

## SPECIAL ADMINISTRATION – ATLA MEMBERS COMMUNIQUE

Tuesday 22<sup>nd</sup> September 2020

### Respecting Culture and Traditions

We continue to acknowledge the continuing culture and traditions of the Adnyamathanha people, your kinship systems and moiety that include Arurru (North Wind) and Mathari (South Wind), and the place of respect and honor held for your Elders.

### Tighter controls for expenditure and improved financial policies

The Special Administrators have been working closely with ATLA's new Bookkeeper and Accountants (Yaran Business Services) with a view to developing a budget and forecast and implementing regulated controls for the expenditure of the corporation's funds, including the development of an adequate financial delegations' framework and appropriate policies and procedures.

The documented procedures will ensure that the corporation has adequate financial resources to proactively manage its day to day business, including cultural heritage and native title matters. It is intended to also provide strong economic support to administratively assist the Adnyamathanha community including its Elders and its future generations in their ongoing endeavours.

### Increasing the Corporations capacity

We were advised that Gayle Mather was previously engaged to assist the corporation and its former CEO with administration support. We understand that Gayle has a long association with the Adnyamathanha peoples, and we would like to acknowledge her contribution.

The Special Administrators are considering an appropriate administration model to take the corporation forward. This centres around the engagement of staff, and whether office space and any other ongoing administration support is necessary to meet its business obligations and ongoing support of its members.

### New committee established to manage Cultural Heritage & Native Title

The Special Administrators have appointed an interim Cultural Heritage and Native Title Committee (CHANT Committee) to assist with managing such matters.

- **Aboriginal Heritage Act 1988 - Application for Authorisation – Kelaray Pty Ltd – Lake Torrens Murdie Exploration Program**

As you may be aware, The Department of the Premier and Cabinet, Aboriginal Affairs and Reconciliation (AAR) has advised the corporation that Kelaray Pty Ltd has sought authorisation under the *Aboriginal Heritage Act 1988* (SA) to conduct exploration drilling at Lake Torrens.

By way of summary, ATLA with the assistance of the CHANT Committee as well as Adnyamathanha community members, drafted and submitted a response document to such exploration. The response provided that the Application should not be granted, because to do so is likely to result in damage, disturbance and/or interference to Aboriginal sites, objects and remains in areas of Lake Torrens and Andamooka Island that are of considerable importance to the traditional owners. ATLA noted on behalf of Kuyani/Adnyamathanha people, that both tangible and intangible Aboriginal cultural heritage must be protected.

# ADNYAMATHANHA

TRADITIONAL LANDS ASSOCIATION (ABORIGINAL CORPORATION)

- **Future Work Area Clearances**

The Special Administrators and the CHANT Committee are working with a number of key advisors to establish a best practice model in relation to managing cultural heritage. We look forward to sharing that model with the ATLA members when completed.

## **New committee established to secure contracting & employment opportunities**

We have established a Procurement Committee to engage with various companies and government departments in relation to contracting opportunities for Adnyamathanha businesses.

The importance of growing enterprise and the Indigenous economy has been highlighted by commentary in relation to the Commonwealth Indigenous Procurement Policy (IPP). Since the IPP launched in July 2015, Indigenous businesses have won contracts valued at over \$3 billion.

The South Australia Government has also launched the Aboriginal Economic Participation Strategy which focuses on leveraging opportunities for Aboriginal employment and business enterprise from government procurement, building the capability of the Aboriginal business sector to compete for government and private sector tenders, and creating increased opportunities for Aboriginal employment.

*Some Indigenous business owners have said that growing the Indigenous business sector provides an avenue for First Nations peoples to reconnect with ancient ways of doing business and the trade routes of the past.*



## **Heathgate community funding support**

Heathgate Resources have indicated that it may support certain community initiatives and projects for the Adnyamathanha people. Members who are seeking funding for such support may email Joy Barnes from Heathgate Resources at [Joy.Barnes@heathgate.com.au](mailto:Joy.Barnes@heathgate.com.au) for further information.

## **IBA business support**

IBA have certain initiatives to assist Indigenous businesses in start-up and ongoing phases. Members who are seeking business funding support, especially through Covid 19, may email David Deo at [David.Deo@iba.gov.au](mailto:David.Deo@iba.gov.au) for further information.

## Securing and Reviewing Properties

The Special Administrators have secured and are reviewing all properties owned or otherwise leased by ATLA which includes:

Property	Owned or rented	Purpose	Rent
52 Arkaba Street, Hawker SA 5434	Owned	Accommodation	Currently rented by ATLA member.
11 Wilpena Street, Hawker SA 5434	Owned	Offices with street front access and accommodation at rear (presently uninhabitable).	Nil
Shop 4 Complex (4 rooms), Black Oak Drive, Leigh Creek SA 3731	Rented	Office accommodation, associated activities, and meeting rooms.	Currently rented by ATLA at \$400 + GST per year.
Mount Serle Station (size 505km <sup>2</sup> approximate)	Crown Lease	Pastoral	Under consideration

ATLA is in the process of making several repairs and improvements to these properties, and will consider, with the Advisory Group and members, how these properties can be better utilised to serve the Adnyamathanha community and also partner with the wider non-Indigenous community.



**52 Arkaba Street, Hawker SA 5434**



**Shop 4 Complex, Black Oak Drive  
Leigh Creek SA 3731**

With the Advisory Group, we are also engaging with various bodies to better understand how ATLA can assist in increasing ownership of housing and infrastructure on behalf of Adnyamathanha people and look forward to updating the members on these initiatives.

## Court Proceedings

Legal proceedings have been brought in the Supreme Court of South Australia by Mulara Topez (aka Deborah Nanschild) for approximately \$5.74 million against ATLA and several of its members. The basis for the claim relates to damages for breach of contract, assault, defamation and unconscionable conduct arising out of publications and/or conduct by the respondents since September 2014. The Special Administrators and the Advisory Group are currently working through the issues associated with this claim. Due to the confidential nature in defending this matter, we are unable to disclose any further information at this point. However, where appropriate, we will keep you updated.

## Forensic Audit

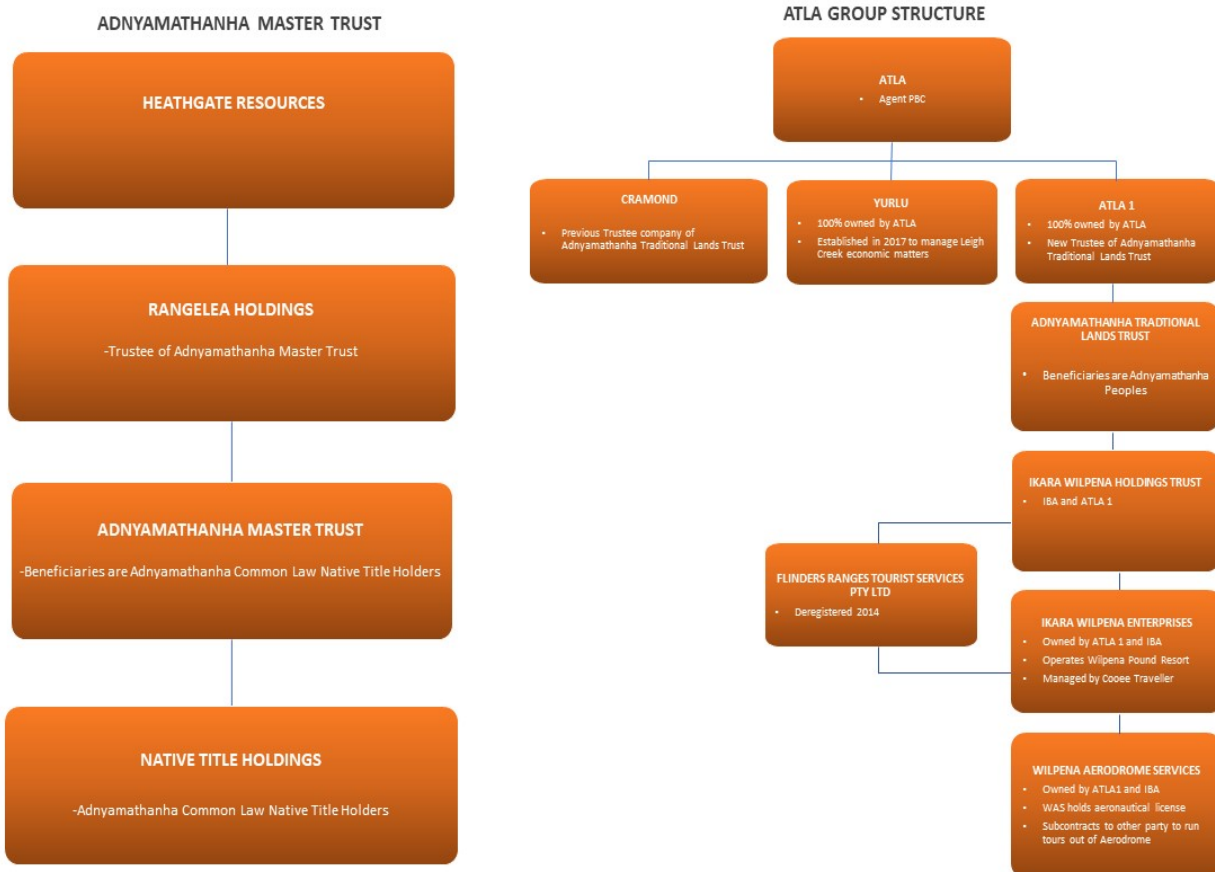
The commencement of a forensic audit of ATLA, its subsidiaries and any related trusts is imminent. The Special Administrators will update the members on the progress of this audit as appropriate.

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## ATLA Group Structure

The Special Administrators have dedicated much time in changing ATLA's Company Group Structure so that ATLA may better meet the expectations of its members and its obligations as a RNTB. The following diagram provides an overview of ATLA's Company Group Structure as it now stands:



## Wilpena Pound Resort

The Wilpena Pound Resort has been performing above expectations considering the impact of Covid 19. The Special Administrators are considering the Resort's Yura engagement strategy and look forward to updating members on the overall performance of the Resort.

## Membership details

Members should continue to update their member details as appropriate. New member applications can be sent to [atla@jaramerlegal.com.au](mailto:atla@jaramerlegal.com.au) or GPO Box 4592 Melbourne VIC 3001. A process for the formal reconciliation of ATLA membership and member details will be implemented when the ALTA Board is appointed. The Special Administrators thank the ATLA Advisory Group, all Adnyamathanha members, and all stakeholders for your continued support and assistance during the Special Administration period.

Sincerely,

Special Administrators