



Dear members, traditional owners and other interested people,

This is my second newsletter as the special administrator for Kokatha Aboriginal Corporation RNTBC (KAC). In this issue I want to tell you about what we have achieved during the special administration so far.

While I am in this role I'll send regular newsletters to let you know what I'm doing to help get your corporation back on track.

RULE BOOK

One of the KAC members pointed out to me that the rule book was not clear on if the corporation was allowed to run a commercial business. A core aim of KAC is to develop and deliver economic benefit for the Kokatha people, of which commercial business can be an important part. As the corporation is involved in several business operations through its other companies (subsidiaries) I decided to include an additional clause in the rule book which reads:

'to do all such things which may be incidental or necessary to attain the above objectives, including but not limited to, undertaking commercial activities'

This rule makes it very clear the KAC is able to run commercial activities for the benefit of the Kokatha people.

The Registrar made an additional change to rule 6.12.4 as follows:

Old rule: ***The corporation must receive the proxy's appointment at least 24 hours before the meeting.***

New rule: ***The corporation must receive the proxy's appointment at least 48 hours before the meeting.***

This change was required as the old rule was not consistent with the CATSI Act.

A full review of the rule book will be carried out after the special administrator's advisory group and the new Lore and Culture Committee has been established.

GOVERNANCE TRAINING

At the information meeting several members requested a chance to attend governance training. I am pleased to advise that ATSI ICT Aboriginal Corporation staff will be providing training in two separate sessions for up to 20 people each session. Of course, the KAC staff will also be attending this training. The training is provided over two full days and is the same training that is normally given to directors. We are planning for the training to be run early in the new year.

ATSI ICT Aboriginal Corporation staff have delivered this training to the staff of several of my previous special administrations and in each case the staff have said how good it was to now know the role of a board etc. Nominations for the training will be called in the new year.

SPECIAL ADMINISTRATION STATUS

1

Take control of the assets, including land. Find out if the corporation can recover financially.

2

Restore good operational order.

3

Prepare the corporation for return to members' control as soon as possible.

YOUR OPPORTUNITY TO VOTE FOR YOUR KAC REPRESENTATIVES

This is your opportunity to have your say in who you want as Kokatha Aboriginal Corporation representatives.

On 13 November, we will mail out a form giving you the opportunity to vote for who you would like to represent your family group on two different representative groups for the corporation:

- Kokatha Aboriginal Corporation Advisory Group
- Lore & Culture Committee.

The Corporation Advisory Group

The Corporation Advisory Group is a temporary body during the special administration. Its purpose is to work with the special administrator on governance, business, finance and corporate matters to help make sound decisions for the welfare and future of KAC.

At the end of the special administration the special administrator will appoint members from the Corporation Advisory Group to the new Kokatha Aboriginal Corporation board. The Corporation Advisory Group itself will then be dissolved, having completed its purpose.

The Lore & Culture Committee

The Lore & Culture Committee will be an ongoing body for KAC. Its purpose is to provide connection between Kokatha culture and the activity of the Kokatha Aboriginal Corporation. The Lore & Culture Committee will deal with matters such as membership, language retention, cultural heritage, men's and women's groups, youth and cultural respect development, and the alignment of KAC commercial and business activities with Kokatha culture.

Your family group

Both the Corporation Advisory Group and the Lore & Culture Committee will have representatives from the fifteen Kokatha family groups.

Who can you vote for?

Your voting form will give you the opportunity to name one person from your family group for the Corporation Advisory Group and one for the Lore & Culture Committee. You can vote for any member of your family group. Bear in mind the Corporation Advisory Group is business-based and the Lore & Culture Committee is culture-based.

Former directors

The corporation has suffered in recent times from a lack of agreement amongst former directors. There has been a lot of board conflict and disputes leading to legal action and considerable amounts being paid to meet legal costs. These events have been disruptive and were one of the main reasons that KAC was placed under special administration. In the interest of giving the corporation a fresh start and to give some time for the conflict to calm down, I have decided that any person who was a director of KAC from 30 June 2018 to the appointment of a special administrator will be ineligible to be on the special administrator's Corporation Advisory Group. This also means these former directors will be ineligible for appointment to the board at the end of the special administration.

Being ineligible for appointment to the Corporation Advisory Group in no way suggests any wrongdoing. It is simply a way of allowing members to elect a fresh board.

When can you vote?

You can vote as soon as you receive your form. There will be a section in the agenda at the KAC AGM on 14 December 2019 to give you the opportunity for discussion. We need your voting forms back by 20 December 2019.

We look forward to receiving your votes.

KAC AGM

You will know that KAC held an AGM in July 2019 and at that time the AGM was adjourned until 16 November 2019. We were not able to schedule the adjourned portion of the AGM for the 16 November and so it will be held on Saturday 14 December commencing at 09:30am. The AGM will be held at the Central Augusta Community and Sporting Club, 3 Hannagan Street, Port Augusta.

A notice of meeting and an agenda is attached to this newsletter.

MEMBERSHIPS

At the last information meeting I said I would review memberships. This review will commence soon. I have read in the July 2019 AGM minutes that the former directors had acknowledged there may be problems with memberships and they had agreed to a review of apicals and who fits where.

To start with I need to know what the problem is and how big the problem may be. I will then be able to look at how best to start fixing the issues. I have appointed KMSearch to help with this process.

Firstly, I ask that if you have a problem with your membership at KAC please send a brief note / email to Keith MacKay at k.mackay@kmsearch.com.au. If you have previously sent information to me via email I will forward that information for review. Keith will firstly look at all of the issues raised by members and prepare a summary for me. This will be the first step. Please send your information to Keith by 20 December 2019.

KOKATHA MINING SERVICES PTY LTD

Commercial contracts with OZ Minerals are expected to be finalised any day now. The contracts deliver various Carrapateena services (including road maintenance services and laboratory courier services) are valued at over \$2.2M annually over an initial 6 year period. These contracts will also create up to 7 direct jobs opportunities for Kokatha people over the next few months. For further information regarding these opportunities, contact Jonathan Fatt-Clifton on 0447 569 803.

DEPARTMENT OF DEFENCE PARTNERSHIP IN ACTION

KAC continues to build its positive working relationship with Department of Defence Woomera Base. Over the last few months staff and former directors have jointly negotiated key opportunities for mutual benefit including a short earthworks job undertaken by a Kokatha Mining Services (KMS) team of three community members and the newly appointed KMS Operations Manager. The team was based at the new Roxby Downs Homestead accommodation for two weeks.

Since then, Defence have undertaken consultation with the KAC Lore and Culture Sub-Committee to review and renew the Woomera Prohibited Area Heritage Management Plan. And a few weeks ago members of the Culture and Heritage team delivered a full day cultural awareness training to approximately 50 DoD staff.

Feedback from Wing-Commander Stuart Scott included: Completing this type of training across the WPA will provide Defence with greater understanding of the rich history and culture we get to share in every day. It will also enable us to make better (and better informed) planning decisions.

While on country, filming was also completed to assist in the creation of online Kokatha Induction materials. For further information regarding any of these heritage matters, contact Glen Wingfield on 0487 090 809.

KAC STAFF DEVELOPMENT

Kokatha woman, Melinda Forrest, 23, recently commenced a twelve-month workplace traineeship and Certificate 3 in Business Administration; she has been working in the Kokatha head office in Port Augusta since 2018.



"This is a good start for me, I would like to go as far as I can, learn some more skills and go onto other things," said Ms Forrest. "It's great working for Kokatha, I feel proud that I can help others too," she said.

Melinda was also recently appointed to the position of Kokatha Lore and Culture Sub-Committee Executive Officer.

"Melinda is a valued member of our KAC staff team" said Cate Ballantyne, General Manager. "She regularly takes on new workplace challenges, she is a fast learner and a hard worker. We look forward to her skills and experience growing with our rapidly growing corporation."

Congratulations Melinda!

KOKATHA PASTORAL



Kokatha Pastoral (KP) has developed a 2020-25 business plan that clearly outlines how the pastoral business will make new income streams and ensure more Return to Country opportunities for Kokatha peoples.

On the 27th and 28th August, KP directors met with various stakeholders for a two-day workshop that led to the making of the draft plan. All people who went along were housed in the newly completed accommodation quarters at the Roxby Downs Station Homestead. People from Roxby Council, Indigenous Land and Sea Council, BHP Billiton, Arid Recovery and KAC senior staff worked with the Kokatha Pastoral Board to work out how to deliver on the vision of Building the capability of the Kokatha people to preserve and sustain country, whilst providing sustainable business opportunities for all.

The 2020 business plan targets Kokatha training and employment, partnership agreements, tourism, horticulture, land management and conservation as a means to achieving its vision. The plan is due to be circulated to all members by the end of the year.

MURAL OF BELONGING

Kokatha Elder, Lynette Strangways attended the official opening of the Mural of Belonging at Flinders View Primary School in Port Augusta on Friday 27 September.

The mural which was painted by local Aboriginal artist Scott Rathman incorporates the handprints and animal designs drawn by pre-school students with the support of the schools Kokatha students.

The mural at the school was made possible as a result of a contribution made by Kokatha Aboriginal Corporation.



MORE INFORMATION

See ORIC's fact sheet 'Special administrations: what members and directors need to know', and other fact sheets on corporate governance at oric.gov.au.

Many thanks, Peter

SPECIAL ADMINISTRATOR

Peter McQuoid

PDM Consultancy

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For more about special administrations see oric.gov.au/special-admins or call **1800 622 431** (not free from mobiles).

NOTICE OF ANNUAL GENERAL MEETING

(CONTINUATION FROM 6 JULY 2019 MEETING)

Kokatha Aboriginal Corporation RNTBC

ABN 17 649 502 722 ICN 8093 (special administrator appointed)

Kokatha Business Centre, 35 Flinders Terrace, Pt. Augusta SA 5700

PO Box 3030, Pt. Augusta West SA 5700

admin@kokatharntbc.com.au Ph: 08 8642 2068

www.kokatha.com.au



All members of the Corporation are advised that an annual general meeting of the members of Kokatha Aboriginal Corporation RNTBC (under special administration) will take place as follows:

DATE: Saturday, 14 December 2019

TIME: 9.30 am

PLACE: Central Augusta Community and Sporting Club
Hannagan Stree, Port Augusta SA

On arrival at the meeting, members should check the register of members and if needed, update their name, address and any other details.

*Proxies

If you cannot attend the AGM under the rules of the corporation you are able to appoint a proxy.

The person you appoint as your proxy must be a member. Your proxy cannot be appointed as a proxy for any more than three (3) members. Under the corporation's rules, proxy forms must be returned to the corporation by mail or by email at least 48 hours before the start of the meeting. The proxy form must be complete including the signature of the person appointing the proxy.

If the corporation doesn't receive your proxy form at least 48 hours before the AGM start time, it will not be accepted.

A proxy form is attached to this notice of meeting, or you can download it from www.kokatha.com.au or ask for one via admin@kokatharntbc.com.au

SPECIAL ADMINISTRATOR

Peter McQuoid
PDM Consultancy
(07) 3289 2596
0435 018 879
p.mcquoid@pdmc.net.au

AGENDA

1	Welcome, attendees and apologies:	Chairperson
1.1	Introduction	
1.1	Apologies	
1.2	Quorum	Chairperson
2	Minutes of the previous meeting	
2.1	Confirming the minutes	Chairperson
2.2	Matters arising	
3	Proxy appointments*	Chairperson
4	Special administrator's report	Chairperson
5	General Managers report	General Manager
6	Tabling of the audited financial statements:	Chairperson
7	Kokatha People Native Title Compensation Charitable Trust report	Directors of trustee
8	Kokatha General Trust report	Perpetual
9	Appointment of an auditor for the next financial year and set the audit fee.	Chairperson
10	Kokatha special consent resolution	
	The following resolution relates to the Kokatha People Native Title Compensation Charitable Trust and will be proposed at the AGM:	
	<ul style="list-style-type: none">Proposed Kokatha special consent resolution for the Kokatha People Native Title Compensation Charitable Trust:	
	Pursuant to paragraph 4.5 of the trust deed, the members hereby consent to the Trustee applying or appropriating all income accumulated in the accounting period ending 30 June 2019 in pursuit of the charitable objects of the trust.	
11	Any other business	Chairperson
12	Close	Chairperson

APPOINTMENT OF PROXY

RULE 6.12.3

Kokatha Aboriginal Corporation RNTBC

ABN 17 649 502 722 ICN 8093 (special administrator appointed)

Kokatha Business Centre, 35 Flinders Terrace, Pt. Augusta SA 5700

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I, _____ (full name of member)

of _____ (address of member)

am a member of the corporation.

I appoint _____ (full name of proxy)

of _____ (address of proxy)

who is a member of Kokatha Aboriginal Corporation RNTBC as my proxy to vote for me on my behalf at the **annual general meeting** of the corporation to be held on **14 December 2019**, and at any adjournment of that meeting.

Signature of member appointing proxy: _____

Date: _____

Notes:

1. A proxy vote may not be given to a person who is not a member of the corporation.
2. No member may hold more than three proxies.
3. This form must be returned to the KAC office no later than 48 hours before the AGM.