 April 2013. It was discussed and agreed that they are happy to meet with APY as long as AW NRM cover costs associated with the meeting.

**Resolution 10:** APY executive agrees to meet with AW NRM in Alice Springs on the condition that all travel and accommodation expenses along with sitting fees are covered by AW NRM.

Moved: Owen Burton

Seconded: Murray George

#### **Anangu Tjutaku**

**Tjukurpa:** Seeking financial support of \$5,000 which would be used to purchase pants, canvasses and other consumables to support the Anangu artists in Adelaide.

**Resolution 11:** APY executive would like for Ananguku Arts to provide funding support of \$5,000 to Anangu Tjutaku Tjukurpa to support the organisation.

Moved: Anton Baker

Seconded: Charlie Anytjipalya

#### **G. Kenmore**

**Letters:** The G. Kenmore letters were again discussed with the executive. Willy Pompey again asking that his name is removed from the letters.

**Leanne Liddle:** Yesterday we tabled the five letters from George and invited him to respond, instead he threatened court action. Leanne listed out the five letters which APY needs to provide a response. Leanne explained that the Act allows for a conciliator which can be appointed by the Minister on recommendation by APY as an independent person to work with George Kenmore and APY executive to address these issues.

Leanne discussed the letter referring for an extraordinary general meeting. Stating that in the Act it requires a minimum of 10 signatures to accompany the letter (under Section 8). The letter by G. Kenmore has now two signatures and Willy Pompey has been asked to remove his name, saying it also has 200 community signatories – but these are not listed.

**General Mger:** All we can do is to respond to the letter in accordance with the Act, which I recommend I draft up asap.

**Resolution 12:** **APY executive has instructed the GM to respond to G. Kenmore letters dated 9 Oct. 2013 which were sent to APY staff, in line with the Act outlining what is deemed as appropriate protocol to make complaints against staff.**

Moved: Owen Burton

Seconded: Murray George

**Leanne Liddle:** APY are in receipt of three letters received on the 9 October personally addressed to Gary McWilliams, Rob Laundry and Rex Tjami. All complaints stating that they are sacking the person and asking them to leave the lands. All complaints should be addressed to the GM and Director of APY and not provided directly to the staff.

**Resolution 13:** **APY executive agrees to make offer of a conciliator to G. Kenmore as a possible solution to resolve grievances made to the APY executive.**

Moved: Murray George

Seconded: Charlie Anytjipalya

**Resolution 14:** **APY executive have reviewed and approved the 5 conciliator appointees submitted by AARD which can be appointed by the Minister.**

Moved: Owen Burton

Seconded: Charlie Anytjipalya

Discussed community support officer roles in the community councils and the need for APY and AARD to support these positions and work together.

**Resolution 15:** **APY executive supports a letter to AARD stating that it will approve a joint funding contribution for community councils.**

Moved: Willy Pompey

Seconded: Owen Burton

**Leanne Liddle:** Informed APY executive that they APY Roads money is not yet completing off the table and is still seeking further information regarding funding committed from both state and federal.

Roads to Recovery – we be secured for another round and with work with the GM to administer the funding.

Meeting Closed Day 2 4pm.