



Kokatha Aboriginal Corporation RNTBC

ABN: 17 649 502 722 ICN: 8093

KAC Communique- January 2021

*Below is the monthly communique of key KAC activities for the information of Kokatha people.
From December 2020- January 2021, this information includes:*

1. Following the submission of the KAC 2019-20 Annual Report to ORIC in December 2020, an overview with more details for the Kokatha community and KAC stakeholders has been published. Copies will be distributed at the upcoming AGM and are available on request from our KAC Office for pick up or postage. You can also view it at <https://kokatha.com.au/kac-annual-report-2019-2020/>

This is a report that all Kokatha people can be understandably proud of. It highlights a remarkable year of growth and support, achievements and impact despite the unexpected challenges 2019-2020 brought.

Highlights include:

- 492 KAC members received grocery support worth over \$135,000 in April and June
 - \$829,000 in direct support to Kokatha people was distributed through the Kokatha Charitable Trust
 - 16 new staff were employed through our recruitment policy, including 11 Kokatha members and 3 local Indigenous people
 - KAC membership grew from 754 members to 837 members
 - 2 budgets, 9 policies and a multitude of protocols were approved and implemented by the CAG/Board
 - 93 employees were supported by KAC payroll (16 more than last year despite COVID)
 - All KAC staff were kept safe and employed during COVID restrictions (only casual Heritage team services were suspended)
 - The Corporation is currently worth \$6,069,518 which is an increased value of 6 % from the 2019
 - The net cash generated by operational activities has almost trebled- 293% increase
 - The cash at bank has increased by 31% increase over the 2019 balance
 - The cost of board meetings has halved
 - Financial assistance to members increased from \$292,748 in 2019 to \$835,001 in 2020. This is almost a three fold increase in support to Kokatha people (285 %)
2. Following KAC applications to the Kokatha Peoples Compensation and General Trusts to provide funding for a 2021 Back to School Education round, the Compensation Trust Board have approved \$100,000 to the Kokatha Charitable Trust to run this round from 27 January. There were no funds available in the Kokatha Charitable Trust budget for this annual support due to the 2019 AGM decision not to approve KCT funds. More information about applying for this support is available at <https://kokatha.com.au/member-services/financial-support/> Those people who have given the office their mobile number have also been advised by SMS and will receive updates this way too.



Kokatha Aboriginal Corporation RNTBC

ABN: 17 649 502 722 **ICN:** 8093

3. A funding agreement has been negotiated with Perpetual as the new trustees of the KCT which ensures all funds remain within the corporation for immediate access as required.
4. The first Kokatha Enterprises (Kokatha Mining Services and Kokatha Pastoral) Board took place in December. The next meeting will be held at Roxby Station in March. Director Amanda Dempsey was also appointed Kokatha Martin Joint Venture Director.



5. At the request of the KAC Board, the Culture and Heritage Committee held a special purpose meeting on 13 January to discuss the Ministers Decision regarding the Lake Torrens Murdie Exploration Program and make recommendation to the Board. This meeting was chaired by Independent Board member, Raelene Webb QC. More details in **KAC Board Matters** section



Kokatha Aboriginal Corporation RNTBC

ABN: 17 649 502 722 **ICN:** 8093

6. Four new employees were appointed in December following recruitment- Michael Davis is the new KMS Site Supervisor (Carrapateena), Chereena Amos has been appointed Kokatha Enterprises Admin and Data Officer (4 days per week), Carly Chamberlain was appointed Trainee Manager, Culture and Heritage (4 days per week, including study) and Kenneth Davis (known as Kenny Paul) has been appointed Kokatha Pastoral Station Manager.

Michael is a Port Augusta local and has worked for Downer for the past 8 years supervising project and maintenance crews and has extensive experience operating plant and machinery including trucks, excavators, loaders, and rollers. Michael's experience includes 5 years at Olympic Dam operating machines, including two years performing a team leader role, and he also has civil rail infrastructure maintenance, and is qualified in occupational health and safety. Michael will be responsible for all operational.

Carly is a KAC member and has been appointed for 2 years. Her traineeship is focused on Kokatha Culture and Heritage as well as Indigenous Management/Leadership. We have identified a potential accredited course which is a Certificate IV in Indigenous Leadership through the Australian Indigenous Leadership Centre.

Chereena is a KAC member and will manage the delivery of administrative services to Kokatha Enterprises including the important role of KE/KP Board Secretariat. Chereena comes highly qualified having worked for DPTI for six years working most recently as the Maintenance Coordinator, across Government Facilities. Her work responsibilities have included roles such as administration support officer and customer liaison. Chereena's skill and experience will be greatly appreciated in the fast growing Kokatha Enterprises team.

Kenny is an experienced Indigenous pastoral manager from Oodnadatta and has worked on many of the cattle Stations that surround the town such as Macamba Station and Todmorden cattle co. but also travelling further away from home and have worked on cattle stations in WA & NT as a station hand and as a Pastoral & Operations Manager in APY Lands. His goal for KP is to see Roxby Downs, Purple Downs & Andamooka Stations infrastructure repaired and maintained (fences, dams, bores, roads, and the homesteads and then see the three properties up and running, paying for themselves whilst maintaining good land condition.

Kenny is also working with ILSC's Tony Freshwater in his ongoing governance support of Kokatha Pastoral. MCM Board approved consultancy's agreement for operational support with KP concludes in June and they have been redirected to focus on operation plan delivery.

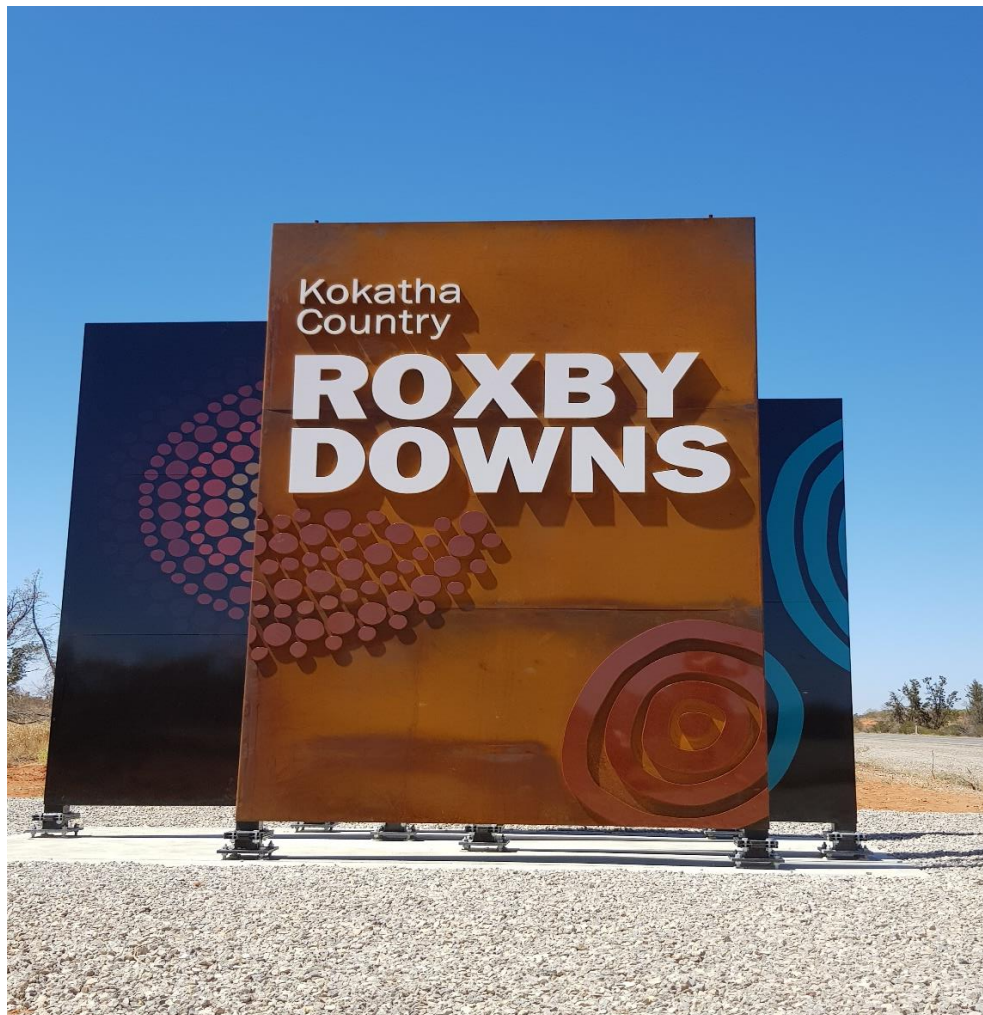
7. KAC secured \$25,000 emergency support stakeholder funds from OZ Minerals in late December to support Kokatha, Barngarla and Kuyani families over Christmas and New Year. This support has been delivered weekly by community volunteers, including Rhonda Amos. This funding concluded on Friday 22 Jan. KAC staff will meet with BHP next week to discuss their request for KAC to administer a local Aboriginal communities social support program based in Port Augusta and provide then feedback to the KAC Board



Kokatha Aboriginal Corporation RNTBC

ABN: 17 649 502 722 **ICN:** 8093

8. 13 successful applicants recruited through KAC have begun employment with EXACT on the Western Access Road (WAR), Carrapateena. This groups includes 3 Kokatha women and a Kokatha apprentice
9. KAC member Jake Strangways has successfully applied for the EXACT/OZM scholarship negotiated as part of the WAR agreement. Congratulations Jake!
10. 2 Kokatha people have been employed as drivers by Cleanaway through their agreement with KAC
11. Kokatha Enterprises is preparing recruitment to directly employ 7 KMS employees on the WAR as part of the agreement with EXACT. More information coming soon!
12. KMS contracts (Road Maintenance Crew and Lab Courier Run) continue to exceed the required performance levels. Well done team!
13. Roxby Council have used the Kokatha artwork commissioned from Shirley, Jennifer and Lee Williams with the assistance of KAC to create and now display new town signs.





Kokatha Aboriginal Corporation RNTBC

ABN: 17 649 502 722 **ICN:** 8093

14. With the assistance of Kokatha Community Support Officer Kym Chamberlain, Kokatha artists Wulla Designs were commissioned by Department of Defence to provide to provide the Japanese Aerospace Exploration Agency (JAXA) with the gift of a beautiful and meaningful piece of Kokatha artwork as part of the Haybusa2 return from space and onto Kokatha country. Heritage Services Manager Glen Wingfield also provided the official Welcome to Country for JAXA, VIPs and International media.
15. At the request of the KAC Board, BHP were advised on 7th December of the suspension of all Kokatha Heritage Services to them and their contractors for new works until a date for the ODA review between BHP and KAC is set. As such they advised at this time that they have suspended all new required Heritage works at Olympic Dam and surrounds until further notice





Kokatha Aboriginal Corporation RNTBC

ABN: 17 649 502 722 ICN: 8093

KAC Board Matters

The KAC Board met in Port Augusta on 21-22 January. The key issues and actions from the Board meeting for the information of members were as follows:

16. The Board approved all recommendations from the Culture and Heritage Committee (CHC) from special purpose meeting to discuss the Ministers decision regarding the Lake Torrens Murdie Exploration Program:
 - a) *That the Board to investigate the possibility of a joint action with other concerned groups Adnyamathanha Traditional Lands Association RNTBC, Anangu Pitjanjatjara Yankunytjatjara, Arabana, Barngarla Determination Aboriginal Corporation RNTBC, Viliwarinha Yura Aboriginal Corporation and the custodians listed on site cards for the Lake Torrens Aboriginal Site, as advised by the AAR to review the Ministers decision and approach SANTS to facilitate group interaction.*
 - b) *That the Board that the CEO have a preliminary discussion with Jackson McDonald (lawyer) about reviewing the Ministers decision of exploration on Lake Torrens and possible injunction to prevent Keleray commencing activities.*
 - c) *That the Board instruct the CEO to request an estimated cost associated with the review and injunction.*
 - d) *That the Board investigate National Parks and Wildlife and environmental issues relevant to Lake Torren and Lake Gairdner.*
 - e) *That the Board to investigate other protections relevant to Lake Torren and Lake Gairdner*
 - f) *That the Board to investigate the Commonwealth legislation, protection and procedures relevant to Lake Torren and Lake Gairdner*
 - g) *That the Board to take all reasonable steps to facilitate a joint media statement with the other groups about relevance and protection of Lake Torrens and the broader Lake system*
 - h) *That the Board to consider and approve sitting fee payment to CHC members for this meeting and any other special meetings that may be held in the future*

Additionally the Board authorised KAC to expend up to \$50,000 to take urgent action to prevent any act by Keleray on Lake Torrens. On the advice of Jackson McDonald Lawyers (b), KAC's SA based legal counsel Camatta Lempens has now been engaged to urgently seek this undertaking by Keleray and/or SA Government followed by an injunction if required. The Board will receive regular updates from management and major developments will be posted on the KAC website at <https://kokatha.com.au/lake-torrens-update/>





Kokatha Aboriginal Corporation RNTBC

ABN: 17 649 502 722 ICN: 8093

17. The Board received the following recommendations from the Kokatha Enterprises sub entity Board:
 - a) *That the KAC board approve appointment of a Chairperson for this board to align with the KAC rule book section 7.7.2.*
This was approved.
 - b) *That the KAC Board confirming they will not request an unpaid dividend be repaid to KAC by the KE/KP Board within 12 months.*
The Board requested a letter of support from KAC accountants be provided by the KE/KP Board to support this request prior to a decision
18. The KAC's Recognised Aboriginal Representative Body (RARB) application approved by the Board was submitted to the State Aboriginal Heritage Committee on 7th December and tabled at their 16 December meeting
19. The Board participated in their requested finance workshop with KAC Principal Advisor John Ramsay, and then approved a variation to the approved budget which improves the 2019-20 budget outcome
20. The Board approved the management request the trade in of two KAC fleet vehicles assessed as being a WHS risk to the corporation for two new fleet vehicles.
21. The Board confirmed the decision (initially made through circular resolution in December) not to approve a request from Andrew Starkey for further KAC funds to support his legal action in the Nukunu Native Title matter
22. The Board approved a request from the Kokatha Peoples Native Title Compensation Trust Board to attend a meeting with Directors and provide an overview of the current KPNTCT operations and future directions. The Board decided this meeting should take place following the receipt of responses to key questions the Board have regarding the KPNTCT
23. The Board received and accepted performance reports from the CEO, Heritage Services Manager, Corporate Services Manager (monthly finance report and work health and safety)
24. The Heritage Services Manager tabled a letter from BHP for the Board's information. It was in response to the Board's letter to them in November and recent discussions with the HSM and CEO regarding the Boards request for an urgent review and renegotiation of the Olympic Dam Agreement. The Board advised they were extremely pleased with the progress made and invited BHP representatives to present further information to Directors at the February Board meeting
25. The CHC independent chair submitted a report and recommendations on the allegations of Code of Conduct breaches by two CHC members at the request of the Board. The Board approved 3 recommendations from the report by CHC members:
 - i. Change of venue for the next CHC meeting to create a fresh start
 - ii. Incorporate a CHC strategy meeting as part of the next meeting (Chair to facilitate)
 - iii. Chair to conduct confidential phone interviews with all members prior to the next meeting



Kokatha Aboriginal Corporation RNTBC

ABN: 17 649 502 722 **ICN:** 8093

Additionally the Board requested the Chair implement a new approach to membership agenda items immediately, and provided resources developed by the Board for this purpose that allow CHC members to vote on applications individually rather than as a group

26. The Board reviewed the details of KAC's activities on the ORIC public registered and updated them. They instructed the CEO to provide this information to ORIC on their behalf
27. The Board discussed the review of the KAC Code of Conduct completed by Principal Advisor John Ramsay. They instructed management to add some examples and scenarios to the documents and seek further feedback from Paul Lucas (Independent Director) and legal counsel prior to retabling the updated document for Board approval
28. The 2021 AGM details were approved by the Board, including date, venue, chair and agenda. The importance of the member information pack was noted and the management approach to advising members of the meeting and its contents was confirmed
29. 19 new membership applications were received by the Board. 15 were approved. 4 were referred to the next CHC meeting for more information. All applicants will be advised of the outcome of their application in writing from the Board Secretariat
30. The Board agreed upon an approach for supporting the engagement of Kokatha Common Law Holders in Native Title Mining Agreement decisions requiring their approval. The Board confirmed that the next KCLH meeting will take place on 17-18 April in Port Augusta. Further discussion of the agenda will take place at the February Board meeting. To date the Kokatha General Trust and a number of mining companies have requested inclusion.
31. The Board decided that all Directors could receive the Board commissioned Independent Submission 42 claims evaluation report coordinated with Department of Premier and Cabinet, Aboriginal Affairs and Reconciliation. The Board then made extra time available for all Directors to read the report. The report was discussed by the whole board. The Board decided to:
 - I. Refer the report to a special meeting of the CHC requesting their comments. The meeting will be chaired by Independent Director Raelene Webb QC
 - II. Make a statement on the KAC website about the progress of the Submission 42 claims KAC response
32. The Board confirmed their availability to attend the OZ Minerals/KAC Partnering Health Check at Carrapateena on 8-9 April
33. KAC Director representatives on the OZ Minerals/KAC Partnering Management Committee provided an update to the whole board and advised they are attending the next meeting on 10 February in Adelaide. The last PMC newsletter can be viewed at <https://kokatha.com.au/pmc-newsletter-november-2020/>
34. The 2021 calendar for KAC Board meeting dates and venues was confirmed
35. In October the Board nominated Daniel Ramm and Elaine Moosha to be their contact people until the Chairperson and Vice Chairperson are appointed after the AGM in accordance with Rule book section 7.7.2
36. The Board appointed Directors Kahlia Gibson and Tanya Swales to co-chair the next Board meeting on Thursday 25th February in Port Augusta.