

# Adnyamathanha Traditional Lands Association (Aboriginal Corporation) RNTBC

ICN 3743 ABN 14 146 238 567 (under special administration)

## NEWSLETTER 7 :: June 2022

### DEAR MEMBERS, TRADITIONAL OWNERS AND OTHER INTERESTED PEOPLE,

My name is Peter McQuoid and on 17 April 2021 the Registrar of Indigenous Corporations appointed me special administrator for Adnyamathanha Traditional Lands Association (Aboriginal Corporation) RNTBC (ATLA).

This is my 7th newsletter as the special administrator for ATLA. While I am in this role, I'll send regular newsletters to let you know what I'm doing to help get your corporation ready to hand back to members' control.

### Extension to the special administration

The registrar has decided to extend the special administration of ATLA to 31 December 2022. The extra time is to make any changes required from the SA Supreme Court judgement.

Depending on what the judgement says, these are the next steps that might happen:

- If the Court appoints an **inspector** to report on the activities of Rangelea Holdings Pty Ltd:
  - ATLA will seek orders that the report be released to the common law holders.
- If the Court orders that Rangelea Holdings Pty Ltd must provide the **register of common law holders** to ATLA:
  - ATLA will convene a meeting of common law holders to discuss the inspector's report and ask common law holders what they want to do next.
  - ATLA will then put into place the directions provided by common law holders.
  - The corporation will then be handed back to member control.

### Job opportunity: ATLA Coordinator

Thanks to generous funding provided by Heathgate Resources Pty Ltd (75%) and Taruga Minerals Limited (25%), ATLA is now able to recruit an ATLA Coordinator.

We have advertised the position on the ATLA Facebook page, [atla.com.au](http://atla.com.au), Seek.com, and have sent it by post to members and by email to members who have given ATLA their email address.

See more about the job on the next page.

## ATLA Coordinator

Full time

Location: We are happy to talk about options for location. Initially the role can be work-from-home.

Reports to: special administrator (to the board when special administration ends)

### Responsibilities:

Supporting ATLA's Culture, Heritage and Native Title Committee (CHANT) to ensure that ATLA culture and heritage interests are recognised and protected. This will include duties such as

- supporting and monitoring cultural surveys, and responses on behalf of ATLA to resource companies
- coordinating logistics and managing operations of the heritage survey teams
- coordinating ATLA representation with government, NTMA partners and other commercial entities in relation to heritage surveys/site surveys
- procuring cultural training for relevant stakeholders.

### Our ideal candidate:

Must be an Aboriginal and/or Torres Strait Islander person, ideally an Adnyamathanha person—as this is a designated position and only Aboriginal and/or Torres Strait Islander people are eligible to apply. Adnyamathanha people are strongly encouraged to apply.

Must have strong administration skills, and the ability to manage competing demands and meet deadlines.

### Find out more:

Speak with Kelli Dragos at Abundance HR—phone 0419 419 554 or email [kelli.dragos@abundancehr.com.au](mailto:kelli.dragos@abundancehr.com.au)

## Corporation advisory group (CAG)

We continue to work with the corporation advisory group (CAG) to make sound decisions for the welfare and governance of the corporation. CAG members will be considered for future board positions and should have the skills required to guide and strengthen the corporation's governance, leadership, business and strategic development. These are significant and important roles in a registered native title body corporate (RNTBC).

We thank the current Adnyamathanha CAG members for their continued participation and contribution to decision making for ATLA:

- **Adnyamathanha** members—Haydyn Bromley; Sally Marsh; Amanda Richards; Cynthia Webster and Julie Brady.
- **Independent specialist** members—Raelene Webb and Wayne Mathew.

Best wishes to Desiree Fielding who has recently decided to step down from the CAG due to other commitments.

### Call for new CAG nominations

We continue to encourage new nominations for CAG membership. Please use the attached form if you are interested.

## ATLA Culture Heritage and Native Title Committee—vacancies

The CHANT is an advisory committee for the ATLA board. The role of a CHANT committee member is to represent the whole Adnyamathanha community through their knowledge, understanding and awareness of Adnyamathanha culture and heritage by advising the ATLA board on matters of culture and heritage.

The committee is to have no less than 8 and no more than 16 members at a time. The membership should represent a balance of men and women, Adnyamathanha moieties and age. A committee member is appointed for a term of one year—from one AGM to the next.

We currently have 6 vacant positions in the committee—some were not filled through the previous nominations process and some were created by casual vacancies. (When a committee member leaves their position before their term is finished it creates what is known as a casual vacancy.)

We are seeking nominations from these family groups:

Family	seeking nominations for
Austin	men and women
Coultard	men and women
Demell	men
Wilton	men

Nominations will be tabled at a meeting of the CHANT, who will make a recommendation to the corporation advisory group to fill the vacancy.

If you or another member of ATLA wants to be considered for a position on the CHANT, please talk with your family group and then register your interest by sending an email to [heritage@atla.com.au](mailto:heritage@atla.com.au). See more at: [atla.com.au/about/culture-heritage-and-native-title-committee](http://atla.com.au/about/culture-heritage-and-native-title-committee).

## ATLA Heritage Survey Register

Did you know that any member of ATLA can register their interest in participating in a heritage survey?

To register, go to [atla.com.au/about/culture-heritage-and-native-title-committee/](http://atla.com.au/about/culture-heritage-and-native-title-committee/) and click the button to download a 'Heritage Survey Participation Agreement'.

Fill in the form and email it to the CHANT committee at [heritage@atla.com.au](mailto:heritage@atla.com.au).

Your agreement will be added to a 'Register of Survey Participants'. The CHANT committee uses this register to select the most appropriate people to participate in surveys.

## Update on Rangelea legal case

We are waiting for the SA Supreme Court to hand down its judgement after the hearing which concluded in the first week of April 2022.

On 31 March, 1 April and 6 April 2022, the trial in the ATLA Matter before Chief Justice Kourakis took place in the Supreme Court. This was the hearing of ATLA's application for access to the records of the Adnyamathanha Master Trust managed by Rangelea, and for the appointment of an inspector to report to the court on how the directors of Rangelea have spent and distributed the compensation money.

The Chief Justice has reserved his decision. We are advised it could be 6 to 12 months before the Chief Justice delivers his judgment.

ATLA has been assisted by 3 members of the community as applicants in the court case—Reginald Wilton, Ivan McKenzie and Sarah Taylor—to take this action to achieve greater transparency for all Adnyamathanha native title holders about how their native title compensation money has been managed by Rangelea.

So that everyone in the community is aware, just before the trial began, Rangelea made a very limited offer to Reginald, Ivan and Sarah to look at the recent financial statements of Rangelea. The conditions of this offer were that:

- they could not take any copies of the documents
- they could not take anyone with them to inspect the documents other than a solicitor
- they could not use any of the information for any other purpose
- they could not share any of the information with anyone else, and
- they must discontinue the application in court for production of Adnyamathanha Master Trust's records and an appointment of an inspector.

Reginald, Ivan and Sarah declined the proposal from Rangelea because it was offering to let only them look at very limited information and to keep everything confidential including not telling any other Adnyamathanha common law holders what was in the information. It also meant that there was no chance of getting the Court to appoint an inspector, or ATLA and the rest of the Adnyamathanha native title holders accessing information about how Rangelea has been managing the compensation money.

As you already know, ATLA, Reginald, Ivan and Sarah continued with the court proceedings against Rangelea. They have done this because they want all Adnyamathanha native title holders to know how Rangelea has been managing the Master Trust so that the native title holders can make informed decisions in the future about how the compensation money is managed.

Once ATLA has the information, it will pass the information on to common law holders.

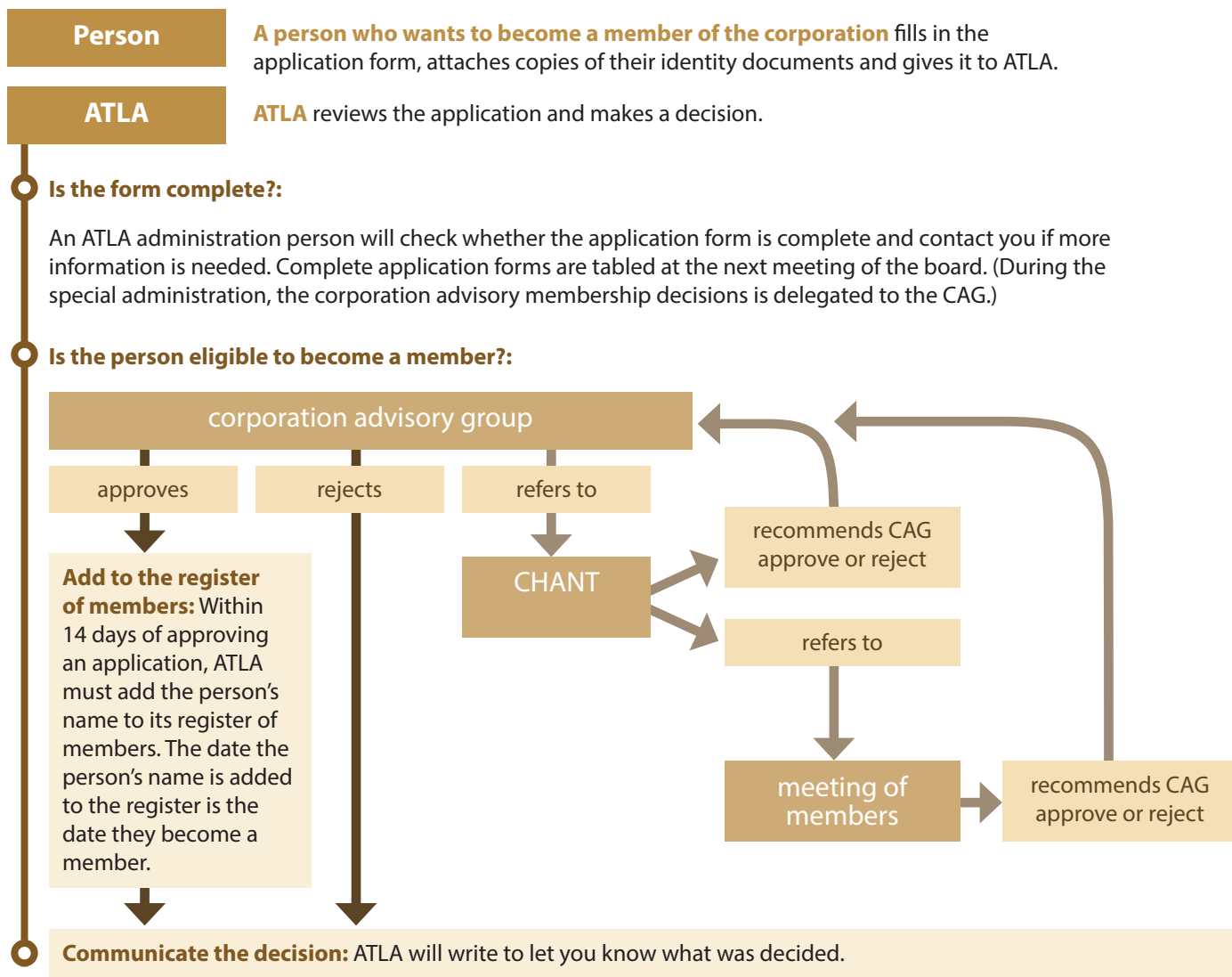
More information is available on the ATLA website: [atla.com.au](http://atla.com.au).

## ATLA membership applications and updating contact details

During the special administration we have received over 200 applications for membership of ATLA. We have begun processing these. I extend my thanks to everyone who has been waiting patiently for their applications to be processed.

The decision to accept or reject an application for membership is a matter for the board of directors. While I am filling the role of the board, I have delegated this decision to the corporation advisory group. The CHANT will assist the corporation advisory group by advising on heritage of applicants.

### ATLA membership application process



### Members, update your contact details

The response from members to update their contact details has been great, thank you. But ATLA still does not have correct contact details for a large number of members.

If ATLA doesn't have your up-to-date contact information we won't be able to send you information and notices of meetings so that you can play your part in decision making for your corporation.

To update your contact details, send your: **name, address, phone number and email address** to:

Email: [atla@moore-australia.com.au](mailto:atla@moore-australia.com.au)

Fax: 08 8224 3311

Post: GPO Box 1171 Adelaide SA 5001

Call Moore-Australia on 08 8224 3300 if you need help.

People who lodged a form to update their membership details but are not already on the membership register need to apply for membership using the membership application form. If you are one of these people, Moore Australia has sent you a letter with a blank membership application form. The letter asks you to fill in the membership application form and send it back.

## Common law holder meetings

Since they began meeting in July 2021, the CHANT committee has recommended that 3 matters be referred to a full meeting of the Adnyamathanha common law holders. These are matters the committee believes require consultation with Adnyamathanha people before the committee can make a recommendation to the ATLA board .

Current items on the agenda for the next meeting of common law holders:

- An update to the common law holders on special administration and the Rangelea court case
- A request for a Work Area Clearance Agreement (Section 9B agreement) for Taruga Minerals (Strikeline)
- A request for a Work Area Clearance Agreement (Section 9B agreement) for Crosskeys Mining (BlastIT Global)
- A request from Operation Flinders to extend its operations from 60 to 75 days per year

There are also several mining companies who have expressed interest in establishing native title mining agreements with ATLA. While these agreements are not yet ready for consideration by ATLA, ATLA knows it will need to consult and seek directions from common law holders on each agreement before ATLA can sign the agreement.

Although there is business to be done, unfortunately ATLA is unable to call and hold a meeting of common law holders. The reason for this is that ATLA does not have the list of common law holders to know who to invite to the meeting.

Rangelea Holdings Pty Ltd holds the list of common law holders and has refused to provide it to ATLA.

As part of the legal case with Rangelea, ATLA has asked the Court to order Rangelea to give the list of common law holders to ATLA.

ATLA is hopeful of receiving the Adnyamathanha common law holders list in the near future and when it does will call a meeting as soon as possible.

### What's the difference between common law holders and ATLA members?

**Common law holders** are the people identified in the determinations of native title as the native title holders. A native title determination may identify individual native title holders, although often the determination identifies native title holders in broad

terms by referring to their descent from specific ancestors, or as members of a particular tribe, clan or family, or a language or other group. See the determinations ATLA manages at [atla.com.au/atla-members/native-title](https://atla.com.au/atla-members/native-title).

**ATLA members** are the people who have applied to become a member of the corporation—following the process in its rule book—and had their application approved by the board and their name added to the register of members kept by the corporation.

People identified as a common law holder in the determination do not automatically become a member of ATLA. Some common law holders may not be members of ATLA.

A common law holder's native title rights and interests are no less important if they are not a member of ATLA. The person has the same say about native title decisions and compensation applications as a common law holder who is also a member of the corporation.

## Community information meeting

The proposed community information meeting / AGM continues to be postponed due to the delay in the Rangelea Court proceedings and a lack of funding to hold the meetings.

## 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](https://oric.gov.au).

You can find out more about special administrations by visiting [oric.gov.au](https://oric.gov.au) or by calling the Registrar's office on freecall 1800 622 431.



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# Adnyamathanha Traditional Lands Association (Aboriginal Corporation) RNTBC

ICN 3743 ABN 14 146 238 567 (special administrator appointed)

## NOMINATION TO BE IN THE ADVISORY GROUP

I, \_\_\_\_\_  
(insert name)

nominate myself for the special administrator's advisory group.

### My relevant background and experience

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### My contact details

Email: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Please return your form to PDMC by email to [k.mackay@pdmc.net.au](mailto:k.mackay@pdmc.net.au)

For more information, call Keith Mackay on 07 3289 6071

# Adnyamathanha Traditional Lands Association (Aboriginal Corporation) RNTBC

ICN 3743 ABN 14 146 238 567 (special administrator appointed)

## CONFIRMATION OF MEMBERSHIP DETAILS

Name

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Address

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Mobile number

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Email address

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Date joined (if known)

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Please return your completed form by any of the below means:

Email: [atla@moore-australia.com.au](mailto:atla@moore-australia.com.au)

Fax: 08 8224 3311

Post: GPO Box 1171, Adelaide SA 5001