



Anangu Pitjantjatjara Yankunytjatjara

Executive Board Meeting Minutes

Umuwa

12 March 2014

Meeting No 8

Meeting commences at 3.30pm

Present: Bernard Singer (Chairperson), Trevor Adamson (Deputy Chair), Murray George, Owen Burton, Mrs Paddy (via conference call), Anton Baker (via conference call), Willy Pompey (via conference call), Rex Tjami (Director), Lesley Johns (interim General Manager)

Apologies: Alex Baker (attending to matters relating to school fire), Charlie Anytipalya.

Visitors/Guests/Observers: George Kenmore, Peter DeRose, Gary Lewis, Donald Fraser, John Kite, Jen Grindrod (APY staff), Andrew Collett (APY legal adviser).

Item 1: Previous minutes. Meeting agrees to defer minutes from previous meeting to allow Mr Collett to provide legal advice on a range of matters, as his time is limited.

Chairman: Asks visitors and observers to leave the room, as the matters to be discussed are legally privileged and confidential.

3.40 Charlie Anytipalya joins the meeting via conference call.

Mr Collett: Explains that his advice is confidential and is for the APY Executive only. He advises that some of the advice he has given previously has been said to others and it is for this reason that he suggests the information remains confidential. He explains that the resolutions should be included in the minutes but the discussions and information should remain confidential.

The members agree.

Confidential legal advice is provided.

Discussion:

Trevor Adamson: discusses in language. Then talks about lawyers and APY paying too much money to McCulloch Robertson and now to Johnston Withers.

George Kenmore: enters the meeting room. With a raised voice and pointing his finger he tells Mr Collett he has been reported to the Conduct Board and that he'll be investigated.

Chairman: Asks Mr Kenmore to leave. He does.

Trevor Adamson: tells Mr Collett that this is not his country. That he's (Mr Collett) already involved with Maralinga Tjarutja and that he should leave.

Mr Collett: Tells Mr Adamson that he said that at the last meeting but nobody has asked him to leave, but instead he has been asked to provide advice. He suggests the meeting should vote on it.

Chairman: Apologises for one of our members speaking that way. We asked you to advise us.

Trevor Adamson: I don't think Mr Collett should be here.

Andrew Collett: Trevor Adamson has asked me to leave. It is interesting that only he and George Kenmore have ever said that. I will leave if you want.

Trevor Adamson: I want him to leave so we can talk.

Mr Collett leaves the room.

Discussion around the table.

Resolution:

The Executive Board re-confirms that Andrew Collett and Johnston Withers are retained to provide legal advice regarding the various matters presently before APY, as previously confirmed at Feb 12 2014 meeting at Alice Springs.

Moved: Charlie Anytipalya

Second: Mrs Paddy

Vote: all present for, 1 against (Trevor Adamson)

Charlie Anytipalya: Tells the meeting he is not happy with Grant Niemann being at the Special General Meeting and what he said.

Discussion in language.

Chairman: we need to move on.

Discussion:

Chairman: Tells Mr Adamson that it appears he has a personal problem with Bernard and that personal problems should not be brought into the meeting.

Trevor Adamson: says he does not have a problem

5.05 Mr Adamson leaves the meeting

Discussion:

5.24 – Mr Collett returns

Resolution:

The Board resolves to advise Mr Sean McCarthy that his contract ends on April 6 and that his permit has been revoked.

Moved: Charlie Anytipalya

Second: Bernard Singer

Vote: all in favour

5.26 – Trevor Adamson returns

Trevor Adamson: again asks Mr Collett to leave the room. Mr Collett tells him he will not leave the room because there was a resolution confirming he is to provide advice.

Item 2: Recruitment of General Manager

Andrew Collett: advises how the process is going in relation to the recruitment of a General Manager. Advises there were 57 applicants and that AARD did a good job in providing a summary and doing background checks. He says Rex and he have confirmed a short-list of 5 candidates for interview.

Asks for them to consider who will be on the interview panel. The Executive agrees the panellists will interview in Adelaide and that if one or two suitable applicants are found they would be brought to Umuwa to serve a trial period before a contract was offered. The panel will be Charlie Anytipalya, Rex Tjami, Bernard Singer and Owen Burton.

Item 3: Letters from Grant Niemann in relation to George Kenmore

Charlie: We do not need to listen to George Kenmore. He has no connection. We know our culture. He's not going to interfere with that.

Mr Collett: provided confidential legal advice

Charlie: At the General Meeting he (Mr Kenmore) did wrong way. He didn't talk right way.

Discussion:

Resolution:

The Executive asks Mr Collett to go to Nerida Saunders at DPC-AARD and the Minister and tell them we would like to deal with this matter quickly and ask them to appoint a new mediator.

Moved: Willy Pompey

Second: Charlie Anytipalya

Vote: against Trevor Adamson, for – all others

Item 4: matters arising from the Special General Meeting

Much discussion about whether Ms Layton had proper authority to make the resolution provide an interim report to the Minister.

Chairman: Resolution two from that meeting is fine as we have independent legal advisors.

Chairman: Resolution three from that meeting is to hold a Special General Meeting.

Resolution: A Special General Meeting will be held on April 16 in Umuwa to discuss matter of importance to APY.

Moved: Owen Burton

Second: Charlie Anytipalya

Vote: all in favour

Item 5: Update from Robyn Layton on the APY Review

6.49pm – Ms Layton joins the meeting and provides a verbal update on the Review. She provides a written summary and tells the board her report will be handed to the Minister on 24 or 25 March 2014.

Chairman: Thanks Ms Layton for attending and for the work she has done on the Review.

Meeting closes 7.06