



CENTRAL DESERT NATIVE TITLE SERVICES



Annual Report 2010

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# Warning to Aboriginal and Torres Strait Islander readers:

This report may contain culturally sensitive information and images of people who have passed away since publication. We sincerely regret any distress that may be caused.

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## Glossary

AC	Aboriginal Corporation
ARC	Australian Research Council
CATSI Act	Corporations (Aboriginal and Torres Strait Islander) Act 2006
Central Desert	Central Desert Native Title Services Limited
CDEP	Community Development Employment Project
CLC	Central Land Council
CSR	Canning Stock Route
DEC	WA Department of Environment and Conservation
DEWHA	Commonwealth Department of Environment, Water, Heritage and the Arts.
FaHCSIA	Commonwealth Department of Families, Housing, Community Services and Indigenous Affairs
GDNR	Gibson Desert Nature Reserve
GIS	Geographic Information Systems
ICT	Indigenous Conservation Title
ILUA	Indigenous Land Use Agreement
IPA	Indigenous Protected Area
KLC	Kimberley Land Council
MOU	Memorandum of Understanding
NNTT	National Native Title Tribunal
NRM	Natural Resource Management
NTA	Native Title Act 1993
NTRB	Native Title Representative Body
NTSP	Native Title Service Provider
NTU	Ngaanyatjarra Council (AC) Native Title Unit
OIPC	Commonwealth Office of Indigenous Policy Coordination
ONT	WA Office of Native Title (Department of the Attorney General)
ORIC	Commonwealth Office of Registrar of Indigenous Corporations
OSH	Occupation Safety and Health
PBC	Prescribed Body Corporate
PFA	Program Funding Agreement
PNTS	Pilbara Native Title Service
RNTBC	Registered Native Title Body Corporate
RPA	Regional Partnership agreement
UCL	Unallocated Crown Land
WDLAC	Western Desert Lands Aboriginal Corporation
YNP (AC)	Yarnangu Ngaanyatjarraku Parna (Aboriginal Corporation)



The Hon. Jenny Macklin MP  
Minister for Families, Housing, Community Services and Indigenous Affairs  
Parliament House  
Canberra ACT 2600

15 October 2010

Dear Minister

I have great pleasure in presenting the Annual Report of  
Central Desert Native Title Services Limited for the period 1 July 2009 to 30 June 2010.

This report includes the organisation's report of operations and the audited financial  
statements for the year ended 30 June 2010.

Sincerely

George Irving  
Chairperson





*Mulga in Birriliburu Country*



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# THE BOARD



**Mr George Irving**

**Chairperson**

*LLB*

**Appointed 11 September 2007.**

George Irving is a barrister specialising in native title law. He was Legal Officer with Kimberley Land Council from 1993 to 1997 and Principal Legal Officer from 1997 to 2002. Since then he has successfully represented Aboriginal groups from around the State in Federal Court hearings, National Native Title Tribunal hearings and in negotiations with the State and other respondents to native title claims.



**The Honourable Fred Chaney**

**Director**

*AO LLB*

**Appointed 11 September 2007.**

In recent years Fred Chaney has served as a member and Deputy President of the National Native Title Tribunal, Co-Chair and director on the board of Reconciliation Australia Ltd, Chair of Desert Knowledge Australia and Chair of the Consultation Committee on a Human Rights Act for Western Australia. In 2008 he was awarded the Sir Ronald Wilson Leadership Award for "Exceptional leadership in the fields of social justice, human rights, equality and anti racism." Fred continues to serve as a director of Reconciliation Australia Limited and as Chair of Desert Knowledge Australia.



**Dr Fiona Skyring**

**Director**

*PhD*

**Appointed 7 October 2008.**

Fiona Skyring is a historian who has worked for organisations representing native title applicants in Western Australia and Queensland. While employed by the Kimberley Land Council from 1998 to 2005 as an 'in house' expert witness, Fiona gave expert evidence on behalf of the native title applicants in five trials in the Federal Court. In 2006/2007 Fiona prepared several submissions on behalf of the Aboriginal Legal Service of WA (Inc) for the Senate Legal and Constitutional Affairs Committee Inquiry into Indigenous Stolen Wages. Fiona has written a history of the Aboriginal Legal Service of WA, scheduled for publication in 2011.



**Mr Peter Thomas**

**Director**

*MBA BEcon BSc*

**Appointed 5 November 2008.**

Peter Thomas is a senior executive at Fortescue Metals Group Limited and is currently Project Director, Port and Rail Expansion. He was previously Chief Financial Officer (Infrastructure) at Fortescue where he was responsible for group financial management and commercial project performance. His strong international finance, corporate and investment banking skills have developed over the last 15 years while he served in various executive, corporate and advisory roles. Peter has sat on the boards of Moly Mines Limited and Fortescue subsidiaries, The Pilbara Infrastructure Pty Ltd, FMG Finance Pty Ltd, and FMG Chichester Pty Ltd.



### **Mr John Thurtell**

#### **Director**

**Appointed  
11 September 2007.**

**Resigned 25 Feb 2010.**

BA

John Thurtell is an Indigenous Affairs consultant. He has worked extensively on program and service provision in Aboriginal communities, community governance, native title matters and the negotiation of mining and compensation agreements. He has worked in the Ngaanyatjarra Lands, the Kimberley, Pilbara and Goldfields in Western Australia, the Anangu Pitjantjatjara Yankunytjatjara Lands in South Australia, Far North Queensland and Victoria. John is a director of John Thurtell Consulting Services Pty Ltd.

John resigned from the Central Desert Board on 25 February 2010. The Board and Staff of Central Desert thank him for his service and wish him well for the future.



### **Mr Ian Rawlings**

#### **Chief Executive Officer & Company Secretary**

**Appointed Company  
Secretary 26 November  
2007**

Ian Rawlings has extensive experience working with Indigenous organisations in Western Australia. Since the early 1990s he has held community development and administration roles in remote communities, worked in the field for ATSIC and was the administration manager for the Ngaanyatjarra Council Native Title Unit for five years and acting Unit Manager for one and a half years prior to taking on the role of Chief Executive Officer at Central Desert. Ian is currently a director and company secretary for Carbon Neutral Ltd and a committee member and secretary for the Men of the Trees (WA).



### **Mr Malcolm O'Dell**

#### **Principal Legal Officer and Chief Operations Officer**

*LLB(Hon) BEcon  
DipTeach*

Malcolm O'Dell serves as the company's Principal Legal Officer and Chief Operations Officer. Malcolm worked for the National Native Title Tribunal from 1996 to 1999 before entering practice with Dwyer Durack. He joined Ngaanyatjarra Council in 2004, working in the Native title Unit, and moved to Central Desert when it was formed in 2007. He has experience in native title in the areas of mediation, negotiation, agreement making, court representation, arbitral inquiries and hearings. Malcolm is a committee member of Access Housing Association and a board member of Access Housing Australia Ltd.



### **Mr Ric West**

#### **Business Services Manager and Chief Financial Officer**

*JP MAcc BA CSA(Cert)  
CPA PNA*

Ric West serves in the roles of Business Services Manager and Chief Financial Officer. Mr West has worked with and for indigenous organisations since early 1992 when he joined ATSIC. His experience includes working in a private accounting practice providing offsite accounting solutions for remote Indigenous organisations, serving as CFO for a large city-based CDEP and running his own firm specialising in audits of Indigenous and other non-profit organisations. Ric is a director with Carbon Neutral Ltd and a board member of Outcare.

# CHAIRPERSON'S REPORT

I am very pleased to present the 3rd Annual Report of Central Desert Native Services Limited (Central Desert).

The Central Desert Board of Directors held three scheduled meetings throughout the 2009/2010 year and each was fully attended. After the 3rd meeting, in February 2010, Mr John Thurtell tendered his resignation from the Board in order to dedicate more of his time to other matters. On behalf of the members, staff and our clients I extend my sincere thanks and appreciation to John for his commitment and contribution to Central Desert through and since its inception. We all wish him well.

In August 2010 the Central Desert Directors and staff reviewed the 2007 to 2010 Strategic Plan; and held a workshop to develop a new Strategic Plan for the next three years. I'm pleased to be able to report a very strong commitment to our existing Mission and Vision Statements and there is, among Directors and staff, enthusiastic support for continuing our broad strategy with the only major adjustments being in response to the changing political and economic environment. The Central Desert Strategic Plan for 2011 to 2013 will be released in time for the beginning of the 2011 year.

The State Government of Western Australia has recently announced that it intends to introduce a new policy for negotiating Determinations of Native Title with native title claim groups. Under the new policy it seems native title claim groups will have to reach an agreement with the Government about mining, exploration and other activities in their traditional country, before the Government will consent to a determination which recognises a group's native title rights. If this new policy is adopted by the Government, it may mean, for example, that after a determination of native title has been made, native title holders will no longer have the right to negotiate with mining companies, which they currently have under the Native Title Act. Instead, they will be bound by the terms of their agreement with the Government.

This approach seems to undermine the purpose of the Native Title Act, which is to protect native title. It would take away, by agreement, the very rights and interests that the Act currently protects.

I am worried also that this policy, if adopted by the Government, may put pressure on native title claim groups to agree (in return for the legal recognition of their native title) to conditions which fall short of the minimum standards established by the United Nations in the Declaration on the Rights of Indigenous Peoples (Declaration). The Declaration states that Indigenous Peoples have:

- the right to self-determination (Article 3); and to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions (Article 4); and,
- the right to determine and develop priorities and strategies for the development or use of their traditional country; and for their free and informed consent, prior to the approval of any project affecting their traditional country, particularly in connection with the development, utilisation or exploitation of mineral, water or other resources (Article 32).

As I pointed out, in my last report, Australia endorsed the Declaration on 3 April 2009; and, although the Declaration does not affect existing Australian laws, such as the Native Title Act, it does establish a legitimate benchmark for all future dealings with Indigenous peoples, in respect of their traditional country. The State Government's proposal falls well short of that benchmark.

I continue to hope that in due course the minimum standards established by the Declaration will be incorporated into Australian law. However, it would be a sorry thing indeed if, upon that happening, Indigenous Peoples found that they were bound by lesser standards, to which they had agreed in order to secure a Consent Determination of Native Title.

Positive outcomes have been flowing from the "return to country" and "land management" initiatives in the Wiluna and Birrilburu areas that have been supported by partnerships with the mining industry, the Department of Environment and Conservation and the Shire of Wiluna (and with additional funding from Lotterywest, DEWHA Indigenous Protected Areas and Rangelands NRM). These initiatives have seen substantial casual employment hours taken up by a number of community members and our challenge is to establish this as ongoing and supported employment.

My thanks to Central Desert staff, for continuing to respond to challenging roles with dedication, creativity and vigour, under sometimes very difficult circumstances; and to my fellow Directors for your continued support and for your dedication and commitment in supporting this dynamic and effective service delivery organisation. My thanks also to the Federal Government for our ongoing core funding.

This financial year saw the Federal Government again make an increase of funding into the native title system but once again Prescribed Bodies Corporate were not so fortunate. Once again, I urge both the State and Federal governments not to forget these fledgling organisations so crucial to Indigenous aspirations for self-determination. I note, in this regard, that the State has withdrawn its funding support for the future act process. Sadly, this can only add further complexity and delay to an already cumbersome process.

On behalf of my fellow Directors I acknowledge the passing of a number of important traditional owners over the past year and extend our sincere condolences to their families.



George Irving  
Chairperson



# CHIEF EXECUTIVE OFFICER'S REPORT

2009/2010 has been an eventful year and I take this opportunity to congratulate all Central Desert staff for their herculean effort in ensuring projects are continually developing.

Central Desert started the 2009/2010 year with the expectation of having five claims determined or very close to being determined by the end of the reporting period. We weren't able to achieve this goal and in fact there hasn't been a determination of native title in this region since June 2008. This is disappointing because Central Desert, and our predecessor the Ngaanyatjarra Council Native Title Unit, had averaged one determination per year since November 2000. We have, however, been successful in progressing claim preparation with new claims taking shape for the Ngurra Kayanta, Barwidgee, Lake Miranda and Lake Mason groups and research continuing with Gingirana and Kulyakartu. The principal reason we haven't achieved our targeted determinations is that the State of Western Australia is asserting a new approach to its settlement needs for native title claims.

The State's new approach to native title is to seek to include matters in the claim settlement process that have in the past been negotiated in the post determination environment. This new approach complicates and slows an already complicated and slow process.

Another matter that has impacted on the native title resolution timetable is the State's referral of the Yilka claim to the Federal Court. It is possible that other claims may also be referred to the Federal Court in the 2010/2011 reporting period.

Of the determined native title lands within the Central Desert region all have registered Prescribed Bodies Corporate (PBCs). The PBCs that Central Desert supports are CATSI compliant and generally respond effectively, transparently and in a timely way to the external demands that are placed on them. It is my understanding that those PBCs within the region that operate independently from Central Desert also respond responsibly to their external demands. Given the social, political, cultural, economic and geographic environments within which these bodies operate this is an achievement for which each PBC and their directors should be commended.

Before and after native title determinations are settled claim groups and PBCs can be working with companies and Government agencies on initiatives to better their own futures and to contribute to the wider community. This is an area of great interest to Central Desert as it is a means through which the native title process and outcomes can be leveraged for the benefit of claimants and native title holders. Where Indigenous cultural values are strengthened, the Indigenous estate is managed and enhanced and the Indigenous community is offered employment and education the benefits are felt across the State and across the nation.

The Central Desert Board and staff are deeply saddened by the steady and tragic premature passing away of older and middle aged traditional owners throughout the region. The native title process and early mortality rates are not directly related but, for the communities involved, the tragedy is magnified by the fact that people are putting in such efforts to gain legal title to their

country but are not gaining the recognition they have strived for within their own lifetime. The fact that settlement of these claims appears within reach makes the tragedy even greater. Against these odds native title claimants are still pursuing their rights and are determined to achieve them.

When I step back and take a broad overview of the Central Desert region the picture that I see unfolding is one of a cumbersome and difficult process being picked up under difficult circumstances by some of the least equipped peoples of our nation and used as a practical and productive tool to forge their future. Central Desert's role in this process is to facilitate and assist claimant and PBC groups to navigate a complex and emerging environment and to develop and implement their aspirations and plans for their communities. This is something that I believe we do well as an organisation. It is not a perfect process, there are stumbles and bumps along the way, but I see that where all parties are in alignment and there is a willingness to engage in a way that recognises the rights and plays to the strengths of Traditional Owners there are great opportunities for positive development for Indigenous Australians and valuable outcomes for all stakeholders.

Federal native title program funding rightly has the settlement of claims as its first priority. FaHCSIA also provides minimal funding for some PBCs from its native title program and this is greatly appreciated. However, as claims are settled other claims step into the priority zone and Native Title Service Providers or Representative Bodies are left to find new resources to deal with an expanding workload in relation to supporting and developing newly established PBCs.

At Central Desert we are tapping into funding programs that can support PBC initiatives but we are finding that the pool is limited and we are constantly on the lookout for new sources of funding. I urge State and Federal Government and other funders to consider post determination development as a priority area for both organisational and project support. PBCs will be central to any development occurring in the Central Desert region and it is their intention and ours that they be well equipped to take on that role with strength and integrity.

I thank the Central Desert Board for their dedication, support and vision and I thank my staff for their energy, creativity and commitment in pursuing the Board's vision.

Finally, and most importantly, I acknowledge the peoples of the Central Desert and thank them for their support and in particular for their generosity and hospitality toward Central Desert staff who, in pursuit of their duties, are constantly making impositions and demands on people, culture and country.



Ian Rawlings  
Chief Executive Officer

# PRINCIPAL LEGAL OFFICER'S REPORT

The reporting period continued to be a very busy time for the Legal Section within Central Desert.

## Staff

We were pleased to recruit two new legal staff members during the reporting period, legal officer Monica Franz and articled clerk Gemma Wheeler-Carver. This added to our existing complement of staff; Senior Legal Officer, Sian Hanrahan, Legal Officer Phil Ramsay and articled clerk (now admitted to practice) Kate Turtley-Chappel.

## Native Title Claims

In the period 2008 – 2009 we reported that it was anticipated that up to five determinations of native title might be finalised in the 2009 – 2010 reporting period, namely Tarlpa, Pilki, Yilka and Wiluna 1 and 2 claims. In the interim however the State of Western Australia developed what it describes as a draft 'Land Management Strategy Proposal'. The development of this strategy by the State has resulted in many native title claims in Western Australia that are in mediation being substantially delayed. The fall-out from this is that meditation on the Yilka claim has now ceased and that matter will be litigated in the Federal Court.

Unless the State of Western Australia is able to finalise its draft strategy in the near future it is likely that the Tarlpa, Pilki, Wiluna 1 and 2, Martu part 2 and possibly other claims also will end up in litigation in the Federal Court rather than mediation before the National Native Title Tribunal.

## Test Case

We are pleased to advise that the 'question of law' referred to the Federal Court by the National Native Title Tribunal relating to a number of mining leases in the Martu lands, as noted in reporting period 2009 – 2010, has now been resolved with a positive outcome for the Martu People. The Full Federal Court found that the grant of those mining leases did not extinguish native title and that at the conclusion of those leases full native title will return to the Martu native title holders. In any event Central Desert anticipates further delays and costs in the claim resolution process as a result of the State's proposed 'Land Management Strategy Proposal'.

## Major Projects

The number of 'major projects' within the Central Desert region continued to grow during the reporting period, with new negotiations commencing with Magellan Metals for their lead mine at Wiluna and Holocene Pty Ltd for a proposed potash mine at Lake MacKay near Kiwirrkura. Preliminary discussions were commenced with Toro Energy for its Lakeway uranium deposits with

the possibility that full scale negotiations for a proposed mine may commence in the forthcoming reporting period.

In the reporting period a comprehensive mining agreement was finalised with Golden West Resources for its iron ore deposit south of Wiluna.

To facilitate the expansion of the major projects team, Michelle Alexander has been appointed to coordinate that team and the major project negotiations.

## Future Acts

In keeping with the instructions from our various native title claimant groups and prescribed bodies corporate, Central Desert negotiates Land Access Agreements on behalf of its clients. In areas where native title has been determined, these Land Access Agreements are comprehensive and cover a range of issues including environmental, cultural awareness, training opportunities and compensation.

## Monitoring and Implementing Agreements

Central Desert continually monitors the effectiveness of all of the agreements it negotiates on behalf of its clients. During the reporting period Central Desert engaged Kate Fulton as Agreements Implementation Coordinator to ensure that all aspects of agreements are complied with by both the native title party and the mining company to which they relate.

## Compensation claims

During the reporting period funding was obtained from Central Desert's funding body to research and file a compensation application over the Gibson Desert Nature Reserve. It is anticipated that the compensation claim will be filed in the forthcoming reporting period.

Central Desert is also undertaking consultations with a view to seeking compensation for the numerous 'past acts' that have been undertaken on native title land since the advent of the Racial Discrimination Act in 1975 where compensation previously has not been claimed.



Malcolm O'Dell  
Principal Legal Officer

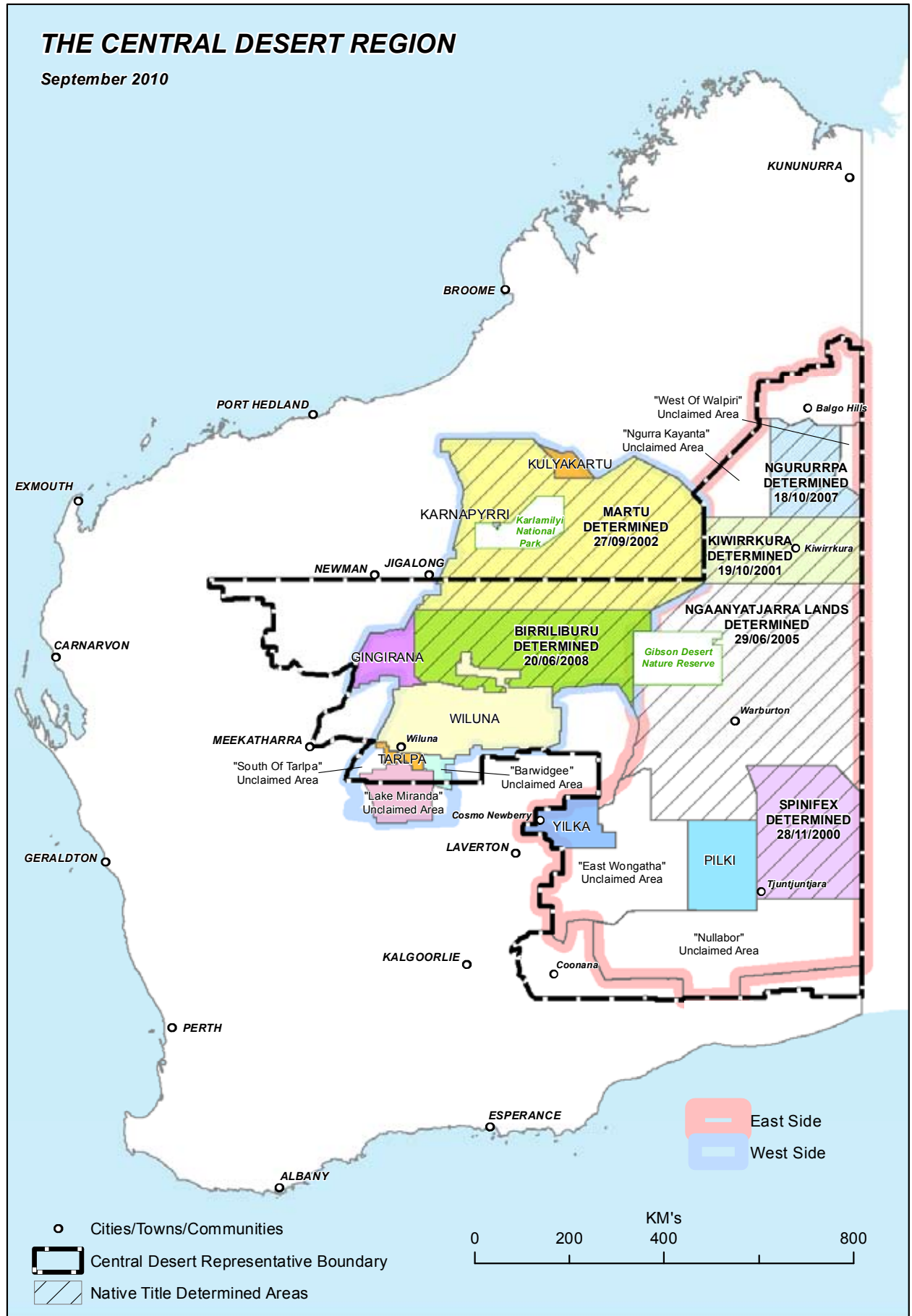




# THE CENTRAL DESERT REGION

## THE CENTRAL DESERT REGION

September 2010



# ABOUT CENTRAL DESERT

## WHO WE ARE

### Our Vision, Mission and Values

#### Our Vision

That the Indigenous Peoples of the Central Desert are using their traditional lands to achieve their social, cultural and economic aspirations.

#### Our Mission

To secure for the Indigenous Peoples of the Central Desert:

- the highest level of native title rights and interests; or
- alternative forms of title to land in those areas where native title cannot be recognized; and,

To build for the Indigenous Peoples of the Central Desert, native title holding entities that are sustainable, effective and culturally appropriate and that empower them to use their traditional lands to achieve their social, cultural and economic aspirations.

#### Our Values

- Professionalism and determination.
- Respect for the peoples and cultures of the Central Desert.
- Respect, honesty, integrity and fairness towards all staff.
- Honesty and integrity towards all stakeholders.
- Innovation and imagination.

#### Strategic Plan Focus Areas

- Central Desert Capacity.
- Determinations and Agreements.
- Prescribed Body Corporate (PBC) Capacity.
- Social and Economic Outcomes.

## WHAT WE DO

### Our Role and Functions

Central Desert Native Title Services Limited (Central Desert) was registered under the *Corporations Act 2001 (Cth)* on 16 April 2007 as a public company limited by guarantee.

Central Desert is the recognised native title service provider for the native title claimants and holders of the Central Desert region of Western Australia. Our professional team with their wealth of knowledge and experience are committed to advancing and protecting the native title rights and interests of our constituents.

Central Desert operates with core funding provided by the Federal Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA) in accordance with s203FE of the *Native Title Act 1993 (Cth)*.

As a native title service provider Central Desert has specific functions under part 11, Division 3 of the Native Title Act. These functions are:

- Facilitation & assistance;
- Certification functions;
- Dispute resolution;
- Notification functions;
- Agreement-making;
- Internal review; and
- Other functions as are conferred by the Act.

Central Desert is committed to the promotion of a corporate culture that is ethical and transparent and an organisational culture that is client focused and based on merit, teamwork and results.

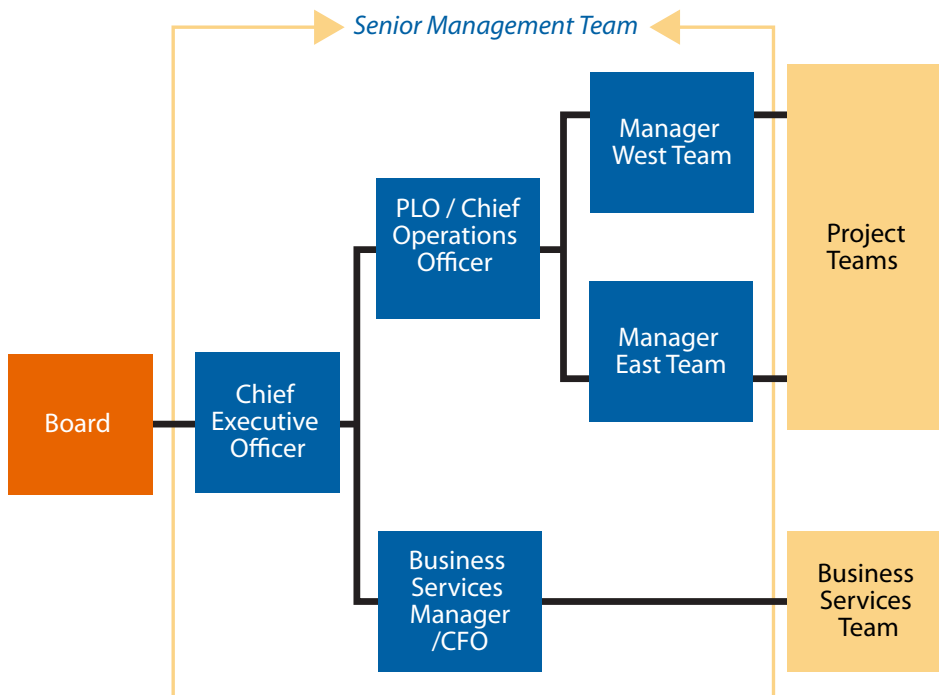
Central Desert places great value on a sound corporate governance platform to underpin high quality service delivery in a complex and evolving environment. The Central Desert constitution and governance framework documents are regularly reviewed to reflect our commitment to open, transparent and efficient governance. As is required under the Central Desert governance framework, an audit committee was established by the board at its meeting in December 2008 to ensure proper management of corporate and financial risk.

Central Desert is highly respected by its constituents, by government and by industry.



# OUR ORGANISATIONAL STRUCTURE

Central Desert is structured to provide effective service delivery to our constituents. At the core of the structure are dedicated multi-skilled project teams. In our determination to better serve our constituents, Central Desert reviewed our structure during the past year. Our commitment to a client-centric focus saw us reorganise our internal structure along regional lines rather than professional discipline lines. This new structure further emphasises the use of multi-skilled teams to deliver consistently high levels of service.



## OUR OUTCOME AND OUTPUT STRUCTURE

In August 2008 the company's Board ratified 'Desert Bloom', a 3 year Strategic Plan for the organization. This plan confirmed the Central Desert focus on achieving highest quality native title outcomes for constituents and set a new vision to strive to enable constituents to use their native title to pursue their highest aspirations.

The plan is the basis of Central Desert's outcome and output structure which looks at four strategic focus areas;

- Building internal capacity,
- Securing and protecting native title,
- Establishing and supporting strong PBCs and
- Empowering PBCs to improve the social and economic situations of their constituents.

This plan is currently under review. Central Desert held consultations and workshops with the Board, our employees, and our stakeholders during July and August 2010. It expected to launch the next 3 year plan in February 2011.



# HOW WE PERFORM

## STRATEGIC FOCUS AREA ONE – CENTRAL DESERT CAPACITY

**Central Desert has the capacity to deliver on its aspirations.**

### Cross Cultural Exchange Processes

Central Desert recognises effective two-way inter-cultural understanding and exchange as an essential pre-requisite to meaningful and sustainable native title outcomes. In this reporting period Central Desert:

- Supported the attendance of 2 claimants and native title holders at the 2010 Native Title Conference.
- Provided ongoing support to a team of 3 Indigenous Liaison Officers.
- Supported attendance by 3 Liaison Officers at in-house and external workshops.
- Encouraged our Board and all non-field staff to attend and engage in on-country activities.

### Best Practice Workplace

At the foundation of this outcome is the creation of a shared view of directions and values that contribute to building long term relationships and tenure for staff within Central Desert. Throughout this year, new initiatives to assist with achieving this outcome included:

- Providing staff with clear expectations through the ongoing review and development of new job descriptions, employment contracts and conditions, and the management of a Performance Evaluation and Learning system.  
This system provides the opportunity for performance evaluation as well as encouraging learning and development.
- Ensuring a quality environment, resources and equipment through:
  - The ongoing development of a project specific accounting and reporting system.
  - The purchase of additional 4WD vehicles to support the operational team.
  - The upgrade and ongoing maintenance of the IT systems and network.
- Developing and implementing documented policies and procedures
- Involving staff in decisions at all levels of planning and reporting of projects and encouraging them to contribute ideas and give feedback. Staff develop project plans, attend operational planning meetings and weekly staff meetings.
- Further development and consolidation of our Business Services team.

### Broadening the Organisation's Funding Base

In order to support and add to its current range of activities, Central Desert is continually investigating further funding and income opportunities.

FaHCSIA provided Central Desert with core funding from the native title program to provide the services described and approved in the 2009/2010 grant funding agreement operational plan. Core funding for the year and anticipated core funding in forward years is:

- 2009-10 \$3,092,000
- 2010-11 \$3,179,000
- 2011-12 \$3,423,000
- 2012-13 \$3,495,000

The State Office of Native Title (ONT) provided funding for future acts in recognition of the pressures brought to bear by the resources boom. This multi-year grant agreement expired on June 30, 2010.

ONT also provided the final instalment of funding to ensure timely resolution of heritage matters in the Central Desert region following the February 2007 Federal Court decision to dismiss the Wongatha claim. This grant agreement expired on December 31, 2009.

Central Desert continually negotiates with industry to assist with the funding of meetings and to provide training to claimants or native title holders in situations where there are mutual benefits. In this reporting period, mining and exploration companies have been encouraged to assist with funding for meetings to ensure fast-tracking of agreement negotiations. They have also supported training of claimants and native title holders in relation to monitoring compliance with exploration agreements. By way of example, two companies contributed to regular meetings for claimants and company staff in the South of Tarlpa area. We also receive funding for Land Management projects in the Wiluna Area from 5 mining companies under a project with the Wiluna Regional Partnership Agreement (RPA).

Further grant funding received during the year included amounts from:

- Lotterywest for a "Return to Country" project in Wiluna together with an Oral History project;
- DEWHA under the Indigenous Protected Area Program; and
- Rangelands NRM for land management projects in the Wiluna region.

Central Desert wishes to thank the various departments and companies for their support during the year.



## STRATEGIC FOCUS AREA TWO – DETERMINATIONS AND AGREEMENTS

Central Desert is maintaining momentum in negotiating determinations and agreements.

### Native Title Matters

As at 30 June 2010 there had been 8 determinations that native title exists on lands within the Central Desert region.



Claim	FCA No.	Area	Date Filed	Date Determined
Spinifex	WAD6043/98	50,000 km <sup>2</sup>	30/09/98	28/11/00
Tjurabalan	WAD160/97	25,917 km <sup>2</sup>	18/12/97	20/08/01
Kiwirrkura	WAD619/98	42,905 km <sup>2</sup>	30/09/98	19/10/01
Martu	WAD6110/98	16,764 km <sup>2</sup>	30/09/98	27/09/02
Ngaanyatjarra Lands part A	WAD6004/04	187,600 km <sup>2</sup>	23/04/04	26/06/05
Ngururpa	WAD357/06	29,600 km <sup>2</sup>	08/12/06	18/01/07
Ngaanyatjarra Lands part B	WAD6004/04	1,427 km <sup>2</sup>	23/04/04	03/06/08
Birriliburu	WAD6284/98	66,875 km <sup>2</sup>	30/09/98	20/06/08

There were no native title claims determined during the reporting period 1 July 2009 to 30 June 2010.

Central Desert had 12 claims in progress for the reporting period 1 July 2009 to 30 June 2010.

### Birriliburu People No 2 parts A&B

**FCA No.** W108/08 **Area** 105km<sup>2</sup>  
**Date Filed** 27/06/08

Central Desert negotiated with the State to reach an appropriate pathway to finalising the matters and assessing existing tenements.

### Birriliburu People No 3

**FCA No.** 15/03/10 **Area** 3319km<sup>2</sup>  
**Date Filed** 15/03/10

Central Desert received advice from the National Native Tribunal in May 2010 that the claim did not pass the registration test. In the next reporting period it will be notified.

### Gingirana

**FCA No.** WAD6002/06 **Area** 12,150km<sup>2</sup>  
**Date Filed** 10/03/06

Consultant's preliminary research was completed in the reporting period and further research and claimant meetings are scheduled for the next reporting period.

### Kulyakartu

**FCA No.** WAD293/05 **Area** 3,550km<sup>2</sup>  
**Date Filed** 11/10/05

Central Desert has been in negotiation with the State over a truncated process to prove connection and is on track for a connection report to commence in the next reporting period.

### Martu

**FCA No.** WAD6110/98 **Area** 16,764km<sup>2</sup>  
**Date Filed** 30/09/98

### Martu #2

**FCA No.** WAD141/10 **Area** 836.29km<sup>2</sup>  
**Date Filed** 01/06/10

The Martu #2 Claim was lodged on 1 June 2010. Central Desert is continuing to research with claimants to prove occupation. Discussions are continuing with the State.

### Karnapyrri

**FCA No.** WAD77/06 **Area** 151km<sup>2</sup>  
**Date Filed** 22/03/06

Central Desert has lodged affidavits in support of occupation. The State Office of Native Title advised that further evidence is required. It is expected in the next reporting period to lodge further evidence.

# HOW WE PERFORM

## Pilki

**FCA No.** WAD6002/02 **Area** 24,399km<sup>2</sup>

**Date Filed** 12/08/02

Connection materials and supplementary connection materials have been submitted to the State. Central Desert is awaiting a response from the State in relation to its connection assessment.

## Tarlpa

**FCA No.** WAD248/07 **Area** 5,369km<sup>2</sup>

**Date Filed** 14/12/07

Central Desert and the State finalised the process to prove connection however mediation with the State on a consent determination has stalled. Central Desert has been instructed to seek programming orders to progress the claim to determination.

## Wiluna

**FCA No.** WAD6164/98 **Area** 47,594km<sup>2</sup>

**Date Filed** 30/10/98

Central Desert and the State finalised the process to prove connection however mediation with the State on a consent determination has stalled. Central Desert has been instructed to seek programming orders to progress the claim to determination.

## Wiluna No 2

**FCA No.** WAD241/04 **Area** 5,615km<sup>2</sup>

**Date Filed** 26/10/04

Central Desert and the State finalised the process to prove connection however mediation with the State on a consent determination has stalled. Central Desert has been instructed to seek programming orders to progress the claim to determination.

## Yilka

**FCA No.** WAD297/08 **Area** 12,260 km<sup>2</sup>

**Date Filed** 15/12/08

The Yilka claim covers the area previously claimed as Cosmo Newberry but dismissed in 2007. During the reporting period 1 July 2009 to 30 June 2010 the claim passed the registration test. Negotiations with the State stalled. Central Desert has been instructed to seek programming orders to progress the claim to determination. Draft programming orders were submitted before the Federal Court. We anticipate that litigation will be resolved by end of 2012.

## Progress on Other Native Title Activities

Additional to those registered claims Central Desert is researching and preparing claim applications for a number of groups across the region.

### Cosmo Newberry (Appeal)

**FCA No:** WAD 43/07 **Area:** 12,260km<sup>2</sup>

The Cosmo Newberry claim boundary was located wholly within the Wongatha native title claim area. On July 5 2007 the Federal Court of Australia dismissed the Cosmo Newberry claim along with all other overlapping claims in the Wongatha area. On March 2 2007 Central Desert lodged on behalf of the Cosmo Newberry claimants an appeal against the decision.

The Cosmo Newberry appeal is adjourned pending the resolution of the Yilka native title claim.

### East Wongatha

Central Desert is researching the eastern part of the area left unclaimed following the dismissal of the Wongatha claim in 2007. During the reporting period Central Desert undertook extensive field and desktop research and held several information sessions with potential claimants. Central Desert is expecting to formalise a claim strategy in the next reporting period.

### Ngurra Kayanta (previously known as East of Martu)

During the reporting period Central Desert has undertaken preliminary research for an unclaimed area that is surrounded by 5 areas that have had exclusive possession native title determined to exist over them. The 5 determined areas are Tjurabalan, Kiwirrkura, Martu, Ngurrpa and Ngurrara. Central Desert received instructions from claimants to progress the claim with authorisation of the new claim anticipated by the end of 2010.

### West of Walpiri

This is a low priority area and little more than maintaining ongoing communications with Central Land Council and monitoring any future act notifications is expected in the next reporting period.

### South of Tarlpa

During the reporting period Central Desert held meetings with former Sir Samuel claimants in conjunction with Goldfields Land and Sea Council. Central Desert entered into an Agreement with GLSC over release of relevant consultant anthropological research undertaken by Dr Lee Sackett in the matter of the Sir Samuel native title claim. Instructions were received to progress two claims, Barwidgee over a single pastoral lease, and the Lake Miranda claim. This



is a high priority area due to resource industry interest and the lack of security over country for potential claimants. At the end of the reporting period Lake Miranda was close to authorisation and with further research work to be undertaken for the Barwidgee claim.

## **Nullarbor**

Central Desert has briefed out preliminary anthropological and historical research and is running the project in conjunction with work on East Wongatha.

## **Compensation Matters**

As at 30 June 2010 there has been no compensation applications lodged by Central Desert.

In the years before the reporting period, Central Desert was well advanced in negotiations with the State over a proposal for an Indigenous Conservation Title (ICT) as an alternative tenure for the lands that have had native title extinguished by the Gibson Desert Nature Reserve (GDNR) and Karlamilyi National Park (previously known as Rudall River National Park). The ICT Bill was before the parliament when in September 2008 the government called an election and lost office. Consequently the ICT Bill lapsed. Central Desert has sought a response from the incoming government asking to hear their position regarding the ICT or alternative forms of title over GDNR and Karlamilyi. There has been no response.

## **Gibson Desert Nature Reserve**

As stated by Black J at the Ngaanyatjarra Lands determination in June 2005, but for the granting of the GDNR the people of the Gibson Desert would have been enjoying the full benefits of exclusive possession native title rights over their land since June 2005. The people of the Gibson Desert were prepared to consider the ICT as a part of a package in lieu of compensation for the extinguishment of native title rights over their land. Central Desert has continued research and the preparation of materials in support of a compensation claim. Also, with a small grant from Screenwest and support from the Film and Television Institute, Central Desert has documented the story of Tatitjara, a senior lawman of the region. FaHCSIA has agreed to contested litigation funding to assist in the preparation and lodgement of a compensation claim in the Federal Court. This application will be lodged during the next reporting period.

## **Karlamilyi National Park**

Similarly for Martu the establishment of Karlamilyi National Park extinguished native title within the park boundary. Central Desert continued research and the preparation of materials in support of a potential compensation claim.

## **Other compensation matters**

Central Desert is undertaking consultations with a view to seeking compensation for the numerous 'past acts' that have been undertaken on native title land across the region since the advent of the Racial Discrimination Act in 1975 where compensation previously has not been claimed.

## **Agreements**

### **Land Access and Mineral Exploration Agreements**

Central Desert, on instructions from its various client groups, continues to develop strong Land Access and Heritage Agreements with mining companies wishing to enter onto native title lands. The agreements vary from area to area depending on the nature of the land tenure and whether an area is subject to a determination of native title.

On areas where native title is determined, the agreements that have been developed encompass all aspects of land access including: heritage issues, rehabilitation of the land, compensation, cultural awareness, employment and training opportunities and access to and from an area of interest. Some agreements also include special conditions for mining companies wishing to explore for uranium.

### **Other Agreements**

Central Desert on instructions from its various clients continues to develop agreements designed to facilitate access to determined native title land. These agreements may be utilised by such interest groups as tourists, tour operators and researchers.

# HOW WE PERFORM

## STRATEGIC FOCUS AREA THREE – PRESCRIBED BODY CORPORATE CAPACITY

**Central Desert is servicing PBCs that are functional, empowered and independent.**

As at 30 June 2010 there were seven (7) registered Prescribed Bodies Corporate (PBC) functioning within the Central Desert region. There were two (2) new PBCs registered in the reporting period.

### **Pila Nguru (Aboriginal Corporation) RNTBC**

The Spinifex native title holders nominated that the Pila Nguru (Aboriginal Corporation) RNTBC is to hold in trust the rights and interests recognised to exist in the determination made in the Federal Court of Australia on 28 November 2000.

In the reporting period from 1 July 2009 to 30 June 2010 Central Desert continued to provide advice to the Directors and assists Pila Nguru in complying with its obligations under its Rules and the Corporations Aboriginal and Torres Strait Islanders Act (CATSI Act). Central Desert also provided legal advice and assistance negotiating future act matters affecting Pila Nguru lands.

FaHCSIA provided some funding to Pila Nguru, via the Central Desert Program Funding Agreement (PFA), to support their day-to-day operations for the reporting period.

### **Tjurabalan Native Title Land (Aboriginal Corporation) RNTBC**

The Tjurabalan native title holders nominated the Tjurabalan Native Title Land (Aboriginal Corporation) RNTBC to hold in trust the rights and interests recognised to exist in the determination made in the Federal Court of Australia on 20 August 2001.

FaHCSIA provided some funding to Tjurabalan, via the Central Desert PFA, to support their day-to-day operations for the reporting period.

In April 2010 a meeting was held between Tjurabalan, the Kimberley Land Council (KLC) and Central Desert. At that meeting a resolution was passed approving KLC as TNTLAC's representative. Consequently, Central Desert will have no ongoing service delivery role with TNTLAC.

### **Tjamu Tjamu (Aboriginal Corporation) RNTBC**

On 4 June 2003 the Kiwirrkura native title holders nominated that the Tjamu Tjamu (Aboriginal Corporation) is to hold in trust the rights and interests recognised to exist in the determination made in the Federal Court of Australia on October 19 2001.

In the reporting period from 1 July 2009 to 30 June 2010 Central Desert continued to provide advice and assistance to maintain compliance with the CATSI Act and the new PBC rules. Central Desert also provided

legal advice and assistance negotiating future act matters affecting Tjamu Tjamu lands.

FaHCSIA provided some funding to Tjamu Tjamu, via the Central Desert PFA, to support their day-to-day operations for the reporting period.

### **Western Desert Lands Aboriginal Corporation (Jamukurnu-Yapalikunu) RNTBC**

The Martu native title holders nominated that the Western Desert Lands Aboriginal Corporation (Jamukurnu-Yapalikunu) is to hold in trust the rights and interests recognised to exist in the determination made in the Federal Court of Australia on 27 September 2002.

Central Desert provided legal advice and assistance to WDLAC during the reporting period together with some GIS and mentoring assistance.

### **Yarnangu Ngaanyatjarraku Parna (Aboriginal Corporation) RNTBC**

The Ngaanyatjarra Lands native title holders nominated that the Yarnangu Ngaanyatjarraku Parna (Aboriginal Corporation) is to hold in trust the rights and interests recognised to exist in the determination made in the Federal Court of Australia on 26 June 2005.

YNP(AC) did not seek assistance from Central Desert during the reporting period. Central Desert maintains open communications with YNP(AC).

### **Parna Ngururpa (Aboriginal Corporation) RNTBC**

In the reporting period Central Desert provided information and capacity building to the Ngururpa people regarding the roles and functions and the running of a PBC. The Office of the Registrar of Indigenous Corporations (ORIC) registered the Corporation on 18 September 2009. Directors visited Perth in May 2010 and met with Government agencies and had ORIC training on conducting business.

Central Desert also provided assistance negotiating future act matters affecting Ngururpa lands.

FaHCSIA provided some funding to Parna Ngururpa, via the Central Desert PFA, to support their day-to-day operations for the reporting period.

### **Mungarlu Ngurrurangkatja Rirraunkaja (Aboriginal Corporation) RNTBC**

In the reporting period Central Desert provided information and capacity building to the Birriliburu people regarding the roles and functions and the running of a PBC. ORIC registered the Corporation on 11 October 2010.

Central Desert also provided assistance negotiating future act matters affecting Birriliburu lands.

FaHCSIA provided some funding to Mungarlu Ngurrurangkatja Rirraunkaja, via the Central Desert PFA, to support their day-to-day operations for the reporting period.

## STRATEGIC FOCUS AREA FOUR – SOCIAL AND ECONOMIC OUTCOMES

**We are contributing to improving the social and economic conditions of the peoples of the Central Desert region in a culturally respectful way.**

Central Desert is committed to seeing tangible, ongoing benefits flowing to the peoples of the Central Desert as a direct result of the native title process. We have identified streams of activity to help facilitate on the ground outcomes. The first stream is working with claim groups and PBCs to develop their long-term strategic thinking and to facilitate the appropriate planning and implementation processes that may flow from that. The second stream is working with government to ensure that the rights and benefits enabled by a native title determination or other alternative outcomes are fully appreciated and honoured, in the spirit of the preamble of the Native Title Act, by government and other stakeholders.

### **Tjamu Tjamu (Aboriginal Corporation) RNTBC**

FaHCSIA provided some funding to Tjamu Tjamu, via the Central Desert PFA, to support their day-to-day operations for the reporting period and Central Desert provided administrative and accounting advice and support to manage these funds. Central Desert also assisted Tjamu Tjamu to review its income management policy, which directs income into a range of activities for the benefit of the community.

### **Yilka**

Central Desert arranged an economic planning workshop at Cosmo Newberry to discuss community aspirations in the short, medium and long terms, facilitated by external consultants.

### **Parna Ngururpa (Aboriginal Corporation) RNTBC**

Central Desert has supported Ngururpa native title holders to consider their approach to dealing with potential income as a part of the PBC set up and capacity building process.

### **Mungarlu Ngurrurangkaja Rirraunkaja (Aboriginal Corporation) RNTBC**

Central Desert has supported Birriliburu native title holders to consider their approach to dealing with potential income as a part of the PBC set up and capacity building process.

## **Land and Community Projects**

Central Desert has continued to expand our services in the area of facilitating land and community projects. These services aim to assist emerging and established PBC's to become sustainable, effective and culturally appropriate. This support extends to working with and empowering native title holders to use and manage their traditional lands to achieve their social, cultural and economic aspirations.

These services compliment our existing Legal, Anthropological and Community Engagement services to respond to and enable the delivery of holistic support services to native title holders and claimants on a regional and determination/claim basis.

In providing these services, Central Desert continues to facilitate the establishment of strategic partnerships and alliances between our constituents and other relevant stakeholders in order to empower and enable native title holders and claimants to fully realise their native title rights and interests on their traditional lands.

To date, the primary focus for these services has been on the Wiluna claim and Birriliburu determination lands, however the rollout of these services to other locations within our region has commenced through the employment of an additional Land and Community Project Facilitator during the latter part of the year. While many of the projects in these locations are in very early stages of development, projects within the Wiluna claim and Birriliburu determined lands continue to grow at a rapid rate.

As an example, Wiluna and Birriliburu projects this year have seen:

- around 300 days of employment created with many Traditional Owners receiving casual employment within the year;
- part-time employment of a head ranger;
- the emergence of a pool of 10 young rangers who have received training and employment in a number of areas and activities during the year;
- partnerships established with more than 20 organisations;
- two Return to Country trips, involving more than 60 Traditional Owner participants;
- over 12 hours of oral history footage filmed;
- funding secured to build a land management/ranger base in Wiluna;
- the development of leadership skills;
- improved social outcomes; and,
- raising of the profile through two national presentations and a series of newsletters on the various activities and projects.



# HOW WE PERFORM

Central Desert, under instruction from Traditional Owners, has continued to facilitate and manage 8 inter-related land and community projects within the Wiluna claim and Birriliburu determination lands over the year:

## **Wiluna Regional Partnership Agreement (RPA) Land Management and Return to Country Projects**

Through funding acquired under the Wiluna RPA and with the support of RPA partners, Central Desert has continued to develop a land management focused project with the Wiluna native title claimants.

The project is focused on Return to Country trips in the Wiluna area and on training and employment opportunities around land management.

The employment of a Martu head ranger as the liaison between Martu and other stakeholders has been crucial to the success of the project. The head ranger is responsible for keeping Martu updated regarding the project and provides an important link to the Wiluna community in planning around other cultural events and RPA activities.

Training and employment focused on land management activities, such as the reinstatement of traditional burning regimes, construction of infrastructure (e.g. fencing, information signs etc.), fauna monitoring, introduced animal control, plant identification, monitoring and cleaning of water sources and visitor management have been the primary focus over the year.

Return to Country trips are a clear priority for Martu motivated by the strong desire to go back to country more regularly and to find out the condition of the country in areas that have not been visited for sometime. The trips also provide an effective conduit to facilitate the transfer of traditional knowledge from the old people and elders to younger generations about country and to enable 'ground up' planning for land management strategies.

Central Desert was also successful in securing funding through the Midwest Development Commission to build a land management/ranger base in Wiluna. The base will bring together the various land based community projects operating within the Wiluna claim and Birriliburu determination lands, and foster the development of ideas, learning, collaborative planning and increased community ownership of existing and future projects.

## **Wiluna Oral History Project**

As a partnership between Wiluna claimants, Birriliburu native title holders, the Shire of Wiluna, Lotterywest and Ngangganawili Aboriginal Health Services, Central Desert commenced the development of an oral history project during the year.

The project is run in conjunction with Return to Country trips which not only enables Traditional Owners to tell current generation young people about where they come from and the stories from the old people, but also to record and keep these stories for future generations.

It is expected that the high quality footage will provide the foundations for a broader multi-media project and will be available to Traditional Owners through an access archive for the Wiluna community in the future.

## **Martu Lands Biodiversity Project**

Central Desert is partnering Birriliburu native title holders, Rangelands Coordinating Group, Western Desert Land and Culture (WDLAC), Kanyirninpa Jukurrpa and the Department of Environment and Conservation (DEC) to manage biodiversity outcomes throughout the Martu and Birriliburu determined lands.

This project has enabled Traditional Owners to reacquaint themselves with the health of the country and recall how country should be looked after in traditional ways. It seeks to provide the catalyst for the merging of traditional ecological knowledge with contemporary science to undertake a range of environmental assessments, threatened species management and monitoring and habitat regeneration through reinstitution of traditional fire regimes.

This year the project has enabled the employment of a land management officer and 100 days of on ground land management work for Birriliburu native title holders within Birriliburu determined lands.



### **Canning Stock Route Australian Research Council (ARC) Linkage and Kuju Wangka projects**

Central Desert is a key partner in an ARC Linkage research project coordinated by the Australian National University (ANU). The project aims to gather information about cultural values and management issues along the Canning Stock Route (CSR) and adjoining areas.

This year the project has predominantly focussed on gathering information from within the Martu and Birriliburu determination and Wiluna claim lands. This project will be completed in 2009/10 with the results of the research contributing to the development of a management plan for the CSR.

Also this year, Central Desert, in partnership with the Kimberley Land Council, Western Desert Land and Culture (WDLAC) and Kanyirninpa Jukurrpa, was successful in securing funding through the Commonwealth Department of Environment, Water Heritage and the Arts (DEWHA) Indigenous Heritage Program to support the development of a cultural heritage management plan for CSR.

Over the next year, the plan will be developed in consultation with a pan-Indigenous working group (Kuju Wangka – or ‘one voice’) representing the various native title holders and claimants along the length of the CSR.

### **Birriliburu Indigenous Protected Area (IPA) Consultations**

In 2009, Central Desert, under instruction from the Birriliburu native title holders, successfully applied for Commonwealth government funding to begin ‘on country’ consultations about declaring an Indigenous Protected Area (IPA) over Birriliburu native title determined lands.

Three on-country consultation trips this year with the Birriliburu native title holders have focused on what sites and places need to be protected or carefully managed, what issues they may have in relation to the health of the country and how they want to look after the country. The need for better management of tourists and tourist impacts within Birriliburu determined lands has emerged as one of the primary concerns for the Traditional Owners.

Year 2 and 3 of this project will include on-going consultations with a focus on developing a plan of management that outlines Traditional Owners aspirations for their country and how they will look after it, formal declaration of an IPA (subject to agreement by the native title holders) and negotiations with the Australian and State Governments about longer term financial support to look after this country. Input from other stakeholders about how they can assist the native title holders to manage the country may also be

included in the plan of management.

### **DEC joint management**

In 2004, the Department of Environment and Conservation (DEC, then the Department of Conservation and Land Management) entered into a Memorandum of Understanding (MOU) with the Wiluna claimants for the joint management of former pastoral leases Lorna Glen (Matuwa) and Earraheedy (Kurrara Kurrara).

Over the last year, DEC and Central Desert have continued to work cooperatively in the development of a Wiluna Martu ranger team. This includes the regular casual employment for 5-6 young Martu men living in Wiluna. The ranger team is operated by Central Desert, but supported by DEC in the provision of work opportunities on Lorna Glen and Earraheedy as well as informal training and mentoring for certain land management activities, such as the safe handling of 1080 poison baits, feral and native animal surveys, fire management and minor construction works.

As the skills and capacity of the team continue to build, Central Desert and DEC have recently commenced discussions about entering into a more formal and longer-term ‘fee-for-service’ contract for the management of Lorna Glen and Earraheedy. This will result in better day-to-day management of the lands due to a greater on-ground presence and increased local buy-in to the way the lands are managed.

## **TRENDS INFLUENCING PRINCIPAL FUNCTIONS AND SERVICES**

The major trend influencing Central Desert functions and services in this reporting period has been the uncertainty and delay caused by the State developing its new criteria for negotiating native title determinations in WA. The State’s actions have already caused delays and will continue to do so until they define what their position is. The State has provided preliminary papers on its proposal but will not provide a final position until at least January 31, 2011. Given the information that is currently available Central Desert predicts that the State’s revised framework will add significant time and cost to the processes and settlement of native title claims.





Cleon Patch burning country near Katjarra (Carnarvon Range)







Betty Anderson, Miranda Long, Lena Long, Tracey Latu Kuli Kefu and Lorna Bond at Matuwa

## EXTERNAL SCRUTINY

The Minister has made no directions or determinations during the reporting period in relation to Central Desert.

There have been no judicial or Administrative Tribunal decisions in relation to Central Desert during the reporting period, other than legal decisions that affected native title matters generally.

There have been no reports on Central Desert operations by any of the above bodies during the reporting period.

## MANAGEMENT OF HUMAN RESOURCES

### Our Staff

Central Desert Native Title Services owes its continued success to the outstanding efforts of our staff. We value each of them highly and thank them all for their dedication to helping achieve successful, sustainable native title outcomes for the people of the Central Desert.

We thank all of the people listed below who were employed by Central Desert during the 2009/2010 year.

Full or Part-time Staff	
Beth Woodward	Lindsey Langford
Carly Talbot	Malcolm O'Dell
Claire Greer	Mark D'Lima
Darren Farmer	Mercedes Brante
Dave Howard	Michelle Alexander
Gemma Wheeler-Carver	Monica Franz
Ian Rawlings	Peter Manning
Irene Assumpter Akumu	Phil Ramsay
Jacob Tyndall	Richard West
Jan Turner	Rob Thomas
Jane Lodge	Robert Wongawol
Jeremy Maling	Sara Thistlethwaite
Jill Rickard	Sarah Bell
Joshua Booth	Sarah Hobson
Karine Flematti	Sean Calderwood
Kate Fuller	Sian Hanrahan
Kate Fulton	Stephen Bai
Kate Turtley-Chappell	Sue Ware
Katrina Shaw	Sue Yoong
Kim Baldwin	Vera Elliott
Kristo Newall	Victor Ashwin
Leah Davies	
Casual Staff	
Alastair Netterfield	Jackie Morrell
Alex Toyne	Toyah Wright
Bala Murali	Ludger Dinkler

## Staffing Levels and Retention Rates for the Year

	2010	2009	Change	%
Full time	27	19	8	42.1
Part Time	6	5	1	20.0
Casual	8	6	2	33.3
LWOP	-	1	(1)	(100)
Maternity Leave	-	2	(2)	(100)
Staff Turnover	9	7	2	28.6
Total	50	40	10	
% Change	18.0	17.5		
Retention rate	82.0	82.5		

At 30 June 2010 Central Desert Native Title Services comprised a core staff of 27 full-time employees, 6 part-time, 6 casual, 1 leave without pay, and 2 staff on maternity leave.

A turnover of 9 staff during the reporting period represents a retention rate of 82%, compared with 82.5% in 2009.

The predicted increase in workload for the 10/11 year will necessitate the recruitment of a further 3 to 5 operational and liaison staff.

Staff remuneration is based on individual common-law agreements negotiated with regard to operational requirements, the prevailing recruitment environment, and available resources. All staff are supported and encouraged to participate in regular professional development workshops and courses. These are sourced from a wide range of training providers to consolidate and increase relevant skills and knowledge.

## Occupational Safety and Health Performance

Central Desert Native Title Services has a comprehensive Occupational Safety and Health (OSH) Policy and is fully compliant with the statutory obligations of the *Occupational Safety and Health Act 1984* and the *Occupational Safety and Health Regulations 1996*.

The organisation's OSH procedures are reviewed regularly and updated as necessary.

	2010	2009
Incidents reported	2	-
Lost Time	-	-



## CONSULTANTS AND COMPETITIVE TENDERING AND CONTRACTING

Central Desert is committed to achieving value for money in the purchasing of goods and services, including tendering and contracting. Central Desert maintains a register of consultants with skills and experience in relevant areas.

In accordance with our grant conditions Central Desert ensures that contract specifications do not bias or predetermine the outcome by placing unreasonable restrictions or qualifications on the prospective tenders.

Where services are expected to cost more than \$20,000 but not greater than \$80,000 we obtain 3 written competitive quotes from suitable suppliers or service providers.

Where we expect the cost of an asset or service to exceed \$80,000 we either obtain public tenders or invite 3 suitable, qualified service providers to tender for the provision of the asset or service.

Exemptions to the above procedures apply to:

- The engagement of an auditor;
- The acquisition of services from water, electrical, telephone, gas or municipal authorities where there is no other competitor in reasonable proximity; or
- In respect of native title related activities for the engagement of anthropological, legal or other professional service providers, or their staff, who are members of, or eligible for membership of the relevant professional association, where the service is under \$80,000.

### Native Title Consulting Agreements:

	2010	2009
Number of Consultancies for goods or services	28	19
Value of consultancies for Goods or Services	\$392,683	\$202,634
Consultancies with Traditional Owners	\$8,905	\$13,803

## OUTPUTS

We are required to report on the number of the following they have dealt with throughout the year.

	2010	2009
<b>Facilitation and Assistance</b>		
The Claims		
Number of claims at 1 July	12	9
Plus: Filed this year by NTSP	0	2
Less: Claims determined	0	0
Less: Claims dismissed	0	1
Less: Claims Withdrawn	0	0
Number of Current active Claims at 30 June	11	10
Number of these registered with the NNTT	11	10
Claims in Development	6	3
Non-climant Applications	0	0
Compensation claims	0	0
<b>The Agreements</b>		
Future Acts		
Notices received	321	81
Responses to Future Acts	321	81
Agreements		
Agreements concluded	56	104
Agreements in development	0	0
ILUAs		
ILUAs concluded and registered	0	0
ILUAs in development	0	0
<b>Complaints and Disputes</b>		
Complaints		
Received	0	0
Resolved	0	0
Pending	0	0
Disputes relating to native title	0	0
Disputes relating to ILUAs, rights of access and other matters	0	0
Requests for reviews of decisions not to assist		
Completed	0	0
Pending	0	0



## SUMMARY FINANCIAL INFORMATION

	Actual 2008-2009	Budget 2009-2010	Actual 2009-2010	Variance 2009-2010
<b>Income</b>				
FaHCSIA Funding				
Unexpended grants	206,396	543,595	543,595	-
Capital	125,000	-	-	-
Operational	3,248,908	3,502,000	3,502,000	-
Other Income				
ONT Grant	-	178,100	169,000	
Recoveries	100,028	110,000	84,525	(25,475)
Interest	26,971	30,000	30,453	453
	3,707,303	4,363,695	4,329,573	(25,022)
<b>Expenditure</b>				
Capital Acquisitions	184,362	420,158	420,158	-
Activities	1,345,530	2,045,869	1,852,335	(193,534)
Corporate	1,633,816	1,897,668	1,932,807	35,139
	3,163,708	4,363,695	4,205,300	(158,395)
<b>Net Result</b>	<b>543,595</b>	<b>-</b>	<b>124,273</b>	<b>133,373</b>

*All amounts are net of GST*



Parna Ngururpa directors at the Office of Native Title, Perth.

# DIRECTORS' REPORT

Your directors present this report on the company for the year ending 30 June 2010.

## Review of Operations

In its third full year of operations the company continued to perform its responsibilities under the *Native Title Act 1993* ("NTA") as well as providing a range of related services to Indigenous communities in the Central Desert area. The details of these services and the operating results are shown below and are further expanded upon in the full Annual Report.

## Operating Results

The total comprehensive income of the company amounted to \$362,995 (2009:\$ 108,399).

## Principal Activities

The company provides services equivalent to a Native Title Representative Body, and therefore the company has specific functions under part 11, division 3 of the Native Title Act 1993. These functions are:

- i. Facilitation & assistance functions referred to in section 203BB;
- ii. Certification functions referred to in section 203BE;
- iii. Dispute resolution functions referred to in section 203BF;
- iv. Notification functions referred to in section 203BG;
- v. Agreement-making functions referred to in section 203BH;
- vi. Internal review functions referred to in section 203BI, and
- vii. Other functions referred to in section 203BJ, and such other functions as are conferred on representative bodies by the Act.

The company is endorsed by the Australian Taxation Office ("ATO") as a Public Benevolent Institution and conducts a range of charitable activities. No change in its tax status as a result of activities undertaken during the year is likely

## Significant Changes in State of Affairs

No significant changes in the company's state of affairs occurred during the year.

## After Balance Date Events

No matter has arisen since the end of the year that will or may significantly affect:

- i. the company's operations in future financial years or
- ii. the results of those operations in future financial years, or
- iii. the company's state of affairs in future financial years.

## Likely Developments

There are no significant changes expected in the nature of the operations of the company.

## Environmental Performance

The company is not subject to any particular and significant environmental regulation under a Commonwealth, State or Territory law.

## Distributions to members during the year

No dividends or distributions were recommended, declared or paid to members during the year. The company is a non-profit company and its Constitution does not allow payments including dividends, bonuses or distributions of profit, directly or indirectly, to members, officers, servants, agents or employees other than as reasonable remuneration for services actually rendered.

# DIRECTORS' REPORT

## Directors

The names of each person who has been a director during the year to the date of this report are:

- Mr. George Marshall Irving LLB, Chairperson and Audit Committee Member
- Hon Frederick Michael Chaney LLB AO, Audit Committee Member
- Mr. John David Thurtell BA (resigned 25 February 2010)
- Dr Fiona Mary Skyring PhD BA (Hon)
- Mr. Peter James Thomas MBA BEcon BSc, Audit Committee Chairperson

Directors have been in office since the beginning of the financial year unless otherwise stated.

## Meetings of Directors

During the financial year, meetings of directors, including committees of directors, were held. Attendances by each director during the year were as follows:

	Director's Meetings		Audit Committee Meetings	
	Eligible to attend	Number attended	Eligible to attend	Number attended
Mr. George Marshall Irving	3	3	0	0
Hon Frederick Michael Chaney	3	3	0	0
Mr. John David Thurtell	3	2	0	0
Dr Fiona Mary Skyring	3	3	0	0
Mr. Peter James Thomas	3	3	0	0

## Company Secretary

Mr. Ian James Rawlings held the position of company secretary throughout the year. Mr. Rawlings is also the Chief Executive Officer of the company.

## Indemnifying Officers or Auditor

No indemnities have been given during or since the end of the financial year, for any person who is or has been an officer or auditor of the company. The company holds an Association liability insurance policy with CGU which includes Director's and Officer's as well as Professional Indemnity insurance.

## Proceedings on Behalf of the Company

No person has applied for leave of Court to bring proceedings on behalf of the company or intervene in any proceedings to which the company is a party for the purpose of taking responsibility on behalf of the company for all or any part of those proceedings.

The company was not a party to any such proceedings during the Year.

## Auditor's Independence Declaration

The company's auditor is Mr. Simon James Edward Foley CPA BBus (ASIC Reg. 273581)

The Mr. Foley's independence declaration for the Year ended 30 June 2010 has been received and can be found on page 4 of the financial statements.

Signed in accordance with a resolution of the board of directors.

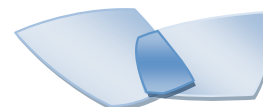
  
George Irving  
Chairperson  
4 August 2010

  
Ian Rawlings  
CEO  
4 August 2010



# AUDITOR'S INDEPENDENT DECLARATION

Central Desert Native Title Services Ltd  
Annual Financial Statements  
For the Year Ending 30 June 2010



**Simon Foley**  
Certified Practising Accountant

The Directors  
Central Desert Native Title Services Ltd  
Lower Ground Floor  
170 Wellington Street  
EAST PERTH WA 6004

Dear Sirs,

## AUDITOR'S INDEPENDENCE DECLARATION UNDER SECTION 307C OF THE CORPORATIONS ACT 2001

I declare that, to the best of my knowledge and belief, during the Year Ended 30 June 2010 there have been:

1. no contraventions of the auditor independence requirements as set out in the *Corporations Act 2001* in relation to the audit; and
2. no contraventions of the requirements of the Accounting Professional and Ethical Standards Board in relation to the audit.

Yours faithfully,

**Simon Foley CPA BBus**  
**Registered Company Auditor**

2 August 2010

**Accountants & Auditors**  
Simon JE Foley  
John E Foley



Simon Foley is a CPA  
practice

**Contacts:**  
PO Box 2225  
Marmion WA 6020  
T: (08) 6201 5865  
M: 0437 052 592  
E: [simonfoley@iinet.net.au](mailto:simonfoley@iinet.net.au)

Liability limited by a scheme approved under Professional Standards

# DIRECTORS' DECLARATION

Central Desert Native Title Services Ltd  
Annual Financial Statements  
For the Year Ending 30 June 2010



## DIRECTORS' DECLARATION

For The Year Ended 30 June 2010

The directors of the company declare that:

- 1) The financial statements and notes, as set out in the following pages, are in accordance with the *Corporations Act 2001*:
  - a) comply with applicable Accounting Standards and the *Corporations Regulations 2001*; and
  - b) give a true and fair view of the financial position as at 30 June 2010 and of the performance for the year ended on that date of the company.
- 2) In the directors' opinion there are reasonable grounds to believe that the company will be able to pay its debts as and when they become due and payable.

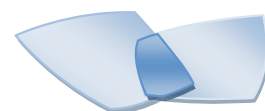
This declaration is made in accordance with a resolution of the board of directors.

  
George Irying  
Chairperson  
4 August 2010

  
Peter Thomas  
Audit Committee Chairperson  
4 August 2010

# INDEPENDENT AUDITOR'S REPORT

Central Desert Native Title Services Ltd  
Annual Financial Statements  
For the Year Ending 30 June 2010



**Simon Foley**  
Certified Practising Accountant

The Members  
Central Desert Native Title Services Ltd

## INDEPENDENT AUDITOR'S REPORT

### Report on the Financial Statements

We have audited the accompanying general purpose financial statements of Central Desert Native Title Services Ltd (the "company") which comprises the statement of financial position as at 30 June 2010, the statement of comprehensive income, statement of changes in equity and the statement of cash flows for the year then ended, a summary of significant accounting policies and other explanatory notes, and the directors' declaration. We have also audited the grant acquittal statements attached.

#### *The Responsibility of Directors for the Financial Statements*

The directors of the company are responsible for the preparation and fair presentation of the financial statements in accordance with Australian Accounting Standards (including Australian Accounting Interpretations) and the *Corporations Act 2001*. This responsibility includes establishing and maintaining internal control relevant to the preparation and fair presentation of the financial statements that are free from material misstatement, whether due to fraud or error; selecting and applying appropriate accounting policies; and making accounting estimates that are reasonable in the circumstances.

#### *Auditor's Responsibility*

Our responsibility is to express an opinion on the financial statements based on our audit. We conducted our audit in accordance with Australian Auditing Standards. These Auditing Standards require that we comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance whether the financial statements are free from material misstatement. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the directors, as well as evaluating the overall presentation of the financial statements.

#### *Independence*

In conducting our audit, we have complied with the independence requirements of the *Corporations Act 2001* and the Accounting Professional and Ethical Standards Board.

**Accountants & Auditors**  
Simon JE Foley  
John E Foley



Simon Foley is a CPA  
practice

**Contacts:**  
PO Box 2225  
Marmion WA 6020  
T: (08) 6201 5865  
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E: [simonfoley@iinet.net.au](mailto:simonfoley@iinet.net.au)

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# INDEPENDENT AUDITOR'S REPORT (Con't)

Central Desert Native Title Services Ltd  
Annual Financial Statements  
For the Year Ending 30 June 2010



## Independent Auditor's Report (Cont)

### Auditor's Opinion

In our opinion the financial statements of the company are in accordance with the *Corporations Act 2001*, including

1. giving a true and fair view of the company's financial position as at 30 June 2010 and of its performance for the Year ended on that date; and
2. complying with Australian Accounting Standards (including Australian Accounting Interpretations) and complying with the *Corporations Regulations 2001*.

### Inherent Uncertainty Regarding Going Concern

Without qualification to the opinion expressed above, attention is drawn to the following matter. The financial statements are prepared on the basis of company being a going concern. This is dependent upon continued funding from government agencies.

## Report on other Legal, Contractual and Regulatory Requirements

### Compliance with Commonwealth Grant Conditions for Native Title Grants

In accordance with clause 10.7 of the *2009-2010 General Terms and conditions relating to Native title Program Funding Agreements*, I certify that:

1. The actual expenditure is in accordance with the budget
2. The financial statement for the activity for the financial year is based on proper books and records; and
3. You are able to pay all your debts as and when they fall due and that you have sufficient resources to discharge all your debts at the end of the financial year.
4. Where an asset has been purchased using grant funds, adequate insurance has been arranged in accordance with clause 12 of the Agreement, and the asset has been included in the Association's asset register.

**Simon Foley CPA BBus**  
**Registered Company Auditor**

2 August 2010

# NOTES TO THE FINANCIAL STATEMENTS

## For the Year ended 30 June 2010

	Note	2010 \$	2009 \$
<b>Current Assets</b>			
Cash and cash equivalents	6	972,115	826,973
Trade and other receivables	8	343,504	381,764
Other current assets	9	200,522	67,685
Total Current Assets		1,516,141	1,276,422
<b>Non-Current Assets</b>			
Property, Plant & Equipment	10	451,552	401,835
Total Non-Current Assets		451,552	401,835
<b>Total Assets</b>		<b>1,967,694</b>	<b>1,678,257</b>
<b>Current Liabilities</b>			
Trade and other payables	11	169,976	169,038
Current tax liabilities	12	141,399	(2,011)
Payroll liabilities	13	3,089	39,259
Provisions and accruals	14	316,390	288,660
Unexpended grants	15	230,324	543,594
Trust liabilities	16	26,813	40,237
Other current liabilities	17	44,060	30
Total Current Liabilities		932,050	1,078,807
<b>Non-Current Liabilities</b>			
Provisions and accruals	14	124,010	50,813
Total Non-Current Liabilities		124,010	50,813
Total Liabilities		1,056,060	1,129,620
Net Assets		911,634	548,638
<b>Equity</b>			
Members Funds		911,634	548,638

The accompanying notes form part of these financial statements.

# STATEMENT OF COMPREHENSIVE INCOME

## For the Year ended 30 June 2010

	Note	2010 \$	2009 \$
Revenue from continuing operations	4	6,030,134	4,193,496
Other gains	4	72,675	7,636
Employee benefits expense		(2,445,911)	(1,888,474)
Services and supplies		(1,660,962)	(1,010,256)
Other expenses	5	(1,307,850)	(900,067)
Interest expense		-	(442)
Depreciation / amortisation		(287,564)	(229,112)
Other Losses		(37,528)	-
<b>Net Income before income tax</b>		<b>362,995</b>	<b>172,781</b>
Income tax expense	3	-	-
<b>Net Income after income tax</b>		<b>362,995</b>	<b>172,781</b>
Other comprehensive income			
Reclassification adjustments		-	(64,382)
<b>Total Comprehensive Income</b>		<b>362,995</b>	<b>108,399</b>

The accompanying notes form part of these financial statements.



# STATEMENT OF CHANGES IN EQUITY

For the Year ended 30 June 2010

	Retained Earnings	Reserves		Total
		General	Asset Revaluation	
	\$	\$	\$	\$
Balance at 30 June 2008	440,238	-	-	440,238
Total comprehensive income for the period	108,399	-	-	108,399
Movement in reserves	-	-	-	-
Revaluation increment	-	-	-	-
Balance at 30 June 2009	548,638	-	-	548,638
Total comprehensive income for the period	362,995	-	-	362,995
Movement in reserves	-	-	-	-
Revaluation increment	-	-	-	-
Balance at 30 June 2010	911,633	-	-	911,633

The accompanying notes form part of these financial statements.

# STATEMENT OF CASH FLOWS

## For the Year ended 30 June 2010

	Note	2010 \$	2009 \$
<b>Cash Flow from Operating Activities</b>			
Receipts from government and customers		5,589,534	3,757,669
Payments to suppliers and employees		(5,199,762)	(3,186,986)
Interest received		34,764	30,913
Finance costs		-	(442)
Net cash from operating activities	7	424,536	601,154
<b>Cash Flow from Investing Activities</b>			
Proceeds from sale of property & equipment		35,830	7,636
Payment for property & equipment		(315,224)	(126,126)
Net cash used in investing activities		(279,394)	(118,490)
<b>Cash Flow from Financing Activities</b>			
Repayment of financing commitments		-	-
Increase in financing commitments		-	-
Net cash from financing activities		-	-
<b>Net (decrease) increase in cash held</b>		<b>145,142</b>	<b>482,664</b>
<b>Cash at the end of the financial year</b>	6	<b>972,115</b>	<b>826,973</b>
<b>Cash at the beginning of the financial year</b>	6	<b>826,973</b>	<b>344,309</b>
<b>Net Increase / (Decrease) in cash held</b>		<b>145,142</b>	<b>482,664</b>

The accompanying notes form part of these financial statements.

# NOTES TO THE FINANCIAL STATEMENTS

For the Year ended 30 June 2010

## 1. THE REPORTING ENTITY

Central Desert Native Title Services Ltd is a public company limited by guarantee. It was incorporated under the *Corporations Act 2001* on 16 April 2007 and domiciled in Australia.

The financial statements cover the company as an individual entity.

The Registered and Business address of the Company is:

Lower Ground Floor  
170 Wellington Street  
East Perth, WA, 6004

## 2. BASIS OF PREPARATION OF THE FINANCIAL REPORT

### Date of Issue

These financial statements were authorised for issue by the Directors on 4 August 2010. The directors have the authority to amend the financial statements after that date.

### Basis of Accounting

The financial statements is a general purpose financial statements that has been prepared in accordance with Accounting Standards, Australian Accounting Interpretations, other authoritative pronouncements of the Australian Accounting Standards Board and the requirements of the *Corporations Act 2001*, the Regulations and the company's constitution.

Australian Accounting Standards set out accounting policies that the AASB has concluded would result in a financial statements containing relevant and reliable information about transactions, events and conditions to which they apply. Compliance with Australian Accounting Standards ensures that the financial statements and notes also comply with International Financial Reporting Standards. Material accounting policies adopted in the preparation of these financial statements are presented below. They have been consistently applied unless otherwise stated.

The statements are prepared on an accruals basis from the records of the company.

They are based on historic costs and do not take into account changing money values or, except where specifically stated, current valuations of non-current assets.

The report is presented in Australian dollars (\$AUD) and are rounded to the nearest dollar.

### Going Concern

The accounts have been prepared on a going concern basis.

### Economic Dependence

The ability of the company to continue as a going concern is dependent upon continued support from various Government funding bodies. At the date of this report the directors have no reason to believe that governments will not continue to fund the native title operations of the company.

### Compliance with International Financial Reporting Standards

Australian Accounting Standards require a statement of compliance with International Financial Reporting Standards (IFRSs) to be made where the financial statements complies with these standards. Some Australian equivalents to IFRSs and other Australian Accounting Standards contain requirements specific to not-for-profit entities that are inconsistent with IFRS requirements. The company is a not-for-profit entity and has applied these requirements, so while these financial statements comply with Australian Accounting Standards including Australian Equivalents to International Financial Reporting Standards (AEIFRSs) it cannot make this statement.



# NOTES TO THE FINANCIAL STATEMENTS

For the Year ended 30 June 2010

## Adoption of new Australian Accounting Standard requirements

The following Australian Accounting Standards issued or amended and are applicable to the Company but not yet effective and have not been adopted in preparation of the financial statements at reporting date.

Standard	Title	Issue Date	Effective Date	Beginning/Ending	Mandatory for Y/E
AASB 9	Financial Instruments	Dec-09	1/01/13	Beginning	31/12/14
AASB 124	Related Party Disclosures	Dec-09	1/01/11	Beginning	31/12/11
Amending 2009-10	Amendments to Australian Accounting Standards - Classification of Rights Issues	Oct-09	1/02/10	Beginning	31/01/11
Amending 2009-12	Amendments to Australian Accounting Standards [AASBs 5, 8, 108, 110, 112, 119, 133, 137, 139, 1023 & 1031 and Interpretations 2, 4, 16, 1039 & 1052]	Dec-09	1/01/11	Beginning	31/12/11
Amending 2009-13	Amendments to Australian Accounting Standards arising from Interpretation 19 [AASB 1]	Dec-09	1/07/10	Beginning	30/06/11
Amending 2009-14	Amendments to Australian Interpretation - Prepayments of a Minimum Funding Requirement [AASB Interpretation 14]	Dec-09	1/01/11	Beginning	31/12/11
Amending 2010-1	Amendments to Australian Accounting Standards - Limited Exemption from Comparative AASB 7 Disclosures for First-time Adopters	Feb-10	1/07/10	Beginning	30/06/11
Int. 19	Extinguishing Financial Liabilities with Equity Instruments	Dec-09	1/07/10	Beginning	30/06/11

## Comparatives

When required by Accounting Standards, comparative figures have been adjusted to conform to changes in presentation for the current financial year.

## 3. SIGNIFICANT ACCOUNTING POLICIES

The following is a summary of the material accounting policies adopted by the Company in the preparation of the financial statements. The accounting policies have been consistently applied, unless otherwise stated.

### Cash and cash equivalents

Cash and cash equivalents include cash on hand, deposits held at call with banks, other short-term highly liquid investments with original maturities of three months or less, and bank overdrafts. Bank overdrafts are shown within short-term borrowings in current liabilities on the statement of financial position.

### Financial Instruments

#### Recognition and Initial Measurement

Financial instruments, incorporating financial assets and financial liabilities, are recognised when the company becomes a party to the contractual provisions of the instruments. Trade date accounting is adopted for financial assets that are delivered within timeframes established by marketplace convention.

Financial instruments are initially measured at fair value plus transactions costs where the instrument is not classified as at fair value through profit or loss. Transaction costs related to instruments classified as at fair value through profit or loss are expensed to profit or loss immediately. Financial instruments are classified and measured as set out below.

# NOTES TO THE FINANCIAL STATEMENTS

## For the Year ended 30 June 2010

### De-recognition

Financial assets are derecognised where the contractual rights to receipt of cash flows expires or the asset is transferred to another party whereby the entity no longer has any significant continuing involvement in the risks and benefits associated with the asset. Financial liabilities are derecognised where the related obligations are either discharged, cancelled or expire. The difference between the carrying value of the financial liability extinguished or transferred to another party and the fair value of consideration paid, including the transfer of non-cash assets or liabilities assumed is recognised in profit or loss.

### Classification and Subsequent Measurement

#### Financial assets at fair value through profit and loss

A financial asset is classified in this category if acquired principally for the purpose of selling in the short term or if so designated by management and within the requirements of AASB 139: Recognition and Measurement of Financial Instruments. Derivatives are also categorised as held for trading unless they are designated as hedges. Realised and unrealised gains and losses arising from changes in the fair value of these assets are included in the income statement in the period in which they arise.

#### Loans and receivables

Loans and receivables are non-derivative financial assets with fixed or determinable payments that are not quoted in an active market and are stated at amortised cost using the effective interest rate method.

#### Held-to-maturity investments

These investments have fixed maturities, and it is the company's intention to hold these investments to maturity. Any held-to-maturity investments held by the company are stated at amortised cost using the effective interest rate method.

#### Available-for-sale financial assets

Available-for-sale financial assets include any financial assets not included in the above categories. Available-for-sale financial assets are reflected at fair value. Unrealised gains and losses arising from changes in fair value are taken directly to equity.

#### Financial liabilities

Non-derivative financial liabilities are recognised at amortised cost, comprising original debt less principal payments and amortisation.

#### Derivative instruments

The company does not deal with or hold derivative instruments.

#### Fair value

Fair value is determined based on current bid prices for all quoted investments. Valuation techniques are applied to determine fair value for all unlisted securities, including recent arm's length transactions, reference to similar instruments and option pricing models.

### Impairment

At each reporting date, the company assesses whether there is objective evidence that a financial instrument has been impaired. In the case of available-for-sale financial instruments, a prolonged decline in the value of the instrument is considered to determine whether impairment has arisen. Impairment losses are recognised in the income statement.

#### Inventories

The company does not hold inventories of goods for sale.

### Investments (financial assets)

#### Available-for-sale financial assets

All investments are classified as available-for-sale financial assets. Available-for-sale financial assets are reflected at fair value unless their fair value cannot be reliably measured. Unrealised gains and losses arising from changes in fair value are taken directly to equity.

#### Fair value

Fair value is determined based on current bid prices for all quoted investments. Valuation techniques are applied to determine fair value for all unlisted securities, including recent arm's length transactions, reference to similar instruments and option pricing models.

#### Recognition

Financial assets are initially measured at cost of trade date, which includes transaction costs, when the related contractual rights or obligations exist. Subsequent to initial recognition these instruments are measured as set out below.

# NOTES TO THE FINANCIAL STATEMENTS

## For the Year ended 30 June 2010

### Property, plant and equipment

Each class of property, plant and equipment is carried at cost or fair value as indicated less, where applicable, any accumulated depreciation and impairment losses.

#### Plant and equipment

Plant and equipment are measured on the cost basis.

#### Depreciation

The depreciable amount of all fixed assets including buildings and capitalised leased assets, but excluding freehold land, is depreciated on a diminishing-value basis over the asset's useful life to the company commencing from the time the asset is held ready for use. Leasehold improvements are depreciated over the shorter of either the unexpired period of the lease or the estimated useful lives of the improvements.

The depreciation rates used for each class of depreciable assets are based on the ATO's estimated useful life for the class of assets

The assets' residual values and useful lives are reviewed, and adjusted if appropriate, at each balance sheet date.

### Intangible assets

#### Software

Software developed specifically for the company is recorded at cost. Software has a finite life and is carried at cost less any accumulated amortisation and impairment losses. It has an estimated useful life of between one and two years. It is assessed annually for impairment. All other software is expensed as it is purchased.

### Employee benefits

Provision is made for the company's liability for employee benefits arising from services rendered by employees to balance date. Employee benefits that are expected to be settled within one year have been measured at the amounts expected to be paid when the liability is settled. Employee benefits payable later than one year have been measured at present value of the estimated future cash outflows to be made for those benefits. These cashflows are discounted using market yields on national government bonds with terms to maturity that match the expected timing of cashflows.

Government grants received by the company do not currently allow the charging of employee liabilities against the grant revenue. The result is that unexpended grant liabilities are overstated by the amount of the accrued benefits. FaHCSIA permits employee entitlements to be charged against grants as and when they fall due and payable and may provide additional funds.

### Provisions

Provisions are recognised when the company has a legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured.

### Borrowings

Borrowing costs directly attributable to the acquisition, construction or production of assets that necessarily take a substantial period of time to prepare for their intended use or sale, are added to the cost of those assets, until such time as the assets are substantially ready for their intended use or sale.

All other borrowing costs are recognised in income in the period in which they are incurred.

### Funds Held on Trust

From time to time the company holds funds on trust for Native Title Claimant groups pending the formation of a Prescribed Body Corporate ("PBC"). Such funds are held as liabilities and retained in the company's bank accounts pending the establishment of bank accounts for the purpose. The receipt of those funds, and interest pertaining to the bank accounts, are not recognised as revenue to the company.

### Revenue

Revenue is measured at the fair value of the consideration received or receivable after taking into account any trade discounts and volume rebates allowed. Any consideration deferred is treated as the provision of finance and is discounted at a rate of interest that is generally accepted in the market for similar arrangements. The difference between the amount initially recognised and the amount ultimately received is interest revenue.

#### Grant Revenue

Grant revenue is recognised in the income statement when it is controlled. When there are conditions attached to the grant revenue relating to the use of those grants for specific purposes it is recognised as a liability until such time as those conditions are met or the services provided.



# NOTES TO THE FINANCIAL STATEMENTS

## For the Year ended 30 June 2010

### Sale of Services

Revenue recognition relating to the provision of services is determined with reference to the stage of completion of the transaction at the reporting date and where the outcome of the contract can be estimated reliably. Stage of completion is determined with reference to the services performed to date as a percentage of total anticipated services to be performed. Where the outcome cannot be estimated reliably, revenue is recognised only to the extent that related expenditure is presently recoverable.

### Sale of Goods

Revenue from the sale of goods is recognised at the point of delivery as this corresponds to the transfer of significant risks and rewards of ownership of the goods and the cessation of all involvement in those goods.

### Interest

Interest revenue derives from interest on funds held on deposit and are recognised when they are received. Other interest received is recognised using the effective interest rate method, which, for floating rate financial assets, is the rate inherent in the instrument. Dividend revenue is recognised when the right to receive a dividend has been established.

### Donations and Bequests

Donations and bequests are recognised as revenue when received unless they are designated for a specific purpose where they are carried as prepaid income.

All revenue is stated net of the amount of goods and services tax (GST).

## Taxation

### Public Benevolent Institution

The Australian Taxation office endorsed the company as a Public Benevolent Institution and it is eligible for the following concessions:

- i. GST concession;
- ii. FBT exemption;
- iii. Income taxation exemption.

No change in its tax status as a result of activities undertaken during the year is likely.

### Goods and Services Tax (GST)

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office. In these circumstances the GST is recognised as part of the cost of acquisition of the asset or as part of an item of the expense. Receivables and payables in the statement of financial position are shown inclusive of GST. Cash flows are presented in the cash flow statement on a net basis.

## Critical Accounting Estimates and Judgments

The preparation of the financial statements requires the use of certain critical accounting estimates. It also requires management to exercise its judgement in the process of applying the entity's accounting policies. The directors evaluate estimates and judgments incorporated into the financial statements based on historical knowledge and best available current information. Estimates assume a reasonable expectation of future events and are based on current trends and economic data, obtained both externally and within the group. No accounting assumptions or estimates have been identified that have a significant risk of causing a material adjustment to carrying amounts of assets and liabilities within the next accounting period.

# NOTES TO THE FINANCIAL STATEMENTS

For the Year ended 30 June 2010

## 4. REVENUE FROM CONTINUING OPERATIONS

	Note	2010 \$	2009 \$
<b>Revenue from continuing operations</b>			
Net grant revenue	15	4,236,229	3,391,357
Revenue from the sale of services			
Administration Fees		101,528	29,115
Fee for Service		1,529,324	508,371
Reimbursements		116,561	184,352
Donations		11,510	-
Sundry		218	49,388
Interest		34,764	30,913
		6,030,134	4,193,496
<b>Other Gains</b>			
Proceeds on sale of non current assets		20,697	7,636
<b>Other Gains</b>		51,978	-
		72,675	7,636

## 5. NET OPERATING RESULT

Net Operating Result before Income Tax is determined after the following significant Other Expenses:

Travel and accommodation expenses	586,499	265,760
Program expenses	238,099	99,008
Occupancy costs	224,719	200,674
Motor vehicle expenses	203,800	198,348
Plant & equipment	36,665	-
Charitable Activities	14,932	-
Provision for doubtful debts	7,068	3,145
Repairs & maintenance	3,135	12,158
Bad debts written off/provided for	-	116,775
Sundry	-	4,200

## 6. CASH AND CASH EQUIVALENTS

Cash at Bank		
Operating account	176,782	44,186
Max-i direct	541,861	752,468
IPA cash mgt account	75,202	-
Gift fund account	1,156	-
Term deposit	150,000	-
Trust Accounts		
Birriliburu claimant group	-	28,983
Pilki claimant group	26,813	
Cash on Hand		
Gift cards held	-	1,036
Petty cash	300	300
	972,115	826,973

Terms: Cash at bank is held in at-call interest bearing deposits.

**Restriction.** Cash at bank includes an amount of \$230,324 representing the balance of unexpended grants. The restriction arises as a result of the terms and conditions of various funding agreements which require unspent funds to be returned or used in future years for the purposes specified in the funding agreements. A further amount of \$26,813 is held on Trust and in unearned income for Pilki Native Title claimant groups – see note 16.

# NOTES TO THE FINANCIAL STATEMENTS

For the Year ended 30 June 2010

## 7. CASH FLOW INFORMATION

### a) Reconciliation of Cash Flows from Operating activities

	Note	2010 \$	2009 \$
Profit after income tax		362,995	108,399
Non Cash Flows included in Profit			
Depreciation and amortisation		287,564	229,112
Contribution of assets		(48,833)	-
Net other non cash flows in profit		(9,053)	(11,835)
Changes in Assets and Liabilities			
(Increase)/Decrease in receivables		40,271	3,882
(Increase)/Decrease in other current assets		(132,837)	(1,532)
Increase/(Decrease) in payables		(35,232)	(263,191)
Increase/(Decrease) in provisions and accruals		100,927	118,655
Increase/(Decrease) in current tax liabilities		141,399	70,114
Increase/(Decrease) in unexpended grants		(313,271)	307,283
Increase/(Decrease) in other liabilities		30,606	40,267
Cash flows from operating activities		424,536	601,154

## 8. TRADE AND OTHER RECEIVABLES

Trade receivables	350,573	381,309
Other receivables	-	3,600
Less: Provision for doubtful debts	(7,069)	(3,145)
	343,504	381,764

Terms; Trade and other debtors are non-interest bearing and are generally settled on terms of 30 days.  
Trade debtors are reported net of GST.

### a) Ageing of amounts receivable, past due but not impaired

Aging		
31-60	35,925	55,000
61-90	200	6,214
90+	20,069	271,497
	56,195	332,711

### b) Ageing of amounts receivable, past due and impaired

Ageing		
31-60	-	-
61-90	-	-
90+	7,069	3,145
	7,069	3,145

Review: Impaired receivables are reviewed for collectability and either written off or pursued to recovery.

## 9. OTHER CURRENT ASSETS

Prepayments	-	65,985
Bonds	1,700	1,700
Deposits	1,000	-
Accrued Income	197,822	-
	200,522	67,685

# NOTES TO THE FINANCIAL STATEMENTS

For the Year ended 30 June 2010

## 10. PROPERTY PLANT & EQUIPMENT

	2010 \$	2009 \$
<b>Leasehold improvements</b>		
Leasehold improvements at cost	290,084	250,478
Less: accumulated depreciation	(211,890)	(128,187)
	78,194	122,291
<b>Motor vehicles</b>		
Motor vehicles at cost	561,736	328,423
Less: accumulated depreciation	(283,107)	(133,319)
	278,630	195,104
<b>Office equipment &amp; furniture</b>		
Office equipment & furniture at cost	165,356	165,680
Less: accumulated depreciation	(88,926)	(88,518)
	76,430	77,162
<b>Plant &amp; equipment</b>		
Plant & equipment at cost	29,384	13,429
Less: accumulated depreciation	(11,085)	(6,151)
	18,299	7,278
	451,552	401,835

### a) Movements in carrying amounts

	L/hold Imp \$	Motor Vehicles \$	OE & Furn \$	Plant & Equipment \$	Total \$
<b>2009</b>					
Balance at 1 July 2008	186,319	259,120	-	55,183	500,622
<b>Additions</b>					
by purchase	15,994	34,536	71,606	3,990	126,126
Depreciation expense	(78,534)	(97,994)	(48,226)	(4,358)	(229,112)
Adjustments	(1,488)	(558)	53,782	(47,537)	4,199
Impairment	-	-	-	-	-
Disposals	-	-	-	-	-
Carrying amount at 30 June 2009	122,291	195,104	77,162	7,278	401,835
<b>2010</b>					
<b>Additions</b>					
by purchase	39,606	216,214	43,450	15,955	315,224
Depreciation expense	(83,703)	(166,955)	(32,446)	(4,461)	(287,564)
Adjustments	-	48,833	-	(473)	48,360
Impairment	-	-	-	-	-
Disposals	-	(14,567)	(11,736)	-	(26,303)
Carrying amount at 30 June 2010	78,194	278,630	76,430	18,299	451,552

Adjustments: Adjustments refer the incorrect reporting in the accounts and the asset register of a vehicle purchased in 07/08.



# NOTES TO THE FINANCIAL STATEMENTS

For the Year ended 30 June 2010

## 11. TRADE AND OTHER PAYABLES

	2010 \$	2009 \$
Trade payables	120,550	137,460
Other payables	1,192	-
Credit card		
American express	60	143
Mastercard	48,173	31,435
	169,976	169,038

*Credit Card Facility.* The company has a \$100,000 credit card facility with Westpac Banking Corporation of which \$51,827 remained unused at balance date. The Company has a \$70,000 credit card facility with American Express of which \$69,940 remained unused at balance date. MasterCard and American Express purchasing card balances are cleared on or about the 27th of each month.

## 12. CURRENT TAX LIABILITIES

GST payable	193,598	(2,011)
GST receivable	(87,790)	-
PAYG Withholding payable	35,591	-
	141,399	(2,011)

## 13. PAYROLL LIABILITIES

Salary Sacrifice Payable	1,868	1
Staff Deductions Payable	940	-
Superannuation payable	281	39,258
	3,089	39,259

## 14. PROVISIONS AND ACCRUALS

### a) Current

Provisions		
Audit fees	19,500	11,000
Annual report	-	20,000
Accrued Employee Entitlements		
Accrued wages	79,581	49,943
Annual Leave	160,354	140,384
Long Service Leave	56,955	67,333
	316,390	288,660

### a) Non-Current

Accrued Employee Entitlements		
Long Service Leave	124,010	50,813
	124,010	50,813

*Accrued Entitlements:* A significant proportion of company staff continue to have entitlements accrued from their service with a predecessor entity which transferred its business to the company upon its formation.

Accruals for Annual and Long Service Leave are not charged to grant funding.

# NOTES TO THE FINANCIAL STATEMENTS

For the Year ended 30 June 2010

## 15. UNEXPENDED GRANTS

	Year	Unexp B/ fwd	New Grants	AGI	Transfers/ Repay	Exp'd	Unexp C/ Fwd
<b>FaHCSIA</b>							
Native Title	06/07	18,134	-	-	(18,134)	-	-
Cont Lit (Cosmo)	07/08	58,437	-	-	-	58,437	-
Cont Lit (Martu)	08/09	65,000	-	-	-	65,000	-
Native Title - Capital	08/09	70,463	-	-	(70,463)	-	-
Native title - Operational	08/09	331,561	-	-	(331,561)	-	-
Cont Lit (GDNR)	09/10	-	180,000	-	-	55,728	124,272
Native Title-Operational	09/10	-	3,322,000	114,977	420,158	3,857,135	-
		543,595	3,502,000	114,977	-	4,036,300	124,272
<b>WA Office of Native Title</b>							
ONT - East Wongatha	09/10	-	91,000	-	-	91,000	-
ONT - Future Acts	09/10	-	78,000	-	-	78,000	-
<b>DEWHA</b>							
IPA	09/10	-	116,504	39,624	-	80,354	75,774
<b>Lotterywest</b>							
Return to Country	09/10	-	50,000	774	-	41,133	9,641
Oral History	09/10	-	14,955	3,595	-	18,550	-
<b>Rangelands NRM</b>							
	09/10	-	70,500	-	-	49,864	20,636
		543,595	3,922,959	158,970	-	4,395,201	230,323

## 16. TRUST LIABILITIES

	2010 \$	2009 \$
Funds held for Birriliburu Native Title claimants	-	28,953
Funds held for Pilki Native Title claimants	26,813	11,284
	26,813	40,237

During the year, funds held on behalf of the Birriliburu Native Title Claimants were transferred upon the formation of Mungarlu Ngurrarankatja Rirraunkaja (Aboriginal Corporation) RNTBC to that Corporation.

## 17. OTHER CURRENT LIABILITIES

The company's auditor is Mr Simon James Edward Foley CPA BBus (ASIC Reg. 273581)

Interest on trust accounts	0	30
Unearned Income	44,060	-
	44,060	30

## 18. AUDITOR REMUNERATION

The company's auditor is Mr Simon James Edward Foley CPA BBus (ASIC Reg. 273581)

Auditor remuneration for the year ended 30 June		
Audit of the financial report	12,749	13,910
Compilation of financial statements 2008	-	6,000
Other non-audit services	-	363
	12,749	20,273

# NOTES TO THE FINANCIAL STATEMENTS

For the Year ended 30 June 2010

## 19. KEY MANAGEMENT PERSONNEL

The Key Management personnel comprise the Directors identified in the Director's Report and the following Management staff:

Position	2010	2009
Chief Executive Officer	Ian Rawlings	Ian Rawlings
Principal Legal Officer	Malcolm O'Dell	Malcolm O'Dell
Business Services Manager	Ric West	Ric West from Mar 2009 Robyn Pope to Oct 2008

### a) Remuneration of Key Management Personnel

	Directors		Management Staff	
	2010 \$	2009 \$	2010 \$	2009 \$
Short Term Benefits				
Salaries & allowances	-	-	446,230	447,085
Directors fees	950	500	-	-
Travel & allowances	-	-	-	-
Post Employment Benefits				
Superannuation	-	-	40,161	41,645
Total	950	500	486,390	488,730

Source of Director's Fees: Director's fees have not been paid from any Government program funding received during the 2009/10 financial year or from surpluses of prior years.

## 20. RELATED PARTY TRANSACTIONS

Transactions between related parties are on normal commercial terms and conditions no more favourable than those available to other parties unless otherwise stated. Transactions with related parties are listed below:

		2010 \$	2009 \$
George Irving LLB	Legal Services - Native Title	11,000	12,000
		11,000	12,000

## 21. CAPITAL AND LEASING COMMITMENTS

### Operating Lease Commitments

Non-cancellable operating leases contracted for but not capitalised in the financial statements relate to office properties in Perth, Kalgoorlie and Wiluna Western Australia and leases for office equipment. Rental lease arrangements include market review clauses.

Operating Lease	Expiring	Payments due			
		within 1 Year	1-2 years	2-5 years	over 5 years
Wellington Street East Perth	1/04/11	116,721	-	-	0
Picadilly St Kalgoorlie	18/07/11	22,092	1,841	-	0
Storage units	30/06/11	6,528	-	-	0
Wiluna office	tba	-	-	-	204 pa
		145,341	1,841	-	0

# NOTES TO THE FINANCIAL STATEMENTS

For the Year ended 30 June 2010

## 22. COMMITMENTS – GRANT FUNDING

Commitments entered into by the company for the supply of goods and services as at 30 June 2010, and which are to be paid from grant funds carried forward are as follows:

	2010 \$	2009 \$
Commitments relating to capital contracts entered into	61,125	158,833
Commitments for other goods or services	17,778	10,937
	78,903	169,770

The commitments arise from contracts for the delivery of goods or services that were entered into by 30 June 2010 but for which the goods or services had not been delivered or completed at balance date. Additionally, the company is committed to rental and operating lease commitments and accrued annual and long service leave entitlements for staff. Other than those items listed above, there are no other grant funding commitments

## 23. CONTINGENT ASSETS AND LIABILITIES

There are no contingent assets or liabilities of the Company.

## 24. FINANCIAL INSTRUMENTS

### a) Financial Risk Management

The company's financial instruments consist mainly of deposits with banks accounts receivable and payable. The company does not have any derivative instruments at 30 June 2010.

#### i. Treasury Risk Management

Due to the limitations imposed on grant funding, all funds are held in at-call deposits or in short term investments with a major bank.

#### ii. Financial Risks

The main risks the Company is exposed to through its financial instruments are interest rate risk, liquidity risk and credit risk.

##### *Foreign currency risk*

The Company is not exposed to fluctuations in foreign currencies.

##### *Liquidity risk*

The Company manages liquidity risk by monitoring forecast cash flows and ensuring that adequate unutilized borrowing facilities are maintained.

##### *Credit risk*

The maximum exposure to credit risk, excluding the value of any collateral or other security, at balance date to recognized financial assets, is the carrying amount, net of any provisions for impairment of those assets, as disclosed in the balance sheet and notes to the financial statements.

The company does not have any material credit risk exposure to any single receivable or group of receivables under financial instruments entered into by the company.

##### *Price risk*

The company is not exposed to any material commodity price risk.



# NOTES TO THE FINANCIAL STATEMENTS

## For the Year ended 30 June 2010

### b) Interest Rate Risk

The Company's exposure to interest rate risk, which is the risk that a financial instrument's value will fluctuate as a result of changes in market interest rates and the effective weighted average interest rates on those financial assets and financial liabilities, is as follows:

#### i. Financial Assets

Financial Instrument	Floating Interest Rate		Non-Interest Bearing		Total		Weighted Ave Eff Int Rate	
	2010	2009	2010	2009	2010	2009	2010	2009
	\$	\$	\$	\$	\$	\$	%	%
Cash	971,815	825,637	300	1,337	972,115	826,974	2.20	2.80
Receivables	-	-	350,573	384,908	350,573	384,908	-	-
Financial Assets	-	-	200,522	69,696	200,522	69,696	-	-
Total	971,815	825,637	551,395	455,941	1,523,210	1,281,578		

#### ii. Financial Liabilities

Financial Instrument	Floating Interest Rate		Non-Interest Bearing		Total		Weighted Ave Eff Int Rate	
	2010	2009	2010	2009	2010	2009	2010	2009
	\$	\$	\$	\$	\$	\$	%	%
Payables	-	31,578	169,976	137,460	169,976	169,038	-	-
Payroll	-	-	3,088	39,259	3,088	39,259	-	-
Unexp Grants	-	-	230,324	543,595	230,324	543,595	-	-
Other	-	-	26,813	40,237	26,813	40,237	-	-
Total	-	31,578	430,201	760,551	430,201	792,129		

## 25. MEMBERS' GUARANTEE

The company is incorporated under the *Corporations Act 2001* and is a company limited by guarantee.

If the company is wound up the constitution states that each member is required to contribute a maximum of \$1 each towards the property of the company for payment of the debts and liabilities of the company. At 30 June 2010 the number of members was four (4).

## 26. EVENTS AFTER THE BALANCE DATE

No other matters or circumstances have arisen since the end of the financial year which significantly affected or may significantly affect the operations of the company, the results of those operations, or the state of affairs of the company in future financial years.



## Acknowledgements

We gratefully acknowledge the people and communities with whom we work: for their support, encouragement and patience with what is often a time consuming and difficult process.

We also acknowledge our funding providers:

The Commonwealth Department of Families, Housing,  
Community Services and Indigenous Affairs (FaHCSIA);

The Government of Western Australia's Office of Native Title (ONT);

The Commonwealth Department of Environment,  
Water, Heritage and the Arts (DEWHA).

Rangelands NRM WA

Lotterywest

Mining companies participating in the  
Wiluna Regional Partnership Agreement (RPA):

BHP Billiton Ltd

Golden West Resources Ltd

Mega Redport Pty Ltd

Newmont Yandal Operations Pty Ltd

Toro Energy Ltd



## For More Information:

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**Web address for annual report:**  
[www.centraldesert.org.au/who-we-are/annual-reports/](http://www.centraldesert.org.au/who-we-are/annual-reports/)

### **Central Desert Native Title Services**

produces high quality outcomes in all facets of native title work including: legal and anthropological research, managing future acts, mediation and litigation, cultural translation, governance and capacity building and natural resource management. The organisation facilitates and maintains strong co-operative relationships between Traditional Owners and government agencies, non-government organisations, exploration and mining companies, and other stakeholders.

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