

**DRAFT Minutes of Extraordinary General Meeting**  
**National Aboriginal Community Controlled Health Organisation (NACCHO)**  
**24 October 2023 at 2:00 pm AWST**  
**Hyatt Regency Perth, 99 Adelaide Terrace, Perth WA**

The NACCHO Chair, Donnella Mills, opened the meeting at 2:19 pm AWST

**Acknowledgement of Country and Opening remarks by the NACCHO Chair**

The Chair acknowledged the Traditional Owners, the Noongar people and thanked them for the warm welcome given to the gathered delegates. The Chair expressed gratitude to Walter McGuire and Tina Hayden for their Welcome to Country.

The Chair confirmed that the quorum had been met.

She also declared that the voting would be done by poll.

**1. To consider and vote on the following special resolution:**

**“Resolved by special resolution that the Constitution circulated with this Notice of Extraordinary General Meeting and marked ‘A’ (‘National Constitution’) be adopted as the Constitution of NACCHO in place of all other previously adopted Constitutions, effective from the conclusion of this Extraordinary General Meeting.”**

The Chair informed members that resolution 1 was to vote on the constitutional model which had been worked up by members at a two-day Sydney workshop attended by 120 representatives, and was then put to the members at the Darwin EGM in 2019. The Chair added that the resolution was to have been revisited at an EGM in March 2020, but COVID had intervened. The model had been updated and presented to members at two webinar sessions in 2023.

The Chair suggested that three speakers ‘for’ and three speakers ‘against’ the resolution would be invited to speak prior to the vote and that each speaker would have three minutes.

First speaker “for”

Mr Rob McPhee, Danila Dilba, spoke for the resolution. He stated that the NACCHO Board was presenting the new constitution and that it was important for him in his capacity as a director to explain why. He noted that the current constitution was outdated and limited the directors from being able to practice good governance. He reminded members that the Board had worked through numerous proposals and different models over the years but that in 2023 no opposing models had been presented nor any concerns raised with the Board or NACCHO. He acknowledged that no constitution is ever perfect, but that he believes it can be refined as small changes are easier to make. He pointed out that NACCHO is the largest Aboriginal and Torres Strait Islander peak body and a strong advocate for the community-controlled health sector. He said it was important for NACCHO to lead and show strong

governance and that as a people, Aboriginal and Torres Strait Islanders, need to be united and speak with one voice. He stated that whilst there have been many discussions and debate, the sector could put that behind them and come together. In light of the Voice Referendum result, he reflected that this was an opportunity to support each other to become a strong united sector.

The Chair called the next speaker. A member requested if they could ask a question. The Chair advised that questions should ideally come at the end of all the speakers.

#### First speaker “against”

Mr Sandy Davies, Geraldton Regional Aboriginal Medical Service, spoke against the resolution. He stated that he had listened to the rhetoric of the Voice campaign for six months. He noted that the new constitution would reduce the Board membership to nine. He stated that he had yet to see remote and very remote ACCHOs being represented on the Board. He noted that the previous speaker said that the new constitution would be for all people, but he was concerned that it was not including remote and very remote areas. He questioned whether the people who live in remote and very remote parts of Australia are also considered to be in the Aboriginal community. He felt they were being ignored. He noted that Aboriginal people are living in Third World conditions, with food security an issue and prices at remote stores prohibitive. He believed that people in remote areas are still waiting to see changes promised by these “tourists through remote communities”. He believed that people representing remote and very remote communities should be sitting on the Board and if anything, the constitution should be changed to increase the number of Board members, not decrease its size. He felt that those sitting up on the platform should not get to sit up there and preach to him.

Ron Briggs, VAHS, noted that there was confusion amongst members. He was unsure of what changes were proposed and wanted to clarify which changes had been implemented into the constitution to date. The Chair said that the proposed constitution had come from the two-day workshop in Sydney. She also advised that the constitution cannot be changed without members voting and so no changes had been made since that workshop. Mr Briggs further questioned what had changed to the new model since the meeting in Sydney and whether the Victorian peak supported the new constitution. Jim O’Shea, VACCHO confirmed that things discussed in Sydney had been added to the proposed constitution and that VACCHO was in support of the new constitution. Mr Briggs noted that this is what he wanted to know and that he just wanted to be sure his vote was going to benefit his community.

#### Second speaker “for”

Deb Butler, Danila Dilba, spoke for the resolution. She noted that she was not able to attend the consultations in Sydney. She commented on the hugely diverse needs where she works, and that she believed it was possible to still represent their needs with the reduced Board and that the proposed size meant that it could be flexible and more efficient. She noted that it was important to have trust and faith in those voted onto the Board, so that members could be confident that they would do what would benefit all communities. She commented that she was happy to see the Board moving toward a modern and more rigorous rule book and away from the ambiguity in the current constitution. She commented that she appreciated the previous speaker’s point around having more diverse representation on the Board and that she would like to challenge the new Board to go back to members and listen to their voice regarding strategy and priority plans, commissioning models and governance. She noted that she supports the Board to reduce the number of the Board directors if it supports making timely decisions

and noted the successful example of the current commissioning model. She added the new constitution would benefit members and allow the sector to take a step forward. She noted that she would trust the Board to make good decisions for the sector and trust members to hold its Board accountable for its decisions.

#### Second speaker “against”

Kieran Chilcott, Kalwun Health Service, spoke against the resolution. He noted that a new constitution was required, but that the national peak needed to incorporate diverse voices from the community. He commented that a reduced number of directors would not help giving a voice back to communities and that the new constitution would not guarantee gender diversity and adequate youth representation. He noted that on the back of the failed ‘Yes’ campaign, his jurisdiction did not even have anyone to represent them. He commented that the new constitution would give more voting power to ACT and TAC despite them having lower Aboriginal and Torres Strait Islander populations. He claimed that under the new constitution, the Board would have the ability to suspend or expel members and that would be a risk. He commented that the resolution failed last year and noted that NACCHO had flourished over the past year. He questioned why the constitution should be changed when it seems to be working very well under the current constitution. He added that it keeps failing because members want it to be bigger with more voices at the table.

#### Third speaker “for”

Jamie Newman, Orange Aboriginal Medical Service, spoke for the resolution. He noted that he had been coming to meetings for 18 years and that nothing constitutional reform had continued to be resisted by jurisdictional interests. He encouraged members to learn from the recent Referendum that they should be leading in their sector and should not be afraid of change. He added that details would continue to come and that, if everything stayed the same, the sector would not be able to grow. He argued that the sector needs more than that. He commented that the leaders need to give the young people a platform to take the work to the next level and that the sector cannot initiate broader change if it will not countenance it within themselves. He noted the consultations over the last 5-6 years and that the new constitution was drafted from those, designed by the members themselves. He believed that reducing numbers didn’t mean the Board was weak but that it could actually allow it to be stronger, noting the difficulties in arranging for the full Board to meet and to act decisively and efficiently. He noted that the new constitution could support skilled Aboriginal and Torres Strait Islanders to join the sector and not be deterred by dysfunction. He commented that NACCHO needed to show governments that the sector could change and improve. He added that the Referendum showed that other Australians think Aboriginal and Torres Strait Islanders are on the ‘gravy train’ , the sector should be offended and insulted. He encouraged members to change that perception by working to do better and getting behind a new constitution.

#### Third speaker “against”

Ted Wilkes, Lake Tyers Health and Children's Service, spoke against the resolution. He commented that he had only just become involved in NACCHO again but had been involved in public health all his life. He had concerns that a reduced Board would not be able to cover the whole land mass of Australia and represent all the groups. He noted his connections to WA, but commented that Aboriginal and Torres Strait Islanders have the worst poverty in the world compared to other First Nations peoples across the

world. He added that the diversity of the population demanded that they have people on the Board that they can go to. He commented that the new constitution would limit the voice on the Board to represent diverse interests and that the Board needed to be made bigger not smaller.

There were no questions. The Chair thanked all the speakers and declared that voting could commence.

At 2:50 pm the Chair invited the Company Secretary to announce the results of the vote.

The Company Secretary announced the result of the vote on special resolution 1. She said that 88 votes in favour had been cast; 62 against and 7 had abstained. Therefore, although it achieved a majority, the resolution had not achieved the special majority of 75 per cent.

The Chair thanked members for attending and closed the meeting at 2:56 pm.